

Town of Magnolia

Mayor Cheryl Carney

302-335-5891

Mayor Cheryl Carney called the September 10, 2012 meeting of the Magnolia Town Council to order at 7:00. Vice Mayor Jim Frazier, Councilpersons Michael Cahill, Barry Fillman, and Scott Fowler were present. Diane Cahall, Ralph Satterfield and guests: Attorney Barrett Edwards, Town residents Gene Riccio and William H. Walker were present.

Mayor Carney asked for a motion to accept the minutes from the previous meeting — Mike Cahill made a motion to accept the minutes, 2nd by Jim 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 Mike Cahill — Motion carried. Council asked Diane to call Regina of Landscapes, Inc. and have the sidewalk weeds sprayed one more time.

Diane Cahall reported on late water/ tax invoices, noting several payments have been made. She will wait 30 days (until September 30) when customers were requested to contact the town with payment arrangement or pay invoices in full. Barrett Edwards advised that we must be consistent with all customers during collections. The Magnolia Trailer park will be contacted and payment arrangements will be documented. Mayor Carney will speak to the collection gentlemen she met at the Del. League of Local Government meeting and request further information on his business to be a collection agency for all municipalities.

Mayor Carney noted that the next meeting for Heritage Day will be held at 7pm on September 27th at the Magnolia Fire Hall. Heritage Day will be held on October 6 and include petting zoo, pony rides, crash truck, DJ, Center Point Worship Choir, DAFB Honor Guard and more. Parade lineup is at 10:30 am and the parade led by Eric Buckson will begin at 11:00 am. Council approved a check in the amount of \$200.00 to Charles Dougherty for advertising placemats at Hall's, Magnolia Restaurant and Restaurant 55.

Mayor Carney advised council that she had met with Rep. Peterman and the Magnolia Fire Company. \$50,000 has been allotted to pave the fire company parking lot. The amount of \$50,000 has been approved to the project. The town is responsible for advertising request for bids. The fire company should have engineers provide specifications for this project. Also, the Fire Company is asking Colin Bonini for an additional \$10,000. More details will be available at the October meeting.

Council discussed the rezoning of property on Bay Road for a hot mix plant. Pioneer, Tilcon, George & Lynch and ICM are now or were previously located on this site. Council is going to remain neutral on this rezoning since it is more than 5 miles from the Town of Magnolia.

Mayor Carney advised council that according to Levy Court Commissioner Eric Buckson, if 2/3 of the town residents sign a petition for County Trash Collection, the town of Magnolia would qualify for a discount. Annual trash bills would be added to the residents' annual county tax bill. Council members voiced concerns and questions. Vice Mayor Frazier stated we should have Commissioner Buckson do a presentation to the council and possibly town residents at his earliest convenience.

Diane Cahall advised council that delinquent water/tax letters have been mailed to residents. A report will be presented at the October meeting and letters of disconnect will be mailed (certified mail) to anyone with a balance of \$200.00 or more, unless they have made payment arrangements with council. If payment is not made within 30 days; water will be disconnected.

Town solicitor Barrett Edwards reported to the council on new FOIA (Freedom of Information Act). The town has never held Executive Sessions; however, if we do, no vote can take place during an executive session; you must come out of session to vote. Minutes of Executive sessions are kept confidential. For the council to vote on any major decision we should hold a public hearing, which we have always done in the past. Council cannot vote on any motions via email; it must be done in meeting. Notice of public hearing requires 7 days notice and posted online and on the town hall bulletin board. Special meetings can be held with 24 hours notice. Agenda should be posted one week prior to meetings; agenda can be changed and items added. Most complaints that go before the Attorney General's Office can be resolved in a professional manner.

Ralph Satterfield presented the following report: Flushed hydrants - no problem areas. Working on ivy and brush growing in the SW corner of the town hall. Removed grass seed mat and most of the spikes in reseeded area so grass could be cut. Flushed school hydrants on Aug. 18; clear. Could they have been flushing while school was out of session? Changed flags; put up new ones.

Scott Fowler presented the following water report: The town used 1,436,000 gallons of water during August 2012. Pump 2: 715,000 gallons. Pump 3: 721,000 gallons. Well levels: 37', 32' and 37'. Pump 2 ran 44.1 hours, Pump 3 ran 44.2 hours. Average chlorine is .249. 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 8:50 pm made by Michael Cohill and 2nd by Vice Mayor Frazier — Motion Carried. Meeting adjourned at 8:50 pm.

Respectfully Submitted,

Diane P. Cahall, Secretary