

Town of Ellendale
Regular Meeting of Ellendale Town Council

March 5, 2025

Ellendale Fire Hall -302 Main Street

Minutes – Recorded on Apple iPad

1. **Call to order** – President Tom Panas began the meeting @ 7:00 PM
2. **Pledge of Allegiance** was recited and a **Moment of Silence** was observed
3. **Roll Call** – was taken and the following council members were present:
Tom Panas – President
Clay Walton – Vice President
Bob Billbrough – Treasurer
Sam Noto – Secretary
Absent:
Joe Beck – Council Member at Large
4. **Approval of Agenda** – Tom Panas: There will be one additional item added to the agenda for Mosquito Control. Under new business, item #2 the Draft Ordinance of Site Plan Approval Process will be tabled. A motion was made to approve the agenda by Clay Walton and was seconded by Bob Billbrough. A Roll Call Vote was then taken to approve the agenda: Clay Walton - yes, Joe Beck - absent, Bob Billbrough - yes, Tom Panas - yes, Sam Noto - yes.
5. **Approval of Previous Meeting Minutes** – the transcription of the previous meeting minutes for February 5, 2024 for review and approval was made at this time. A motion was made by Bob Billbrough seconded by Clay Walton. Minutes were passed unanimously by the present council members.
6. **Treasurer's Report** – The report As of January 31, 2025, was given by the current Treasurer Bob Billbrough. Bob reported on the current revenue and expenditures for the month as well as the fund balances held in the various accounts (See attached). Bob also reported on the outstanding delinquent taxes still owed to the town of Ellendale.
7. **Police Chief's Report** – The monthly report was given by Chief Bruce Von Gorres for the month of February 2025. (See attached)
8. **Town Clerk's Report** – was given next by Town Clerk Karen Brittingham. (See attached)
Tom Panas: question on the 27 building permits that were issued, “were they all in one development?” Karen: No, I have 24 that were in New Dale Acres and three that were independent within the town.
9. **Town Manager's Report** – was given by Town Manager Kayla Adkins (See attached for details). Tom Panas raised a question regarding the concrete pads for the installation of

the benches on the Town Hall property as to price quotes and Clay Walton reported that a contractor was coming in this week.

10. **Committee Reports:** Tom Panas: do we have any Committee Reports?

- **Community Outreach** – Karen Brittingham: Mr. President, the Chair of the Community Outreach Terrie Ottomano is ill, and asked me to give the report on her behalf. (See attached for details)
- **Police and Emergency Response Committee** – Per Tom Panas: The committee chair is not here; and at this time I can report that there was no meeting. We are trying to have an in-house meeting to get this committee re-established.
- **Vistor Recognition** – Tom Panas announced that at this time, anyone wishing to address the council may do so. They will be given two minutes to speak with no rebuttal from the council.

No visitors in attendance had anything to say during this segment.

11. Old Business:

- I. The Ponder Road Update – Kayla Adkins, Town Manager: We have talked about the studies regarding the vehicles use of the road. A concern has been raised regarding the cost. The estimate of the cost out-weigh the effectiveness. I have spoken with our town engineer Andrew Lyons and I asked for different suggestions from him regarding that and what past experience he has in this matter. He recommended that we lower the speed to say 15 mph vs. putting in speed bumps which would cause further damage to the road and make it louder. He said to make a resolution to change the speed limit on that road.
- II. Department of Public Works Standards and Specifications Manual – Tom Panas: is completed and waiting for approval. So, can we have a motion to approve that manual? A motion to approve the manual was made by Bob Billbrough and seconded by Clay Walton. Vote was called by Sam Noto as follows: Bob Billbrough – yes; Clay Walton – yes; Sam Noto – yes; and Tom Panas – yes. Clay Walton and Karen: So, by passage of this Jamie is able to apply for grants which heretofore was unable to apply for.
- III. Ingram Village Speed Bump Repair – Kayla Adkins, Town Manager: The repairs have been completed. Jamie was able to replace the stakes. Ingram village has been invoiced. Tom Panas: do you remember what the amount was that we have billed them for? Kayla: I do not have that amount. Clay Walton: Did we bill them for the snow removal as well given their history and things not progressing the way that they should? I got a confirmation, yes; but, I have not seen the check. Clay: I would mark on my calendar for 30 days to see if they have taken care of this and if not, then send them a reminder.
- IV. Reed Property Solar Farm Update – Tom Panas: Karen, you have some information? Karen: Yes, the Reed Property Solar Farm once again was a

conditional approval through Sussex County simultaneously or prior to us annexing in the property. As such, we had requested from the developer as well as from the county that we receive the conditional use of all of the conditions that were proposed by the county as well as all of the approvals documents that adhere to it. Part of the discussion is that we were talking with our attorney to see whether we should have a decommissioning bond. We put that to rest in that the property owner themselves will be requiring a decommissioning bond and we will require a copy of that bond showing that it is in place. So, I would say that in the next 30 days we will be reviewing that form.

- V. New Property Tax Assessment/2025 Tax Rate – Kayla Adkins: We have had discussions regarding using the old Sussex County assessment due to the concerns of the state and status of appeals for the new Sussex County assessment. So, to make that effective to allow the town to use the old assessment valuation, this resolution was made to allow that to happen. Clay Walton: Karen and Kayla, does this resolution require approval? Kayla: Yes, you still must approve the resolution. Clay: So, I make a motion that we accept the resolution that if you got a tax bill last year, your bill this year is going to be the same until Sussex County resolves the re-assessment process. Jamie Sharp: let me clarify, the bill may not be the same. What this says is that we are going to use the older assessed values with the idea that we will not need to change the rate until July. You'll be able to reset it at that time. Clay: So, we are already into the new tax year right now. Jamie: I know; but, you are starting it in July. Clay/Tom: No, we are already in it for this year starting in January. So, unless you built after the time when the tax bills went out last year, then you will get the same tax bill this year going forward. Jamie: I understand, I was under the impression that because you had already set the rate that it would be unnecessary. I was under the impression that Sussex County would not be done by the time that you begin your process. So, the idea is that you would use the old assessment value and rate until Sussex County gets through its valuation process. Sam Noto: Yes, and we can't have a mix of some properties using the old and some properties have the new. And so, then we would have to have separate tax rates whether Sussex County had them up to date is something that we don't want at all. Karen: I would hesitate just to verify that if you had a bill (let's just use Ingram Village for example) with vacant land, it isn't going to be the same if you built on it, you are going to have a different bill. So, basically the new tax bill will reflect the existing property. If there's been a house built on it, then you're going to have a different bill. Patricia Marney: professionally I bill taxes, so are you planning to use the Sussex County 1973 rate for a new building? So, meaning that you are going to have to reduce the value? Karen: I will get your contact information after the meeting and get back to you. Tom: we need a motion. Sam: we have a motion from Clay to accept it. Bob seconded it: Sam: let's do a roll call

vote: Clay Walton: yes; Bob Billbrough: yes; Sam Noto: yes; Joe Beck is absent; Tom Panas: yes. Sam Noto: passed.

- VI. 2019-2022 Audit Final Review – Kayla Adkins: After the big audit that was conducted, the town reached out to the firm of Lank, Johnson & Tull, CPAs to conduct a financial audit for 2019-2022. That review has been completed and finalized. I emailed that to all of the town council members for review this evening with their review and the conclusion that everything was on track financially. Clay Walton: make a motion to accept. Bob Billbrough – seconded. Vote: Clay Walton: yes; Bob Billbrough: yes; Sam Noto: yes; Joe Beck is absent; Tom Panas: yes. Sam Noto: passed.

12. New Business:

- I. 2023-2024 Audit Proposal – Tom Panas: Kayla. Kayla Adkins: Yes, so it was asked after they completed the final audit review that they do a financial review for 2023 and then for 2024 go into a more in-depth audit review. And so, they provided us with an estimate for each year. (See attached letter)
Clay Walton: So, I just wanted to say for Bob and Sam's benefit, so the review in the old business that we reviewed was \$2,500 a year. So, we did 4 years for \$10,000. Now, they are \$7,500 for one year and \$10,000 for the next. That is a bit of inflation. So, whether they decide to give us a discount rate being the past and what should have been done, remedied or caught up or whether they just found a cash cow here, I'm not sure which way we could go; but, an option would be that we do the \$7,500 to get current because we just now entered '24 so we're not in arrears. And then, as more funding becomes available as more building takes place, then we could consider the \$10,000 or consider moving on to another place. Tom Panas: before we move on, I would just consider the fact of getting an idea from another firm of what they would charge. We have no obligation to go with them. Clay: we could run with it. Tom Panas: if it's substantially different, we could go back to them and say, hey, wait a minute guys let's barter a little bit here. Clay: sounds like a plan. So, Kayla, you'll take that and solicit some quotes? Kayla: Yes.
- II. Draft Ordinance of the Site Plan Approval Process – Tom Panas: That's the ordinance that we tabled until next month.
- III. The Mosquito Control Program – Tom Panas: Karen, you have a letter on that? Karen Wittingham: Yes, originally, we were going to look at this under correspondence; but, because it requires all of you on council to be aware and vote on it, we put it under new business so that you could hear it and make a formal roll call vote. I will point out that you have participated in the Mosquito Control Program for years, so it's been an ongoing program where they come in and spray for mosquitoes. It's been very successful to my knowledge. I haven't heard any complaints about the program or what they have done. If there is a

complaint, then it would be that they do it more often so that there are less mosquitos. (See attached letter)

Therefore Mr. President, I'd like to recommend that you put a motion on the floor to accept participation in this program.

Clay: is there a fee associated with this? Karen: this is a state service provided by Mosquito control. There is no cost to the town. Clay: no brainer. Bob Billbrough made a motion to participate in the Mosquito Control Program. Clay Walton: second. Vote: Bob Billbrough: yes; Clay Walton: yes; Sam Noto: yes; Tom Panas: yes. Sam Noto: Joe Beck is absent. Karen: Mr. President, we will be increasing our areas of coverage to include our annexed parcels.

13. Correspondence

Tom Panas – at this point, there is no correspondence to bring forward from other council members. Clay Walton: none. Bob Billbrough: none. Sam Noto: none. Tom: I do have one piece of correspondence and it's in reference to the Chief. The Chief came down this afternoon and a Mr. Kevin Jones is an accreditation officer and he interviewed with the Chief and looked at our process of how our police office is running and we have to get accreditation. He will submit to us a proposal of what it will cost and roughly estimate a timeline he will make the accreditation for the chief's approval when it is completed. So, I wanted to share that information as it's a little bit of burden lifted off the chief.

- Karen: Mr. President, I have two pieces of correspondence. Hello, I've been trying to get in touch with the town regarding the adult use of cannabis if you tell of a place in town where it would work for retail dispensary. Basically, we don't have anything in our code right now that would allow it. So, basically, I'm simply acknowledging it now so that I can research it. The second piece of correspondence I have to say was initiated in discussions when the annexations first started. We discussed providing guidance to individuals upon their initial arrival. This is from Chesapeake Utilities, the natural gas provider in Kent and Sussex counties. We are looking to expand our natural gas services into the town of Ellendale. (See attached letter from Karen).

14. Executive Session – None.

15. Possible Action on Executive Session – Sam Noto – See attached notes from the February 5, 2025 executive session.

16. Adjournment – Tom Panas – I would like a motion to adjourn this meeting. Motion to adjourn – Bob Billbrough and seconded by Clay Walton. Roll call: Bob Billbrough – yes, Clay Walton – yes, Sam Noto – yes, Tom Panas – yes.

Meeting Adjourned @ 37:55 PM.

Minutes transcribed by Council Secretary Sam Noto March 10 through 11, 2025