

\*Amended on May 19, 2020 to reflect the correct date.

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 12, 2020**

\* A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 12, 2020, at 10:00 a.m., by teleconference with the following present:

<b>Michael H. Vincent</b>	<b>President</b>
<b>Irwin G. Burton III</b>	<b>Vice President</b>
<b>Douglas B. Hudson</b>	<b>Councilman</b>
<b>John L. Rieley</b>	<b>Councilman</b>
<b>Samuel R. Wilson Jr.</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina A. Jennings</b>	<b>Finance Director</b>
<b>J. Everett Moore, Jr.</b>	<b>County Attorney</b>

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

**Call to  
Order**

Mr. Vincent called the meeting to order.

**M 169 20  
Approve  
Agenda**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to approve the Agenda, as posted.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**Minutes**

The minutes of April 28, 2020 were approved by consent.

**Public  
Comments**

A public comment period was held and the following spoke: Dan Kramer.

Mr. Lawson reported that a public comment was received via email from Howard Gorrell and he noted that the comment was entered into the record.

**COVID-19  
Update**

Mr. Lawson provided a COVID-19 County Update and noted that information was contained in the meeting packet. He reported that the CAREs Act provided relief funding to the State of Delaware in the amount of \$1.25 billion. The legislation provided direct funding to each State and local units of government with populations over 500,000. Thus, only the State and New Castle County received direct funding from the Act. The State received \$927.2 million and New Castle County received \$322.8 million. State officials have indicated their intention to provide CAREs Act funding to local municipalities in both Kent and Sussex counties.

**COVID-19  
Update  
(continued)**

New Castle County officials decided to provide \$10,000 to all first responders in active status working during the COVID-19 crisis, including all full-time first responders who are employed by New Castle County government, municipal governments in New Castle County, and employed by a fire company located with New Castle County. This funding is unique to New Castle County and will not extend to Kent and Sussex counties. Any funding allocated to Sussex County will be at the direction of the State, and State officials will determine eligibility and amounts.

There are discussions taking place in Washington D.C. about a 4th federal stimulus bill. The County has had conversations with Delaware's congressional delegation and has asked for their consideration for future funding coming from Congress.

The marketing/branding campaign created by Bill Pfaff, Sussex County Economic Development Director, is in its final stages of production. The focus is Sussex Countians helping Sussex County businesses. The theme is "buy now and buy local". The ad will feature some branding and local faces, e.g., leading business figures.

Recently, the Governor amended the State of Emergency Declaration to allow for a modified marriage process. The Marriage Bureau reports an increase in activity. The modification allows video-technology for the issuance of an oath so couples can receive their marriage license.

The County's operations remain productive even under its current modifications. The County's team is taking steps to prepare for the time when the public is permitted back in the County Administrative Offices building. New plexiglass partitions are being installed the week of May 10th in several areas where staff interact with the public. Materials are being ordered to help control the public's access and flow within the building to ensure social distancing can be maintained. Select staff have returned to the office and are working in the Administrative Offices Building full-time. All staff go through an orientation to ensure they understand the COVID-19 restrictions within the workspace and the required use of face coverings. They are assigned specific working locations throughout the building and are not working next to one another. All other staff remain working from home.

**Adminis-  
trator's  
Report**

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

1. Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County

The meeting of the Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County scheduled for May 18th has been canceled due to COVID-19. The next meeting will take place July 20th at 10:00 a.m. at the Sussex County Administrative Offices West Complex, 22215 North DuPont Boulevard, in Georgetown.

**FY 2021  
Budget**

**Mrs. Jennings presented the Fiscal Year 2021 Budget timeline and reported that, at the May 19, 2020 Council meeting, the full proposed introduction of the Budget will be presented for consideration. Mrs. Jennings noted that the presentation on this date is an overview of revenues and expenses, including trends and projections for permits and Realty Transfer Tax.**

**Sussex  
County  
Habitat  
for  
Humanity  
Lease  
Amend-  
ments**

**Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer, reported that in July 2010, the Sussex County Council and Sussex County Habitat for Humanity (Habitat) entered into Residential Lease Agreements for County-owned properties located at 225557 Springfield Lane and 501 S. Bedford Street in Georgetown. The Lease Agreements provide an original lease term of three (3) years which commenced on July 15, 2010 and terminated on July 14, 2013. Per the Lease Agreement, the County and Habitat mutually agreed to renew the Lease Agreements annually for an additional seven (7) years. The final annual Lease Agreement expires July 14, 2020. Habitat has made productive use of these two properties by housing essential Ameri-Corps volunteers and vulnerable families that are in the process of constructing their future Habitat homes. Mrs. Nauman advised that the current Leases expire at the end of July 2020 and the proposed lease amendments allow for renewal for another year.**

**M 170 20  
Approve  
Lease  
Amend-  
ments/  
Habitat  
for  
Humanity**

**A Motion was made by Mr. Burton, seconded by Mr. Hudson, that the Sussex County Council approves one-year amendments to both Sussex County Habitat for Humanity leases, as presented.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**Robinson-  
ville Road  
Core  
Infra-  
structure**

**Hans Medlarz, County Engineer, presented Change Order No. 1 to the Robinsonville Road Core Infrastructure Project, Project S19-16. Change Order No. 1 in the amount of \$4,197.58 pertains to two changes to the contract; both items pertain to water system components and the Engineering Department has coordinated and received concurrence from Tidewater Utilities, Inc. Mr. Medlarz noted that this is a jointly-administered project.**

**M 171 20  
Approve  
C/O for  
Robinson-  
ville Road  
Core  
Infra-  
structure  
Project**

**A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 1 for Contract S19-16, Robinsonville Road Core Infrastructure Project, be approved, increasing the contract by \$4,197.58 for a new contract total of \$1,639,323.58.**

**Motion Adopted: 5 Yeas.**

**M 171 20  
(continued)**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**SCRWF  
and  
Rehoboth  
Beach  
WTP  
Project  
Change  
Orders**

**Hans Medlarz, County Engineer, presented change orders and a request for final acceptance for the South Coastal Regional Wastewater Facility Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Plant Capital Improvement Program, Phase 2. Mr. Medlarz summarized the three components and statuses of the project on the agenda for this meeting:**

**(1) General Construction Project C19-11 awarded in December 2019 to M.F. Ronca & Sons, Inc. The proposed change order is in the credit amount of \$12,705.00. The contract documents required explosion proof motors in certain locations which were determined to be not necessary in accordance with the National Electric Code.**

**(2) Electrical Construction Project C19-17 awarded in December 2019 to B.W. Electric, Inc. The proposed change order, in the amount of \$11,350.00 is the result of an increase in scope and is primarily related to replacement of a transformer and a panelboard in lieu of retaining and refeeding existing ones in the sludge handling building electrical room.**

**(3) Materials – Forcemain Consolidation Project at SCRWF, Project M20-11, awarded in January 2020 to Kershner Environmental Technologies. The Engineering Department is due to a design change for improved flow control and completion of the SCRWF forcemain consolidation. No additional materials are necessary to complete the project; therefore, the contract close-out is applicable for the final amount which is \$339,944.59.**

**M 172 20  
Approve  
C/O for  
SCRWF  
Contract  
C19-11**

**A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 2 for Contract C19-11, South Coastal Treatment Process Upgrade No. 3 and Rehoboth Beach Capital Improvement Program, Phase 2, General Construction, be approved, decreasing the contract by \$12,705.00 for a new contract total of \$39,710,332.27.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**M 173 20  
Approve  
C/O for  
SCRWF  
Contract  
C19-17**

**A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 4 for Contract C19-17, South Coastal Treatment Process Upgrade No. 3 and Rehoboth Beach Capital Improvement Program, Phase 2, Electrical Construction, be approved, increasing the Contract by \$11,350.00 for a new contract total of \$21,423,849.20.**

**M 173 20  
(continued)**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**M 174 20  
Approve  
C/O for  
SCRWF  
Contract  
M20-11**

**A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 2 for Contract M20-11, materials purchased for Forcemain Consolidation at the South Coastal Regional Wastewater Facility be approved, increasing the contract amount by \$2,048.60 for a final contract total of \$339,944.59, with the issuance of Final Acceptance effective May 12, 2020.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**Grant  
Requests**

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

**M 175 20  
Council-  
manic  
Grant**

**A Motion was made by Mr. Wilson, seconded by Mr. Burton, to give \$1,000.00 (\$200.00 from each Councilmanic Grant Account) to the Delaware Community Foundation for Georgetown-Millsboro Rotary Club's Flags for Heroes project.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**M 176 20  
Council-  
manic  
Grant**

**A Motion was made by Mr. Wilson, seconded by Mr. Burton, to give \$1,873.00 from Mr. Wilson's Councilmanic Grant Account to Just a Hand Up Community Navigation to provide emergency service items (masks, gloves, hand sanitizer, etc.) for low-to-moderate income individuals in an effort to slow the spread of COVID-19; funds could also be used to complete their community resource building.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**M 177 20  
Council-  
manic  
Grant**

**A Motion was made by Mr. Wilson, seconded by Mr. Burton, to give \$5,000.00 from Mr. Wilson's Councilmanic Grant Account to Georgetown Little League Baseball for security equipment.**

**M 177 20  
(continued)**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**Comments**

**Mr. Rieley commented on the COVID-19 situation.**

**M 178 20  
Go Into  
Executive  
Session**

**At 10:47 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Burton, to recess the Regular Session and go into Executive Session to discuss matters relating to personnel and land acquisition.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**Executive  
Session**

**At 10:49 a.m., an Executive Session of the Sussex County Council was held by teleconference to discuss matters relating to personnel and land acquisition. The Executive Session concluded at 12:50 p.m.**

**M 179 20  
Reconvene  
Regular  
Session**

**At 12:52 p.m., a Motion was made by Mr. Hudson, seconded by Burton, to come out of Executive Session and to reconvene the Regular Session.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, Yea;  
Mr. Vincent, Yea**

**E/S Action**

**There was no action on Executive Session matters.**

**M 180 20  
Adjourn**

**A Motion was made by Mr. Burton, seconded by Mr. Wilson, to adjourn at 12:54 p.m.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Wilson, Yea; Mr. Burton, 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.}*