

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 24, 2017**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 24, 2017, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:**

<b>Michael H. Vincent</b>	<b>President</b>
<b>George B. Cole</b>	<b>Vice President</b>
<b>Robert B. Arlett</b>	<b>Councilman</b>
<b>Irwin G. Burton III</b>	<b>Councilman</b>
<b>Samuel R. Wilson Jr.</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina A. Jennings</b>	<b>Finance Director</b>
<b>J. Everett Moore Jr.</b>	<b>County Attorney</b>

**The Invocation and Pledge of Allegiance were led by Mr. Vincent.**

**Call to  
Order**

**Mr. Vincent called the meeting to order.**

**M 029 17  
Amend  
and  
Approve  
Agenda**

**A Motion was made by Mr. Arlett, seconded by Mr. Cole, to amend the Agenda by deleting “Introduction of Proposed Zoning Ordinances” and to approve the Agenda, as amended.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea**

**Minutes**

**The minutes of January 10, 2017 were approved by consent.**

**Corre-  
spondence**

**Mr. Moore read the following correspondence:**

**THE H4 INITIATIVE: HELP HARRY HALT HUNGER, REHOBOTH BEACH, DELAWARE.**

**RE: Letter in appreciation of grant.**

**COMMUNITY FOOD PANTRY, SELBYVILLE, DELAWARE.**

**RE: Letter in appreciation of food donation from the Caroling on The Circle food drive.**

**Mr. Cole read the following correspondence:**

**REHOBOTH BEACH HISTORICAL SOCIETY, REHOBOTH BEACH, DELAWARE.**

**RE: Letter in appreciation of grant.**

**Public  
Comments**

**Public Comments**

Paul Reiger stated that he has started making a list of his concerns, as requested by Council, i.e. changes that should be made to protect property owners' rights. Mr. Reiger submitted a hand-out that referenced accessory buildings and structures; barbed wire and electric fencing; definitions for farm, farming, farm operation, farm use, and farm pond; and storage containers and trailer bodies.

**M 030 17  
Approve  
Consent  
Agenda**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to approve the following items listed under the Consent Agenda:

**Wastewater Agreement No. 666-3  
Sussex County Project No. 81-04  
The Woodlands of Pepper's Creek – Phase 3 (Construction Record)  
Dagsboro/Frankford Sanitary Sewer District**

**Wastewater Agreement No. 990-2  
Sussex County Project No. 81-04  
Ocean View Beach Club – Amenities Sewer  
Bethany Beach Sanitary Sewer District**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea**

**Presenta-  
tion/  
Slam  
Dunk  
to the  
Beach**

Dr. Matthew Robinson, Chairman of the Delaware Sports Commission, presented an update on the Slam Dunk to the Beach basketball competition that brings high school teams from around the country, region and state to Cape Henlopen High School for three days in December. Dr. Robinson noted that this event is a high profile, high quality event that is nationally televised and that it is an event that has a positive economic impact on the area. Dr. Robinson thanked the Council for its support of the event.

**Delaware  
Coastal  
Airport  
Advisory  
Committee**

Mr. Lawson presented a recommendation to reappoint the members of the Delaware Coastal Airport Advisory Committee.

The Advisory Committee consists of seven appointments by the Sussex County Council; the members serve a term of one year which expires at the end of each year. The Committee's current membership is as follows: one representative as the Fixed Base Operator (Garrett Dernoga), one non-commercial airport tenant (Larry Kelley), one commercial airport tenant (Jeff Reed), two airport-based aircraft owners (Rick Garner and Gus Croll), one Industrial Park tenant representative (Mark Ryan), and one representative at-large (Richard Wilson). The County Council's representative is Councilman Arlett. Mr. Lawson reported that these

(continued) members have agreed to serve another year.

**M 031 17** A Motion was made by Mr. Arlett, seconded by Mr. Cole, that the Sussex County Council approves the appointments to the Delaware Coastal Airport Advisory Committee, as presented, for a term of one year.

**Approve Appointments to Delaware Coastal Airport Committee**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea**

**Board of Assessment Review** Mr. Lawson presented for consideration an appointment to the Board of Assessment Review. Mr. Harry Kreger's term expires in February and he has expressed an interest in continuing to serve on the Board.

**M 032 17** A Motion was made by Mr. Cole, seconded by Mr. Arlett, that the Sussex County Council reappoints Mr. Harry Kreger to the Sussex County Board of Assessment Review effective immediately for a term of five years or until February 2022.

**Approve Appointment to Board of Assessment Review**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea**

**Planning and Zoning Commission Nomination/ District 3** Mr. Lawson reported on a Planning and Zoning Commission nomination for District 3 and he advised that Mr. Burton has submitted a candidate for consideration. Mr. Burton stated that his recommendation for the Planning and Zoning Commissioner for District 3 is Kim Hoey Stevenson, a resident of the City of Lewes. Mr. Burton reviewed Ms. Stevenson's qualifications.

Mr. Lawson distributed a copy of the nominee questions that have been used in the past for the public interview process and he asked Council to review the questions and to submit any amendments or additions prior to the questions being submitted to the candidate. Mr. Lawson stated that an interview will be scheduled for a future date.

**Administrator's Report** Mr. Lawson read the following information in his Administrator's Report:  
**1. Delaware Solid Waste Authority Reports**

There were 77,657 pounds of recycled material received at the Recycle Delaware pods at the West Complex in Georgetown during the months of October, November, and December 2016. Attached are reports received for each month.

**Administrator's  
Report  
(continued)**

**2. Joseph Sykes and Alan Boltz**

It is with sadness that we note the passing of County pensioner Joseph "Joe" Sykes on Sunday, January 8<sup>th</sup>, and pensioner Alan Boltz on Monday, January 16<sup>th</sup>. Mr. Sykes began his career with Sussex County in March 1973 and retired from the Assessment Department as an Assessor III in March 2003 with 30 years of service. Mr. Boltz began his career with Sussex County in November 1984 and retired from the Buildings & Grounds Department as a Custodian in December 1992 with eight years of service. We would like to express our condolences to the Sykes and Boltz families.

[Attachments to the Administrator's Report are not attachments to the minutes.]

**Agreement  
with the  
City of  
Seaford  
for Waste-  
water  
Services**

Hans Medlarz, County Engineer, referenced the County's current agreement with the City of Seaford for wastewater treatment and disposal services for the Blades portion of the Sussex County Unified Sanitary Sewer District. He reported that, recently, the City of Seaford has received funding for the installation of a solar powered system at the wastewater treatment plant and that in order to account for the expenses and the benefits of the system, an amendment has been made to the agreement with the City. Additionally, as part of the review process of the document, both parties added a few edits to address issues such as the new Maximum Allowable Headworks Concentration limit recently promulgated by DNREC. Mr. Medlarz presented the final version of the Agreement for Council's review and approval.

**M 033 17  
Approve  
Amend-  
ments to  
Agreement  
with the  
City of  
Seaford**

A Motion was made by Mr. Wilson, seconded by Mr. Cole, based upon the recommendation of the Engineering Department, that the Sussex County Council approves the amendments to the existing agreement for wastewater services with the City of Seaford, as presented, including an extension of the agreement to 2022.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea**

**Grant  
Requests**

**Mrs. Jennings presented grant requests for the Council's consideration.**

**M 034 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Wilson to give \$800.00 (\$160.00 from each Councilmanic Grant Account) to Sussex Central High School for Mock Trial Team competition expenses.**

**The Motion Died for the lack of a Second.**

**Motion Died**

**M 035 17 Councilmanic Grant**      **A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$800.00 from Mr. Wilson's Councilmanic Grant Account to Sussex Central High School for Mock Trial Team competition expenses.**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea**

**M 036 17 Councilmanic Grant**      **A Motion was made by Mr. Cole, seconded by Mr. Arlett, to give \$1,500.00 (\$300.00 from each Councilmanic Grant Account) to First State Community Action Agency for the Martin Luther King Jr. Celebration.**

**Motion Adopted:      4 Yeas, 1 Nay.**

**Vote by Roll Call:      Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Nay; Mr. Cole, Yea;  
Mr. Vincent, Yea**

**M 037 17 Go Into Executive Session**      **At 10:43 a.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to recess the Regular Session and go into Executive Session for the purpose of discussing matters relating to land acquisition and personnel.**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea**

**Executive Session**      **At 10:49 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to land acquisition and personnel. The Executive Session concluded at 12:16 p.m.**

**M 038 17 Reconvene Regular Session**      **At 12:20 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Burton, to come out of Executive Session and to reconvene the Regular Session.**

**Motion Adopted:      3 Yeas, 2 Absent.**

**Vote by Roll Call:      Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Absent; Mr. Cole, Absent;  
Mr. Vincent, Yea**

**E/S Action**      **There was no action on Executive Session matters.**

**M 039 17 Adjourn**      **At 12:21 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Burton, to adjourn.**

**M 039 17  
(continued)**

**Motion Adopted: 3 Yeas, 2 Absent.**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Absent; Mr. Cole, Absent;  
Mr. Vincent, Yea**

**Respectfully submitted,**

**Robin A. Griffith  
Clerk of the Council**

*{An audio recording of this meeting is available on the County's website.}*