

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 8, 2022

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 8, 2022, at 10:00 a.m., in Council Chambers, with the following present:

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|------------------------------|-----------------------------|
| Michael H. Vincent | President |
| Cynthia C. Green | Councilwoman |
| Douglas B. Hudson | Councilman |
| John L. Rieley | Councilman |
| Mark G. Schaeffer | Councilman |
| Todd F. Lawson | County Administrator |
| Gina A. Jennings | Finance Director |
| J. Everett Moore, Jr. | County Attorney |

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

Call to Order

Mr. Vincent called the meeting to order.

**M 059 22
Approve
Agenda**

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to approve the Agenda, as presented.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of the February 1, 2022 meeting were approved by consensus.

**Corres-
pondence**

There was no Correspondence.

**Public
Comment**

Mr. William Kinnick from Seaford spoke about manufactured housing, affordable housing, sewage and drinking water concerns in Sussex County.

Mr. George Schultz, 32480 West Haven Wood Drive, Frankford shared concerns about a parcel that is up for development behind where he resides. Mr. Schultz expressed his disapproval of the property that is being proposed for development.

**Recognition
of Retirees**

The Council recognized the following employees that are retiring:

Terri L. Dukes, Addressing Technician II, who is retiring after 18 years of service with the County.

Douglas J. Stoakley, Facilities Manager, who is retiring after 28 years of service with the County.

**Adminis-
trator's
Report**

Mr. Lawson read the following information in his Administrator's Report:

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: The Villages at Red Pond South – Phase 2 (Construction Record) and Friendship Creek – Phase 1A (Construction Record) effective January 26th, Lands of High Tide Church, Inc. effective February 1st.

2. Council Meeting Schedule

A reminder that Council will not meet on Tuesday, February 15th. The next regularly scheduled Council meeting will be held on Tuesday, February 22nd, at 10:00 a.m.

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

**SCWRF &
RBWTP
General
Construc-
tion Project**

Mr. Hans Medlarz, County Engineer presented Change Order No. 19 to the South Coastal Wastewater Facility Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Process Capital Improvement Program, Phase 2, General Construction, Project C19-11 for Council's consideration. This Change Order includes replacement of two (2) compromised pumps and rail systems in the existing filtrate pump system in the filter building. It was also requested for new fiberglass baffles and a guide bracket assembly to replace the original wooden baffle assembly located in the flow splitter box. In addition, it is being requested to purchase corrosion resistant heaters for a room that has high moisture and stainless steel fully enclosed electric enclosures for the operators on the valves.

**M 060 22
Approve
Change
Order No.
19/Project
C19-11**

A Motion was made by Mr. Schaeffer seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 19 for Contract C19-11, South Coastal WRF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2 – General Construction, be approved, increasing the contract by \$109,630.10.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**SCWRF &
RBWTP
Electrical
Construc-
tion Project**

Mr. Hans Medlarz, County Engineer presented Change Order No. 15 to the South Coastal Wastewater Facility Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Process Capital Improvement Program, Phase 2, Electrical Construction, Project C19-17 for Council's consideration. The lighting in the headworks building and the panelboard in the chemical building are compromised by corrosion that need to be replaced. In addition, IT staff reanalyzed the facility's fiber optic cabling needs and requested inner duct modifications.

**M 061 22
Approve
Change
Order No.
15/Project
C19-17**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 15 for Contract C19-17, SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – Electrical Construction, be approved, for an increase of \$28,119.42.

**Grant
Requests**

Mrs. Jennings presented grant request for Council's consideration.

**M 062 22
Lewes
Public
Library**

A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, to give \$2,000.00 (\$1,500.00 from Mr. Schaeffer's Councilmanic Grant Account and \$500.00 from Mr. Rieley's Councilmanic Grant account) to Lewes Public Library for their Annual Shakespeare Festival.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 063 22
Fraternal
Order of
Police – SC
Lodge No. 2**

A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, to give \$2,000.00 (\$1,000.00 from Mr. Schaeffer's Councilmanic Grant account, \$500.00 Mr. Hudson's Councilmanic Grant Account & Mr. Rieley's Grant Councilmanic Account) to Fraternal Order of Police – Sussex County Lodge No. 2, Inc. for their Sharing a Thanksgiving Dinner and Christmas with a Needy Family.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 064 22
Fort Miles
Historical
Association**

A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, to give \$1,250.00 (\$250.00 from each Council members' Councilmanic Grant Account) to Fort Miles Historical Association, Inc. for a M10 Display at Fort Miles.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;

**Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

M 065 22 **A Motion was made by Mr. Schaeffer, seconded by Mrs. Green, to give Delaware River & Bay Lighthouse Foundation \$1,250.00 (\$1,000 from Mr. Schaeffer's Councilmanic Grant Account and \$250.00 from Mrs. Green's Councilmanic Grant Account) to Delaware River and Bay Lighthouse Foundation for Restoration and Volunteer Support.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Introduction of Proposed Ordinances **Mr. Hudson introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A TREEHOUSE AND YURT TO BE UTILIZED FOR SHORT-TERM RENTALS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.26 ACRES, MORE OR LESS"**

Mr. Rieley introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE AND BOAT REPAIR BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS"

Mr. Rieley introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 30.76 ACRES MORE OR LESS"

The Proposed Ordinances will be advertised for Public Hearing.

Council Members' Comments

There were none.

M 066 22
Go Into Executive Session

At 10:24 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Rieley to recess the Regular Session, and go into Executive Session for the purpose of discussing matters relating to pending/potential litigation, and land acquisition.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

At 10:31 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room to discuss matter relating to pending/potential litigation, and land acquisition. The Executive Session concluded at 11:50 a.m.

M 067 22 **At 11:56 a.m., a Motion was made by Mr. Hudson seconded by Mrs. Green**
Reconvene **to reconvene.**

Motion Adopted: 4 Yeas, 1 Absent

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
 Mr. Hudson, Yea; Mr. Rieley, Absent;
 Mr. Vincent, Yea

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

M 068 22 **A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to adjourn**
Adjourn **at 11:58 a.m.**

Motion Adopted: 4 Yeas, 1 Absent

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
 Mr. Hudson, Yea; Mr. Rieley, Absent;
 Mr. Vincent, Yea

Respectfully submitted,

Tracy N. Torbert
Clerk of the Council

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