

**ASSOCIATION OF COASTAL TOWNS**  
**February 22, 2019**  
**MINUTES**

A meeting of the Association of Coastal Towns was held on February 22, 2019 at 9:00 A.M. in Lewes City Hall, 114 E. Third Street, Lewes, DE, with the following present: Chairman Lewes Mayor Ted Becker, Bethany Beach Mayor Lew Killmer, Henlopen Acres Mayor Joni Reich, Fenwick Island Mayor Gene Langan, Dewey Beach Mayor TJ Redefer, Rehoboth Beach City Manager Sharon Lynn in for Mayor Paul Kuhns, South Bethany Mayor Tim Saxton, ACT Consultant Tony Pratt, and Recording Secretary Jackie Doherty.

**1. CALL MEETING TO ORDER**

Mayor Becker called the meeting to order at 9:00 A.M.

**2. APPROVAL OF JANUARY 25, 2019 MEETING MINUTES**

**ACTION:** *Mayor Killmer made a motion to approve the January 25, 2019 meeting minutes as presented; Mayor Langan seconded the motion, which passed unanimously.*

**3. FINANCIAL ACTIVITIES**

Mayor Reich reported the current balance is \$14,445. One payment is being processed for the January recording services; have not yet received Mr. Pratt's January invoice. The financial report was accepted by consensus. Mayor Reich requested the budget review be an agenda item for the March meeting.

**4. UPDATE FROM TONY PRATT**

- Lodging Tax (TID)

Mr. Pratt reported there have been recent meetings between the Chamber of Commerce Association, Realtors, and the Hotel/Motel Association regarding possible internet rental taxation for Airbnb and vacation rentals by owners. The distribution of the tax would be the same formula currently in the lodging tax with 1% going to shoreline and waterway management and 1% to the visitor bureaus in Sussex, Kent, and New Castle Counties. Future meetings are planned with discussion to continue regarding how to monitor the high volume of internet rentals in Sussex County since it is estimated that a large amount of revenue is being lost.

- Army Corps 101/Section 7001 Meeting

Mr. Pratt stated Mr. John Kane was not able to attend the meeting today but will be available shortly for a phone conference call.

Mr. Pratt reported he and Mr. Kane participated on a panel at the November RASCL meeting, and plans were made to have a meeting at the beginning of the year on Corps 101. The meeting was to review the capabilities of the Corps regarding water resource issues. The plan was for representatives from the Corps and Senator Carper's office to be present for discussion and to offer assistance.

Mr. Pratt stated 7001 refers to Section 7001 of the 2016 Water Resource Development Act that describes the process for the annual report from the Corps local district to Congress regarding local problems that need to be addressed. An example is the water distribution and supply problem in Blades that could have been addressed through the 7001 process before it became headline news. The Section 7001 meeting was delayed due to the government shutdown.

Ms. Danielle Swallow stated she received information that the meeting is scheduled for March 29<sup>th</sup> with room for 45 to 50 people to attend. Information on the time and location to follow.

- Shoreline and Waterway Management

Mr. Pratt stated Mike Powell of DNREC will address shoreline and waterway management.

## **5. UPDATE SEA GRANT**

Ms. Swallow reported she and Mr. Chris Bason are representatives for the County Wetlands and Buffers Working Group. The first meeting last week was to outline the schedule and discuss the phases including: 1) Review definitions; 2) Discussion of the buffers and modifying current regulations. Plans are for work to begin on Phase I in the Spring and Phase II in Summer with the recommendations sent to Council for a public hearing. Next meeting is March 6<sup>th</sup>.

Ms. Swallow continued stating the next RASCL coffee meeting will be in June in Georgetown with date and time to follow. There are also plans for additional outreach meetings with the western Sussex communities.

Sussex County Council Vice President I.G. Burton was present and spoke of the importance for each town to address the need for buffers, tidal wetlands, and for everyone to have the same understanding of the definitions.

At this time in the meeting, there was a conference call with Mr. Kane to discuss Section 7001.

Mr. Kane stated the meeting has been confirmed for March 29<sup>th</sup> in Dover with invitations being sent; space is limited to the first 45 people who register; one representative from each community to attend; plan is to have the meeting filmed for the webcast.

Mr. Kane spoke about the beginning of Section 7001 as it pertains to the Water Resource Development Act of 2016. The focus of the workshop meeting will be on beach-related projects and is scheduled to last all day. This will be the first stage in workshops with another on obtaining Corps permits to follow.

Mayor Becker stated the importance of the County to also be included.

Mr. Mike Powell of DNREC questioned since the Corps' flood-control program has a statewide scope, how will there be opportunities for communities that are non-coastal or located upstate to have an equal opportunity with the limited number of spaces available for the meeting.

Mr. Kane stated if there is an interest, additional meetings will be scheduled.

## **6. DNREC UPDATE**

Mr. Mike Powell reported the following:

- On the status of the Dredge Materials Utilization Study with the Corps, the Department has written a letter of support for the study; the letter contains comments on the report; Department is having a conversation with the Corps to discuss their response to the Department's comments on costs and engineering for the project.
- On the Back-Bay Study, funding issues have been resolved with no funding impediments at this time; resources are available to move forward on the project; language is being reviewed for the partnership agreement.
- The Shoreline Management Finance meeting was three weeks ago, and an email survey was sent today to ask the participants for feedback to prioritize the concepts discussed at the meeting; the survey will be open until March 8<sup>th</sup>; meeting notes will be emailed later today;
- Kent County Beach Nourishment Project for Pickering, Kitts Hummock, and Bowers Beaches is on schedule and will be ending in April.
- Dewey and Rehoboth Beaches Corps of Engineers/State Partnership Beach Nourishment Project is scheduled to begin later this year; the Corps have been paid by the State for the cost-share to prepare bid documents, engineering and planning designs.
- Massey's Ditch Dredging Project bid opening was on January 30<sup>th</sup> with only one bid; the bid was higher than the budgeted estimate for the project; low amount of bids and higher estimate may be due to work needing to be completed in a short amount of time; there will be re-bidding for the project in late Spring with work to begin in the Fall.

## **9. LEWES WATER WORKSHOP HELD FEBRUARY 21**

Mr. Powell stated he was invited to speak at the workshop, which was an excellent event and a great opportunity for residents to hear from subject-matter experts on surface water, groundwater, and drinking water issues.

Mayor Becker stated the workshop was a huge success with over 100 people attending and nine agencies to discuss the subject.

Mr. Sumner Crosby, Lewes Planning Commission, spoke about the importance of planning and zoning decisions regarding the water concerns expressed by residents at the workshop.

Ms. Savannah Edwards, Lewes Planning Consultant, stated the Planning Commission is hoping this is the first installment in a series of this type of workshop to involve all residents in the conversation.

Ms. Swallow stated she was also invited to speak at the workshop, which provided outreach for dialog and discussion that is so important to the community

## **7. UPDATE ON RESILIENT COMMUNITIES PARTNER GRANT**

Mr. Evan Miller, Local Government Fellow with Rehoboth Beach, stated a meeting was held on January 30<sup>th</sup> with a presentation on the MS4 Program by Mr. John Rebar, Program Manager for Surface Water Discharge Section. More information on MS4 will be available after the 2020 census.

Mr. Miller continued stating the Delaware Coastal Programs Office is scheduling meetings for each community to discuss the program and plans for the future. The agreement with NOAA for AECOM and KCI was delayed due to the government shutdown but has now gone through with a purchase order issued by the Delaware Coastal Programs Office. The target date for final recommendations will be in September. A conference call is scheduled today with Mr. Miller, Ms. Edwards, and Kelly Valencik to discuss the scope-of-work document for any adjustments based on the delay in funds.

## **8. CIB UPDATE**

Mayor Becker stated Mr. Chris Bason and Ms. Michelle Schmidt were not able to attend today. An email was sent by Ms. Schmidt with a reminder that registrations are being taken now for their grant workshop scheduled for June 18, 2019 from 9:00 A.M. to Noon.

## **10. SCAT LEGISLATIVE BREAKFAST PRESENTATION**

Mayor Becker stated the SCAT breakfast is scheduled for April 12, 2019 at 9:00 A.M. in the Cheer Center. This will be a good opportunity to discuss the needs of our communities, the significance of beach replenishment, and other issues related to the economic development of Delaware.

Mr. Pratt requested information be provided and discussed regarding the meeting on March 29<sup>th</sup> with Mr. Kane.

## **11. ABC UPDATE**

Mayor Becker stated Mr. Jim Bailey was not able to attend today. Mr. Powell did speak today about the dredging project. Mr. Pratt stated he spoke to Mr. Bailey regarding his concerns about the Broadkill Private Partnership Agreement.

## **12. SCHEDULING NEXT MEETING**

The next meeting was scheduled for Monday, April 1, 2019 at 9:00 A.M.

Mayor Langan stated he had a conference call on Tuesday with Oceana regarding the offshore drilling and seismic testing. The information on the leases will not be available until the end of March, but we will still have the 90 days to send comments. Oceana has filed a petition with a federal judge to stay all testing until the lawsuits filed by 11 states including Delaware are heard.

Mayor Langan spoke to the office of State Representative Lisa Blunt Rochester and was told she had signed the opposition petition that was circulated through Congress. The Bethany/Fenwick Island Chamber of Commerce has also stated their opposition.

Mayor Becker stated Secretary Bernhardt is also aware of our concerns.

**13. EXECUTIVE SESSION**

**BEACH NOURISHMENT WORKSHOP HELD JANUARY 31<sup>st</sup>**

Mayor Becker adjourned the meeting at 10:00 A.M. for executive session asking all Mayors, City Managers, Mike Powell, Council Vice President Burton, Tony Pratt, and Todd Lawson, who was also present for the meeting, to attend.

Respectfully submitted,  
Jackie Doherty, Recording Secretary  
Association of Coastal Towns