

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 23, 2013

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, April 23, 2013, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Vance Phillips	Councilman
Todd F. Lawson	County Administrator
Susan M. Webb	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 195 13
Amend
and
Approve
Agenda**

A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to amend the Agenda by deleting “Job Applicants’ Qualifications” and “Personnel” under “Executive Session” and to approve the Agenda, as amended.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Approval
of Minutes**

The Council considered the approval of the minutes of the April 16, 2013 meeting. Mrs. Deaver questioned why there was nothing in the minutes regarding comments made by Mr. Wilson regarding marriage equality and children. Mr. Moore stated that the purpose of minutes is to reflect official actions taken; that minutes are not a verbatim report of everything said; and that the meetings are recorded and the audio of the meetings are available, which is a verbatim report.

The minutes of April 16, 2013 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**DELAWARE SENIOR OLYMPICS BOARD OF DIRECTORS.
RE: Letter in appreciation of the Council’s grant.**

Rehoboth Beach Jazz Festival Presentation Dennis Santangini and Leon Galitzin, representatives from the Rehoboth Beach Jazz Festival, and Scott Thomas of Southern Delaware Tourism gave a presentation and an update on the upcoming jazz festival. They reported that, over the past 23 years, the festival has grown to become a premier “top ten event” in the United States, featuring world class Grammy winning performers; the event’s growth has come from an expanded television promotional outreach to major metropolitan areas. Mr. Santangini and Mr. Galiltzin asked the Council for funding in the amount of \$10,000 to assist them with expanding the frequency and outreach of their television promotional commercials, thereby promoting Sussex County and the businesses/hotels that support the festival. They noted that the festival is very impactful in Rehoboth and the whole Cape region; that it helps put Sussex County on the map; and that it is a major event considered the “greatest jazz festival in the world”.

The Council discussed and considered the request and it was noted that the funding request would be considered during the Fiscal Year 2014 Budget process.

Proclamation/Conservation District The Council presented a Proclamation entitled “PROCLAIMING APRIL 28 THROUGH MAY 5, 2013 AS *SOIL & WATER STEWARDSHIP WEEK*” to David Baird, District Coordinator, and Debbie Absher, Director of Ag Programs, representing the Sussex Conservation District.

Public Hearing/Amend MPHU Ordinance A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 72, ARTICLE I, OF THE CODE OF SUSSEX COUNTY BY AMENDING THE DEFINITION AND APPLICATION OF “MODERATE INCOME” USED TO DETERMINE ELIGIBILITY FOR MODERATELY PRICED HOUSING UNITS”.

Brandy Nauman, Fair Housing Compliance Officer, reported that HUD has asked the County to amend its Moderately Priced Housing Unit (MPHU) Ordinance to expand the income guidelines. Currently, the program is available to persons that are between 80 and 125 percent of the area median income. The proposed amendment, which was previously distributed to the Council, would expand the program to include persons that are between 50 and 125 percent of area median income. This proposed change is a requirement of both the HUD Voluntary Consent Agreement and the DOJ Consent Decree.

In regards to the Moderately Priced Housing Units Program, Mrs. Nauman stated that the County needs to make this a more marketable program; that when the program was first started, a density bonus and expedited review were great incentives; however, the County needs to look at it again.

Mr. Moore read a letter dated April 23, 2013 into the record from the Delaware Housing Coalition in support of the proposed lowering of the income threshold for the Moderately Priced Housing Program so that Sussex County households earning 50 percent of the area’s median income (roughly

**Public
Hearing/
Amend
MPHU
Ordinance
(continued)**

\$30,000 a year for a family of four) would be able to afford homes.

Public comments were heard.

Dan Kramer questioned if developers will be required to build a certain number of moderately priced housing units and he stated that developers should not be required to do so. He also stated that there is housing available for people who need affordable housing.

In response to questions, Mrs. Nauman stated that families that would be eligible for housing under this program would be able to purchase a home through several mortgage products, i.e. USDA Rural Development mortgage subsidy program.

Mrs. Nauman stated that the program is voluntary and a developer can select from three different income tiers; however, higher density bonuses are associated with the lower income bracket. It was noted that this program is a mechanism to provide affordable housing that allows people to live where they work.

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

**M 196 13
Adopt
Ordinance
No. 2302**

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to Adopt Ordinance No. 2302 entitled “AN ORDINANCE TO AMEND CHAPTER 72, ARTICLE I, OF THE CODE OF SUSSEX COUNTY BY AMENDING THE DEFINITION AND APPLICATION OF “MODERATE INCOME” USED TO DETERMINE ELIGIBILITY FOR MODERATELY PRICED HOUSING UNITS”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
C/Z
No. 1727**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, INVOLVING TWO (2) PARCELS; CONTAINING 1.10 ACRE, MORE OR LESS” (Change of Zone No. 1727) filed on behalf of Louis D. O’Neal.

The Planning and Zoning Commission held a Public Hearing on this application on March 21, 2013 at which time the Commission recommended that the application be approved.

**Public Hearing/
C/Z
No. 1727
(continued)** (See the minutes of the Planning and Zoning Commission dated March 21, 2013.)

Lawrence Lank, Director of Planning and Zoning, presented a summary of the Commission's Public Hearing.

The Council found that Louis O'Neal was present on behalf of his application. Mr. O'Neal stated that he has owned the property for 10 or more years; that he has an antique store on the existing C-1 commercial parcel and he is requesting approval to expand the size of the commercial space; that there are other commercial activities in close proximity; and that he would like to have the property zoned commercial to conform with the adjacent property.

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

**M 197 13
Adopt
Ordinance
No. 2303/
C/Z
No. 1727** A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Ordinance No. 2303 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, INVOLVING TWO (2) PARCELS; CONTAINING 1.10 ACRE, MORE OR LESS" (Change of Zone No. 1727) filed on behalf of Louis D. O'Neal.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

**Old Business/
C/U
No. 1950** Under Old Business, the Council considered Conditional Use No. 1950 filed on behalf of Erlin I. Rivera.

The Council found that the Planning and Zoning Commission held a Public Hearing on January 10, 2013 at which time action was deferred. On January 24, 2013, the Commission deferred action again. On February 14, 2013, the Commission recommended that the application be approved with the following conditions:

- A. There shall be no more than 10 trucks and/or trailers on the site at any one time.
- B. All trucks and trailers on the site must be operable and have valid registrations.
- C. No service, repairs or other types of maintenance shall occur on the site.
- D. The parking areas and spaces shall be clearly designated on the Final Site Plan. The parking areas shall also be clearly marked on the actual

**Old
Business/
C/U
No. 1950
(continued)**

- site.
- E. There shall be a 100 foot setback from the entire perimeter boundary of the Conditional Use. No parking of trucks or trailers shall be allowed in this setback area. The setback area shall be shown on the Final Site Plan and also clearly marked on the site with post and rail fencing or a similar barrier. If this setback area eliminates the Applicant's ability to reasonably park the trucks and trailers, the Applicant may apply for an expansion of the Conditional Use onto the remaining property owned by him. If such an application is required, but only in the event that it is necessary due to this setback requirement, it should be considered on an expedited basis without an additional application fee. Any such expansion shall only include the minimal area needed to comply with this setback requirement.**
 - F. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
 - G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

The County Council held a Public Hearing on this application on February 5, 2013 at which time action was deferred and the record was left open for two weeks for the Applicant to submit proposed conditions, after which the record remained open for an additional two weeks for responses and comments to the submitted proposed conditions. The Council deferred action again on April 16, 2013.

At the April 16th Council meeting, Mr. Lank distributed and reported on the proposed conditions received from the Applicant on February 13, 2013. There were no responses or comments submitted in reference to the submitted proposed conditions.

The proposed conditions submitted by the Applicant are as follows:

- 1. At no time will refrigeration units on any trailer stored on site be started, running or operating.**
- 2. At no time will trucks be left to idle for an extended period and/or an unreasonable amount of time. Reasonable time will be considered that time needed to sensibly allow the trucks engine and operating systems to warm to allow the truck to be driven in a safe and reasonable manner. This shall include the time needed to hook and/or unhook from trailers.**
- 3. At no time will any general maintenance be performed on any truck, trailer or vehicle except for emergency repairs needed for the safe and reasonable operation of said truck, trailer or vehicle.**
- 4. At no time should radios, CB's or the like be at a volume so as to be heard from outside the truck or vehicle.**
- 5. Entry and exit into trucks or personal vehicles shall be kept to a minimum, especially between the hours of 7:00 p.m. to 8:00 a.m., so as to avoid the slamming of doors and trunks.**
- 6. At no time shall trash, debris, tires or parts from trucks or trailers be**

Old Business/C/U No. 1950 (continued) stored or left on site.
7. If personal automobiles are driven to or from the site, they shall be parked on the southerly side of the site.

Mr. Vincent referenced the Commission's proposed condition (E) relating to the setback of 100 feet from the entire perimeter boundary of the Conditional Use and he stated that he does not believe 10 tractor trailers would fit in the remaining area.

M 198 13 Amend Condition/C/U No. 1950 A Motion was made by Mr. Cole, seconded by Mr. Phillips, to amend Condition E recommended by the Planning and Zoning Commission, to read as follows:

There shall be a 50 foot setback from any perimeter boundary with a third party owner. No parking of trucks or trailers shall be allowed in this setback area. The setback area shall be shown on the Final Site Plan and also clearly marked on the site with post and rail fencing or a similar barrier. If this setback area eliminates the Applicant's ability to reasonably park the trucks and trailers, the Applicant may apply for an expansion of the Conditional Use onto the remaining property owned by him. If such an application is required, but only in the event that it is necessary due to this setback requirement, it should be considered on an expedited basis without an additional application fee. Any such expansion shall only include the minimal area needed to comply with this setback requirement.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 199 13 Amend Conditions/C/U No. 1950 A Motion was made by Mr. Cole, seconded by Mr. Phillips, to incorporate the Applicant's suggested Conditions 1 through 3 and to incorporate the Commission's recommended conditions A through G with the deletion of Condition C and the amendment to Condition E (Motion M 198 13), as follows:

- A. There shall be no more than 10 trucks and/or trailers on the site at any one time.
- B. All trucks and trailers on the site must be operable and have valid registrations.
- C. At no time will refrigeration units on any trailer stored on site be started, running or operating.
- D. At no time will trucks be left to idle for an extended period and/or an unreasonable amount of time. Reasonable time will be considered that time needed to sensibly allow the trucks engine and operating systems to warm to allow the truck to be driven in a safe and reasonable manner. This shall include the time needed to hook

**M 199 13
Amend
Conditions/
C/U
No. 1950
(continued)**

and/or unhook from trailers.

- E. At no time will any general maintenance be performed on any truck, trailer or vehicle except for emergency repairs needed for the safe and reasonable operation of said truck, trailer or vehicle.**
- F. The parking areas and spaces shall be clearly designated on the Final Site Plan. The parking areas shall also be clearly marked on the actual site.**
- G. There shall be a 50 foot setback from any perimeter boundary with a third party owner. No parking of trucks or trailers shall be allowed in this setback area. The setback area shall be shown on the Final Site Plan and also clearly marked on the site with post and rail fencing or a similar barrier. If this setback area eliminates the Applicant's ability to reasonably park the trucks and trailers, the Applicant may apply for an expansion of the Conditional Use onto the remaining property owned by him. If such an application is required, but only in the event that it is necessary due to this setback requirement, it should be considered on an expedited basis without an additional application fee. Any such expansion shall only include the minimal area needed to comply with this setback requirement.**
- H. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 200 13
Adopt
Ordinance
No. 2304/
C/U
No. 1950**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2304 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A GR GENERAL RESIDENTIAL DISTRICT FOR PARKING COMMERCIAL TRACTOR TRAILERS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 9.59 ACRES, MORE OR LESS" (Conditional Use No. 1950) filed on behalf of Erlin I. Rivera, with the following conditions:

- A. There shall be no more than 10 trucks and/or trailers on the site at any one time.**
- B. All trucks and trailers on the site must be operable and have valid registrations.**
- C. At no time will refrigeration units on any trailer stored on site be started, running or operating.**
- D. At no time will trucks be left to idle for an extended period and/or an unreasonable amount of time. Reasonable time will be considered that time needed to sensibly allow the trucks engine and operating**

**M 200 13
Adopt
Ordinance
No. 2304/
C/U
No. 1950
(continued)**

systems to warm to allow the truck to be driven in a safe and reasonable manner. This shall include the time needed to hook and/or unhook from trailers.

- E.** At no time will any general maintenance be performed on any truck, trailer or vehicle except for emergency repairs needed for the safe and reasonable operation of said truck, trailer or vehicle.
- F.** The parking areas and spaces shall be clearly designated on the Final Site Plan. The parking areas shall also be clearly marked on the actual site.
- G.** There shall be a 50 foot setback from any perimeter boundary with a third party owner. No parking of trucks or trailers shall be allowed in this setback area. The setback area shall be shown on the Final Site Plan and also clearly marked on the site with post and rail fencing or a similar barrier. If this setback area eliminates the Applicant's ability to reasonably park the trucks and trailers, the Applicant may apply for an expansion of the Conditional Use onto the remaining property owned by him. If such an application is required, but only in the event that it is necessary due to this setback requirement, it should be considered on an expedited basis without an additional application fee. Any such expansion shall only include the minimal area needed to comply with this setback requirement.
- H.** Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
- I.** The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Legislative
Update**

Hal Godwin, Deputy County Administrator, presented the following legislative update:

House Bill No. 74 – “AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE”.

Mr. Godwin handed out revised legislation which shows that the legislation was assigned to a different Committee. The legislation was assigned to the House Health & Human Development Committee. Mr. Godwin distributed information on the names and contact information of the Committee members.

The Bill has not yet been scheduled for a Committee hearing.

Mr. Godwin stated that Council members can review the Bill and make comments directly to the Committee members.

**Legislative
Update
(continued)**

Mrs. Deaver questioned how the State can prevail over the federal government's plan. Mr. Phillips asked Mr. Godwin to find an answer to this question.

In regards to this health insurance legislation, Mr. Vincent asked Gina Jennings, Finance Director Appointee, to (1) put together the County's information for submission to the Committee and (2) be prepared to testify.

House Bill No. 44 - "AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY".

This Bill was passed in the House.

Un-numbered Senate Bill – This Bill would allow Delaware residents 65 years of age and older to continue to qualify for the "Senior School Property Tax Credit Program" even if they are delinquent provided they have entered into a payment plan for taxes due.

This Bill has not yet been introduced. The County is currently compliant with this proposed Bill.

Un-numbered Senate Bill – This Bill provides for a property tax exemption for the dwellings of military veterans who are disabled and for their spouses, if the veteran is deceased.

This Bill has not yet been introduced and the County has been asked for comments.

Some of the Council members expressed hesitancy to support this Bill and suggested that the County should have its own ordinance to give this exemption to disabled veterans and their spouses.

Mr. Vincent directed the County Administrator to have an ordinance drafted to provide a property tax exemption for disabled veterans.

Animal Welfare Task Force Comments

Mr. Godwin referenced the draft report from the Animal Welfare Task Force, which was previously distributed to the Council; the deadline for comments was April 22nd and Mr. Godwin sent in comments: (1) a correction to the minutes regarding cat licensing and (2) a statement that Sussex County government wants the State of Delaware to take dog licensing and control back because it is an unfunded mandate.

Mr. Godwin noted that the final report will be released by the end of April.

House Bill No. 63 – "AN ACT PROPOSING AN AMENDMENT TO ARTICLE 1 OF THE CONSTITUTION RELATING TO AGRICULTURE".

**Legislative
Update
(continued)**

This Bill is the first leg of a constitutional amendment that forever guarantees the right of farmers to engage in modern farming and ranching practices.

This Bill is on the House Ready List.

Several Council members expressed confusion over what the Bill does.

Mr. Phillips asked Mr. Godwin to talk with Representative Atkins and ask him if there is a specific incident that is driving this legislation.

**Adminis-
trator's
Report**

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

1. County Libraries Closing – Thursday, May 9, 2013

Please be advised, in two weeks, the County Libraries will close on Thursday, May 9, 2013 to allow staff to attend the annual Delaware Library - Maryland Library Association Conference in Ocean City, Maryland.

The conference provides library staff the opportunity to receive a multi-state perspective and an expanded view of collaboration and partnering in addition to subject-specific learning.

County libraries will reopen at the regular time on Friday, May 10, 2013.

**Delaware
Solid
Waste
Authority
(DSWA)/
Lease
of Premises**

Michael Izzo, County Engineer, presented a Proposed Lease Agreement between the County and the Delaware Solid Waste Authority for the lease of premises of an existing solid waste transfer site (Long Neck Collection Station) at the Inland Bays Regional Wastewater Facility. This site has been operational since 1993 without incident; however, the Lease executed in 1993 did not contain any provisions for extending the lease. For this reason, a new Lease was created which is proposed to be in place for another 20 years with a provision for an additional 20 year extension.

**M 201 13
Approve
Lease
Agreement/
DSWA**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves the Lease Agreement with the Delaware Solid Waste Authority to continue operation at the solid waste collection station at the site of the Inland Bays Regional Wastewater Facility.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Bid
Results for
Angola
Beach
Grinder
Pump
System &
Villages
of Herring
Creek
Improve-
ments
Project**

Michael Izzo, County Engineer, presented the bid results for the Angola Beach Road Grinder Pump Station and Villages of Herring Creek Improvements, Angola Neck Sanitary Sewer District. Mr. Izzo explained that this is the final contract for the Angola Neck Sanitary Sewer District; there were 5 or 6 homes that could not be served via a conventional gravity system and a grinder pump system was set up to serve the homes. In addition, during the construction of the Angola Neck Sanitary Sewer District, the County took over a private sewer system and the system needs some upgrades. Mr. Izzo reported that there were four bidders on the project and that the low bidder was Harry Caswell, Inc. of Millsboro, Delaware, for the Base Bid amount of \$137,706.00. The Engineer's estimate for the project was \$173,460.00.

Mr. Cole suggested a different billing calculation for homeowners with grinder pumps. Mr. Izzo stated that the Engineering Department would look into this.

**M 202 13
Award Bid/
Angola
Beach
Grinder
Pump
System &
Villages
of Herring
Creek
Improve-
ments
Project**

A Motion was made by Mr. Phillips, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project No. 11-11, Angola Neck Sanitary Sewer District: Angola Beach Road Grinder Pump System and Villages of Herring Creek Improvements, be awarded to Harry Caswell, Inc. of Millsboro, Delaware, at the bid amount of \$137,706.00 contingent upon the receipt of approval from the Delaware Department of Natural Resources and Environmental Control and/or Rural Utility Service.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Grant
Requests**

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

**M 203 13
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$800.00 (\$200.00 from Mr. Cole's, Mrs. Deaver's, Mr. Phillips', and Mr. Vincent's Councilmanic Grant Accounts) to Prevent Child Abuse Delaware for the Stewards of Children Initiative expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 204 13
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$200.00 (\$100.00 each from Mrs. Deaver's and Mr. Cole's Councilmanic Grant Accounts) to the National Active and Retired Federal Employees Association (NARFE) for a golf tournament fundraiser benefitting

**M 204 13
(continued)**

Alzheimer's Research.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 205 13
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 from Mr. Cole's Councilmanic Grant Account to the Rehoboth Summer Children's Theatre for camp expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Request
for Funds**

Mary Rio, Founder of Clothing Our Kids, was in attendance to present a request for funding and to explain how the funds would be used. She stated that the program began in January 2012 and currently supports 14 elementary schools; her plans are to reach out to all schools in the County during the next school year. Ms. Rio stated that there are no administrative costs, with the exception of a \$400.00 fee for the organization's non-profit status application and for business cards.

**M 206 13
Council-
manic
Grant**

A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$2,000.00 (\$1,000 from Mr. Phillips' Councilmanic Grant Account, \$500.00 from Mr. Vincent's Councilmanic Grant Account, and \$500.00 from Mr. Cole's Councilmanic Grant Account) to Clothing Our Kids for operating expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 207 13
Council-
manic
Grant**

A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$700.00 (\$500.00 from Mr. Vincent's Councilmanic Grant Account, \$100.00 from Mrs. Deaver's Councilmanic Grant Account and \$100.00 from Mr. Phillips' Councilmanic Grant Account) to the Eastern Shore AFRAM Festival for event expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

There was no additional business.

M 208 13
Go Into
Executive
Session

At 12:11 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to recess the Regular Session and to go into Executive Session for the purpose of discussing issues relating to pending/potential litigation and land acquisition.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Executive
Session

At 12:12 p.m., an Executive Session of the Sussex County Council was held in the Caucus Room of the Chambers for the purpose of discussing issues relating to pending/potential litigation and land acquisition. The Executive Session concluded at 12:31 p.m.

M 209 13
Reconvene
Regular
Session

At 12:32 p.m., a Motion was made by Mr. Phillips, seconded by Mr. Wilson, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

There was no action on Executive Session items.

M 210 13
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to adjourn at 12:33 p.m.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

Robin A. Griffith
Clerk of the Council