

**Town of Felton
Town Council Meeting
January 10, 2011
7:00pm**

Mayor Kelley called the Town Council of Felton Meeting to order at 7:00pm on Monday, January 10, 2011. Present at the meeting were:

Council Members: Mayor Kelley, Vice-Mayor Joanne Clendaniel, Joe Yapsuga Jr., Kevin Fletcher and Anthony Carroll.

Staff: Town Manager, Rebecca Greene; Chief of Police, Levi D. Brown; Town Clerk, Sarah Ferguson.

Public: Residents – Henry Twardus, Gloria Minus, Janette Carroll; Independent Order of Odd Fellows (IOOF) – Richard Adams; Hudson, Jones, Jaywork & Fisher (Town Attorney) Terry Jaywork, D. Barrett Edwards IV

Executive Session:

Motion: Councilman Yapsuga made a motion to take the agenda item "Executive Session" out of order. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Motion: Councilwoman Clendaniel made a motion to adjourn for Executive Session to discuss Personnel Issues. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Mr. Jaywork and Mr. Edwards accompanied Council to Executive Session.

Motion: Councilman Yapsuga made a motion to reconvene from Executive Session. Councilman Carroll seconded the motion. The motion passed unanimously.

Motion: Councilman Carroll made a motion to rescind the Personnel decision made after the Executive Session at the December 13, 2010 Council Meeting. Councilwoman Clendaniel seconded the motion. The motion passed with Mayor Kelley abstaining because he was not present for the original vote.

Citizen Concerns:

Mr. Adams representing the Odd Fellows of Felton stated that he came to the Council Meeting to discuss the fence that the Odd Fellows put up in Odd Fellows Park on Main Street. Rebecca explained that the Odd Fellows had come to Council about two years ago to ask permission to put up a new fence and Council had given them permission. They then came in approximately a year later with an estimate of \$3,100 to replace the fence which Council felt was too expensive. Then they came in this summer and Council told them to put up the fence, bring them a bill and Council would give them a check for the amount that the Town could afford. Council had voted at the last meeting to give the Odd Fellows a check for \$200.

Mr. Adams was upset and emphasized that the park is actually owned by the Town therefore the fence was really owned by the Town. Mayor Kelley asked if the Town requested that the

fence be replaced and Mr. Adams replied no that the Odd Fellows were always fixing the previous wood fence so they decided to replace it.

Mr. Adams said that he hoped Council could see the Odd Fellow's position that they spent a lot of money to replace the fence on land that the Town owns and they believe the Town should pay a greater share of the expense. Councilman Yapsuga stated that he was one of the people that suggested \$200 because he did not realize that the land was the Town's property.

Councilman Carroll reminded Mr. Adams and Council that the letter from the Odd Fellows said that they were asking the Town for help not to pay for the fence. Councilman Yapsuga asked Mr. Adams what he felt was a fair amount for the Town to give to the Odd Fellows and Mr. Adams responded that he would say 50-75% of the cost of the project would be fair. Mr. Yapsuga asked if \$900 would be fair then and Mr. Adams responded that he would consider \$1,300 to be fair. Mr. Adams then left the Council Meeting.

Mayor Kelley asked Council what they would like to do and Councilwoman Clendaniel stated that Council gave what the Town could afford. Mayor Kelley stated that the Odd Fellows took it upon themselves to put up the fence. Councilman Carroll stated that the Town is still the owners of the property and he does not want to see the Odd Fellows at odds with the Town. Councilman Carroll suggested the Town give more to the Odd Fellows.

Rebecca showed Council in the December Meeting Minutes that it was mentioned at that Meeting that the Odd Fellow Park is owned by the Town. Councilman Yapsuga stated that now that he knows the land is owned by the Town he would suggest a donation of closer to 50% and Councilman Fletcher agreed. Rebecca reminded Council that they could not vote on this since it is not on the agenda and the subject was tabled until the next Council Meeting.

90th Birthday Proclamation:

Mayor Kelley presented the Proclamation to Mrs. Deputy's daughter Mrs. Minus (see attached).

Police Report:

Chief Brown reviewed the Police Report for December 2010 (see attached). He stated that the tickets for December 2010 were:

Officer	2009	Regular 2010	SEU 2010	Total 2010
9451	146	62	17	79
9452	221	117	14	131
9453	36	0	0	0
9454	22	22	0	22
9455	75	93	21	114
Total	500	294	52	346

Mayor Kelley asked if they had given out many cell phone tickets yet and Chief said that they had given out approximately 45-50 tickets over the weekend. Chief also mentioned that they can not give a ticket for another offense on a cell phone ticket because it is a civil offense. Therefore if they pull someone over for speeding and talking on their cell phones they would have to pick one or the other offense to write the ticket.

Chief Brown informed Council that they had purchased two flat screen tvs for training and emergency preparedness. One will be placed in the Police Interview room and the other in the Council Meeting room.

Motion: Councilman Yapsuga made a motion to accept the Police Report. Councilman Carroll seconded the motion. The motion passed unanimously.

Budget Report:

Rebecca asked if there were any questions. Councilman Yapsuga asked how much overtime Ralph used because of the snow last week and Rebecca responded that he had used six hours. Councilman Carroll asked how much snow has to fall before Ralph starts plowing and Rebecca answered that there has to be at least three inches before they start plowing.

Motion: Councilman Fletcher made a motion to accept the Budget Report with one correction of Municipal Street Aid to \$27,650. Councilman Yapsuga seconded the motion. The motion passed unanimously.

Payoff of Town Hall Loan

Rebecca informed Council that the payoff amount for the Town Hall Loan would be \$34,000 and that the Town would save approximately \$3,000 by paying it off. Mayor Kelley stated that he would rather wait until the end of the Fiscal Year to consider paying off the loan so that they would have a better idea of the Town's finances.

Rebecca suggested that the discussion of a payoff for the Town Hall Loan be postponed until June 2011. She also warned Council that they would not be able to pass a budget lower than this one because expenses have gone up and we have postponed repairs.

Council agreed to postpone a decision until June 2011.

Minutes:

Mayor Kelley presented the December 13, 2010 Town Council Meeting Minutes and asked if there were any corrections. There were none.

Motion: Councilman Fletcher made a motion to accept the December 13, 2010 Town Council Meeting Minutes. Councilman Carroll seconded the motion. The motion passed unanimously.

Employee Handbook:

Rebecca asked Council to review the changes to the Employee Handbook which were printed in red (see attached). Rebecca asked if there were any questions and there were none. Rebecca stated that if approved the changes would become effective immediately. Once approved all employees will receive an updated copy which Rebecca will review with them and then they will be asked to sign that they received the updated copy.

Motion: Councilman Yapsuga made a motion to accept all changes to the Employee Handbook. Councilman Carroll seconded the motion. The motion passed unanimously.

Motion: Councilman Carroll made a motion to adjourn Council Meeting. Councilwoman Clendaniel seconded the motion. The motion passed unanimously.

Sarah Ferguson, Town Clerk prepared these minutes.

Sarah Ferguson

Date