

**MAYOR & COMMISSIONERS**  
**February 8, 2021**  
**Via Teleconference**

Mayor Wells called the regular scheduled meeting of the Mayor and Commissioners of Delmar, Maryland to order at 7:00 P.M. Due to COVID-19, the meeting is being held via teleconference. In attendance were Deputy Mayor Unsell, Commissioners Scholl and Lenox. Town Manager Sara Bynum-King, Police Chief Barkley, Clerk of Council Vondell Spencer. Guest: Christine Park, Chris Brown and Doug Marshall. Absent: Commissioner Tucker.

Mayor Wells performed the Pledge of Allegiance followed by a roll call to confirm there was a quorum. A quorum was established.

**Mayor's Comments** – None.

**Approval of Minutes**

A motion was made, seconded, (Unsell/Lenox) and carried to approve the January 11, 2021 as circulated by roll call vote of 4 Ayes 1 Absent (Tucker).

**Unfinished Business -**

Town Mgr. Bynum-King noted with regards to the Doug Marshall Annexation we did receive notification from Wicomico County that on Tuesday, February 16, 2021 at 10:00 a.m. during their regularly scheduled meeting a public hearing pertaining to the zoning waiver on the Marshall Annexation will occur.

**New Business –**

Town Mgr. Bynum-King mentioned that she has been working with Wicomico County pertaining drainage issues created by the King Farm at the intersection of Foskey Lane and South Maryland Avenue. The King Farm property has added stones and materials that created an impervious area which cause water to run off onto Foskey Lane. There is flooding whenever there are heavy rains. There is water that stands on the South side of Foskey Lane to the center of the roadway. Hopefully we can get some type of resolve in working with the County on this matter. The King Farm business is regulated under Wicomico County's jurisdiction. Mayor Wells asked if that is the property where there is a lot of pallets. Town Mgr. Bynum-King answered yes, it is. There used to be a natural swell that ran along Foskey Lane on the south side of the road. The business has added Pea Gravel all the way up to the roadway and when we get heavy rains the water runs to the road because there is nowhere for the water to go. Mayor Wells commented keep us updated on this issue.

**Committee Reports:**

## Student Advisory-

Ms. Park reported: 1.) The school temporarily held virtual classes two weeks ago due to individuals quarantining with regards to the Delaware Department of Health. This also caused a limited availability of substitute teachers to fill in for teachers. They are continuing with hybrid learning although some clubs such as the Code Club have opted to hold virtual meetings for the next couple of weeks to be safe. 2.) The parent conference night is this Wednesday from 5:00 p.m. to 7:00 p.m. Parents who wish to hold a conference with their child's teacher can schedule virtually or by phone. 3.) Parents are given consistent reminders to screen their children every morning before they enter the school building to ensure the safety of others. 4.) Now that the second semester has begun there are some classes with more or less students depending on if the students switched to hybrid or virtual learning. 5.) There was a close match against Laurels Basketball Team Thursday but unfortunately, we lost 60-64 however the boys basketball team won against Sussex Academy 58-17 in the following home game. Cheerleaders are holding consistent practices to prepare for these basketball games. 7.) As for the Math League the last round was held earlier than planned to accommodate for a three-week round playoff championship series. Unfortunately, Delmar High did not place in the top eighteen so we have finished Math League for this school year. Mayor Wells said she is sorry to hear that. The students are doing the best that they can do. Mayor Wells asked Ms. Park does she think there is more hybrid students that started Monday then they had before. Ms. Park answered it depends on the classes. In some classes some students have opted to start hybrid learning the second semester and others wanted to go back to virtual learning. Mayor Wells inquired if Ms. Park has been to the school or is, she doing virtual. Ms. Park replied she's been in the school and she is a part of the blue cohort so she attends school on Thursdays and Fridays. Mayor Wells further inquired what the school is doing for social distancing. Are they just separating the desks further apart or do they have the shields around them? Ms. Park further replied for the classes she has attended they mostly set a seating chart so that the students in each class sit at least six feet apart. The desk arrangements themselves are the same it's just where they place the students and the school prefers, we walk in a single file line that way students don't interact so much. Mayor Wells asked Ms. Park if she was a Senior this year. Ms. Park answered yes. Mayor Wells commented it's a difficult year for you guys but this will prepare you guys for the real world.

## Police Chief's Report

Chief Barkley reported as follows: 1.) The Department is maintaining even with some staffing shortages. 2.) Slight increase in overdoses as of lately. The department has definitely stepped-up drug enforcement. Chief commented he almost wants to blame it on COVID. 3.) We have also had an uptake in mental health issues. Mayor Wells reached out to Chief to find out if there were any mental health services available. Chief mentioned the sad thing is he does not have a lot of avenues to direct people. The mental health professionals themselves are calling the department to assist with the issues that they see in the community and I am not 100% positive that's the correct route. Chief Barkley explained he does not think we have the resources we need to address mental health issues in our community. So, we are still looking at different avenues to try to find a way to better deal with behavioral health issues. Mayor Wells said she was unaware when she emailed Chief if his department worked with any mental health agencies for referrals. This particular individual is in school. Chief responded the individual has a counselor that the family is working

with. Chief stated he is unaware if they have direct contact with the counselor when he has these behaviors at that moment. We are looking for ways to deal with this ourselves. Mayor Wells commented it's a challenge people have lost their jobs, students are not going to school or socializing. They are like prisoners in their own home and I understand. There is no good answer. Mayor Wells extended her appreciation to Chief for looking into that issue.

Code Enforcement Officer Report - The report is included in the mail packets.

Parks and Recreation – No Report.

Public Works – The report is included in the mail packets.

Utility Commission –

Deputy Mayor Unsell reported as follows: 1.) Both the Water Treatment Plant and the Waste Water Treatment Plant are running efficiently. 2.) The Town applied for a grant application on January 29, 2021 to MDE for the Phase II wastewater main project west of the track.

Mayor Wells asked Town Mgr. Bynum-King if we had any problems with the snow removals or complaints. Town Mgr. Bynum-King answered we did not have any complaints or issues.

Planning & Zoning

Commissioner Scholl reported as follows:

1. **Brock Parker/Parker and Associates on behalf of Doug Marshall – Comprehensive Development Plan – Heron Ponds – Royal Tern Drive, Delmar, MD** – Mr. Marshall presented with a Comprehensive Development Plan as referenced. Mayor Wells mentioned Mr. Marshall had already come and talked about this project. She inquired if this Commission remembers that and knows what this is about. Commissioner Lenox asked if 2.0 was a new name or is the name still Kylan Barn. Mr. Marshall answered it is to be determined.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Brock Parker/Parker and Associates on behalf of Doug Marshall – Comprehensive Development Plan – Heron Ponds – Royal Tern Drive, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission's favorable recommendation to accept the approval of – Brock Parker/Parker and Associates on behalf of Doug Marshall – Comprehensive Development Plan – Heron Ponds – Ryan Tern Drive, Delmar, MD, per the attached drawings. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote of 4 Ayes 1 Absent.

2. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 341, 9367 Mulligan Way, Delmar, MD** – Representative Chris Brown presented a new home build as referenced. Commissioner Lenox questioned if there is any opposition to including what he hopes will be standard conditions about the walkways and driveways in the Woodcreek homes. Commissioner Scholl asked what was the condition. Commissioner Lenox answered concrete driveways and concrete lead walks. Commissioner Scholl questioned Ms. Brown if that is standard as how the homes are built. Ms. Brown replied yes, they are aware they have to build them that way so that’s what they are going to do. Commissioner Lenox commented in the future if you want to show the concrete driveways and lead walks list them as part of the application then we will not have to add it as a condition but for now to be consistent just make sure it’s shown. Ms. Brown agreed.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 341, 9367 Mulligan Way, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of - Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 341, 9367 Mulligan Way, Delmar, MD, per the attached drawings with the condition of concrete driveway and lead walk. A motion was made/seconded (Lenox/Unsell) and carried by roll call vote of 4 Ayes 1 Absent.

3. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 391, 9350 Mulligan Way, Delmar, MD** – Representative Chris Brown presented a new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 391, 9350 Mulligan Way, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 391, 9350 Mulligan Way, Delmar, MD, per the attached drawings with the condition of concrete driveway and lead walk. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote of 4 Ayes 1 Absent.

4. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 393, 9354 Mulligan Way, Delmar, MD** – Representative Chris Brown presented a new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 393, 9354 Mulligan Way, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – New Home Build – Woodcreek – Lot 393, 9354 Mulligan Way, Delmar, MD, per the attached drawings with the condition of

concrete driveway and lead walk. A motion was made/seconded (Lenox/Unsell) and carried by roll call vote of 4 Ayes and 1 Absent.

5. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 397, 9362 Mulligan Way, Delmar, MD** – Representative Chris Brown presented a new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 397, 9362 Mulligan Way, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 397, 9362 Mulligan Way, Delmar, MD, per the attached drawings, with the condition of concrete driveway and lead walk. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote of 4 Ayes 1 Absent.

6. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 404, 9449 Rolling Green Drive, Delmar, MD** – Representative Chris Brown presented a new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 404, 9449 Rolling Green Drive, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 404, 9449 Rolling Green Drive, Delmar, MD, per the attached drawings with the condition of concrete driveway and lead walk. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote of 4 Ayes 1 Absent.

7. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 405, 9447 Rolling Green Drive, Delmar, MD** – Representative Chris Brown presented a new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes– New Home Build – Woodcreek – Lot 405, 9447 Rolling Green Drive, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 405, 9447 Rolling Green Drive, Delmar, MD, per the attached drawings with the condition of concrete driveway and lead walk. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote of 4 Ayes 1 Absent.

8. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 410, 9437 Rolling Green Drive, Delmar, MD** – Representative Chris Brown presented a new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 410, 9437 Rolling Green Drive, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 410, 9437 Rolling Green Drive, Delmar, MD, per the attached drawings with the condition of concrete driveway and lead walk. A motion was made/seconded (Lenox/Unsell) and carried by roll call vote of 4 Ayes 1 Absent.

9. **Chris Brown/Ryan Homes – New Prototype (Aviano) – Heron Ponds/Woodcreek – Elevations (1) Story – A, B, C, K, and L** – Representative Chris Brown/Ryan Homes presented with new prototype as referenced. Mayor Wells asked if the models were going to be approved for both Heron Ponds and Woodcreek. Chris Brown answered correct.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Prototype (Aviano) – Heron Ponds/Woodcreek – Elevations (1) Story – A, B, C, K, and L, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – New Prototype (Aviano) – Heron Ponds/Woodcreek – Elevations (1) Story – A, B, C, K, and L, per the attached drawings. A motion was made/seconded (Wells/Unsell) and carried by roll call vote of 4 Ayes 1 Absent.

10. **Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 275, 9511 Song Sparrow Circle, Delmar, MD** – Representative Chris Brown/Ryan Homes presented with new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 275, 9511 Song Sparrow Circle, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 275, 9511 Song Sparrow Circle, Delmar, MD, per the attached drawings. A motion was made/seconded (Lenox/Unsell) and carried by roll call vote of 4 Ayes 1 Absent.

11. **Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 286, 9516 Song Sparrow Circle, Delmar, MD** – Representative Chris Brown/Ryan Homes presented with new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 286, 9516 Song Sparrow Circle, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 286, 9516 Song Sparrow Circle, Delmar, MD, per the attached drawings. A motion was made/seconded (Unsell/Wells) and carried by roll call vote 4 Ayes 1 Absent.

12. **Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 296, 9560 Song Sparrow Circle, Delmar, MD** – Representative Chris Brown/Ryan Homes presented with new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 296, 9560 Song Sparrow Circle, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 296, 9560 Song Sparrow Circle, Delmar, MD, per the attached drawings. A motion was made/seconded (Lenox/Unsell) and carried by roll call vote 4 Ayes 1 Absent.

13. **Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 300, 9576 Song Sparrow Circle, Delmar, MD** – Representative Chris Brown/Ryan Homes presented with new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 300, 9576 Song Sparrow Circle, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission’s favorable recommendation to accept the approval of – Chris Brown/Ryan Homes – New Home Build – Heron Ponds – Lot 300, 9576 Song Sparrow Circle, Delmar, MD, per the attached drawings. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote 4 Ayes 1 Absent.

14. **Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 398, 9364 Mulligan Way, Delmar, MD** – Representative Chris Brown/Ryan Homes presented with new home build as referenced.

A motion for a favorable recommendation to the Delmar Mayor and Commissioners for the approval of – Chris Brown/Ryan Homes – New Home Build – Woodcreek – Lot 398, 9364 Mulligan Way, Delmar, MD, per the attached drawings.

Commission Member Scholl asked for a motion to accept the Planning Commission's favorable recommendation to accept the approval of – New Home Build – Woodcreek – Lot 398, 9364 Mulligan Way, Delmar, MD, per the attached drawings. A motion was made/seconded (Unsell/Lenox) and carried by roll call vote 4 Ayes 1 Absent.

Chris Brown informed Commissioner Lenox there is going to be another batch of permits coming up for the February Agenda and the concrete driveway and lead walks are not mentioned. The applications are already submitted. Ms. Brown said she would mention the concrete driveway and lead walk on all new applications submitted. Commissioner Lenox said thank you.

### **Town Manager's Report –**

Town Manager Bynum reported as follows:

Town Mgr. Bynum-King reported a week ago on Connelly Mill Road there was a saw cut into the roadway but it was necessary to properly abandon an old storm water manhole. The manhole had been there for years and had not been properly abandoned so the Town had to do so. There has been some complaints about the cut in the roadway, it will be repaired once there is dryer weather.

Town Mgr. Bynum-King reported she is working with the Wicomico County Parks and Recreation, Steve Miller and the Little League with regards to the Mason Dixon Park Agreement. The county is looking to include the Little League in the partnership of maintaining and operating the Mason Dixon Park. So, as we work through the agreement, we are just trying to make sure everybody has clear areas of responsibility. The Agreement is in draft form and will probably be reviewed a couple more times before we get it to a place where I can at least forward it to our Town Solicitor for review prior to executing it.

Town Mgr. Bynum-King mentioned she completed the paperwork for Delmarva Power to start the next phase of the LED lighting upgrade. They will be working on the westside of Bi-State upgrading between twenty-five and thirty-five streetlights.

The Town Hall Offices will be closed on Monday, February 15<sup>th</sup> in recognition of President's Day.

Town Mgr. Bynum-King reminded the Mayor and Commissioners the first Budget Workshop will be held on March 3<sup>rd</sup> at 6:00 p.m. We are still working out all the particulars pertaining to how it's going to transpire. I will make sure you have that information well before the meeting. The workshop itself is the department heads presentation. The presentations will also include this year's utility for the Treatment Facilities. Commissioner Lenox questioned Town Mgr. Bynum-King if he missed a budget schedule in general and are there other dates as well. Town Mgr. Bynum-King replied yes, she did email them January 15<sup>th</sup>. She asked if everyone else got theirs. Mayor Wells answered she did get the email. Commissioner Lenox said he would go back and look for the email and he would follow-up if he did not find it. Town Mgr. Bynum-King responded if Commission Member Lenox did not receive the email let her know and she will email him another copy as I will be forwarding out that workshop for General Codes, we have the training for that with Mayor Wells and Commissioner Lenox. I will be working on the Table of Contents this week so we can mark through it and get started as well.



### **Council Comments –**

Deputy Mayor Unsell – Ongoing frustration about getting the COVID vaccine. Mayor Wells asked Town Mgr. Bynum-King did she send in a survey to Wicomico County Emergency Services for the Commission Members who wanted a vaccination. Town Mgr. Bynum-King answered yes but we haven't heard anything as of yet. Mayor Wells replied links are being posted for the Board of Education. All appointments are filled. The Board of Education is not getting enough vaccinations. Town Mgr. Bynum-King commented Wicomico County Emergency Services have our names on a list and they are supposed to forward us the information about scheduling. They just told us to be on standby because they were waiting on the vaccine. Deputy Mayor Unsell replied patience is the name of the game.

Commissioner Scholl – Going skiing this weekend with his children.

Commissioner Tucker – Absent.

Commissioner Lenox checked his email and informed Town Mgr. Bynum-King that he did not receive his email about the budget schedule. Town Mgr. Bynum-King said she will email him the budget schedules tomorrow.

**Public Comments – None.**

### **Adjournment**

Mayor Wells called for a motion moved and seconded (Lenox/Unsell) and carried to adjourn with a roll call vote of 4Ayes 1 Absent.

Submitted by:

Clerk of Council  
Vondell Spencer