



Boards & Committees

Member Handbook

Revised 04/24/2023



Thank You!

The Town of Dewey Beach thanks you for your active participation in the governing process of our community. As a citizen volunteer serving on a board or committee, you are a member of a very select group. Citizen input and participation, such as yours, is a valuable asset to any government organization, and assists the Town Commissioners with their goals and decision-making, thereby benefiting the community as a whole.

Being a board or committee member is often demanding, as it takes a substantial commitment of your time and hard work, but it will be an exciting and rewarding experience as you help shape the future of our community. We hope that this Board and Committee Member Handbook will help prepare you in serving the Town of Dewey Beach.



This Handbook will cover:

Dewey's Form of Government

Open Meeting Laws

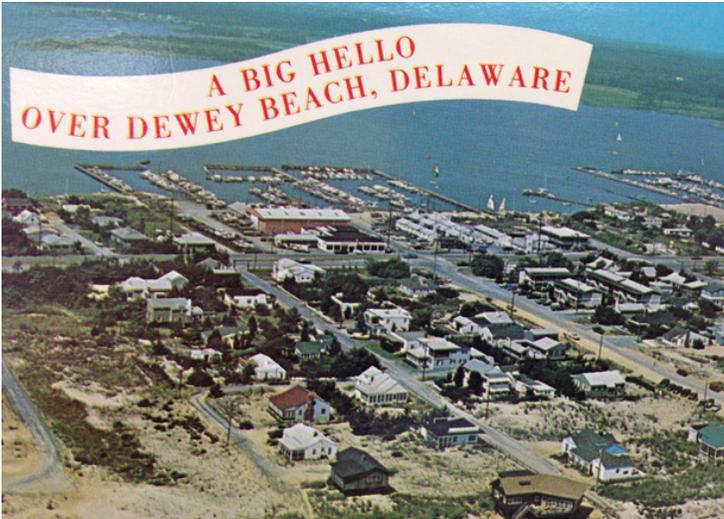
Public Records Laws

Virtual Meetings

Committee Chairperson

Meeting Procedures

About Dewey Beach



In 1868, "Rehoboth City" first appeared on a map of Lewes Rehoboth Hundred on Beer's Atlas of Delaware. It is believed that our town's name was changed to Dewey Beach following the 1898 Battle of Manilla (Spanish-American War) when Admiral George Dewey became a national hero.

The Town of Dewey Beach was incorporated in 1981. The first Town Commissioners were sworn in at a beach bonfire. The government of the Town of Dewey Beach is organized under a Council-Manager form. The Town Council is responsible for functions such as establishing policy, passing local ordinances, voting appropriations, and developing an overall vision. The Town Council shall appoint a professional manager, the Town Manager, to oversee administrative operations, implement its policies, and advise it. The Town Manager shall be politically impartial and provide professional management to the Town Council.



Town Council

The Town Council consists of a Mayor and four Commissioners who are elected from the Town at large by its qualified voters. A person is eligible to hold office if they are a qualified Dewey Beach voter, at least 21 years of age. (*Charter of the Town of Dewey Beach, Chapter C, Section 6*).

Policy making and all other powers of the Town are vested in the Council, except as otherwise provided by law or the Charter.

The term of office for the Mayor and Commissioners is 2 years from the organizational meeting held after the town election. At the organizational meeting, the Commissioners will also elect a Mayor and Secretary of the Town Council, each for a 1 year term. (*Charter of the Town of Dewey Beach, Chapter C, Section 8*).

Town Staff Support

Town Manager – Bill Zolper

The Town Manager is the Town's administrative head who implements Council policies and directives and makes recommendations to the Council on measures necessary for the efficient and effective operation of municipal services. It is the Town Manager's responsibility to direct the preparation of the annual budget, oversee the Town's day-to-day operation, and direct employees.

Assistant Town Manager – Jim Dedes

The Assistant Town Manager provides support as needed to all department heads, and assumes responsibilities of the Town Manager in their absence. The Dewey Beach Assistant Town Manager also works closely with the Building Department, assisting with the coordination of major Town projects and planning and zoning concerns.

Police Chief – Constance Speake

The Police Chief plans, coordinates, and directs the activities of the Police Department, manages resources and establishes departmental goals and objectives while delivering efficient and effective public safety services to the community.

Beach Patrol Captain – Todd Fritchman

The Beach Patrol Captain coordinates, schedules, and conducts first aid, emergency medical responder training and open water rescue training. The Beach Patrol Captain also performs regular safety and maintenance inspections of facilities and equipment to reduce hazards and to provide maximum safety to patrons.

Building Official – Daune Hinks

The Building Official is responsible for the enforcement of the Dewey Beach Municipal Code. The Building Official will issue permits for all construction and work being performed in town. In addition to permitting, this department will perform the review and approval of plans, and attempt to resolve complaints filed by residents that pertain to code compliance.

Town Clerk – Kate Banaszak

The Town Clerk is responsible for the maintenance of vital Town records, serving as the town's FOIA Coordinator and election registrar. The Town Clerk assists the Town Manager with fundraising and grant opportunities, as well as public notices, ordinances and resolutions, and meeting minutes.

Who We Are

Our Mission

We are committed to serve the citizens and visitors of the Town of Dewey Beach through teamwork, understanding, dedication, and positivity in a professional and responsive manner.

Our Vision

To make Dewey Beach a safe, beautiful, and exciting place to visit, and even better place to call home. We seek to deliver outstanding public services, creating a unique community and ensuring an exceptional quality of life.

Our Values

Our values determine how we treat each other and our patrons. They guide us in creating a sound and supportive work culture and work systems at all levels of the organization. Excellence is the responsibility of everyone in Dewey Beach.

- Commitment
- Communication
- Respect
- Teamwork

Our Goals

- The governance of the Town.
- The maintenance of its peace and order.
- The provision of its sanitation.
- The maintenance of its infrastructure.
- The protection of its beauty and surrounding natural environment.
- The provision for the health, safety, convenience, comfort, and well-being of its population and visitors.
- The protection and preservation of property, public and private.
- The preservation of the character of the Town.
- The assurance of financial sustainability.
- The provision of resilience in the face of global climate change.



About the Boards & Committees



Creation

Requirements of certain boards and committees are outlined in the Town Charter or Code. Others may be created as needed by the Town Council to provide guidance or advice to the Council on particular topics. A current list of active committees is available in the "Government" section of the [town website](#).

Selection

Citizens who wish to serve on a board or committee are encouraged to submit an [application](#) on the town website. Your request will be forwarded to the committee chairperson for review. You may also review information about each committee and their focus on the "Government" section of the town website.

Appointment

The chairperson of a committee may nominate an individual for appointment to the Mayor. The nomination will be placed on the next Town Council agenda, where the commissioners will vote to approve the member for the requested committee. In the event a committee requires a new chairperson, the committee liaison may nominate an individual for appointment, which would also require approval from the Town Council.

Terms of Office

- Planning Commission - 3 Years
- Board of Elections - 1 Year
- Audit Committee - 1 Year
- Board of Adjustment - 3 Years

After the initial term limit, members may be appointed for additional terms. Committees not referenced in the Charter or Code are considered ad hoc, and members may serve for the duration of the committee's existence.

Members of committees must meet similar guidelines as registered voters to participate as a committee or board member. Please review the committee pages on the town website for specific information pertaining to each committee.

Laws to Know

Public agencies and officials are bound by stricter standards than the private sector. Preparation for meetings, meeting decisions, discussion items, agendas, and board and committee member conduct are all strictly regulated by state law. These statutes require compliance and affect all government agencies. Non-compliance or willful disregard of these laws can result in serious consequences.

The most important laws that you will face as a board or committee member are Delaware's Freedom of Information Act, with further information provided on the Attorney General's website, and State Officials Code of Conduct. Protecting the public and safeguarding the public process are at the core of these laws. Because they have a direct bearing on your board or committee's activities and your behavior, it is vitally important for you to become familiar with them. Certain boards or committees may have particular rules in the Town Code, Charter, or bylaws which are important to be familiar with as well.

Committee Liaisons

Each committee is assigned a commissioner liaison from the Town Council to serve as an intermediary between the committee and Council. Your committee liaison is also a great reference if you require information regarding rules specific to your board or committee.



Town Clerk

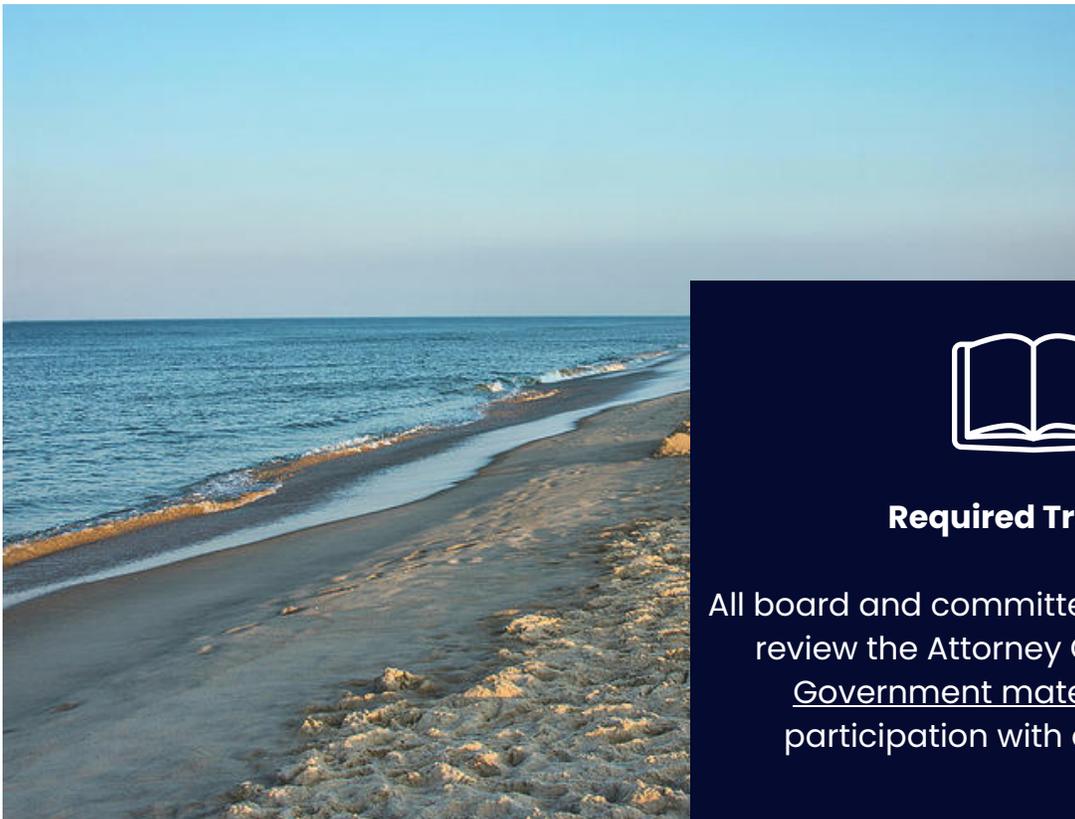
The Town Clerk serves as another support for committee and board members. The Town Clerk posts all meeting notices and is the official record keeper of town records such as agendas, minutes, oaths of office, contracts, and legislation. The clerk can assist you with questions regarding open meeting laws and public records.

FOIA – Open Meetings Law

In order for a meeting to commence, all or a majority of members must be present. A quorum is equal to half of the total number of members plus one. If a quorum is not in attendance, the meeting cannot be conducted. In cases where a quorum is present at the beginning of the meeting but is lost during the meeting, the meeting must end at the departure time of the member whose absence results in the lack of quorum.

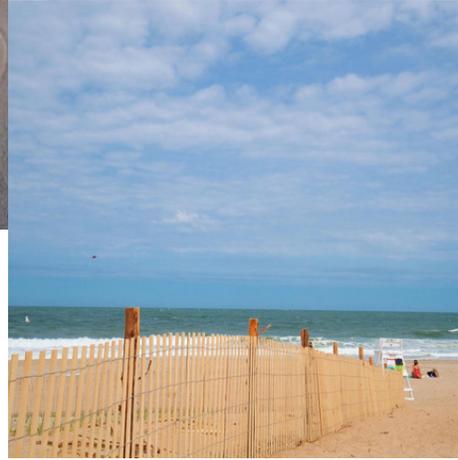


Discussion is limited to public sessions in keeping with the spirit of FOIA (Freedom of Information Act). This means that the public's business is to be conducted in public. Practices such as polling individual members to reach a decision prior to the meeting are prohibited. Information and materials that a member wishes to share with members of their board or committee must also be provided to the Town Clerk for posting on the town website at least seven days prior to the meeting date.



Required Training

All board and committee members must review the Attorney General's [Open Government materials](#) prior to participation with a committee.



Communications can occur among Board or Committee members in a variety of ways other than a public meeting: face-to-face, in writing, over the phone, and through email. FOIA prohibits the use of email between a quorum of the members where public matters are discussed. These email discussions are considered a meeting in violation of FOIA. Anyone involved in sending messages back and forth which discuss possible action or propose a formal action may be breaking the law - the same as if the board or committee members had met together in a private meeting.

Even without malicious intent, FOIA open meeting laws can be easily broken.

- Informal breakfast or happy hour get-togethers of a committee where public business ends up being discussed.
- "Reply All" email chains between a committee where public business is discussed.
- Informal discussions prior to the start of a committee meeting where members ask each other's opinions on agenda items to be discussed.

FOIA open meeting law does not prohibit a member of a public body from voicing an opinion or discussing an issue with the public either at a venue other than a public meeting or through news or social media outlets if:

- The opinion or discussion is not principally directed at or directly given to another member of the public body.
- There is no concerted plan to engage in collective deliberation to take legal action.

FOIA – Public Records Law

State law defines public records as information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected, by any public body, relating in any way to public business, or in any way of public interest, or in any way related to public purposes, regardless of the physical form or characteristic by which such information is stored, recorded or reproduced. The state requires that all town records be maintained in accordance with the standards set forth by [Delaware Public Archives](#). The laws governing records disclosure require a municipality to permit examination and reproduction of records to protect the public's right to know.

The Town Clerk is responsible for maintaining records of boards and committees, such as agendas, minutes, supporting documents, and other materials provided to members. The Town Clerk also acts as the town's FOIA Coordinator, and handles all FOIA requests submitted to the town.

Committee members should presume that all records relating to town business are considered "public," and may be viewed by the public at any time. This includes records such as text messages, emails, or written notes. Whenever you create a record, know that it must be made available for inspection, copying, and printing. Do not tamper with a public record by destroying it, backdating it, hiding it, altering it, or otherwise falsifying it.

There are only a limited number of [exemptions](#) to public records law, and many of these exemptions pertain to law enforcement, personnel matters, or infrastructure security. If the Town Clerk receives a FOIA request for committee documents, they may contact you directly if your assistance is needed in compiling any information. FOIA requests must be completed under strict deadlines, so it is crucial that you work with the Town Clerk in a timely manner to fulfill the request. Be aware that FOIA law does not require that a record be created in order to fulfill a request. Only existing records are discoverable under FOIA.



Board and Committee Meetings

Discussion is to be limited to public sessions in keeping with FOIA open meetings regulations. This means that the public's business is conducted in public. The frequency of meetings held each year greatly depends on the board or committee. For example, the Town Council will meet at least once per month, while the Board of Adjustment will meet only as needed. As a member, it is crucial to attend all scheduled meetings. If you are unable to attend a meeting, you must contact your committee chairperson as early as possible. If a quorum cannot be established, the chairperson must contact the Town Clerk immediately, as they will need to notify the public that the meeting has been cancelled.

The current anchor location for all town meetings is the Dewey Beach Lifesaving Station at 1 Dagsworthy Avenue. Committee members may also participate virtually in accordance with the state guidelines and the Dewey Beach Virtual Meeting Policy. All board and committee meetings are video-recorded and livestreamed to the Dewey Beach YouTube channel.

The preparation and holding of meetings utilizes time and resources not just from it's members, but also Town staff. It is important for all parties to work towards a productive and effective meeting. Preparation is key! Members should review the meeting agenda and any supporting documents well in advance of their meeting. These documents should be circulated by the committee chairperson, but are also available to view on the Meeting Calendar on the homepage of the town website. When committee members arrive prepared, meetings are exponentially more productive.



Virtual Meetings

Each committee meeting will have the option for committee members and the public to join via Zoom. Links and instructions to join are always available on the homepage of the town website under the Meeting Calendar.

If you are participating virtually in your committee's meeting, everything you say and do is recorded and livestreamed just as if you were present in the anchor location. We highly recommend preparing ahead of time by joining from a quiet area away from disruptions, where you have a reliable internet connection. The anchor location is equipped with high-end commercial audio/visual equipment. In most cases, if you are having difficulty joining via Zoom, it is either an internet connection, or hardware problem on your end.

The virtual meeting room will open approximately 30 minutes prior to the start of the meeting. We recommend joining early to ensure you are able to connect successfully. If you are having difficulty, check out the [Troubleshooting page](#) to remedy the problem.

Important Reminders for Virtual Meetings

- When joining virtually, if you wish to present a document, you should be the one sharing your screen. Do not ask the moderator to share a document. The job of the moderator is to run the A/V, recording, and livestreaming controls for the meeting. This is difficult to do when they are sharing their screen and presenting documents. Your presentation will also go much smoother when you can pan through it at your own pace.
- Any documents that are presented virtually at a meeting must also be available to the public. This includes guest speaker presentations. Please provide any supplementary documents and presentations to the Town Clerk as early as possible prior to the scheduled meeting.



Virtual Meeting Link

Links for town meetings are always posted on the Meeting Calendar on the homepage of the [town website](#).

State of Delaware Virtual Meeting Policy

Recent enactment of Senate Bill 94 amending the Freedom of Information Act (FOIA) provisions of Title 29 permits virtual meetings of public bodies under certain conditions. The amendments provide that:

A public body may hold a virtual meeting if all of the following occur:

- (1) The meeting notice includes information regarding how the public can monitor or participate in the meeting.
- (2) The meeting has an anchor location.
- (3) The identity of a member or witness is verified, and the actions of a member are authenticated, in a manner satisfactory to the presiding officer or chair.
- (4) All participating members and witnesses can simultaneously do 1 of the following regarding each member or witness who is recognized by the presiding officer or chair:
 - a) Hear the comments of each member or witness.
 - b) Hear the comments of and view each member or witness.
- (5) A document used during the meeting by a member or witness, and that is accepted by the presiding officer or chair, is immediately provided to each member or witness participating in the meeting and made available to the public.
- (6) Except during an executive session, the public is able to do all of the following through an electronic means of communication:
 - a) Monitor the meeting.
 - b) Provide public comment, if the public body is required to accept, or provides an opportunity for meaningful public comment.
- (7) Minutes of the virtual meeting are maintained.

In the event of a State of Emergency or Public Health Emergency order, the Governor may issue an executive order permitting meetings to be held full virtual without an anchor location. This order would supersede any town meeting policy requirements.

Town of Dewey Beach Virtual Meeting Policy

If all of the state requirements can be satisfied, meetings of the Town Council or any commission, board, or committee established by the Town Charter or Code, including Planning and Zoning, Board of Adjustment, and Audit Committee may include virtual participation under the following conditions:

- For meetings of the Town Council or the Board of Adjustment, a quorum of the Commissioners or members must be present at the anchor location where members of the public can attend and electronic means of communication are available.
- For meetings of the Planning and Zoning Commission or the Audit Committee, a majority of the number of members constituting a quorum must be present at the anchor location where members of the public can attend and electronic means of communication are available.

Virtual meetings of all other Town committees or groups subject to FOIA requirements are permitted under the following conditions:

- At least two members must be present at the anchor location where members of the public can attend and electronic means of communication are available.

Committee Chairperson

Selection

Committee chairpersons may be recommended by the Commissioner liaison, who will then present their recommendation to the Town Council for approval at a regularly scheduled Council meeting.

Requirements

The committee chairperson must be familiar with Delaware FOIA law, Robert's Rules of Order, and the focus and guidelines for their particular committee, which may be outlined in the Town Code. The main responsibility of the chairperson is to run an efficient meeting that meets all applicable protocols. Chairpersons can prepare for this task by attending or watching past meetings on the Town of Dewey Beach YouTube channel, and working with the Town Clerk and liaison to answer any questions they may have prior to a meeting.



Committee Chairperson Key Responsibilities

- It is crucial that as a leader, the chairperson knows and understands the basics of FOIA, the focus and guidelines of the committee (may be outlined in the Code or Charter), and Roberts Rules of Order. If you'd like a copy of Roberts Rules of Order in Brief, please reach out to the Town Clerk.
- Perhaps most importantly, the committee chair is responsible for leading committee meetings. They must be aware of the basic protocols of running a meeting. The best way to get familiar with this is to watch a Town Commissioners meeting, and familiarize yourself with the actions of the Mayor. A chairperson must be very familiar with the order of the agenda, and know when to call for a motion, a second, and a vote. These protocols are also detailed in Roberts Rules of Order.
- Part of leading meetings is ensuring ample time for public input. It is mandatory to allow time for public comment at each public meeting. In general, a committee chair should ask for any general public comment at the start of the meeting, and allow for public comment with each agenda item. The meeting moderator will assist with notifying the chairperson if anyone is joining virtually for public comment. It is at the discretion of the chairperson if they'd like to limit the amount of time each person has for their comments. If you do set a time limit, it is important that each member of the public is held to the same amount of time.
- Chairpersons will coordinate with committee members to arrange a meeting date and time, ensuring there will be a quorum for an upcoming meeting. Once a date is chosen and the chairperson is sure there will be a quorum, they will email the Town Clerk to pass this information along. Most meetings legally require a 7-day notice to the public (public hearings will require a 15-day notice - this may apply to meetings of the Town Commissioners, Board of Election, Board of Adjustment, or Planning & Zoning Commission). We recommend scheduling your meetings as far in advance as possible to accommodate for any necessary notices.
- Along with the meeting date and time, the chairperson should submit an agenda to the Town Clerk. The agenda does not need to be in perfect format - town staff will be sure to correct any formatting issues prior to posting. Again, the agenda must be posted at least 7 days in advance. Please avoid submitting agendas last minute whenever possible. Additionally, if there are any supporting documents for the meeting (reports to be discussed, PowerPoint presentations, etc.) you must submit these with your agenda. It is important that any documents to be discussed at the meeting are made public as early as possible.
- During most meetings, committees will need to approve minutes from the previous meeting. After approval of draft minutes, please submit a copy to the Town Clerk as soon as possible.

The Meeting Agenda

The Chairperson serves as the presiding officer, facilitates public meetings, and coordinates with the Committee Liaison and Town Clerk on agenda items and logistical issues. Each matter of business is called in the order listed on the agenda, following parliamentary practice.

Posted on March 3, 2023 at 12:39pm

AGENDA
TOWN OF DEWEY BEACH
MONTHLY TOWN COMMISSIONERS MEETING
Dewey Beach LifeSaving Station
1 Dagsworthy Ave
Dewey Beach, DE 19971

This meeting will also be livestreamed on [YouTube](#)
With the option to participate via [Zoom](#) (Meeting ID 608 759 4237)

Friday, March 10, 2023
3:00PM

Convene Town Commissioners Meeting

Opening Ceremonies/Pledge/Roll Call

Adoption of Agenda

Public Comments: Please note that Public Comment will be allowed with each item. This place holder is only for items not enumerated below.

Updates and Announcements

Committee Reports: Climate Change, Audit, Budget, Charter & Code, Comprehensive Plan, Infrastructure, Investment, Marketing, Planning & Zoning.

Approval of Minutes:

- February 17, 2023 Meeting Minutes

- Update from Center for the Inland Bays and follow up discussion regarding shoreline project.
- Discuss and possibly vote on an Ordinance to amend §117-13 of the municipal code of Dewey Beach to revise licenses and fees.
- Discuss and possibly vote to approve the FY 2024 Budget.
- Discuss and possibly vote on an Ordinance to amend §93-5 of the municipal code of Dewey Beach eliminating the four-hour minimum parking permit rate.
- Discuss and possibly vote on an Ordinance to amend §93-5 of the municipal code of Dewey Beach to increase the daily parking permit rate.

- Discuss and possibly vote to amend the Dewey Beach Virtual Meeting Policy.
- Discuss and possibly vote on a Resolution to approve the beach concessions provider contract.
- Discuss and possibly vote on an Ordinance to amend §21-6 of the municipal code of the Town of Dewey Beach eliminating the pedicab permit fee.
- Discuss and possibly vote to request that the Planning and Zoning Commission consider and recommend possible changes to the town code that would provide:
 - Consistent provisions governing the renewal of building permits;
 - Appropriate time requirements related to expiration of special exceptions or variances granted by the Board of Adjustment; and
 - Clear specifications for the number of driveway entrances permitted on any lot in Dewey Beach.
- Review February financials.
- Comments
 - Town Manager
 - Police Chief
 - Commissioner Paul Bauer
 - Commissioner Elisabeth Gibbings
 - Commissioner David Jasinski
 - Commissioner Gary Persinger
 - Mayor William Stevens

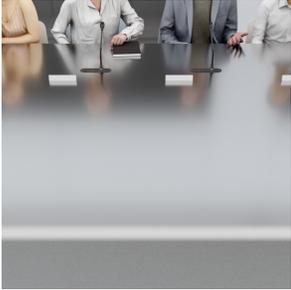
Adjourn

Please be advised that this agenda is subject to amendment in accordance with FOIA. Agenda items are subject to deletion at any time, including during the course of the meeting. This meeting will be recorded and/or live-broadcast via audio and/or video.



Convene Meeting

The chairperson calls the meeting to order, ensures the meeting stays on track, and everyone has the opportunity to speak in a fair and orderly manner.



Opening Ceremonies/Pledge/Roll Call

The chairperson then leads any opening ceremonies, the Pledge of Allegiance, and the roll call. All members present, whether in-person or virtual, are entered into the minutes. The Chairperson then confirms if a quorum is present. If a quorum is not met, no items may be discussed or actions taken.



Adoption of the Agenda

The Chairperson will ask for a motion to adopt the agenda as presented. At this time, members may motion to either adopt the agenda, or, motion to amend the agenda. Often times when a motion is made to amend, it is to change the order of items. A good example is bumping an item to the beginning of the agenda due to time considerations for a guest presenter.



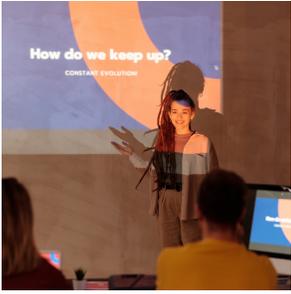
Public Comments

The Chairperson will ask if anyone wishes to make a public comment. It is at the discretion of the Chairperson to limit the amount of time allotted for comments. However, if a time limit is given, it must be imposed on all commenters. It is good practice to also allow public comment with each agenda item, particularly those calling for a vote.



Approval of Minutes

The Chairperson will call for a motion to approve the previous meeting minutes. The chairperson will circulate the draft minutes prior to the meeting, and members should review in advance. Any amendments to the minutes may be proposed at this time.



Briefing Item

These items are often updates or presentations provided to inform the public. There may be little to no discussion required with these items, as they are informational in nature. No formal action is taken with a briefing item.



Discussion Items

Discussion items may include updates or presentations, but a possible lengthy discussion is expected with this item. No formal action is taken with discussion items, but it is common for the Chairperson to suggest that the topic may appear as an action item at a later date for a properly noticed meeting.



Action Items

Action items are easily identified on an agenda by the words "discuss and possibly vote." This indicates that a vote may be called relating to this item. Town staff, committee members, or the public may present supplemental information for or against the item, and discussion may be held prior to a vote being taken.



Member Comments

The agenda will allow for member comments prior to the closing of the meeting. Members may make general comments pertaining to upcoming events or items of interest if they wish. No action may be taken during the comment portion of the meeting.



Adjournment

The Chairperson will call for a motion to adjourn the meeting.

