

Minutes
DAGSBORO TOWN COUNCIL
Bethel Center
Monday, July 17, 2023

I. CALL MEETING TO ORDER

Meeting was called to order by Mayor Baull at 6:00 p.m.

In attendance were: Mayor Brian Baull, Vice-Mayor Theresa Ulrich, Councilman Norwood Truitt, Councilman William Labor, Town Administrator Cynthia Brought, Chief Steven Flood, and Engineering Consultant, Kyle Gulbranson. Councilman William Chandler was absent. See sign in sheet for others in attendance.

II. PUBLIC COMMENT

Jeffrey Kerwin, of 110 Prince George's Dr., stated that he had a couple of questions relating to accessory buildings that were discussed at last month's Town Council Meeting. He stated that he was told that the peak of a building could not be over 10 ft. tall with the 600 sq. ft. building being proposed. Engineering Consultant Kyle Gulbranson stated that an accessory building can be over 10 ft. tall, but in that case, the regular setbacks on the property would need to be met. Mr. Kerwin stated that he has a ¼ acre lot and the proposed building would not fit on his lot with those setbacks and added that he can apply for a Variance but wanted to know exactly what would be considered a hardship. Engineering Consultant Gulbranson stated that hardship is a physical characteristic of the lot and that if a building would not fit on the lot due to size or shape, that there is a possibility for a Variance. Mr. Kerwin stated that for him to have the building placed within the setbacks listed, it would be too close to the shed that is already there and too close to his back porch, but the roof is over 10ft. He added that he would like it placed 6 ft. from the side and back of his property and asked if that would be an acceptable reason for a Variance. Mr. Gulbranson stated that the Board of Adjustment would make that decision and there is no guarantee that the variance would be approved. He added that he feels there would be a good chance of it being approved but the Board of Adjustment is a separate board that makes those decisions.

III. APPROVAL OF MINUTES

June 19, 2023 Town Council Meeting

Vice-Mayor Ulrich made a motion to approve the Town Council Minutes as presented. Councilman Truitt seconded the motion. All were favor.

IV. CONSENT AGENDA

a. Police Department Report

Chief Flood stated that they received a couple donations towards their K-9 Unit. Last week, Tractor Supply Co. donated fencing and Atlantic Concrete has offered to donate the concrete that will be needed.

He also stated that it may have been seen on the news where Cpl. Cullen made a traffic stop for a cell phone violation, which was an individual that had been wanted for a year-long drug investigation by the State Police. The individual used a false name, so a fingerprint scanner was used to identify him.

Mayor Baull suggested sending thank you letters to Tractor Supply and Atlantic Concrete for their donations. Chief Flood replied, "We are working on those and will get them out to them." Town Administrator Brought stated that the Police Department made a post on Facebook and that the Town should make one also.

Vice-Mayor Ulrich stated that she had an issue with an individual speeding through Prince George's Acres while she and her family were out walking. She added that she did yell to him to slow down, and the individual stopped his truck and they felt threatened by him. She also stated that a female came outside and apologized and said she would take care of the matter. Chief Flood asked, "Did you call 911?" Vice-Mayor Ulrich replied, "No, I did not." Chief Flood recommended that when something like this happens, it is best to call 911 for assistance, then the incident will also be documented.

- b. Treasurer's Report**
- c. Administrative Report**
- d. Building Official Report**
- e. Code Enforcement Report**
- f. Meeting Reports**
- g. Water Department Report**
- h. Prince George's Chapel Cemetery Report**
- i. Correspondence**

Town Administrator Brought stated that they have been absent one member on the Board of Adjustment since Carol Thompson was moved to Planning & Zoning. She feels they should fill the vacant seat before a BOA Meeting is needed. She also stated that William Dailey, who lives in the Woodlands of Pepper's Creek, volunteered to fill the vacant seat, and filled out the application which is included in the meeting packets. Town Administrator Brought stated, "If everyone finds his application acceptable, I would like to vote on bringing Mr. Dailey onto the Board of Adjustment this evening." Mayor Baull asked, "How long has Mr. Dailey lived in Dagsboro?" Town Administrator Brought replied, "He has lived here for quite a few years." She stated that he is very helpful at Katie Helm Park and lives next door to Carol Thompson, who also recommends him.

Vice-Mayor Ulrich made a motion to approve William Dailey's application for the seat on the Board of Adjustment for the Town of Dagsboro. Councilman Labor seconded the motion. All were in favor. Vote was 4-0 with Councilman Chandler being absent.

Town Administrator Brought stated that the side streets in Town are 20mph but they don't have speed limit signs posted. She added that the main issue is that there aren't any poles to post the sign. Town Maintenance, Joe Quinn is working with Miss Utility to see where poles can be placed. The Police Dept. hope to receive a Grant for additional poles and signs. Town Administrator Brought stated that they need to get the signs posted to back up the Police Department when they stop vehicles for speeding.

Vice-Mayor Ulrich asked for confirmation that the new iGOV software was purchased. Town Administrator Brought replied, "Yes, it has been installed and we are being trained."

Vice-Mayor Ulrich made a motion to approve the consent agenda as presented. Councilman Labor seconded the motion. All were in favor.

V. NEW BUSINESS

a. Renewal of Contract with Artesian for Licensed Operator Services for 2023-2024

Town Administrator Brought stated that the new Contract with Artesian was included in the meeting packets and she noted where fees were increased from last year. She also stated that she showed it to Councilman Chandler, who is on vacation, and his reply was that fees are being increased on everything and is in favor of the renewal.

Councilman Labor made a motion to approve the Renewal of the Contract with Artesian for Licensed Operator Services for 2023-2024 as presented. Councilman Truitt seconded the motion. All were in favor.

**b. Change of Use Application Discussion and Vote—28856 Hudson Road
Previously Leased by Hurricane Martial Arts—Now Sold to AG Concrete Works for
Commercial Offices**

Engineering Consultant, Kyle Gulbranson stated that this location was previously Hurricane Martial Arts and the new owner who bought the building runs a construction business. His plan is to divide the building into 2 office suites and use one for his office and rent out the other out. Vice-Mayor Ulrich asked, "Does he plan to keep equipment on the property?" Mr. Gulbranson replied, "No, the plans are just showing office space and a bathroom."

Councilman Truitt made a motion to approve the Change of Use Application for 28856 Hudson Road for AG Concrete Works for Commercial Offices. Councilman Labor seconded the motion. All were in favor.

**c. Cea-Dag – Conversion of Rental Units and Costs Associated/Jake Booth Memo to
Councilman Chandler**

Town Administrator Brought stated that Councilman Chandler and Jake Booth, Owner of Cea-Dag had been exchanging emails about a new Water Meter Agreement that was discussed at a previous Town

Council Meeting. Both decided that a new written agreement wasn't necessary, and that Mr. Booth would follow the same rules as other commercial businesses in Town and take care of his own water meters.

She also stated that Mr. Booth had questions regarding him having until 2055 to convert the existing Cea-Dag Apartments into condominiums. Engineering Consultant, Kyle Gulbranson stated that Mr. Booth questioned if there would be any additional water fees for him if he converts the rental town houses into owner occupied condominiums. Mr. Gulbranson stated that this has happened in the past and there wouldn't be any new Water Impact to the Town since Edu's were purchased when the development was built. Since the water service is already there, the only cost would be to have a water meter installed to serve each unit, and whoever is converting the units would need to cover the meter and installation fee, at no cost to the Town. Town Administrator Brought stated that the previous Cea-Dag owner, Scott Evans, would purchase and install the meters and then let the Town know the meter numbers so they were able to read the meters. She also stated that Mr. Booth asked if the fees could be passed on to the homeowner and she told him that this all needs to be in place prior to the sale of the unit.

Town Administrator Brought stated Councilman Chandler and Town Solicitor Greg Morris both agree with what Mr. Gulbranson stated, which was to go with how the Town handled this in the past. All were in favor.

VI. OLD BUSINESS

a. Fence Installation Artesian Water Plant—Armory Road

Town Administrator Brought stated that she spoke with John Thaeder, of Artesian and he stated that they are working on the third well and getting prices on the security fence and expects to have everything completed by October, at the latest.

VII. PUBLIC COMMENT

No public comment was made.

VIII. ADJOURNMENT

Vice-Mayor Ulrich made a motion to adjourn. Councilman Labor seconded the motion. All were in favor.

Meeting adjourned at 6:20 p.m.

Respectfully Submitted,
Wendy Rayne, Finance Clerk