

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 4, 2019

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, June 4, 2019, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

Call to Order **The Invocation and Pledge of Allegiance were led by Mr. Vincent.**

Mr. Vincent called the meeting to order.

M 271 19 **A Motion was made by Mr. Rieley, seconded by Mr. Wilson, to approve the**
Approve **Agenda, as posted.**
Agenda

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 May 14 and 21, 2019 were approved by consent.**

Corre- **Correspondence**
spondence

LAUREL ELEMENTARY SCHOOL, LAUREL, DELAWARE.

RE: Letter in appreciation of grant for LES Dog DayZ 5K Run/Wellness Walk.

H.O. BRITTINGHAM ELEMENTARY SCHOOL, MILTON, DELAWARE.

RE: Letter in appreciation of grant for expenses for the Robotics Team's attendance at the World Championships.

Public **Public Comments**
Comments

Jim Martin commented on the report on affordable housing given at the May 21st Council meeting, the affordable housing crisis in the County, and a request for a County Resolution supporting a homeless bill of rights.

**Public
Comments
(continued)**

Stephen Wilz stated his concerns and complaints about Paradise Grill in Pot Nets Bayside.

Paul Reiger commented on commercial dog kennel applications.

Michele Williams commented on the positive impacts of walking and biking trails and thanked the Council for its support of the bike path in Sussex County. Ms. Williams also referenced her support of the LSA study (report given to Council on May 21st).

Dan Kramer raised a question regarding setbacks, and asked how a property can be considered to have two fronts.

**Source
Water
Protection
Technical
Advisory
Committee**

Todd Lawson reported that the County's Source Water Protection Technical Advisory Committee (SWP TAC) is currently not appointed. Sussex County Code, §89-10, states that the "County Council shall be authorized to appoint a Source Water Protection Technical Advisory Committee to be appointed by Council with two Committee members to be appointed by each member of Council, to serve for terms of two years each, with 1/2 of the Committee members being lay persons and possessing a basic knowledge of groundwater hydrology and the other 1/2 being licensed Delaware professional engineers, geologists or hydrologists. The purpose of such Committee shall be to provide technical assistance to Council and/or any of its departments that may be involved in the implementation and oversight of this chapter. If Council is unable, after diligent inquiry, to locate a sufficient number of licensed engineers, geologists, or hydrologists to serve as Committee members, more than 1/2 of the Committee may consist of lay persons possessing a basic knowledge of groundwater hydrology; provided however, that at least 1/3 of the Committee members shall be licensed professional engineers, geologists or hydrologists. The Committee shall act as a standing committee that will meeting, as the need arises, for the purposes described in this chapter." Mr. Lawson stated that each Council person needs to appoint two members and he asked Council members to consider nominees and submit names to him for consideration at a future Council meeting.

**Adminis-
trator's
Report**

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

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Coastal Club – Land Bay 7 - Phase B (Construction Record) and Covered Bridge Trails – Phase 1 (Gravity and Force Main Only) received Substantial Completion effective May 24th and May 28th, respectively.

2. Rachel Pusey

It is with sadness that we note the passing of County pensioner Rachel Pusey on Wednesday, May 22nd. Ms. Pusey began her career with

**Administrator's
Report
(continued)**

Sussex County in January 1967 as a Clerk in the Recorder of Deeds office until February 1987. She transferred to the Prothonotary's Office in February 1987 and was a Clerk there until September 1987, and remained employed by the Prothonotary's Office when the State took over in October 1987. Ms. Pusey returned to the County in January 1995 as the Deputy in the Recorder of Deeds office until May 2001. We would like to extend our condolences to the Pusey family.

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

**Audit
Services
RFP**

Gina Jennings, Finance Director, reported that a Request for Proposals (RFP) was recently completed for audit services. The previous contract expired with BDO USA, LLP. Five (5) proposals were received and reviewed. Mrs. Jennings reported that, based on an evaluation of the bids received, it is recommended that the County select BDO USA, LLP to perform audit services for the next three fiscal years, with the option to extend the contract for another three years by mutual agreement.

**M 272 19
Approve
Audit
Services
Contract
with
BDO USA,
LLP**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, that the Sussex County Council, through the recommendation of the Finance Department, approve a contract with BDO USA, LLP for three (3) years with an option to renew for another three (3) years by mutual agreement, with the first year to cost \$108,300.00.

Motion Adopted: 5 Yeas.

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

**SizeUp
Presen-
tation**

Bill Pfaff, Economic Development Director, reported that the County has partnered with SizeUp, an internet-based research company, to offer its Local Business Intelligence (LBI) service to existing and start-up small businesses in the County. Mr. Pfaff stated that SizeUp will give businesses in Sussex County the tools needed to grow and be successful, allowing them to create customized reports specifically for their business. Users of this program will be able to access data not only from Sussex County but also from the Eastern Shore of Maryland and Virginia. Mr. Pfaff reported that the software will provide business owners with four basic tools: performance benchmarking, competitive intelligence, advertising analysis, and demographic analysis. A link to this software will be offered to the municipalities and Chambers in Sussex County and information will filter back to the Sussex County Economic Development Department. Mr. Pfaff advised that the cost of this software is \$5,000.00 annually and he thanked the Council for its support to purchase the software.

Maintenance Garage Project	<p>Hans Medlarz, County Engineer, presented the Final Balancing Change Order and request to grant Substantial Completion for the Sussex County Maintenance Garage, Project No. 17-09. Mr. Medlarz reported that the building was constructed for less than 4% change orders. The proposed balancing change order covers automotive fluid tanks, expansion of concrete pads, additional painting and other minor additions and several credits resulting in a net credit of \$651.96 for a final contract cost of \$2,080,440.54. Construction began on July 10, 2018 and was declared substantially complete with issuance of a Certificate of Occupancy on May 1, 2019. The Engineering Department now recommends approval of the balancing change order and substantial completion for the project. Mr. Medlarz reported that several additional electrical tasks were necessary and that Tudor Electric Company agreed to complete this work on a time and material basis without markup. The total cost of the work completed separately by Tudor Electric Company was \$25,141.05 of which \$9,250.00 was reimbursed by the general contractor through a credit change order. The approach was administratively approved but the Engineering Department requests Council's final concurrence.</p>
M 273 19 Approve Change Order and Grant Substantial Completion/ Maintenance Garage Project	<p>A Motion was made by Mr. Burton, seconded by Mr. Rieley, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 4 for Contract 17-09, Sussex County Maintenance Garage, be approved, decreasing the contract amount by \$651.96 for a new contract total of \$2,080,440.54, and that Substantial Completion be granted effective May 1, 2019, and any held retainage released in accordance with contract documents.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea</p>
M 274 19 Reauthorize Work/ Tudor Electric Company/ Maintenance Garage Project	<p>A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that the administratively approved time and materials work performed by Tudor Electric Company, under Contract 17-09, be reauthorized in an amount of \$25,141.05.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea</p>
Rehoboth Beach WTF Upgrade/ Phase 2	<p>Hans Medlarz, County Engineer, reported on the Rehoboth Beach Wastewater Treatment Facility capital upgrade program. Mr. Medlarz reported that Phase 2 is proceeding and the City is considering Phases 3 and 4. While the City is still determining how to complete the remaining phases</p>

- Rehoboth Beach WTF (continued)** (3 and 4) of the City's upgrade project, including the headworks improvements; a recent failure of the influent screen forced the acceleration of this component estimated at \$3.0 million. The City has requested the integration of this work into Phase 2 triggering a modification to the Alternative Financing Agreement and an associated GHD design amendment.
- M 275 19 Approve Supplemental Alternative Financing Agreement/ Rehoboth Beach WTF** A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that the Supplemental Alternative Financing Agreement with the City of Rehoboth, as presented, be approved.
- Motion Adopted:** 5 Yeas.
- Vote by Roll Call:** Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea
- M 276 19 Approve Base Engineering Contract Amendment/ Rehoboth Beach WTF CIP Upgrade Phase II** A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that Amendment No. 18 to the Base Engineering Contract with GHD, Inc. be approved in the amount not to exceed \$172,153.17, for the design of the headworks improvement as part of the Rehoboth Beach Wastewater Treatment Plant CIP (Capital Improvement Project) Upgrade, Phase II.
- Motion Adopted:** 5 Yeas.
- Vote by Roll Call:** Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea
- Wolfe Neck RWF/ Delivery of Seed and Chemical Project** Hans Medlarz, County Engineer, reported on the bid results for the Wolfe Neck RWF, Delivery of Seed & Chemicals, Project No. 18-06 and M19-31. Mr. Medlarz reported that only one bid was received and that the bid was competitive with one exception. The new unit prices were similar to the 2017 bid with the exception of the bulk seed mix price (winter crop). The Engineering Department recommends award of the project to Growmark FS, LLC for bid items 1, 2 & 4-6 in the aggregate amount of \$77,150.50 per year for FY 20 and FY 21. Further, the Department will re-evaluate the composition of the cover crop bulk seed mix (winter crop) and separately letter bid that particular item as needed for each fiscal year.
- M 277 19 FY 19 Contract Reissuance/ Wolfe Neck RWF/** A Motion was made by Mr. Burton, seconded by Mr. Rieley, based upon the recommendation of the Sussex County Engineering Department, that Contract 18-06, Delivery of Seed & Chemicals, be reauthorized to Growmark FS, LLC for FY 2019 in the amount of \$81,766.46 as part of the contract close-out; and Be It Further Moved to award Contract M19-31, Delivery of Seed & Chemicals, Bid Items 1, 2, and 4 through 6 to Growmark FS, LLC in the low bid amount of \$77,150.50 per year for FY

Delivery of Seed and Chemical Project (continued)

2020 and FY 2021

Motion Adopted: 5 Yeas.

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

Delaware Coastal Business Park/Phase I

Hans Medlarz, County Engineer, presented an update on the progress of the Delaware Coastal Business Park. Mr. Medlarz presented a request for the approval of Change Order No. 2, which includes extending the water line along Little Creek Avenue, screening stockpiled material at Wolfe Neck, and a credit for railroad insurance.

M 278 19 Approve Change Order/ Delaware Coastal Business Park/Phase I

A Motion was made by Mr. Wilson, seconded by Mr. Burton, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 2, for Contract 19-15, Delaware Coastal Business Park, Phase I Construction, be approved, increasing the contract amount by \$11,636.00, for a new total of \$1,652,777.75.

Motion Adopted: 5 Yeas.

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

Smith Annexation into the SCUSSD/ Request to Prepare and Post Notices

John Ashman, Director of Utility Planning, presented a request to prepare and post notices for the Smith Annexation of the Sussex County Unified Sanitary Sewer District (Chapel Branch Area). The Engineering Department received a request from Charles and Gladys Smith, property owners of Parcel 234-6.00-74.05, stating their interest in having the County extend the current sewer district boundary to include their parcel, which is contiguous to the existing boundary. Mr. Ashman stated that the Engineering Department is in the process of designing connections for the Chapel Branch Area and a connection to this parcel can be included as part of this design.

M 279 19 Authorize Posting of Notices/ Smith Annexation into the SCUSSD

A Motion was made by Mr. Burton, seconded by Mr. Hudson, that the Sussex County Engineering Department is authorized to prepare and post notices for the Smith Annexation of the Sussex County Unified Sanitary Sewer District to include Parcel 234-6.00-74.05, as presented on June 4, 2019.

Motion Adopted: 5 Yeas.

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

**Old
Business
CZ 1881**

Under Old Business, the Council considered the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A GR-RPC GENERAL RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 71.754 ACRES, MORE OR LESS” (Change of Zone No. 1881) filed on behalf of Stephen Price Norman Revocable Trust (Lakelynnns) (Tax I.D. No. 134-19.00-13.03 and 134-18.00-38.00) (911 Address: 34703 Cider Lane, Frankford).

The Planning and Zoning Commission held a Public Hearing on this application on April 25, 2019 at which time the Commission deferred action. On May 9, 2019, the Commission recommended approval with conditions.

The Sussex County Council held a Public Hearing on this application on May 21, 2019 at which time action was deferred.

**M 280 19
Adopt
Ordinance
No. 2657
CZ 1881**

A Motion was made by Mr. Burton, seconded by Mr. Rieley, to Adopt Ordinance No. 2657 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A GR-RPC GENERAL RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 71.754 ACRES, MORE OR LESS” (Change of Zone No. 1881) filed on behalf of Stephen Price Norman Revocable Trust (Lakelynnns), with the following conditions:

- A. The maximum number of dwelling units shall not exceed 179, of which 41 shall be single-family lots and 138 shall be townhomes. Townhome numbers 1 through 6 shall be relocated away from Lizzard Hill Road.
- B. A homeowner’s association shall be formed to provide for the perpetual maintenance, repair, and replacement of buffers, stormwater management facilities, streets, amenities and other common areas.
- C. All entrances, intersections, interconnections, roadways and multi-modal improvements required by DelDOT shall be completed in accordance with DelDOT’s requirements or in accordance with any further modifications required by DelDOT based on its review of the Traffic Impact Study.
- D. The RPC shall be served by Sussex County sewer. The Developer shall comply with all requirements and specifications of the County Engineering Department.
- E. The RPC shall be served by central water for drinking water and fire protection, as required by applicable regulations.
- F. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be operated in a

**M 280 19
Adopt
Ordinance
No. 2657
CZ 1881
(continued)**

- manner that is consistent with Best Management Practices.
- G. Interior street design shall meet or exceed Sussex County's street design requirements. There shall also be street lighting and sidewalks on at least one side of the streets within the RPC.**
 - H. No wetlands shall be included within any individual lots. Any wetland buffers required by Section 115-93(B) shall be shown on the Final Site Plan. Non-tidal wetlands shall be maintained as non-disturbance areas with a minimum 25-foot buffer.**
 - I. All amenities shall be completed and open to use by the residents of the development prior to the issuance of the 75th building permit.**
 - J. A 20-foot wide vegetated buffer shall be established along the perimeter of the site. This may include the existing trees.**
 - K. If requested by the local school district, a school bus stop shall be provided by the entrance to the development, with the location and any related parking to be approved by the school district's transportation supervisor. The location of the bus stop area shall be shown on the Final Site Plan.**
 - L. Road naming and addressing shall be subject to the review and approval of Sussex County Mapping and Addressing Departments.**
 - M. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.**
 - N. The Final Site Plan shall include a landscape plan for all of the buffer areas, showing all of the landscaping and vegetation to be included in the buffer areas; in addition, the Developer shall preserve as many trees as possible with all preserved tree area shown on the Final Site Plan.**
 - O. The Preliminary Site Plan and Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**
 - P. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill to and from the property shall only occur from Monday through Saturday and only between the hours of 7:00 a.m. and 6:00 p.m.**
 - Q. Deep Pond Lane shall be constructed to the eastern property line of the project to promote interconnectivity with other lands.**
 - R. Deed restrictions and/or covenants and condominium documents shall reference that agricultural activities exists nearby, and the Agricultural Protection Notice shall be included in the restrictions, covenants, and other documents..**

Motion Adopted: 5 Yeas.

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

**Old
Business/
Proposed
C-4
Ordinance**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLE XID, SECTIONS 115-83.26, 115-83.27, 115-83.31 AND "115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV".

**Old
Business/
Proposed
C-4
Ordinance
(continued)**

The Planning and Zoning Commission held a Public Hearing on the Proposed Ordinance on October 25, 2018 at which time action was deferred. On November 15, 2018, the Commission recommended approval with the following conditions:

- 1. The maximum amount of residential development increases from 20% to 65%.**
- 2. Mixed-use buildings shall not count towards the residential density calculation.**

The Council held a Public Hearing on the Proposed Ordinance on November 27, 2018 at which time action was deferred. At their December 4, 2018 meeting, the Council deferred action again.

It was noted that only three members of the Council can vote on this matter as it has been deferred since 2018 and two new members have joined the Council since that time. (Mr. Hudson and Mr. Rieley not voting.)

**M 281 19
Adopt
Proposed
C-4
Ordinance**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLE XID, SECTIONS 115-83.26, 115-83.27, 115-83.31 AND “115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV”.

DENIED

Motion Denied: 3 Nays, 2 Abstentions.

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

**Grant
Requests**

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

**M 282 19
Council-
manic
Grant**

A Motion was made by Mr. Hudson, seconded by Mr. Burton, to give \$3,500.00 (\$2,500.00 from Mr. Hudson’s Councilmanic Grant Account and \$1,000.00 from Mr. Burton’s Councilmanic Grant Account) to the West Rehoboth Community Land Trust for affordable low income housing.

Motion Adopted: 5 Yeas.

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

**Grant
Request
Presented**

Eddie Sherman and Peggy Raley were in attendance to present their request for True Blue Jazz.

M 283 19 Councilmanic Grant **A Motion was made by Mr. Hudson, seconded by Mr. Burton, to give \$4,000.00 (\$1,500.00 from Mr. Hudson's Councilmanic Grant Account, \$1,500.00 from Mr. Burton's Councilmanic Grant Account, and \$1,000.00 from Mr. Vincent's Councilmanic Grant Account) to True Blue Jazz for expenses.**

Motion Adopted: 4 Yeas, 1 Abstention.

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

M 284 19 Councilmanic Grant **A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to give \$200.00 (\$100.00 each from Mr. Hudson's and Mr. Rieley's Councilmanic Grant Accounts) to the Delaware Seaside Railroad Club for holiday model trains display.**

Motion Adopted: 5 Yeas.

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

M 285 19 Councilmanic Grant **A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to give \$4,000.00 (\$2,500.00 from Mr. Hudson's Councilmanic Grant Account, \$500.00 from Mr. Rieley's Councilmanic Grant Account, and \$1,000.00 from Mr. Burton's Councilmanic Grant Account) to West Side New Beginnings for community safety and renovations.**

Motion Adopted: 5 Yeas.

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

Introduction of Proposed Ordinances **Mr. Burton introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND GR GENERAL RESIDENTIAL DISTRICT FOR SLUDGE AND WASTEWATER SPRAY IRRIGATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 351.86 ACRES, MORE OR LESS" (Conditional Use No. 2186) filed on behalf of Mountaire Farms of Delaware, Inc. (Tax I.D. No. 234-28.00-1.00, 2.00, and 3.00) (911 Address: None Available).**

Mr. Burton introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A

Introduction of Proposed Ordinances (continued) **CONTRACTOR’S OFFICE AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.69 ACRE, MORE OR LESS” (Conditional Use No. 2188) filed on behalf of Donovan’s Painting and Drywall, LLC, c/o Jose Sandoval (Tax I.D. No. 334-5.00-205.01 and 208.00) (911 Address: 32454 Lewes Georgetown Highway, Lewes).**

The Proposed Ordinances will be advertised for Public Hearing.

M 286 19 Go Into Executive Session **At 11:44 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Wilson, to recess and go into Executive Session to discuss matters relating to 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 11:53 a.m., an Executive Session was held in the Basement Caucus Room to discuss matters relating to land acquisition. The Executive Session concluded at 12:42 p.m.**

M 287 19 Reconvene Regular Session **At 12:43 p.m., a Motion was made by Mr. Rieley, seconded by Mr. Hudson, to come out of Executive Session and to reconvene the Regular Session.**

Motion Adopted: 3 Yeas, 2 Absent.

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

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

M 288 19 Adjourn **A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to adjourn at 12:44 p.m.**

Motion Adopted: 3 Yeas, 2 Absent.

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