

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 25, 2021**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 25, 2021, at 10:00 a.m., in Council Chambers, with the following present:**

<b>Michael H. Vincent</b>	<b>President</b>
<b>John L. Rieley</b>	<b>Vice President</b>
<b>Cynthia C. Green</b>	<b>Councilwoman</b>
<b>Douglas B. Hudson</b>	<b>Councilman</b>
<b>Mark G. Schaeffer</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 178 21  
Approve  
Agenda**

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

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Minutes**

**The minutes of May 4 and May 11, 2021 were approved by consent.**

**Public  
Comments**

**Public comments were heard and the following spoke:**

**Lorraine Cipriano and Joan Tracy commented on the County's tax collection policy and procedures.**

**M 179 21  
Approve  
Consent  
Agenda  
Item**

**A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to approve the following item listed under the Consent Agenda:**

- 1. Use of Existing Wastewater Infrastructure Agreement, IUA-S-20-50  
Nicola's Family Pizza Restaurant Project, West Rehoboth Area**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Proclamation**                    **The Council presented a Proclamation entitled “PROCLAIMING THE MONTH OF MAY AS *COMMUNITY ACTION MONTH*” to Bernice Edwards, Executive Director of First State Community Action Agency.**

**Collection of Accommodations Tax**                    **Mr. Lawson reported that, on March 13, 2020, the County suspended the Accommodations Tax collection due to the effects of the COVID-19 pandemic and the corresponding Declaration of a State of Emergency by Governor Carney. At that time, the Council voted to suspend the Accommodations Tax until the Governor’s Declaration is lifted. Mr. Lawson stated that the restrictions are currently being modified and lifted, and the Council could consider reinstating the tax collection since it is unclear when the Governor will end his State of Emergency Declaration.**

**M 180 21**                    **A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, to defer**  
**Defer**                    **action on the Agenda item entitled “... Collection of Accommodations Tax”.**

**Action on**                    **Motion Adopted:        4 Yeas, 1 Nay.**  
**Collection**

**of Accom-**                    **Vote by Roll Call:     Mrs. Green, Yea; Mr. Schaeffer, Yea;**  
**modations**                    **Mr. Hudson, Yea; Mr. Rieley, Yea;**  
**Tax**                    **Mr. Vincent, Nay**

**Adminis-**                    **Mr. Lawson read the following information in his Administrator’s Report:**  
**trator’s**

**Report**                    **1. Projects Receiving Substantial Completion**

Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Stream’s Edge Estates (formerly known as The Land of TBD, LLC) - Phase 2, effective May 5<sup>th</sup>; Walden (formerly known as – Burton’s Pond) – Phase 3 (Construction Record), effective May 6<sup>th</sup>; Wellesley – Pump Station and Force Main, effective May 10<sup>th</sup> and Parkside – Phase 1, effective May 14<sup>th</sup>.

**2. Delaware State Police Activity Report**

The Delaware State Police year-to-date activity report for April 2021 is attached listing the number of violent crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 193 troopers assigned to Sussex County for the month of April.

**3. Referendum – Pintail Pointe Area**

The Sussex County Engineering Department will be conducting a Referendum in Sussex County Council Chambers on Friday, June 4, 2021 from 3:00 p.m. until 5:00 p.m. The purpose of the referendum is to establish the Pintail Pointe Area of the Sussex County Unified Sanitary Sewer District.

**Administrator's Report (continued)**

**4. Holiday and Council Meeting Schedule**

A reminder that County Offices will be closed on Monday, May 31<sup>st</sup>, to observe the Memorial Day holiday. In addition, Council will not meet on Tuesday, June 1<sup>st</sup>. The next regularly scheduled Council meeting will be held on Tuesday, June 8<sup>th</sup> at 10:00 a.m.

(Attachments to the Administrator's Report are not attachments to the minutes.)

**Public Hearing/  
Roxana  
Apartments  
Expansion  
of the  
SCUSSD**

A Public Hearing was held to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Millville Area, to include the Roxana Apartments project.

John Ashman, Director of Utility Planning and Design, reported that the proposed expansion includes Parcel 134-12.00-330.00 located along Roxana Road (Route 17). The Engineering Department received a request from Morris & Ritchie Associates, Inc. on behalf of their client, Peak Management, LLC, the owners/developers of the Roxana Apartments, a proposed 126-unit apartment complex with a pool and pool house.

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

**M 181 21  
Adopt  
R 010 21**

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to Adopt Resolution No. R 010 21 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), MILLVILLE AREA, TO INCLUDE THE ROXANA APARTMENTS PROJECT LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE".

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**FY 2022  
Budget  
Presentation**

Mr. Lawson and Mrs. Jennings presented the Proposed \$278 Million Budget for Fiscal Year 2022.

Mr. Lawson noted that the real estate market is flourishing in Sussex County and the County is anticipating record breaking numbers in building permits. It is projected that the County will have 21% more building permits than it did at the last peak in 2006; when comparing year after year, the County is projected to process 34% more permits than last year. The County's largest revenue source, Realty Transfer Tax (RTT), is budgeted to be \$2.4 million beyond FY 2021's original budget. Mr. Lawson stated that the FY 2022 Budget continues to be conservative with

**FY 2022  
Budget  
Presentation  
(continued)**

economically driven revenues like RTT and other building-related revenues. Mr. Lawson commented on the record-breaking trends that the County experienced while experiencing a world-wide pandemic at the same time, giving credit to County staff for meeting the demands of residents, visitors, and the clientele that the County serves.

Mr. Lawson highlighted some of the County’s successes: relocated the seasonal power unit to the Route 54 corridor to improve response times in Roxana and Selbyville areas; instituted a call-taking model at the 9-1-1 Center; partnered with Beebe with the Bookmobile to provide vaccines to underserved communities; assisted more than 270 households with housing repairs; learned to create, host, record and stream a wide variety of virtual programming for the community; implemented a lobby-side service to continue to provide books to library patrons (due to effects of COVID); granted Foreign Trade Zone status (at the County’s Business Park); closed Excite Sussex Loans in the amount of \$3,620,000, retaining 66 jobs in FY 2021 to date); committed funding to the Western Sussex Business Park; successfully created a new ticketing process as a new method of enforcement for property management; updated the Memorandum of Understanding with DelDOT; established the first Transportation Improvement District; implemented the County’s FAST Program with DelDOT; created a new online building permit application process for Fast Track projects; deployed 33 GIS applications increasing several department efficiencies; upgraded public facing online map to the latest versions to allow for faster base maps for improved performance; completed a GIS-based workorder system for Miss Utility locates and lateral inspections; added \$104 million to the Assessment Roll in FY 2020; implemented energy efficient upgrades throughout the County; earned the GFOA’s Certificate of Achievement for Excellence in Financial Reporting; earned a Triple-A bond rating by both S&P and Moody’s Investment Services; saved sewer customers \$12 million with refinancing older bonds; launched a new prescription program with Express Scripts reducing costs for employees and the County; and gathered 709 satellite-based GPS data collection points locating assets within 4 inches. Mr. Lawson noted that the complete list of successes are included in the budget presentation and can be viewed on the County’s website.

**Summary:**

<b>Fund</b>	<b>2022 Budget</b>	<b>2021 Budget</b>	<b>Difference</b>
General Fund	\$77,719,321	\$79,581,626	(\$1,862,305)
Capital Projects – GF	\$25,750,000	\$15,000,000	\$10,750,000
Water Fund	\$ 1,750,817	\$ 1,438,163	\$ 312,654
Sewer Fund	\$45,777,826	\$41,738,047	\$ 4,039,779
Capital Projects – WS	\$72,250,000	\$30,950,000	\$41,300,000
Pension	\$ 9,266,448	\$ 8,621,650	\$ 644,798

<b>FY 2022 Budget Presentation (continued)</b>	<b>American Rescue Plan Grant</b>	<b>\$45,495,460</b>	<b>--</b>	<b>\$45,495,460</b>
	<b>Total</b>	<b>\$278,009,872</b>	<b>\$177,329,486</b>	<b>\$100,680,386</b>

Mrs. Jennings noted that the total budget is going up \$100.7 million due to the American Rescue Plan Grant that is being received from the Federal government and due to a large increase in the capital projects for water and sewer. Mrs. Jennings explained that the decrease of \$1.9 million in the General Fund is due to a budget amendment in the middle of year to give one-time grant funding to public safety. The Capital Projects/General Fund increase of \$10 million includes \$6 million for a public safety building.

Mrs. Jennings explained that the Fiscal Year 2022 Budget was prepared with new software creating a digital budget book showing more detail which will provide a greater understanding of the County’s finances and heightened transparency of the budget process.

**Revenue Highlights:**

- No increase in taxes; \$32.2 million in reserves are being used in the General Fund and Capital Budgets; \$28.1 million is RTT reserves
- Assessments are up \$462,000, or 3.1%
- Building related revenues are up \$1.7 million, or 17%
- Realty Transfer Tax Revenue is up \$2.4 million , or 11% compared to original budget
- Changes in Marriage Bureau fees
- Changes in Road and Sewer Inspection Fees
- \$15 increase in water rates
- New \$300 fee for water fire suppression availability
- \$4 increase in sewer rates
- Connection fees increase \$240 to \$6,600 (new connections)
- Decreases in assessment rates in 11 sewer areas due to bond refinancing

Mrs. Jennings reported that the Marriage Bureau is proposing new fees which has to do with after-hours ceremonies. An increased fee is proposed for in-office ceremonies that take place after business hours and on weekends. Additionally, an increased fee is proposed for outside the office ceremonies for non-Delaware residents. The proposed fee increases will increase revenues to help offset the Department’s budget deficit. These fee increases will require a public hearing and approval by ordinance.

Mrs. Jennings noted the larger general fund expenditures by function: public safety (28.7%), grant-in-aid (27.5%), and general government (22.5%). She also noted the larger General Fund expenditures by category: employment costs (49.1%) and grant-in-aid (27.5%).

**FY 2022  
Budget  
Presentation  
(continued)**

**Mrs. Jennings reported on the following budgeted expenditures: Grant-in-Aid - \$21.4 million; public safety - \$9 million; Economic Development - \$5 million, libraries - \$2.7 million; community assistance - \$1.7 million; open space - \$1.4 million; and agriculture and drainage - \$459,000.**

**Mrs. Jennings reviewed how sewer services are funded noting that most of it is charges for services (57.2%), connection fees and assessment fees (41%), and other financing (1.8%). Mrs. Jennings also reviewed the expenses for sewer services: other financing (26.5%) which includes the interest payment the County makes on infrastructure; personnel (21.8%); capital outlay (21.8%); and other contractual services (17.5%).**

**Mrs. Jennings reviewed how water services are funded: charges for services (73.2%) and other financing sources (21%). Mrs. Jennings also reviewed the larger expenses for water services: other contractual services (60.2%), i.e. the City of Rehoboth rates for the Dewey Beach Water District and personnel (18.6%).**

**Mr. Lawson reviewed capital revenue sources: reserves (\$23,222,500), inter-governmental grants (\$2,512,500) and interest (\$15,000). He noted that the proposal for the 5-year capital program totals \$81,550,000. Mr. Lawson reviewed a chart of expenses by year, by project, for the 5-year period. He also noted that approximately \$26 million is predicted for projects in FY 2022, including projects at the airport and in the business park, as well as the new Emergency Operations Complex.**

**Mr. Lawson reviewed sewer and water capital expenditures. He noted that the 5-year capital program totals approximately \$186 million. He noted that \$73 million is predicted for projects in FY 2022.**

**The budget book and presentation can be found on the County's website at [www.sussexcountyde.gov](http://www.sussexcountyde.gov). Budget comments can be sent to [budget@sussexcountyde.gov](mailto:budget@sussexcountyde.gov).**

**Introduction  
of Proposed  
Ordinances**

**Mr. Rieley introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2022".**

**Mr. Hudson introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE V, § 62-16 OF THE CODE OF SUSSEX COUNTY TO INSTITUTE FEES CHARGED BY THE CLERK OF THE PEACE TO PERFORM MARRIAGE CEREMONIES AND RENEWAL OF MARRIAGE VOWS AFTER NORMAL BUSINESS HOURS AND ON WEEKENDS AND TO INCREASE THE FEES FOR NON-DELAWARE RESIDENTS FOR OUT-OFFICE CEREMONIES".**

**Introduction of Proposed Ordinances (continued)**      **Mr. Rieley introduced the Proposed Ordinance entitled “AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS”.**

**The Proposed Ordinances will be advertised for Public Hearing, which will be held on June 22, 2021.**

**Excite Sussex Fund Agreement**      **Bill Pfaff, Director of Economic Development, presented an Amended and Restated Agreement between Sussex County and Grow America Fund, Inc. (GAF). Mr. Pfaff reported that, in 2018, the program was established with an investment of \$4 million, \$750,000 by the County and \$250,000 by Discover Bank, with a 3-to-1 match by Discover Bank. Currently, all the money in the fund has been lent out. The proposed Amendment adds \$12 million to the Fund - \$3 million from Sussex County with a 3-to-1 match by Discover Bank.**

**M 182 21 Approve Amended Agreement/ Grow America Fund/ Excite Sussex Fund**      **A Motion was made by Mr. Rieley, seconded by Mr. Hudson, that the Sussex County Council approves the Amended Agreement between Sussex County and the Grow America Fund, Inc. for the purpose of small business lending under the Excite Sussex Fund.**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**SCRWF & RBWTP Project Change Order**      **Hans Medlarz, County Engineer, presented a request to approve Change Order No. 10 in the amount of \$34,160.64 for the South Coastal Regional Wastewater Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Plant Capital Improvement Program, Phase 2, General Construction, Project C19-11.**

**M 183 21 Approve Change Order/ SCRWF & RBWTP Project 19-11**      **A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 10 for Contract C19-11, South Coastal Regional Wastewater Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Plant Capital Improvement Program, Phase 2, General Construction, be approved increasing the Contract amount by \$34,160.64 for a new Contract total of \$40,761,560.28.**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**IBRWF  
Project  
Change  
Order**

**Hans Medlarz, County Engineer, presented a request to approve the Final Balancing Change Order No. 10 in the aggregate amount of \$46,343.23 and a request to grant Substantial Completion for the Inland Bays Regional Wastewater Facility, Biosolids & Septage Facilities, Project 18-19.**

**M 184 21  
Approve  
Change  
Order/  
IBRWF  
Project  
18-19**

**A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 10 for Contract 18-19, Inland Bays Regional Wastewater Facility, Biosolids & Septage Facilities, be approved, increasing the Contract amount by \$46,343.23 and that Substantial Completion be granted effective April 15th, with any held retainage released in accordance with the Contract documents.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Herring  
Creek SSD  
Project  
C/O**

**Hans Medlarz, County Engineer, presented a request to approve Change Order No. 4 in the amount of \$9,766.95 for the Herring Creek Sanitary Sewer District: North Gravity Sewer and Force Main, Project S20-07.**

**M 185 21  
Approve  
Change  
Order/  
Herring  
Creek SSD  
Project  
S20-07**

**A Motion was made by Mr. Hudson, seconded by Mr. Rieley, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 4 for Contract S20-07, Herring Creek Sanitary Sewer District North Gravity Sewer and Force Main, be approved increasing the contract amount by \$9,766.95.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Western  
Sussex  
Trans-  
mission  
Facilities**

**Hans Medlarz, County Engineer, presented a request to approve Change Order No. 5 in the credit amount of \$92,704.30 and a request to grant Substantial Completion for the Western Sussex Transmission Facilities Project, Contract 4, Project S19-28.**

**M 186 21  
Approve  
C/O  
Western  
Sussex  
Trans-  
mission  
Facilities**

**A Motion was made by Mr. Rieley, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 5 for Contract S19-28, Western Sussex Transmission Facilities, Contract 4, Pumping Stations, be approved, decreasing the Contract by \$92,704.30 and that Substantial Completion be granted effective May 17, 2021 and any held retainage released in accordance with Contract documents.**



**M 186 21  
(continued)**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**General  
Labor &  
Equipment  
Contract/  
Bid  
Results &  
Contract  
Extension**

**Hans Medlarz, County Engineer, presented the bid results for the FY 2022 General Labor & Equipment Contract. Based on an evaluation of the bids, the Engineering Department recommends the rejection of all bids and readvertisement using the modified best value approach. The current General Labor & Equipment Contract expires on June 30, 2021 and in order to allow the revised bidding to proceed, the Engineering Department recommends to extend the FY 2019 General Labor & Equipment Contract by 30 days for emergency work, as well as retaining the current contractor for completion of all task orders previously approved.**

**M 187 21  
Approve  
Extension  
of General  
Labor &  
Equipment  
Contract  
22-01  
and  
Reject  
Bids and  
Rebid**

**A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, based upon the recommendation of the Sussex County Engineering Department, that all bids for Contract 22-01, FY 2022 General Labor & Equipment Contract, be rejected and the Contract be rebid based on a pre-qualification procedure associated with a modified best value approach as well as approving an extension of the existing Contract for close-out of issued task orders and emergency work only until a new Contract is awarded.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Zinzer  
Property  
Expansion/  
Request  
to Post  
Notices**

**John Ashman, Director of Utility Planning and Design, presented a request to prepare and post notices for the Zinzer Property of the Miller Creek Area of the Sussex County Unified Sanitary Sewer District. The Engineering Department received a request from George, Miles & Buhr, LLC on behalf of their client, Estuary Development, LLC, the owners/developers of a project known as The Estuary for Parcel 134-19.00-105.05. The project is proposed for 34 single family homes and is designated as Phase 5 of the project. The project will be responsible for system connection charges of \$6,360.00 per EDU based on current rates.**

**M 188 21  
Authorize  
Posting of  
Notices/  
Zinzer  
Property**

**A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, that the Sussex County Engineering Department is authorized to prepare and post notices for the Zinzer Property Expansion of the Sussex County Unified Sanitary Sewer District, Miller Creek Area, to include Parcel 134-19.00-105.05, Phase 5, of The Estuary Project, as presented.**

**Motion Adopted: 5 Yeas.**

**M 188 21  
(continued)**      **Vote by Roll Call:**    **Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Cardinal  
Grove  
Expansion/  
Request  
to Post  
Notices**      **John Ashman, Director of Utility Planning and Design, presented a request to prepare and post notices for the Cardinal Grove Expansion (West Rehoboth Area) of the Sussex County Unified Sanitary Sewer District. The Engineering Department received a request from Solutions IPeM on behalf of their client, 18898 Beaver Dam Road, LLC, the owners/developers of a project known as Cardinal Grove on Parcel 234-2.00-1.10. The project is proposed for 98 units. The expansion would also include Parcel 234-2.00-25.01 as requested by the parcel owner, Linda D. Beebe. The project will be responsible for system connection charges of \$6,360.00 per EDU based on current rates.**

**M 189 21  
Authorize  
Posting of  
Notices/  
Cardinal  
Grove  
Expansion**      **A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, that the Sussex County Engineering Department is authorized to prepare and post notices for the Cardinal Grove Expansion of the Sussex County Unified Sanitary Sewer District, West Rehoboth Area, to include Parcel Nos. 234-2.00-1.10 and 234-2.00-25.01, located along Beaver Dam Road, as presented.**  
**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:**    **Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Higgins  
Re/Max  
Expansion/  
Request  
to Post  
Notices**      **John Ashman, Director of Utility Planning and Design, presented a request to prepare and post notices for the Higgins Re/Max Expansion of the Sussex County Unified Sanitary Sewer District (Blades Area Expansion). The Engineering Department received a request from the property owners of Parcel 132-1.00-15.00. This is an existing business that would like to be included in the County's project currently being completed for the commercial properties along Route 13. The project will be responsible for system connection charges of \$6,360.00 per EDU based on current rates.**

**M 190 21  
Authorize  
Posting of  
Notices/  
Higgins  
Re/Max  
Expansion**      **A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, that the Sussex County Engineering Department is authorized to prepare and post notices for the Higgins Re-Max Expansion of the Sussex County Unified Sanitary Sewer District to include Parcel 132-1.00-15.00, located along Route 13, as presented.**  
**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:**    **Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Grant  
Requests**

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

**M 191 21  
Council-  
manic  
Grant**

**A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, to give \$1,000.00 from Mr. Vincent's Councilmanic Grant Account to the City of Seaford for the Police Department's Citizen's Police Academy.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**M 192 21  
Council-  
manic  
Grant**

**A Motion was made by Mr. Rieley, seconded by Mrs. Green, to give \$3,000.00 (\$1,000.00 each from Mr. Rieley's, Mrs. Green's, and Mr. Hudson's Councilmanic Grant Accounts) to the Millsboro Historical Society for the Godwin School maintenance.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**M 193 21  
Council-  
manic  
Grant**

**A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, to give \$1,500.00 from Mr. Vincent's Councilmanic Grant Account to the Town of Laurel for the Independence Day Committee's July 4th fireworks display.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**M 194 21  
Council-  
manic  
Grant**

**A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, to give \$3,500.00 from Mr. Vincent's Councilmanic Grant Account to the Seaford Historical Society for programs and expenses.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**M 195 21  
Council-  
manic  
Grant**

**A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, to give \$1,200.00 (\$1,000.00 from Mr. Rieley's Councilmanic Grant Account and \$200.00 from Mr. Hudson's Councilmanic Grant Account) to the Delaware Seaside Railroad Club for building remodel expenses.**

**M 195 21  
(continued)**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Introduction  
of Proposed  
Zoning  
Ordinances**

**Mr. Hudson introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS (11 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.035 ACRES, MORE OR LESS” (Conditional Use No. 2279) filed on behalf of Ron Sutton (Tax I.D. No. 134-17.11-6.00) (911 Address: 33309 Kent Avenue, Bethany Beach).**

**Mr. Schaeffer introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A GR GENERAL RESIDENTIAL DISTRICT TO ALLOW FOR A GENERAL AUTO REPAIR AND TRACTOR RESTORATION BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 5.44 ACRES, MORE OR LESS” (Conditional Use No. 2283) filed on behalf of Michael A. Hazzard (Tax I.D. No. 234-11.00-44.00) (911 Address: 31261 & 31255 Conleys Chapel Road, Lewes).**

**The Proposed Ordinances will be advertised for Public Hearing.**

**Council  
Members’  
Comments**

**Council Members’ Comments**

**Mr. Schaeffer asked that the following be placed on the next agenda: how to properly address the Covey Creek matter (public comments were made on this matter at this meeting).**

**M 196 21  
Go Into  
Executive  
Session**

**At 11:41 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Rieley, to recess the Regular Session and go into Executive Session to discuss matters relating to potential litigation, land acquisition and personnel.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Executive  
Session**

**At 11:46 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to potential litigation, land acquisition and personnel. The Executive Session concluded at 12:05 p.m.**

**M 197 21**      **At 12:07 p.m., a Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, to come out of Executive Session and to reconvene the Regular Session.**  
**Reconvene**  
**Regular**  
**Session**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mrs. Green, Yea; Mr. Schaeffer, Yea;**  
**Mr. Hudson, Yea; Mr. Rieley, Yea;**  
**Mr. Vincent, Yea**

**E/S Action      There was no action on Executive Session matters.**

**M 198 21**      **At 12:08 p.m., a Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, to adjourn.**  
**Adjourn**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mrs. Green, Yea; Mr. Schaeffer, Yea;**  
**Mr. Hudson, Yea; Mr. Rieley, 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.}*