

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
JANUARY 10, 2024
10:00 A.M.**

Meeting Called to Order

Mayor Saxton called the January 10, 2024, Town Council Workshop meeting to order at 10:01 a.m.

Attendance and Absences

In attendance were Mayor Tim Saxton and Councilmembers Randy Bartholomew, Bob Biciocchi, Edie Dondero, Chris Keefe (online), Tim Shaw, and Bob Shields (online); Town Manager Maureen Hartman, Police Chief Jason Lovins, and Town Clerk Matt Amerling. Public attendees: 27. Virtual attendees: 36.

Public Comment

Ray Saunders, 204 W. 11th Street, asked if there was any plan after the previous evening's (Jan. 9) rainstorm because there are canals which are practically overflowing. Mayor Saxton stated the Council would have to evaluate what has happened across the Town before they can comment.

Discussion of U.S. Wind Community Benefit Agreement (Saxton)

- **Brief presentation by Mike Dunmeyer, U.S. Wind Representative, followed by Council discussion**

Mike Dunmeyer, of U.S. Wind, presented the facts from the previous July 27, 2022, Council workshop meeting, as well as additional information regarding the Community Benefit Agreement (CBA). The offer structured is that these payments under the CBA would come over a period of twenty (20) years, and it will roughly begin when U.S. Wind begins construction. The first \$100,000 payment to each of the participating towns would come when U.S. Wind starts putting turbines in the water; the second \$100,000 payment would come when U.S. Wind reaches their commercial operation date, i.e. when they start delivering power to the grid; and then, for another 18 years after that, on the anniversary of that commercial operation date, each town would get another \$100,000 payment from U.S. Wind. U.S. Wind does ask that the towns that are participating not take action to obstruct or prevent the project from taking place; however, at any point if towns are ever uncomfortable with a deal, they can get out – but in order for there to be no cost to stepping out, the Town would have to do so in preconstruction, before anything has started – and then the Town could take any action they want.

The Council deliberated on the agreement, noting that it comes with no obligations and payments could provide substantial financial support for the Town's infrastructure projects. Council members expressed their support for the agreement, emphasizing the Town's significant infrastructure needs and the potential benefits of the agreement. However, they also clarified that the decision is not final, and the Town is open to changing its stance if significant community opposition emerges. The Council also addressed concerns about the potential impact of the wind farm on the Town's viewscape and property values, with some members expressing skepticism about these concerns.

- **Additional public comment**

Numerous issues were brought forth by residents and non-residents regarding the CBA, with differing opinions on whether to sign it. Concerns were raised about the financial compensation offered for the project, feeling it was too low and that the language of the contract needed to be clearer; the inability of the Town being able to file a lawsuit without having to pay back monies to

U.S. Wind; the financial implications of the project, with some expressing doubt about its viability due to rising inflation and interest rates, as well as the risk of the company going bankrupt and the Town not receiving the expected monies; taking the money and keeping it in reserves; and the inadequacy of posted bonds for future cleanup efforts. Mr. Dunmeyer answered several questions from the Town of South Bethany property owners.

Discussion on the Department of Natural Resources and Environmental Control Economic Analysis for Shoreline Management Study (Saxton)

Mayor Saxton stated this is a study being done by DNREC and the goal is to look at ways to create cost sharing – specifically with the local municipalities – beach nourishment. Mayor Saxton stated he believes the Town doesn't think this study is necessary and that the State should continue to fund beach nourishment without local municipality cost sharing. There will be a virtual meeting held by DNREC on January 18, about which the Town will send out an email blast. The Council agreed that the State should bear the cost of beach maintenance, given the economic advantage it provides. Mayor Saxton stated the email blast stating the meeting details and the Town's opinion will be sent out tomorrow.

Discussion of Sharp Energy Agreement (Saxton)

The Council came to a consensus to extend the agreement with a vote at the January 25th meeting.

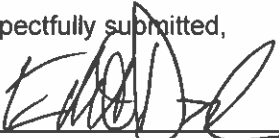
Discussion of response from FEMA regarding Floodplain Ordinance (Saxton)

Mayor Saxton stated after many discussions with FEMA, the Town was told the floodplain ordinance can be strengthened, but it cannot be weakened; and if the Town weakens it, there is a high risk of being kicked out of the National Floodplain Insurance Program, which the Town doesn't want to see happen. Mayor Saxton's suggestion to the Town Manager and Town Code Enforcement Constable is to leave the floodplain ordinance unchanged and continue to require a permit for all construction, repairs and maintenance activities; however, the Town has the ability to determine the fees for all permits, and Council may consider options to lower the cost of permits for minor repairs and maintenance. Town Manager Maureen Hartman stated whichever Council member works on this should work with Town Code Enforcement Constable Joe Hinks because he has already put together some building permit issuance draft scenarios.

Adjournment

Motion by Councilman Bartholomew, second by Councilwoman Dondero, to adjourn the January 10, 2024, Town Council Workshop Meeting at 12:41 p.m. Motion carried 7-0.

Respectfully submitted,



Council Secretary



Town Clerk

2/9/2024

Date of Approval