

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 6, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 6, 2014, 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
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation was led by Mr. Vincent.

The Pledge of Allegiance was led by Representative Ron Gray.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 201 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, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of February 28 and April 29, 2014 were approved by consent.

**Corre-
spondence**

Under *Reading of Correspondence*, Mrs. Deaver referenced emails that she has received regarding school board elections.

**Sussex
Senior
Transportation
Cooperative**

Dr. Nancy Feichtl, President, Sussex Senior Transportation Cooperative, discussed the establishment of the Cooperative, how it works, and how they plan to become an affiliate of iTNAmerica.

Dr. Feichtl explained that seniors who join the Cooperative will pay a \$25 lifelong membership fee. Services would be billed at a fee of \$1.00 per mile. Volunteer drivers would receive credit miles (one mile driven equals one mile credited) to be used when drivers themselves need the services.

Dr. Feichtl stated that this service is a much needed solution to the problem of inadequate senior transportation and that Sussex County has a slightly larger population than the rest of the country.

(continued) Dr. Feichtl asked the Council for a grant of \$35,000 to obtain the franchise from iTNAmerica. She noted that once the pilot program is up and running, it will be totally self-sufficient.

**Public Hearing/
Valliant
Expansion
of the
DFSSD**

At 10:30 a.m., a Public Hearing was held to consider the expansion of the Dagsboro Frankford Sanitary Sewer District to include a parcel of land, situated along Honolulu Road, east of the Town of Frankford (Valliant Expansion).

John Ashman, Director of Utility Planning, explained that the parcel being proposed to be annexed into the Dagsboro Frankford Sanitary Sewer District is a single parcel located on Honolulu Road containing 15.66 acres. The County received a letter requesting that the single parcel be included in the sewer district. The owner of the property wishes to begin the development planning process for single family homes on the parcel. The developer will be responsible for system connection charges in the amount of \$6,800.00 per EDU based on current rates.

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

**M 202 14
Adopt
R 004 14**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Resolution No. R 004 14 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE A PARCEL OF LAND, SITUATED ALONG COUNTY ROAD 356 (HONOLULU ROAD), EAST OF THE TOWN OF FRANKFORD, BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE” (Valliant Expansion).

Motion Adopted: 4 Yeas, 1 Absent.

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

**Adminis-
trator’s
Report**

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

1. **Jimtown Community Meeting**

As reported on April 8th, the County and First State Community Action are facilitating the outreach efforts involving the Coastal Club development and the Jimtown community. The efforts focus on ensuring the Jimtown residents are aware of the improvements required by Ordinance No. 1770, including sidewalks, streetlights, as well as sewer and water lines.

Notifications are being mailed to all residents and/or property owners of the Jimtown community. The mailing also includes a detailed fact sheet and ballot for residents to vote to determine if they choose to have sidewalks and/or streetlights.

**Adminis-
trator's
Report
(continued)**

First State Community Action has scheduled a community meeting for the residents on Tuesday, May 20th, at 6:00 p.m. at the Bell Town United Methodist Church at Five Points. The meeting is open to the public and any interested citizen as well as the residents are encouraged to attend.

2. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Millville by the Sea – Sub-Phase 2B-2 North – Model Homes – 4 Lot Expansion and Seagrass Plantation – Revision 2 – Phase 5 received Substantial Completion effective April 29 and May 1, respectively.

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

**M&T
Treasury
Manage-
ment
Resolution**

Mrs. Jennings presented a proposed M&T Treasury Management Resolution. She noted that this is a housekeeping item. The Finance Department wishes to close deposit accounts that have no activity and M&T Bank requires an up-to-date form of authorized County officers. The previous Resolution on file listed Susan Webb as Finance Director; the proposed Resolution lists Gina Jennings as Finance Director.

**M 203 14
Approve
M&T
Treasury
Manage-
ment
Resolution**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves the M&T Treasury Management Resolution to allow Michael H. Vincent, President, or Samuel R. Wilson, Jr., Vice President, or Gina A. Jennings, Finance Director, to act on Sussex County's behalf when conducting business with M&T.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Pension
Committee
Appoint-
ment**

Mrs. Jennings reported that Lynda Messick from Community Bank has resigned from the Pension Committee due to other commitments. Ms. Messick's term was set to expire January 2016. Mrs. Jennings recommended that Kathleen Ryan complete Ms. Messick's term. The Pension Committee consists of the County Administrator, Finance Director, Human Resources Director, one employee, one pensioner, and two community members. Mrs. Jennings reported that Kathleen Ryan is a Certified Financial Planner and is the President of KMR Financial Network in Georgetown. She has non-profit committee experience by previously serving on Nanticoke Hospital's Finance Committee. She comes highly recommended by Ms. Messick.

M 204 14
Approve
Appointment to
Pension
Committee
Appointment

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council approves Ms. Kathleen Ryan to serve on the Sussex County Pension Committee with a term ending January 2016.

Motion Adopted: 4 Yeas, 1 Absent.

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

[Ms. Ryan was in attendance and introduced herself to the Council.]

Third
Quarter
Financial
Report

Mrs. Jennings presented the Financial Report for the quarter ending March 31, 2014. Total revenues are 8.64% over budget; total expenditures are 1.51% under budget; the County is currently seeing revenues over expenditures of \$3.8 million. Mrs. Jennings also reviewed Capital Improvement Fund activity and building related revenue.

Investment
Policy
Statement
Revision

Mrs. Jennings reported that, in February 2013, the Council approved Federal Home Loan Board letters of credit to be used as collateral to secure the County's deposits. She stated that, typically, when letters of credit are used as collateral, they are valued at 100 percent of deposits; that letters of credit are not marginalized securities - this means they are valued at their face value and are not subject to fluctuations; that when this agreement was signed, M&T thought that the County's investment policy would allow for the letters of credit to be at 100 percent of our deposits; that since it does not, M&T has been manually adjusting the letter of credits to be 102 percent; and that letters of credit are face value so there is no need to have them valued higher than deposits.

Mrs. Jennings reported that she has reviewed State and County codes, spoke to the County's independent auditors, and reviewed GFOA best practices and found that it is acceptable to value all marginal securities at 102 percent and letters of credits at 100 percent.

Mrs. Jennings noted that the purpose for this change is to continue to allow the County's deposits to be secured by Federal Home Loan Board letters of credit. Using this type of collateral provides the County a liquid and non-volatile type of security.

M 205 14
Approve
Investment
Policy
Statement
Revision

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, that the Sussex County Council approves the acceptance of the Federal Home Loan Board letters of credit that are valued at 100 percent of County value assets.

Motion Adopted: 4 Yeas, 1 Absent.

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

Introduction of Proposed Ordinances **Mr. Vincent introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SMALL ENGINE AND LAWN MOWER REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 42,961 SQUARE FEET, MORE OR LESS: (Tax Map I.D. 133-16.00-73.03) (Conditional Use No. 1989) filed on behalf of Bruce Sentman, Jr.**

Mr. Vincent introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A NURSERY AND LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 5.436 ACRES, MORE OR LESS: (Tax Map I.D. 133-5.00-26.00) (Conditional Use No. 1990) filed on behalf of Olsen Enterprises, Inc.

Public Hearing/ Kohout Expansion of the Bayview SSD **At 10:45 a.m., a Public Hearing was held to consider an expansion to the Bayview Estates Sanitary Sewer District to include a parcel of land, situated on the west side of County Road 395, Williamsville Road, in Baltimore Hundred (Kohout Expansion).**

John Ashman, Director of Utility Planning, reported that a letter of request was received from the property owner, David Kohout, requesting to be annexed into the sewer district. The parcel, containing .82 acres±, is located on Williamsville Road and is adjacent to the sewer district. The owner would like to place a single family home on the parcel in the near future; the parcel is currently vacant. The property owner will be responsible for system connection charges in the amount of \$6,489.00 per EDU based on current rates.

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

M 206 14 Adopt R 005 14 **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Resolution No. R 005 14 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE BAYVIEW ESTATES SANITARY SEWER DISTRICT (BVESD) TO INCLUDE CERTAIN LOTS, PIECES OR PARCELS OF LAND SITUATED ON THE WEST SIDE OF COUNTY ROAD 395, WILLIAMSVILLE ROAD, BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE”.**

Motion Adopted: 4 Yeas, 1 Absent.

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

**Legislative
Update**

Hal Godwin, Deputy County Administrator, presented a legislative update.

Mr. Godwin reported that there are four bills that, collectively, suggest one mission:

Senate Bill No. 207 - “AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE REQUIRED COVERAGE FOR VOLUNTEER AMBULANCE COMPANY SERVICES”

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 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.

House Bill No. 315 - “AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES, AND FORFEITURES”

Synopsis:

In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency

**Legislative
Update
(continued)**

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 authors 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 establishing a \$10 assessment on all violations of Title 21 and creating a Volunteer Ambulance Company Fund. The moneys collected would be earmarked for volunteer ambulance companies and distributed on a pro rata basis by the State Fire Prevention Commission.

House Bill No. 316 – "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 authors 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.

**Legislative
Update
(continued)**

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 within 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.

House Bill No. 317 – “AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO GROSS PREMIUMS RECEIVED BY LIFE AND HEALTH INSURERS AND THE SPECIAL FUND FOR PAYMENTS TO ALL VOLUNTEER AMBULANCE COMPANIES”

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 authors 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.

**Legislative
Update
(continued)**

This bill would implement two of the Task Force’s recommendations to improve the funding of basic life support ambulance services in Delaware by (1) specifying that certain types of health insurers are subject to the insurance premium tax assessment for ambulance service and (2) increasing the amount of the moneys placed in the fund to forty five one hundredths of 1 percent.

The bill also adds definitions for volunteer ambulance companies and other related terms. While the bill adds the new definition for volunteer ambulance companies, it retains the prior reference to volunteer rescue services to ensure those entities continue to receive funding from the special fund.

Mr. Godwin reported that these four bills are designed to guarantee adequate funding to volunteer ambulance companies in the State. These bills were introduced on April 30th and will be considered in Committee on May 7, 2014.

Mr. Godwin and Mr. Lawson asked for Council’s direction on this legislation.

Mr. Lawson stated that a mandated 15 percent with little oversight from the County is a concern to County Administration. He noted that the County has historically supported the fire service and BLS service in this County; annually, the County provides over \$3 million to the fire service and BLS service. Mr. Lawson stated that, as the legislation is written, the County would have very little input as to where the money is spent.

Mr. Vincent stated that he is a 44 year member of the Seaford Volunteer Fire Department and he has 35+ years in the ambulance service. He noted that, over the last seven years, the County has provided \$1.5 million for wages for Basic Life Support services and that the County voluntarily does this. Mr. Vincent stated that the County Council is not opposed to the idea of assisting the BLS service; however, there is concern when (1) legislation provides for a mandated 15 percent contribution of the total cost of BLS, regardless of the County’s revenues (2) there would be no input from the County as to what numbers make up the total cost and how the numbers are generated; and (3) that the County would have no input on the oversight of the money. Mr. Vincent stated that he believes Mr. Lawson should attend the hearing in Dover with Mr. Godwin and express the County’s concerns.

Mr. Vincent emphasized that the County is very supportive of the Volunteer Fire Service, EMS and BLS in this County.

The Council discussed the legislation and there was a consensus that the Council does not support House Bill No. 316, as written.

Update (continued)	Mr. Lawson and Mr. Godwin were directed by Council to attend the hearing on May 7th and to speak at the hearing, raising the Council's issues and concerns.
Delaware Wetlands Advisory Committee	Mr. Godwin noted that, included in the Council's packets was the Delaware Wetlands Advisory Committee's Interim Report, which was scheduled to be turned into the General Assembly on April 30th. The next meeting of the Committee is scheduled for Wednesday, May 14th.
Old Business/ Proposed Ordinance Relating to Height Regulations	<p>The Council discussed the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SUBSECTION 115-179B OF THE CODE OF SUSSEX COUNTY, ENTITLED "HEIGHT REGULATIONS" IN REGARD TO THE HEIGHT OF CERTAIN BUILDINGS".</p> <p>This Ordinance would modify Section 115-179B of the Sussex County Zoning Code to only allow government buildings, hospitals, institutions and schools to be built to a maximum height of 60 feet when those structures are permitted in the underlying zoning district. Churches and Temples are unaffected by this amendment. It applies to any new building not currently approved with a valid Sussex County Building Permit.</p> <p>Lawrence Lank, Director of Planning and Zoning, reported that the Planning and Zoning Commission held a Public Hearing on this Proposed Ordinance on November 14, 2013 at which time the Commission deferred action. On December 12, 2013 the Commission recommended that the Proposed Ordinance be approved; however, in making this recommendation of approval, it was recommended that the County Council schedule a workshop to have a more comprehensive discussion of height regulations in the County, to determine if there are appropriate locations for taller structures, and how taller structures may relate to existing and future infrastructure needs such as traffic, sewer, water, parking, open space, and other issues; and that the Board of Adjustment and the County Engineering Department should be included in the workshop. (See the minutes of the meeting dated November 14 and December 12, 2013.)</p> <p>The County Council held a Public Hearing on this Proposed Ordinance on November 19, 2013 at which time action was deferred.</p> <p>A workshop was held by the County Council on April 1, 2014; at that workshop, members of the Planning and Zoning Commission, members of the Board of Adjustment, representatives of the Engineering Department, a representative from DelDOT, and a representative from the Office of the State Fire Marshal were in attendance.</p> <p>Mr. Lank reported that the ordinance presently states, in Section 115-179B: "Except within an area defined as an airport approach zone by the</p>

**Old
Business/
Proposed
Ordinance
Relating
to Height
Regulations
(continued)**

Federal Aviation Administration, public and semipublic or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding 60 feet and churches and temples may be erected to a height not exceeding 75 feet when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulations for the district in which the building is located.”

Mr. Lank reported that the amendment to Section 115-179B of the Code, if adopted, would read as follows: “Except within an area defined as an airport approach zone by the Federal Aviation Administration, buildings owned by a political subdivision of the State of Delaware, the Federal Government or any agency thereof, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding 60 feet and churches and temples may be erected to a height not exceeding 75 feet when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulations for the district in which the building is located.”

In response to questions, Mr. Lank stated that applicants wishing to building higher than 42 feet can make application to the Board of Adjustment for a variance.

**M 207 14
Adopt
Ordinance
No. 2347**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2347 entitled “AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SUBSECTION 115-179B OF THE CODE OF SUSSEX COUNTY, ENTITLED “HEIGHT REGULATIONS” IN REGARD TO THE HEIGHT OF CERTAIN BUILDINGS”.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Grant
Requests**

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

**M 208 14
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$200.00 (\$100.00 each from Mr. Cole’s and Mr. Phillips’ Councilmanic Grant Accounts) to the American Legion Auxiliary for Unit 28’s Poppy Fund.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 209 14
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$2,000.00 from the County-wide Youth Grant Account to the Boy Scouts of America for the Del-Mar-Va Council's summer camp expenses.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 210 14
Council-
manic
Grant

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to give \$539.22 from Mr. Vincent's Councilmanic Grant Account to the Boy Scouts of America for Del-Mar-Va Council, Troop 182, for a Troop 174 Eagle Scout Project.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 211 14
Council-
manic
Grant

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$250.00 from Mrs. Deaver's Councilmanic Grant Account to the Milton Chamber of Commerce to sponsor the Annual Horseshoe Crab and Shorebird Festival.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 212 14
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to First State Community Action Agency to sponsor the Annual Miniature Golf Tournament fundraiser.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 213 14
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$250.00 from Mr. Cole's Councilmanic Grant Account to NAIFA DE (National Association of Insurance and Financial Advisors Delaware) to sponsor the Annual Career Conference in Dewey Beach.

Motion Adopted: 4 Yeas, 1 Absent.

**M 213 14
(continued)** **Vote by Roll Call:** **Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 214 14
Council-
manic
Grant** **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$200.00 (\$100.00 each from Mr. Cole's and Mrs. Deaver's Councilmanic Grant Accounts) to NARFE/Alzheimer's Research to sponsor the Annual Golf Tournament fundraiser.**

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

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

**M 215 14
Council-
manic
Grant** **A Motion was made by Mr. Wilson, seconded by Mr. Cole, to give \$1,000.00 from Mr. Wilson's Councilmanic Grant Account to the American Legion Post 8 Sussex for the purchase of ballistic vests for Georgetown Ambulance Station 93.**

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

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

**Additional
Business** **Under Additional Business, Lou Rixham stated that he was representing 24 homeowners in Mallard Lakes who were flooded out during Superstorm Sandy. He stated that he was in attendance for the purpose seeking an appeal or to request an exemption/exception to the previous ruling of the Council which limits national flood mitigation grants to 50 percent of the cost as opposed to 75 percent. He stated that the homeowners could be in dire financial situations and could lose their homes. The Council directed Mr. Moore to determine if there is an appeal process, to determine what the Council would have to do to change the percentage (if the Council chooses to do so), and to report back to Council with his findings. Mr. Lawson stated that he is familiar with this issue and that he would meet with Mr. Rixham following the meeting.**

Under Additional Business, Paul Reiger discussed his complaints against activities on his neighbor's property, i.e. animals, barbed wire, tires. He questioned if the County can provide grant funding or waive fees for the removal of tires.

Under Additional Business, Greer Firestone told his daughter's story of surviving Sudden Cardiac Arrest and his efforts to create legislation to provide training for coaches, referees, etc. on Sudden Cardiac Arrest

**Additional
Business
(continued)**

symptoms. Mr. Firestone stated that, this year, Senate Bill No. 205 entitled “AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ATHLETES” was introduced; this legislation will be known as the Grace Firestone Act. The bill outlines procedures for dealing with Sudden Cardiac Arrest in student athletes. Mr. Firestone shared that he started a foundation called “*Heart in the Game*”, a not-for-profit organization through the Delaware Community Foundation, to raise awareness of Sudden Cardiac Arrest in children and young adults through the formation of community access programs. Mr. Firestone stated that their mission is to screen every middle school and high school student in Delaware at no cost and that he has submitted a letter of request for grant funding to the County Council.

Under Additional Business, Dan Kramer commented on the vehicles the County owns and the fact that only some of the vehicles have GPS which enable the County to know where its employees are.

Under Additional Business, Mrs. Deaver referenced comments she made at the April 29th Council meeting regarding houses in disrepair. She clarified that she is not saying that she wants the County to go out and take down abandoned buildings but that she wants it known that she is questioning if it is something the County should look at.

**Request to
Revisit
Grant
Requests**

Mr. Vincent asked if the Council would agree to revisit grant requests as he had forgot to mention that Mr. Phillips wished to donate \$500.00 to NARFE to sponsor the Annual Golf Tournament fundraiser for Alzheimer’s Research.

**M 216 14
Revisit
Grant
Requests**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to revisit grant requests.

Motion Adopted: 4 Yeas, 1 Absent.

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

**M 217 14
Council-
manic
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to add \$500.00 from Mr. Phillips’ Councilmanic Grant Account to the grant to NARFE (National Active & Retired Federal Employees) to sponsor the Annual Golf Tournament fundraiser for Alzheimer’s Research.

Motion Adopted: 4 Yeas, 1 Absent.

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

Additional Business Under Additional Business, Mr. Wilson questioned the impact of the ruling of the Supreme Court on *Town of Greece, New York v. Galloway*. Mr. Moore stated that this is something that would be best to place on an agenda for a future meeting to discuss in detail. However; he provided a brief summary, stating that the Supreme Court did say that it is okay to open legislative/governmental meetings with prayer. He noted, however; that the Sussex County Council needs to remember that it is under a Consent Order with the Court and there are certain parameters within that Consent Order that the Council needs to look at in more detail to find out what the Council can and cannot do. Mr. Moore stated that he would research the matter and report back to Council. Mr. Wilson stated that Council needs to find out right away and that he thinks the Council can act on the Supreme Court's ruling.

M 218 14 Recess At 11:51 a.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess to the luncheon at The Brick Restaurant in Georgetown with the Sussex County Firefighters Association.

Motion Adopted: 4 Yeas, 1 Absent.

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

Luncheon At 12:00 p.m., the Council attended a luncheon at The Brick Restaurant in Georgetown with the Sussex County Firefighters Association.

M 219 14 Adjourn A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 1:23 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

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

Respectfully submitted,

Robin A. Griffith
Clerk of the Council