

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 29, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, April 29, 2014, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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|------------------------------|-----------------------------|
| 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 |
| Gina A. Jennings | Finance Director |
| J. Everett Moore, Jr. | County Attorney |

Note: Mr. Cole was present for a portion of the meeting.

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 183 14
Approve
Agenda**

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to approve the Agenda, as posted.

Motion Adopted: 4 Yeas, 1 Absent.

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

Minutes

The minutes of April 8, 2014 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**COPD FOUNDATION, WASHINGTON, D.C.
RE: Letter in appreciation of grant.**

**The
Freeman
Stage at
Bayside
Program
Update**

Patti Grimes, Executive Director of the Joshua M. Freeman Foundation, presented an update on The Freeman Stage at Bayside and the progress that they have made in bringing the arts to Sussex County. As part of the Joshua M. Freeman Foundation, they are a public charity that partners to present memorable performances and provide inspired arts education for all. In 2013, approximately 41,000 residents and visitors visited the stage.

**The
Freeman
Stage at
Bayside
Program
Update
(continued)**

Ms. Grimes reported that The Freeman Stage at Bayside has reached out to partner with Delaware Technical & Community College, local schools, and community groups so that they can present quality arts and other venues year round.

Ms. Grimes stated that The Freeman Foundation could not promote the arts without funding support; funding is received from Sussex County Council, State of Delaware, PNC, National Endowment for the Arts, and Mid Atlantic Arts Foundation.

Ms. Grimes asked for the Council's continued financial support.

**Public
Hearing on
Proposed
Ordinance
Relating to
Pension
Benefits**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY RELATING TO PENSION BENEFITS FOR SUSSEX COUNTY EMPLOYEES".

This Ordinance amends Sussex County Code, Chapter 26, which governs employee pension benefits, by amending the following code provisions: "Allowable interruptions" as set forth in § 26-3 by adding a new paragraph F.; "Eligibility" as set forth in § 26-6 by adding additional language to the end of paragraphs A. and E.; "Computation of benefits" as set forth in § 26-7 by adding new paragraphs E. and F.; and "Funding" as set forth in § 26-9 by adding new paragraphs F. and G.

The Proposed Ordinance was introduced on March 25, 2014.

Karen Brewington, Director of Human Resources, reported that the Proposed Ordinance would require that new employees hired after January 1, 2014 would contribute 3 percent of their base earnings after the first \$6,000 is earned (each year).

Timothy Snyder of Young, Conaway, Stargatt and Taylor was in attendance to discuss the Proposed Ordinance.

In response to questions raised by Mr. Phillips, Mrs. Jennings stated that a new employee making approximately \$40,000 annually will, on average, contribute \$1,250.00 (annually). This will result in an approximate contribution of \$600,000 to the Pension Fund annually.

Mrs. Brewington reported that the State requires new employees to contribute 5 percent and recently, New Castle County and Kent County have increased their contribution requirements.

Mr. Phillips raised questions about a 401K plan option and investment options and he stated that, if employees express an interest in these options, he would encourage staff to look into it.

Public comments were heard.

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|--|---|
| Public Hearing on Proposed Ordinance Relating to Pension Benefits (continued) | <p>Dan Kramer questioned why the proposal is for a contribution after the first \$6,000 earned and he stated that it should start from Day 1 of employment.</p> <p>There were no additional public comments and the Public Hearing was closed.</p> <p>Mr. Phillips questioned if Council thinks there is any reason to consider this for current employees, i.e. a gradual process of bringing current employees into the same contribution level. Mr. Phillips questioned if the Proposed Ordinance could be amended to include this concept. Mr. Moore responded that this would be a substantive amendment and would be better suited for a separate ordinance and separate public hearing. Mr. Phillips stated that the only way he would be interested in doing this is if the current employees could also benefit in some way and that he wouldn't want them to be penalized. He further stated that current employees are working here under a certain plan and Council should not be changing the rules in the middle of the game.</p> |
| M 184 14 Adopt Ordinance No. 2346 | <p>A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to Adopt Ordinance No. 2346 entitled "AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY RELATING TO PENSION BENEFITS FOR SUSSEX COUNTY EMPLOYEES".</p> <p>Motion Adopted: 4 Yeas, 1 Absent.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Absent; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p> |
| Present Proclamation | <p>The Council presented a Proclamation entitled "PROCLAIMING APRIL 27 THROUGH MAY 4, 2014 AS <i>SOIL AND WATER STEWARDSHIP WEEK</i>" to David Baird, District Coordinator, Sussex Conservation District.</p> |
| Consent Agendas/ Proposed Rules of Procedure Amendment | <p>Mr. Lawson noted that, at the March 25th Council meeting, a topic of discussion was the consideration of Rules of Procedure Amendment regarding Consent Agendas. The purpose of this matter being placed on the agenda is to look at streamlining the review of wastewater agreements through the use of a Consent Agenda. Mr. Lawson explained that the Consent Agenda would combine the wastewater agreements under one item on the agenda; it would not reduce, limit or eliminate any Council consideration for any of the agreements. Mr. Lawson stated that the Consent Agenda would mostly be all wastewater agreements and any Council member could choose to vote on all items on a Consent Agenda together or pull an item out and vote separately on that item</p> <p>The Council discussed the proposal.</p> |

**Consent
Agendas/
Proposed
Rules of
Procedure
Amendment
(continued)**

Mr. Lawson advised that if Council chooses to implement a Consent Agenda, it will require an amendment to the current Rules of Procedure. He noted that information was included in Council's packets.

Mr. Lawson read proposed new Rules 4A, 4A.1, 4A.2, and 4A.3:

Rule 4A. – Consent Agenda

4A.1 The County Administrator or any member of the County Council may propose any matter that would be considered on an agenda for the inclusion on a Consent Agenda. The Consent Agenda shall list the matters so included and a brief description of each.

4A.2 An item may be removed from a Consent Agenda, if any member of the County Council requests that it be given separate individual consideration. If an item is removed from the Consent Agenda, it shall be considered as a separate item under the appropriate section of that meeting's agenda.

4A.3 All items on a Consent Agenda shall be read and voted on as a single group.

Several Council members raised concerns about the language proposed and requested that the language specifically state that Consent Agendas would be for wastewater agreements only.

Mr. Lawson read proposed new Rules 4A, 4A.1, 4A.2, and 4A.3, as amended, to reflect a limitation to wastewater agreements only:

Rule 4A. – Consent Agenda

4A.1 The County Administrator or any member of the County Council may propose only Wastewater Agreements to be considered on an agenda for the inclusion on a Consent Agenda. The Consent Agenda shall list the matters so included and a brief description of each.

4A.2 An item may be removed from a Consent Agenda, if any member of the County Council requests that it be given separate individual consideration. If an item is removed from the Consent Agenda, it shall be considered as a separate item under the appropriate section of that meeting's agenda.

4A.3 All items on a Consent Agenda shall be read and voted on as a single group.

**M 185 14
Approve
Amendment**

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to approve an amendment to the Rules of Procedure (as amended) by including the following for the use of a Consent Agenda:

**M 185 14
Approve
Amendment
to Rules
of Procedure
(continued)**

Rule 4A. – Consent Agenda

4A.1 The County Administrator or any member of the County Council may propose only Wastewater Agreements to be considered on an agenda for the inclusion on a Consent Agenda. The Consent Agenda shall list the matters so included and a brief description of each.

4A.2 An item may be removed from a Consent Agenda, if any member of the County Council requests that it be given separate individual consideration. If an item is removed from the Consent Agenda, it shall be considered as a separate item under the appropriate section of that meeting's agenda.

4A.3 All items on a Consent Agenda shall be read and voted on as a single group.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Adminis-
trator's
Report**

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

1. County Libraries Closing – Thursday, May 8

Most Sussex County libraries will be closed on Thursday, May 8, to allow staff to attend the annual Delaware Library Association/Maryland Library Association (DLA/MLA) Conference in Ocean City, Maryland.

The DLA/MLA Conference offers concurrent educational sessions throughout the day that will be provided by local, regional, and national library and community leaders. In addition to classes, the conference provides an opportunity for library professionals to network, learn from one another, and share their expertise.

County libraries will reopen at their regular time on Friday, May 9.

2. Delaware Solid Waste Authority Reports

There were 34,992 pounds of recycled material received at the Recycle Delaware pods at the West Complex in Georgetown during the months of January, February, and March 2014. Attached are reports received for each month.

3. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Deep Valley Farm received Substantial Completion effective April 22, 2014.

(continued) **[Attachments to the Administrator’s Report are not attachments to the minutes.]**

Wastewater Agreements **Hal Godwin, Deputy County Administrator, presented wastewater agreements for the Council’s consideration.**

M 186 14 **A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, based upon**
Execute **the recommendation of the Sussex County Engineering Department, for**
Wastewater **Sussex County Project No. 81-04, Agreement No. 343-7, that the Sussex**
Agreement/ **County Council execute a Construction Administration and Construction**
Forest **Inspection Agreement between Sussex County Council and Forest Landing**
Landing- **Communities, LLC for wastewater facilities to be constructed in Forest**
Remainder **Landing – Remainder of Phase 2D, located in the Miller Creek Sanitary**
of Phase 2D **Sewer District.**

Motion Adopted: 4 Yeas, 1 Absent.

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

M 187 14 **A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, based upon**
Execute **the recommendation of the Sussex County Engineering Department, for**
Wastewater **Sussex County Project No. 81-04, Agreement No. 866-2, that the Sussex**
Agreement/ **County Council execute a Construction Administration and Construction**
Deep Valley **Inspection Agreement between Sussex County Council and Lewes Crossing**
Farm, **Capital Partners, LLC for wastewater facilities to be constructed in Deep**
Phase 2 **Valley Farm – Phase 2, located in the West Rehoboth Expansion of the**
 Dewey Beach Sanitary Sewer District.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 188 14 **A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, based upon**
Execute **the recommendation of the Sussex County Engineering Department, for**
Wastewater **Sussex County Project No. 81-04, Agreement No. 866-3, that the Sussex**
Agreement/ **County Council execute a Construction Administration and Construction**
Deep Valley **Inspection Agreement between Sussex County Council and Lewes Crossing**
Farm, **Capital Partners, LLC for wastewater facilities to be constructed in Deep**
Phase 3 **Valley Farm – Phase 3, located in the West Rehoboth Expansion of the**
 Dewey Beach Sanitary Sewer District.

Motion Adopted: 4 Yeas, 1 Absent.

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

Mr. Cole joined the meeting.

M 189 14
Execute
Wastewater
Agreement/
Vincent
Overlook,
Phase 4

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 843-5, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Vincent Overlook, LLC, for wastewater facilities to be constructed in Vincent Overlook – Phase 4, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Years.

**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. 297 – “AN ACT TO AMEND TITLE 9 OF THE
DELAWARE CODE RELATING TO DOGS”**

Synopsis: This bill clarifies when an animal control constable or dog warden may impound a dog that is suspected of being dangerous or potentially dangerous. The bill makes clear that any of the paragraphs constitutes grounds. In addition, the bill removes largely redundant language referencing an exception for the dog owner's property. Section 923 already includes an exception for injury to a "human being who, at the time the injury was sustained, was committing criminal trespass or other tort upon premises occupied by the owner of the dog, or was teasing, tormenting, abusing or assaulting the dog, or was committing or attempting to commit a crime."

Senate Bill No. 196 – “AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DANGEROUS DOGS”

Synopsis: This bill restores language to the Delaware Code that was inadvertently repealed in 2010 when SB 240 and HB 419 were enacted concurrently. This bill adds cats to this list of domestic animals that are protected under the dangerous dog law. Cats are domestic animals and dogs that viciously attack a cat on the property of its owner or under the immediate control of its owner should be evaluated according to dangerous dog provisions.

**Legislative
Update
(continued)**

Mr. Godwin noted that House Bill No. 297 and Senate Bill No. 196 are housekeeping bills.

Mr. Godwin reported that the Dangerous Dog Panel has been reestablished.

Un-numbered House Bill – “AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE RESPONSIBILITIES AND GENERAL POWERS OF THE COUNTY GOVERNMENTS”

Synopsis:

In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency medical services. In order to meet the new standards, volunteer ambulance companies needed to hire paid EMTs and ambulance attendants to ensure the availability of sufficient numbers of trained, certified staff on a 24 hour, 7 days a week basis to meet the new response time goals. The author of House Bill 332 recognized that compliance with the new goals and standards would impose additional expense on the volunteer ambulance companies; however, neither House Bill 332 nor any subsequent legislation has addressed the funding sources for basic life support ambulance service in Delaware. Increased costs, without corresponding increases in revenue, have eroded the financial stability of volunteer ambulance companies. In 2012, 40 of Delaware’s 55 volunteer ambulance companies reported they are now conducting ambulance/EMS operations at a loss.

In 2013, House Bill 215 established the Ambulance and EMS Task Force (“Task Force”). In February 2014, the Task Force issued its report on the state of funding of ambulance and EMS services in Delaware and noted, “By some accounts, the public may begin to see diminished ambulance service in as little as 8 to 12 months, if steps are not taken promptly to meet the funding need.” The Task Force made 9 findings and 13 recommendations aimed at addressing this issue.

This bill would implement one of the Task Force’s recommendations to improve the funding of basic life support ambulance services in Delaware by requiring each county to contribute a minimum of 15% of the total countywide cost of basic life support services provided by volunteer ambulance companies with each county. The bill allows the counties the leeway to determine the best way to provide these funds; however, the bill grants a county the power to support its volunteer ambulance companies through additional funding mechanisms designed solely for the support of volunteer ambulance companies, should it choose to do so. These additional powers are (1) to assess an additional tax rate, assessment, or fee on real property or (2) to adopt a user fee.

Un-numbered Senate Bill – “AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE REQUIRED COVERAGE FOR VOLUNTEER AMBULANCE COMPANY SERVICES”

**Legislative
Update
(continued)**

Synopsis:

In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency medical services. In order to meet the new standards, volunteer ambulance companies needed to hire paid EMTs and ambulance attendants to ensure the availability of sufficient numbers of trained, certified staff on a 24 hour, 7 days a week basis to meet the new response time goals. The author of House Bill 332 recognized that compliance with the new goals and standards would impose additional expense on the volunteer ambulance companies; however, neither House Bill 332 nor any subsequent legislation has addressed the funding sources for basic life support ambulance service in Delaware. Increased costs, without corresponding increases in revenue, have eroded the financial stability of volunteer ambulance companies. In 2012, 40 of Delaware's 55 volunteer ambulance companies reported they are now conducting ambulance/EMS operations at a loss.

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This bill would implement one of the Task Force's recommendations to improve the funding of basic life support ambulance services in Delaware by ensuring that health insurers, health service corporations, health maintenance organizations, or managed care organizations do not set their allowable charges below the costs incurred by the volunteer ambulance companies in providing an ambulance run and basic life support services.

The Council discussed the un-numbered bills. Mr. Vincent noted that the County currently provides \$1.5 million to basic life support ambulance services for wages and that the County voluntarily does this. Mr. Vincent stated that the County needs to pay attention to these bills.

**Commercial
Lease
Addendum/
Eastern
Shore
Poultry**

Jim Hickin, Airport Manager, presented a lease amendment with Eastern Shore Poultry Company, Inc. The County entered into a commercial lease with Eastern Shore Poultry (ESP) in April 1992 for Lot 26 in the Industrial Park. At the time, the acreage included in the lease document was preliminary and the lease required ESP to provide a final survey of the property. ESP has provided the final survey as required in the lease. The proposed addendum replaces the preliminary property description with a final, sealed survey; total acreage drops by about 8/10ths of an acre and the rent per year will decrease by approximately \$1,000. No other changes are made to the lease.

M 190 14
Execute
Commercial
Lease
Addendum/
Eastern
Shore
Poultry

A Motion was made by Mr. Cole, seconded by Mr. Phillips, that the Sussex County Council authorizes the Council President to execute the Addendum to the Commercial Lease for Lot 26 at the Sussex County Industrial Park to Eastern Shore Poultry, Inc., as presented.

Motion Adopted: 5 Yeas.

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

Lease
Agreement/
Georgetown
Air Services

Jim Hickin, Airport Manager, presented for Council's consideration a Lease Agreement with Georgetown Air Services, LLC. Georgetown Air Services is currently the only Fixed Base Operator (FBO) at the Sussex County Airport, providing aircraft fueling and transient aircraft services. The original FBO lease was signed in 1998 with Harvey & Vera Patrick Family Foundation, Inc. and was later assigned to Georgetown Air Services. The lease has been amended four times to (among other things) adjust rent and redefine the dimensions of the rented property. Georgetown Air Services also leases office space in the Terminal Building under a separate lease agreement, which expires at different intervals from the FBO lease. They use this space as their office and customer service area for the FBO business. Mr. Hickin stated that, in an effort to clean up Airport lease agreements, it is being proposed to combine Georgetown Air Services' two leases into one lease. The proposed agreement combines the terms from both leases into one document and eliminates the need to negotiate two leases at different intervals.

Mr. Lawson noted that this is a fair negotiation with a very good tenant.

M 191 14
Execute
Commercial
Lease
Agreement/
Georgetown
Air Services

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council authorizes the Council President to execute the Commercial Lease Agreement with Georgetown Air Services, LLC, as presented.

Motion Adopted: 5 Yeas.

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

Inland Bays
Regional
Wastewater
Facility
Expansion,
Phase 2B

Juel Gibbons, Project Engineer, presented a Contract Amendment with Whitman, Requardt and Associates, LLC to provide Construction Administration and Inspection Services for the Inland Bays Regional Wastewater Facility Expansion Phase 2B Project. The major work to be performed under this project involves sludge handling improvements, which would move the County a step closer to producing a Class A sludge at this facility. Ms. Gibbons reported that construction is expected to last one year; Whitman, Requardt and Associates would be responsible for (among

Inland Bays Regional Wastewater Facility Expansion, Phase 2B (continued) other things) review of shop drawings, samples and other submittals for conformance with contract documents, electrical and controls coordination, specialized inspections, etc. The fee for this work is not to exceed \$278,218.00.

In response to questions, Ms. Gibbons stated that the total project is \$3,017,258.00. She noted that this includes a \$2 million grant that was received from USDA for the pre-purchase of equipment which will be installed during this expansion phase.

Council members discussed the Contract Amendment. Mr. Phillips raised questions regarding the percentage being paid to Whitman, Requardt & Associates; the grant funding; if the County has the ability to renegotiate with the contractor; and if Value Engineering was performed.

Joe Wright, Assistant County Engineer, and Michael Izzo, County Engineer, were in attendance to answer questions raised by the Council.

M 192 14 Execute Contract Amendment with WR&A for Inland Bays Wastewater Facility Expansion Phase 2B Project A Motion was made by Mr. Cole, seconded by Mrs. Deaver, based upon the recommendation of the County Engineering Department, that the Sussex County Council authorizes its President to execute Contract Amendment 1 with Whitman, Requardt and Associates, LLC of Baltimore, Maryland to provide Construction Administration and Project Inspection Services for Project No. 12-17, Inland Bays Regional Wastewater Facility Expansion Phase 2B at a cost not to exceed \$278,218.00.

Motion Adopted: 4 Yeas, 1 Nay.

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

Mr. Cole left the meeting.

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

M 193 14 Councilmanic Grant A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to give \$500.00 from Mrs. Deaver's Councilmanic Grant Account to the Girl Scouts of the Chesapeake Bay Council (Girl Scout Troop 1482) for trip expenses.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 194 14 Councilmanic Grant **A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to give \$500.00 from Mr. Vincent’s Councilmanic Grant Account to the Seaford Historical Society for the Town & Country Fair.**

Motion Adopted: 4 Yeas, 1 Absent.

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

M 195 14 Councilmanic Grant **A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to give \$500.00 from Mr. Vincent’s Councilmanic Grant Account to the City of Seaford for the Annual Community Night Out Against Crime and Drugs.**

Motion Adopted: 5 Yeas.

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

M 196 14 Councilmanic Grant **A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to give \$1,000.00 (\$500.00 each from Mr. Phillips’ and Mr. Vincent’s Councilmanic Grant Accounts) to the Laurel Independence Day Committee for the fireworks celebration.**

Motion Adopted: 4 Yeas, 1 Absent.

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

M 197 14 Councilmanic Grant **A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to give \$1,000.00 (\$700.00 from Mr. Wilson’s Councilmanic Grant Account and \$300.00 from Mr. Phillips’ Councilmanic Grant Account) to Coverdale Crossroads Community Council for operating expenses.**

Motion Adopted: 4 Yeas, 1 Absent.

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

Introduction of Proposed Ordinances **Mrs. Deaver introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MEDICAL OFFICE CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.3522 ACRES, MORE OR LESS” (Tax Map I.D. 235-16.00-64.00) (Conditional Use No. 1988) filed on behalf of Zhengu**

**Introduction
of Proposed
Ordinances
(continued)**

Zhang.

Mrs. Deaver introduced the Proposed Ordinance entitled “AN ORDINANCE TO MODIFY CONDITION NO. 10(C) IMPOSED ON ORDINANCE NO. 2180 FOR CHANGE OF ZONE NO. 1697, THE APPLICATION OF PENINSULA AT LONG NECK, LLC FOR “THE PENINSULA”, A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY, TO EXTEND THE TIME TO CONSTRUCT AND OPEN FOR USE THE GOLF CLUBHOUSE FACILITY” (Tax Map I.D. No. 234-30.00-1.00 and others) (Change of Zone No. 1751) filed on behalf of Ribera-Odyssey, LLC.

Mrs. Deaver introduced 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 A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 114.4821 ACRES, MORE OR LESS” (Tax Map I.D. No. 235-23.00-1.00) (Change of Zone No. 1752) filed on behalf of TD Rehoboth, LLC.

Mrs. Deaver introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS” (Tax I.D. No. 335-8.00-37.00 (Part of)) (Change of Zone No. 1753) filed on behalf of Cadbury at Lewes, Inc.

Mr. Phillips introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A B-1 NEIGHBORHOOD BUSINESS DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.52 ACRES, MORE OR LESS” (Tax Map I.D. No. 533-12.00-77.00 & 76.03) (Change of Zone No. 1754) filed on behalf of Bayshore Plaza Associates, LLC.

The Proposed Ordinances will be advertised for Public Hearing.

**Additional
Business**

Under Additional Business, Dan Kramer commented on the following: (1) that it is produce season again and that illegal signs should be required to be taken down; (2) that regarding the draft legislation on ambulance charges, the draft legislation does not mention the word “county”; and (3) that the next time the Council takes off, the Council members’ pay should be docked.

Additional Business (continued) **Under Additional Business, Mrs. Deaver referenced the many run-down buildings in the County and she questioned if there is money available in the budget to help with this problem.**

Under Additional Business, Mrs. Deaver referenced the Land Use Plan and the many permitted uses listed in the B-1 and C-1 districts. Mrs. Deaver stated that she would like for the Council to review these zoning districts.

Under Additional Business, Mrs. Deaver questioned why Route 9 is considered a major arterial road and Route 24 is not.

In response to Mrs. Deaver's comments about the Land Use Plan and the B-1 and C-1 Districts, Mr. Phillips suggested that the County bring in the County's Land Use Planner, URS, for further discussion.

M 198 14 Go Into Executive Session **At 11:30 a.m., a Motion was made by Mr. Phillips, seconded by Mr. Wilson, to recess the Regular Session and go into Executive Session for the purpose of discussing issues relating to job applicants' qualifications, personnel, and pending/potential litigation.**

Motion Adopted: 4 Yeas, 1 Absent.

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

Executive Session **At 11:34 a.m., an Executive Session of the Sussex County Council was held in the Council Caucus Room for the purpose of discussing issues relating to job applicants' qualifications, personnel, and pending/potential litigation. The Executive Session concluded at 12:04 p.m.**

M 199 14 Reconvene Regular Session **At 12:06 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to come out of Executive Session and to reconvene the Regular Session.**

Motion Adopted: 4 Yeas, 1 Absent.

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

There was no action on Executive Session items.

M 200 14 Adjourn **A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to adjourn at 12:06 p.m.**

Motion Adopted: 4 Yeas, 1 Absent.

**M 200 14
(continued)**

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

Respectfully submitted,

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