

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 7, 2017

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 7, 2017 at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
George B. Cole	Vice President
Robert B. Arlett	Councilman
Irwin G. Burton III	Councilman
Samuel R. Wilson Jr.	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 049 17
Approve
Amended
Agenda**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, 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 31, 2017 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**MILTON HISTORICAL SOCIETY, MILTON, DELAWARE.
RE: Letter in appreciation of grant.**

**MILTON 9/10 ALL STARS / DELAWARE STATE CHAMPIONS,
MILTON, DELAWARE.
RE: Card and plaque in appreciation of grant.**

**Public
Comments**

Public Comments

Paul Reiger commented on appointments to the Planning and Zoning Commission and the Board of Adjustment. Mr. Reiger also commented on permit, map and zoning issues.

**Public
Comments
(continued)**

Dan Kramer commented on his dog.

William Kinnick commented on manufactured home communities and the need for inspections and licensing.

**Caroling
on The
Circle
Food Drive/
Recognition
of Partici-
pants**

Mr. Lawson announced that over 18,850 food items were collected during the Caroling on The Circle Food Drive held on December 5, 2016; additionally, monetary donations were collected in the amount of \$5,342.50 and used to purchase food items.

The Council recognized participants who helped in this effort. The following were present and received a plaque from Council: ALOFT AeroArchitects (2,835 items), Colonial East, L.P. (\$450.00), Delaware Manufactured Home Owners Association (395 items), First State Manufactured Housing Association of Delaware (\$1,672.50), Fuqua, Willard, Stevens & Schab, P.A. (\$500.00), Georgetown Elementary School (1,550 items), H.O. Brittingham Elementary School (805 items), Little Einstein Preschool (200 items), Milton Elementary School (1,100 items), Sussex Academy (135 items) and Sussex County Association of Realtors (\$250.00). Participating schools not in attendance were also recognized: Georgetown Middle School (500 items), Millsboro Middle School (1,485 items), and Seaford Senior High School (525 items). Mr. Lawson reported that the food items were distributed to various food pantries throughout Sussex County.

Mr. Lawson recognized Mark Roethel for donating the pod that was used for storing food items as they were collected during the month of December and Best Equipment, Inc. for donating the use of a wagon for the festivities.

**Adminis-
trator's
Report**

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

1. Delaware Department of Transportation Workshop

The Delaware Department of Transportation will be holding a public workshop regarding the US 113 North/South Study, Millsboro-South Area, on Tuesday, February 7th, from 4:00 to 8:00 p.m. at the Millsboro Civic Center, 322 Wilson Highway, Millsboro. Public comments will be received regarding the Supplemental Draft Environmental Impact Statement (SDEIS) recently completed by the Federal Highway Administration (FHWA) and Delaware Department of Transportation (DelDOT). The Millsboro-South Area includes the towns of Millsboro, Dagsboro, Frankford, and Selbyville.

**Angola
North
Expansion
Project/
Bid
Award**

Hans Medlarz, County Engineer, presented the bid results for the Angola North Expansion – SR 24, Love Creek & Camp Arrowhead Road, Project 17-04. Four bids were received; the lowest responsive bidder was Pact One, LLC of Ringoes, New Jersey with a total bid of \$5,826,250.00 which is within budget. The Engineering Department recommends awarding the project to Pact One, LLC contingent upon concurrence from the State SRF (State Revolving Fund Program).

**M 050 17
Award
Bid/
Angola
North
Expansion
Project**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, that Contract 17-04, Angola North Expansion, SR 24, Love Creek & Camp Arrowhead Roads, be awarded to Pact One, LLC of Ringoes, New Jersey, at the total bid amount of \$5,826,250.00 pending State Revolving Loan Fund concurrence.

Motion Adopted: 5 Yeas.

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

**Bridgeville/
Greenwood/
Seaford
Alternative
Sewer
Evaluation**

Hans Medlarz, County Engineer, presented a proposal to enter into a planning effort with Bridgeville, Greenwood and Seaford, led by Sussex County, to potentially provide central wastewater treatment to the greater Bridgeville / Greenwood area similar to the existing Blades model of the Sussex County Unified Sanitary Sewer District. If successful, such a project could eliminate point source discharges, provide service to areas currently using on-site systems, and service the Towns of Bridgeville and Greenwood in a more cost effective manner. The City of Seaford already provides wastewater treatment and disposal services for the Blades portion of the Sussex County Unified Sanitary Sewer District and the City of Seaford's wastewater treatment plant could ultimately provide treatment for the expanded area.

The Towns of Bridgeville and Greenwood both have already taken official action requesting the exploration of a potential County wastewater district. The City of Seaford has requested the County utilize George, Miles & Buhr, Inc. as the lead in the study on a reimbursement basis at the rates in effect under the City's current contract. In addition, assistance is needed from the Town of Bridgeville's Engineer of Record, Davis, Bowen & Friedel, for the Town's portion of the infrastructure under identical terms.

Mr. Medlarz presented for consideration Regional Sewer Evaluation Agreements with the City of Seaford and the Town of Bridgeville which allow for a mutual planning effort to evaluate the feasibility of expanding municipal sewer collection and treatment to accommodate flows from a newly created County sewer district to include contribution from the Towns of Bridgeville and Greenwood and unincorporated Sussex County as mapped.

Mr. Medlarz reported that the initial scope is limited to determine the financial viability of the alternative. The overall scope is estimated at \$30,000 and funds are available in the FY 2017 Budget.

**M 051 17
Approve
Regional
Sewer
Evaluation
Agreements**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves the Regional Sewer Evaluation Agreements with the City of Seaford and the Town of Bridgeville at an

M 051 17 **initial overall estimate of \$30,000.00, not to exceed without prior Council**
Approve **approval.**

Regional
Sewer **Motion Adopted: 5 Yeas.**

Evaluation
Agreements **Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;**
(continued) **Mr. Wilson, Yea; Mr. Cole, Yea;**
 Mr. Vincent, Yea

Public
Hearing/ **A Public Hearing was held on the development of a Community**
CDBG **Development Block Grant application, which is to be submitted to the**
 Delaware State Housing Authority. The Community Development Block
 Grant (CDBG) is a federal grant from the Department of HUD to the
 Delaware State Housing Authority (DSHA). Kent and Sussex Counties
 compete for the funding by making application to the DSHA.

Brad Whaley, Director of Sussex County Community Development & Housing, announced that the purpose of the Public Hearing is to give the citizens the opportunity to participate in the application process. Mr. Whaley stated that Sussex County's application will consist of projects in the County and in the municipalities. He reported that staff has met with all the municipalities who have asked for the County's assistance to make application to the DSHA and that the Department has held Public Hearings in all of the municipalities listed and the projects presented represent their requests.

Mr. Whaley reported that, over the past five years, the County and the communities within the County have received over \$7.1 million in Community Development Block Grant and HOME funding and have been able to assist 849 households and over 1,365 residents (including housing rehabilitation, demolition, and sewer and water hook-ups).

Mr. Whaley advised that part of the CDBG requirements is that a status report be given. Mr. Whaley reported on the allocation of the funding during FY2015: approximately \$1.3 million was received in CDBG & HOME funding and 127 low-to-moderate income households received assistance. Mr. Whaley noted that more than 70% of these projects were completed by companies that qualify under Section 3 and/or WBE/MBE/VBE designations.

Mr. Whaley presented a status update for projects in 2016.

Mr. Whaley reviewed the income guidelines and other requirements to qualify for housing rehabilitation.

Mr. Whaley noted that the public hearing on this date is held to collect information to make application for funding.

Public
Hearing/
CDBG
(continued)

Mr. Whaley presented a list of the projects to be submitted to the Delaware State Housing Authority for CDBG funding, as follows:

Municipality Applications:

Blades (Rehabs)	\$ 80,000.00
Bridgeville (Rehabs)	\$140,000.00
Delmar (Rehabs)	\$ 80,000.00
Ellendale (Rehabs)	\$ 80,000.00
Greenwood (Rehabs)	\$ 80,000.00
Georgetown (Rehabs)	\$105,000.00
Laurel (Rehabs)	\$140,000.00
Milford (Rehabs)	\$105,000.00
Milton (Rehabs)	\$ 80,000.00
Seaford (Rehabs)	\$140,000.00
Selbyville (Rehabs)	\$105,000.00

County Application:

Scattered Rehab	\$414,480.00
Scattered Demo:	\$ 40,000.00
Scattered Emergency Rehab:	\$ 78,000.00
Scattered Hookups:	\$ 40,000.00
Handicapped Accessibility	\$ 48,000.00
Cool Spring (Rehabs):	\$ 60,000.00
Coverdale (Rehabs):	\$ 60,000.00
Mount Joy (Rehabs):	\$ 60,000.00
Rural Dagsboro/Millsboro (Rehabs)	\$ 60,000.00

TOTAL REQUESTED **\$2,441,073.00**

Mr. Whaley noted that the total funding available is \$2,000,000 - \$2,500,000 for Sussex and Kent Counties and that the Delaware State Housing Authority will review the applications and determine how the funding will be awarded.

Mr. Whaley stated that, over the years, the County Council has provided funding for emergency projects: FY2013 - \$220,000; FY2014 - \$250,000; FY2015 - \$300,000; FY2016 - \$100,000; and FY2017 - \$150,000. Mr. Whaley reviewed the primary uses for this funding and the number of households assisted.

Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer, was in attendance to assist with the presentation and presented two proposed Resolutions for the Council's consideration.

Mr. Arlett suggested that the Department reach out to the private sector contractors for assistance.

There were no public comments and the Public Hearing was closed.

M 052 17
Adopt
R 006 17/
Fair
Housing

A Motion was made by **Mr. Arlett**, seconded by Mr. **Wilson**, to Adopt Resolution No. R 006 17 entitled “RECOGNIZING THE IMPORTANCE OF FAIR HOUSING”. *

Motion Adopted: 5 Yeas.

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

M 053 17
Adopt
R 007 17
Submit
CDBG
Applica-
tions

A Motion was made by Mr. **Arlett**, seconded by **Mr. Cole**, to Adopt Resolution No. R 007 17 entitled “AUTHORIZATION TO SUBMIT APPLICATIONS” (COMMUNITY DEVELOPMENT BLOCK GRANT). *

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 054 17
Council-
manic
Grant

A Motion was made by Mr. Arlett, seconded by Mr. Burton, to give \$500.00 from Mr. Vincent’s Councilmanic Grant Account to the Trinity Foundation for the Heart & Sole 5K fundraiser for medical equipment.

Motion Adopted: 5 Yeas.

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

M 055 17
Countywide
Youth
Grant

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to give \$500.00 from Countywide Youth Grants to Friends of Sussex CASA for annual volunteer training.

Motion Adopted: 5 Yeas.

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

M 056 17
Recess

At 11:23 a.m., a Motion was made by Mr. Burton, seconded by Mr. Arlett, to recess the Regular Session and go into Executive Session.

Motion Adopted: 5 Yeas.

**M 056 17
(continued)** **Vote by Roll Call:** **Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

Executive Session **At 11:33 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room to discuss matters relating to land acquisition, personnel, and job applicants' qualifications. The Executive Session concluded at 1:26 p.m.**

**M 057 17
Reconvene
Regular
Session** **At 1:28 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 058 17
Recess** **At 1:28 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to recess.**

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

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

**M 059 17
Reconvene** **At 1:40 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to reconvene.**

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

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

Mr. Wilson joined the meeting/workshop.

**Reconvene/
Compre-
hensive
Land Use
Plan
Workshop** **The members of the Sussex County Council reconvened at the County's West Complex for a Comprehensive Land Use Plan Workshop with members of the Planning and Zoning Commission, representatives of McCormick Taylor (the County's consultant), a representative of DelDOT, and staff. Information presented included an overview of the goals and objectives. Proposed key themes for the Plan were presented: balance growth, preserve community and rural character, protect natural resources and open space, improve housing options, enhance economic vitality while preserving the economic base, and provide for safe and efficient movement**

Workshop (continued) of people and goods. Also discussed was the development of a vision statement.

Discussions were held regarding the information presented and the path forward.

The next step in the Comprehensive Land Use Plan process is Round Two of Public Meetings which will be held in Spring 2017.

M 060 17 Adjourn A Motion was made by Mr. Cole, seconded by Mr. Arlett, to adjourn at 3:52 p.m.

Motion Adopted: 5 Yeas.

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

