

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 1, 2018

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 1, 2018, 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 267 18
Approve
Agenda**

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

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 April 24, 2018 were approved by consent.

**Public
Comments**

Public Comments

Dan Kramer commented on the Council's budget workshop scheduled for May 8th.

Paul Reiger commented on the following matters: meetings of the Board of Adjustment, the need for a fact sheet listing permitted uses, and the need for definitions of public, private, and commercial.

**Presenta-
tion of
Memorial
Poppies**

Karen Merry was in attendance on behalf of the American Legion Post 28 Auxiliary to present memorial poppies to the Council in remembrance of our Veterans. For more than 90 years, the American Legion Auxiliary has distributed the memorial poppy to remind Americans of soldiers that sacrificed their lives and health to keep our nation free.

**M 268 18
Approve
Consent
Agenda
Items**

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

- 1. Wastewater Agreement No. 597-3
Sussex County Project No. 81-04
The Woodlands – Phase 3
Miller Creek Sanitary Sewer District**
- 2. Wastewater Agreement No. 667-3
Sussex County Project No. 81-04
Dove Landing – Pump Station Re-Design
Millville Expansion of the Bethany Beach Sanitary Sewer District**
- 3. Wastewater Agreement No. 378-8
Sussex County Project No. 81-04
Warrington Creek – Phase 7 (aka Sawgrass South)
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District**
- 4. Wastewater Agreement No. 1063
Sussex County Project No. 81-04
Camp Arrowhead Forceman
Angola Neck 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**

**Adminis-
trator's
Report**

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

1. Sussex County Council Comprehensive Land Use Plan Workshop

The next Sussex County Council Comprehensive Land Use Plan Workshop will be held on Tuesday, May 1st, at 12:00 noon in Council Chambers. A copy of the agenda is attached.

2. Sussex County Council FY 2019 Budget Workshop

The Sussex County Council will not hold a regular meeting next Tuesday, May 8th, in order to meet for its annual budget workshop. The Fiscal Year 2019 Budget Workshop will be held at 10:00 a.m. in the Sussex County Emergency Operations Center. The next regularly scheduled Council meeting will be held on May 15th at 9:30 a.m.

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

**Old Business/
CZ 1770** Under Old Business, the Council considered Change of Zone No. 1770 filed on behalf of TD Rehoboth, LLC.

The Sussex County Council held a Public Hearing on this application on April 10, 2018 at which time action was deferred.

**M 269 18
Adopt
Proposed
Ordinance/
CZ 1770
(Denied)** A Motion was made by Mr. Arlett, seconded by Mr. Burton, to Adopt 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" (Change of Zone No. 1770) filed on behalf of TD Rehoboth, LLC (Tax Map I.D. No. 235-23.00-1.00) (911 Address: None Available).

Motion Denied: 3 Nays, 2 Yeas.

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

**FY2019
General
Labor &
Equipment
Contract** Hans Medlarz, County Engineer, reviewed the bid results for the FY2019 General Labor & Equipment Contract and recommended awarding the contract to George & Lynch, Inc. at the bid amount of \$4,827,190.00. This contract award will be valid for one year, with an option for Council to extend it, based on contractor performance, for two (2) additional one-year periods at the same unit prices.

**M 270 18
FY 2019
General
Labor &
Equipment
Contract/
Bid
Award** A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Sussex County Engineering Department, that the total bid for Contract 19-01, FY2019 General Labor & Equipment Contract, be awarded to George & Lynch, Inc. of Dover, Delaware, in the amount of \$4,827,190.00.

Motion Adopted: 5 Yeas.

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

**Concord
Road
Utility
Upgrade-
Expansion** Mr. Medlarz presented for Council's consideration a Change Order in the amount of \$31,776.86 under the Memorandum with the Town of Blades for the water portion of the Concord Road Project. He noted that this is a joint award and everything is done under a reimbursement basis. The County is the contracting party and is not incurring any debt.

M 271 18
Approve
Change
Order/
Concord
Road
Utility
Upgrade-
Expansion
of the
Blades SSD

A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 1 for Contract #15-03, Concord Road Utility Upgrade – Expansion of the Blades Sanitary Sewer District, be approved, which increases the Contract amount by \$31,776.86 for a new total of \$2,435,558.86.

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 of
Chapter
110 of
County
Code

Mr. Medlarz and Vince Robertson, County Attorney, gave a presentation on a Draft Ordinance amending and restating Chapter 110 (Water and Sewers) of the Sussex County Code. The presentation included information on Code revision trigger points, amendment highlights, new programs, amended design details, financial aspects, and a proposed implementation schedule. It was noted that this re-write, if approved, will supersede the existing Chapter 110 as well as all policy-based adjustments, memos and exceptions. It was also noted that all fees will be established through the budget process, with the exception of pre-treatment related charges. Mr. Robertson presented the Draft Ordinance.

Introduction
of Proposed
Ordinance

Mr. Wilson introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 110, BY DELETING THAT CHAPTER IN ITS ENTIRETY AND AMENDING AND RESTATING IN ITS ENTIRETY”.

The Proposed Ordinance will be advertised for Public Hearing.

Grant
Request

Mrs. Jennings presented a grant request for the Council’s consideration.

M 272 18
Council-
manic
Grant

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to give \$1,000.00 (\$500.00 each from Mr. Wilson’s and Mr. Vincent’s Councilmanic Grant Accounts) to the Woodbridge High School Performing Arts Boosters for band 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 273 18
Adjourn

A Motion was made by Mr. Arlett, seconded by Mr. Burton, to adjourn at 11:34 a.m.

**M 273 18
(continued)**

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.}