

# Town of Magnolia

Mayor Cheryl Carney

302 335-5891

Mayor Cheryl Carney called the August 13th, 2012 meeting of the Magnolia Town Council to order at 7:00. Vice Mayor Jim Frazier, Councilpersons Michael Cohill, Barry Fillman, and Scott Fowler were present. Diane Cahall, Ralph Satterfield; guests: Gene Riccio and William H. Walker were also present.

Mayor Carney asked for a motion to accept the minutes from the previous meeting – Jim Frazier made a correction to the July minutes; noting the word plus \$3500 in the budget paragraph should be surplus of \$3500. Vice Mayor Jim Frazier noted that the 2012-13 fiscal budget has been approved, completed and is posted on the town website. The budget includes surplus \$3,500 for 2013. Michael Cohill made a motion to accept the minutes with the correction; 2nd by James Frazier – Motion carried.

Mayor Carney asked for a motion to approve the treasurer's report and pay the bills. James Frazier made the motion to approve the report and pay the bills, 2nd by Barry Fillman – Motion carried.

Council reviewed choices for new Building Permit application, new application for Business License, and application for Landlord/ Tenant License. Michael Cohill made a motion to accept the chosen applications and Barry Fillman seconded the motion. Jim Frazier will make the applications available online as a printable PDF. Applications will also be available at the Town Hall.

Mayor Carney noted that the next meeting for Heritage Day will be held on August 27th at the Magnolia Fire Hall. Heritage Day will be held on October 6th and they are expecting a large crowd due to election year.

Mayor Carney advised council that she had met with Earl Dempsey, President of the Magnolia Fire Company, regarding the use of town water to fill swimming pools. Council discussed allowing the fire company to use town water to fill pools. Councilman Michael Cohill made a motion not to allow the use of town water to fill pools, Barry Fillman 2nd the motion – Motion carried.

The Magnolia Fire Company also advised Mayor Carney that Representative Peterman would like to provide funds to repave the fire company parking lot and possibly the driveway to the pump house. To obtain this funding, the application would have to be submitted by the Town of Magnolia, not the fire company. Council tabled this request and will discuss at the September 2012 meeting.

Mayor Carney advised council that Mr. Ed Strass from DEMA contacted her regarding our Hazard Mitigation Plan. Currently our only backup generator belongs to the Magnolia Fire Company. We have used FEMA (they provided resources for the snow blower and downed tree); however, to obtain DEMA funding, the town must adopt the

entire DEMA document including all sections. DEMA will attend the September council meeting and council can complete the resolution and adopt all sections in one meeting.

Councilman Barry Fillman requested council to discuss the possibility of changing the monthly meeting night to accommodate Michael Cohill (conflict with American Legion meeting). It was noted that our Town Charter states the monthly council meeting is held the second Monday of every month, and the charter would have to be changed to alter the meeting night.

Diane Cahall presented the council a listing of all delinquent water/ tax bills for Magnolia. Council requested the treasurer to draft a letter including the new town Ordinance/Section 402 on late water bills. Diane will email letter to council for approval and mail to any resident with a balance due over 61-90 days. The letter will be mailed on September 1st and residents must contact Mayor, Council or Diane within 30 days to make payment arrangements.

Vice Mayor James Frazier explained that resident Mark Butala had an extremely difficult time obtaining a building permit. Mr. Frazier obtained the town seal from Mayor Carney and issued the necessary permit. It was noted that the town seal and permits be left in the town hall so they will be accessible for issuing permits. Mayor Carney advised council her email has been unavailable and she now has a new email address: [carney4magnolia@gmail.com](mailto:carney4magnolia@gmail.com)

Mayor Carney read a letter from Attorney Terry Jaywork regarding FOIA, and its effect on municipalities. Diane will make a copy of the letter and all proposed bills in legislature for each member of the council. These copies will be left in the town hall for council members to pick up. Mayor Carney suggested we have Barrett Edwards attend the September meeting to brief us on these regulations.

Council reviewed a map layout from Kent County Planning on a new development requesting rezoning on South State Street behind Lotus Grove Road. Anyone interested may attend a public hearing at Kent County Planning on September 6th.

Mayor Carney read the report submitted by Ralph Satterfield for July 2012: flushed all hydrants — no problems. Mowed around hydrants.

Scott Fowler presented the following water report: The town used 1,773,000 gallons of water during July 2012. Pump 2: 874,000 gallons. Pump 3: 899,000 gallons. Well levels: 42, 37, and 42. Pump 2 ran 55.1 hours, Pump 3 ran 55.4 hours. Average chlorine is .257. Scott Fowler and Ed Marvel prepared the public health reports and Diane will mail reports to the Division of Drinking Water. Scott Fowler advised that he would contact Diane if notices should be posted to conserve water.

Motion to adjourn the meeting at 8:43 pm made by Michael Cohill and 2nd by Vice Mayor Frazier — Motion Carried. Meeting adjourned at 8:43 pm.

Respectfully Submitted,

Diane P. Cahall, Secretary