

# Village of Arden Advisory Meeting Minutes March 3, 2014

Attendance: Brooke Bovard, Tom Wheeler, Jeff Politis, Cookie Ohlson, Mike Curtis, Cecilia Vore, Bill Theis, Elizabeth Varley, David Mickelson, Carol Larson, Danny Schweers, Steve Threefoot, Ray Siegfried

**Call to Order** : Bill Theis, Chairman, commenced meeting at 7:39 P.M.

**Minutes**: January Advisory minutes approved as presented.

**Registration**: Cecilia Vore

Elections of Officers and standing committees.

A Form will be posted to the town web for candidates to fill out that will provide profile information provide why they want to run for a committee. Cecilia will provide link.

Cecilia updated nominees needed per committee.

**New Residents** –

**Recognition of the Departed**

**Visitors**

**Communications**

**Treasurer's Report**: David Michelson

A Schroder request proposal that was approved by officers will be presented by Forest Committee. . Fund balances left on some of the committees. Audit Committee will be performing audit functions in the officers office of the BWVC. Registration spending will be charged to their expense line. In past was relaxed about tracking their expenses. Steven wanted to know about 1099 issued for contract employees. Specifically, is the documentation a committee responsibility or officers of the Town? Committees would collect and send to town office. The liability winds up on the town. Steve wants t know what records to keep and make sure if it has confidential information such as social security numbers he would like it to be kept by the treasure under locked conditions. He will clarify further at another time.

**Trustees**

**Advisory Committee Report**: Bill Theis

**Board of Assessors Report**: Gary Quinton absent

## **COMMITTEE REPORTS**

**Reverse order**:

**Safety**: Chair: Brooke Bovard

Two leaseholds that continue to park on off street parking:

1) Orleans & Harvey (Gregg Morrison's leasehold). They are parking 30' from traffic light on street instead of on their leasehold.

2) 2409 Sherwood leasehold. They feel they are complying because they paved right of way and not their property.

Safety will research Ordinance for method of enforcement.

**Registration**: Cecilia Vore

**Playground**: Chair: Albert Marks absent.

Jeff Politis

Based on responses to survey placed in the Arden page, the Playground committee will make a recommendation at the June Town meeting. Committee is investigating natural playgrounds as a possibility. Tend to be lower maintenance. Still looking to replace equipment

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## **Forest Committee:** Chair: Carol Larson

Propose a plan to mark a path structure for woodland so they do not drive into woods. Plan is to change the step down into the area which will be designed by Rick Rothrock. Phil Fisher's estimate for the hand rail is very board and they are trying to obtain a concrete proposal.

Brooke: Is there an accessibility compliance issue since it is a government process? Steve: It is a legal question. This should be verified legally. Inform the town Assembly that you have funds and how you plan on spending those funds.

## **Community Planning Committee:** Chair: Ray Seigfried

- 1) January Town Assembly passed resolution for FEMA insurance. Ardencroft and Ardentown are both in process with the county for approval for FEMA and will be participants by late summer.
- 2) Vacancy house ordinance identified 8 leaseholds with only 2 responses. Liens will be placed on six leaseholds.
- 3) Outline of code of conduct coupled with other issues. Posted on the Web. Freedom of Information Act: Checklist. The idea behind this is to give each committee an idea of what they need to do in terms of minutes, postings for the minutes of meetings, locations. Quick check list. Conflict of Interest policy which was shared at the Special Advisory this January and Cecilia provided a modified version of it. There are two policies that they want to present to the town lawyer to find out from a legal point of view which policy would protect Arden better if there were a conflict of interest issue.

## **Draft Outline of Code of Behavior**

- **Purpose:** To establish guidelines that support open communication that is based on professional behavior. The scope would include officers, committee members, Town Assembly and Arden's relationship with the Arden Club, Ardentown and Ardencroft
- **Process:** Committees would be held responsible to work with each other in a respectful way. It would also expand the role of the Advisory Committee to decide unresolved issues and problems between committees. The Advisory Committee would also be the place to review and work out committee functional issues.
- **FOIA:** Checklist for each committee and web link to the act for details.
- **Contracts and bids:** Rules on any contract and dollars levels for bids that are consistent throughout Arden.
- **Conflict of Interest Policy**
- **Committee statement;** General information with membership and contact information.
- **Other topics**

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**FREEDOM OF INFORMATION ACT: CHECKLIST**

This checklist provides a list of key considerations and items that committees will need to follow in accordance with the Freedom of Information Act "FOIA".

**DISCLAIMER**

*This checklist is distributed for general information purposes with the understanding that under no circumstance its contents represent legal advice. Users are encouraged to consult the Freedom of Information Act, available online at <http://delcode.delaware.gov/title29/c100/#10001>*

Issues to consider:

- All meetings must be open to the public with the exception of the ones referred to in subsections b, c, d and h of section 10004 of the Act.
- Executive session closed to the public must be held following the procedures established in the Act and limited to the purpose listed in it.
- Regular scheduled meetings must be held within the geographic jurisdiction of the committees.
- All committees must give public notice of their regular meetings at least 7 days in advance thereof. The notice must include the date, time, and place.
- The public notice must be visible at the place where meetings of the committees are regularly held, and sufficient amount of it should be available.
- Any special or rescheduled meeting must be notified as soon as possible but in any event no later than 24 hours before such meeting with an explanation as to why a belated notice is given.
- Special or rescheduled meetings are the ones taken place less than 7 days after the scheduling decision is made.
- The public notice requirement does not apply to any emergency meeting.
- An action taken at a meeting in contravention of the Act may be voidable by the Court of Chancery.
- The agenda must include but is not limited to a general list of the main issues likely to be discussed.

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- The agenda must be part of the public notice. However, the agenda may be subject to change to include new items or to delete items which arise at the actual time of the meeting.
- If the agenda is not available at the time of the initial posting of the public notice, the agenda must be attached to the notice at least 6 hours before the meeting with a brief explanation for the delay.
- All committees must keep minutes of all meetings.
- The minutes must be available for public inspection and copying as a public record.
- The minutes must include a record of the members present at the meetings (except for town assembly where all citizens have the right to vote) as well as a record by individual members of each vote taken and the identification of the action agreed upon.
- The minutes or portions of them, and any public records connect to executive sessions, may be kept back from public disclosure as long as the public release would void the legitimate purpose for the executive session.

### Discussion:

Steven: The Chair of Assembly is the only one who can sign a contract. Every June as part of the Town meeting a set of financial policies is voted on. It should already be covered. Ray will take a look at it. This is about transparency. Everyone should know what the rules are.

Cecilia is not comfortable with the code of behavior because she feels it might be telling people how to act. She points out that Roberts Rules govern procedures. Jeff thinks this is about how things have gotten too personal and we have to make sure people understand that everyone is working for the good of the town. Steve defining that is the role of the person running the meeting to manage the decorum of the meeting. Ray clarified that he was referring to professional practice, behavior and communication. Ray will revise the code of behavior policy.

**Civic Committee:** Chair: Tom Wheeler.

**Buzz Ware Village Center Committee:** Chair: Steven Threefoot  
Steven Threefoot was voted Chair of BWVC.

Three Chairs have put out a letter and there was discussion at the last meeting in which we agree there needs to be transparency and consistency is BWVC goal. From a committee point of view in a bad way but from a financial point of view they are doing fine. Financials are breakeven. Larry Strange was paying the website fees (approx \$500) personally which Steve was not aware of and he does not support this practice. He wants all transactions reported and reflected in the books.

There was a proposal at the BWVC meeting that basically impacts the Village. The BWVC committee wants to set up an additional capital fund to keep money for this building. Steve pointed out that was the purpose of the \$30,000 capital fund that was set up. He thinks it is important to the BWVC members that they want to keep the Village funds separate from the BWVC funds. Steve wants the officers to be aware of this because this could be an issue. Renovations fund is used as a capital fund and is much smaller than what they are planning on doing. It still has to be administered through the Village.

Ray wanted to know the status of the three Chairs and the letters that went out. Steve would like the three Chairs to meet with the BWVC members and extended committee to let them know the status and where it is going. Danny: If the Chairs

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had anything they would have shared that information. Our attorney has been asked to come up with some possibilities in terms of a separate organization to run the BWVC might look like and have not heard back from him yet on this matter. Except for him to say that he is willing to research the possibilities. BWVC committee has nonvoting members on the committee and those people are nominated by respective town assemblies. Based on this Steve would be interested in addressing communications. Communications are not always great.

BWVC Monthly Meeting are scheduled for the second Thursday of the month.

**Budget:** Chair: Jeff Politis Three year projections

**Archives Committee :** Chair: Lisa Mullinax absent

**Audit Committee:** Chair: Cookie Ohlson

Meet Wednesday quarterly

**Old Business:**

**New Business**

**Town Computer Support:**

Best Buy offers a 2 year's contract @ \$175.00. Group approved.

**Motion**

Chair: Danny Schweers: **MOTION** by Barbara Shippy.

PROJECT POLICY: All new projects shall be presented to the Town Assembly for approval. Project presentations shall include the reason for the project, an outline of the project, how it will impact the town (including its budget), and an approximate schedule for the project. Physical work on a project, including demolition, shall proceed only after the project has received Town Assembly approval.

Discussion:

This motion is because of the playground slide being removed that was discussed at town meetings in which she did not attend. It is valid in having a project plan for the whole project. Logistically Barbara needs to speak to Community Planning because they are already drafting a policy that this would fit into. In terms of procedure, any motion can be tabled until the next meeting and referred to a committee for discussion. Steven Threefoot & Elizabeth Varley both feel that it negates the whole standing committee procedure and you do not want to micromanage the committees.

**Resurrect Annual Committee Picnic**

Danny would like to resurrect all committee members and officers annual picnic. CeciliaVore: The date to set the picnic needs to be after the committee convenes. So earliest date would be May and Advisory will handle arrangements.

**Good & Welfare** – None

**Refreshments**

Sept BWVC

Jan Civic

March Community Planning

Meeting Adjourned at 9:37 P.M.

Respectfully submitted,

Elizabeth Resko

Secretary Village of Arden