

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 25, 2022

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, October 25, 2022, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Douglas B. Hudson	Vice President
Cynthia C. Green	Councilwoman
John L. Rieley	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 510 22
Approve
Agenda**

Mr. Lawson reported that Old Business Item No. 1, an Ordinance to amend the text and maps of Chapter 13, Mobility Element and Introduction of Proposed Ordinances can be removed from today's agenda. A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to approve the Agenda as amended.

Motion Adopted: 4 Yeas, 1 Absent

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

Minutes

The minutes of the October 18, 2022, meeting were approved by consensus.

**Correspon-
dence**

There was no correspondence.

Public comments were heard.

**Public
Comments**

Mr. Jeff King spoke about the Ordinance relating to amendments to the Eagle Crest Airport.

**M 511 22
Approve
Consent
Agenda**

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

- 1. Use of Existing Sewer Infrastructure Agreement, IUA 1101
Channel Pointe, Fenwick Island Area**
- 2. Use of Existing Sewer Infrastructure Agreement, IUA 918-18**

Bay Forest (Sprogell Property), Millville Area

Motion Adopted: 4 Yeas, 1 Absent

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

Presentation Mark Issacs, Director, University of Delaware Carvel Research and Education Center, thanked Council for its continued support of the outreach, research and extension programs at the College of Agriculture and Natural Resources and the Carvel Research and Education Center. Mr. Issacs gave an overview of how the County's funding is used by the Center in Sussex County for: Agricultural Courses, 4-H and Youth Development Programs, Family Consumer Science Program, Field Research, Crops Research, Poultry Research, Lasher Lab Poultry Research, and Student Work-Based Learning Internship Program. Mr. Issacs explained that for agricultural producers, their land is their most critical asset.

Public Hearing/ Terrapin Island A Public Hearing was held to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Angola Neck area to include the Terrapin Island project.

Annexation into SCUSSD John Ashman, Director of Utility Planning and Design reported that County Council granted permission to prepare and post notices for the Engineering Department to hold a Public Hearing on September 20, 2022. The Department received a request from Pennoni on behalf of their client Ribera Development, LLC, the owners/developers of a project to be known as Terrapin Island. The request includes parcel 234-18.00-31.00 and is proposed for 42 single family homes on 30.08 acres. The project will be responsible for System Connection Charges of \$6,600 per EDU based on current rates.

The Engineering Department posted notices on the property and surrounding area, added to the County website, and advertised in the local paper. To date, two calls were received from neighbors inquiring about the process and whether the County would require them to connect and if they would be conveying their stormwater to adjacent parcels.

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

M 512 22 Adopt Resolution No. R 011 22 Terrapin Island into SCUSSD A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to Adopt Resolution No. R 011 22 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) ANGOLA NECK AREA, TO INCLUDE THE TERRAPIN ISLAND AREA, ON THE EAST SIDE OF CAMP ARROWHEAD ROAD LOCATED IN THE INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY,

DELAWARE”.

Motion Adopted: 4 Yeas, 1 Absent

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

**Adminis-
trator’s
Report**

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

1. Delaware State Police Activity Report

The Delaware State Police year-to-date activity report for September 2022 is attached listing the number of violent crime and property 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 189 troopers assigned to Sussex County for the month of September.

2. Distinguished Budget Presentation Award

I am pleased to announce that the Government Finance Officers Association of the United States and Canada has awarded Sussex County its Distinguished Budget Presentation Award for the Fiscal Year 2023 Budget Report. This is the fifth year that the County has received this prestigious award acknowledging its budget report. In order to receive the award, the budget document must serve an entity as a policy document, financial plan, operations guide, and communication device.

Congratulations to Gina Jennings, Finance Director/Chief Operating Officer, and Kathy Roth, Deputy Finance Director, for their efforts in achieving this award.

[Attachments to the Administrator’s Report are not attached to the minutes.]

**FY2023
Human
Service
Grant
Program
Recommen-
dation**

Mrs. Jennings provided the FY2023 Human Service Grant recommendations and an overview of the program. This program provides grants to countywide non-profit agencies for the purpose of enhancing health and human services, which contribute to a safe, healthy, and self-sufficient community. This program provides grants that assist organizations with operating or capital expenses.

Mrs. Jennings explained the application process. She discussed the online application and the formula-based approach to awarding Human Service Grants. Mrs. Jennings outlined the method and criteria for determining

recommended grant amounts and presented the recommended Human Service Grants for Fiscal Year 2023.

M 513 22
Approve
FY2023
Human
Service
Grants

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, be it moved that the Sussex County Council approves the Fiscal Year 2023 Human Service Grants allocation, as presented.

Motion Adopted: 4 Yeas, 1 Absent

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

Disposition
of County
property

Michael Costello, Government Affairs Manager presented a disposal of County property request for Council's consideration. The property consists of 1.5 acres with a dwelling and outbuildings. An RFP was issued to solicit bids for the property and a single bid of \$80,000 was received.

M 514 22
Approve
Disposition
of County
property

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that be it moved that the Sussex County Council approve the agreement for the sale of parcel 133-18.00-20.00 in the amount of \$80,000.

Motion Adopted: 4 Yeas, 1 Absent

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

Clinical
Agreement
Addendum/
DTCC

Robbie Murray, Director of Emergency Medical Services presented a clinical agreement addendum between Delaware Technical Community College and Sussex County EMS for Council's consideration. Mr. Murray explained that on August 23, 2022, a clinical agreement between Delaware Technical Community College Nurse Programs and Sussex County EMS was approved. He was recently contacted by the college Respiratory Care program requesting the same clinical agreement, therefore, an addendum to the previous agreement is being requested.

M 515 22
Approve
Clinical
Agreement
Addendum/
DTCC

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, be it moved that Sussex County approve the proposed addendum adding Respiratory Care to the Healthcare Provider Agency Agreement with Delaware Technical Community College.

Motion Adopted: 4 Yeas, 1 Absent

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

Proposed

Hans Medlarz, County Engineer presented a Proposed Ordinance for

**Ordinance/
Countryside
Hamlet into
SCUSSD** associated debt authorizing the issuance of up to \$1,840,400 of General Obligation Bonds of Sussex County in connection with the construction and equipping of the Countryside Hamlet Expansion of the Unified Sanitary Sewer District.

Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$1,840,400 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE COUNTRYSIDE HAMLET SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

**Proposed
Ordinance/
Slaughter
Beach into
SCUSSD** Hans Medlarz, County Engineer presented a Proposed Ordinance for associated debt authorizing the issuance of up to \$21,682,488 of general obligation bonds of Sussex County in connection with the construction and equipping of the Slaughter Beach Area of the Unified Sanitary Sewer District.

Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$21,682,488 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE SLAUGHTER BEACH SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

The Proposed Ordinances will be advertised for Public Hearings.

**Grant
Requests** Mrs. Jennings presented grant requests for Council’s consideration.

**M 516 22
Cape
Henlopen
Educational
Foundation** A Motion was made by Mr. Hudson, seconded by Mrs. Green, to give \$2,000 (\$1,000 from Mr. Schaeffer’s Councilmanic Grant Account and \$1,000 from Mr. Hudson’s Councilmanic Grant Account) to Cape Henlopen Educational Foundation for their Teacher Grant program.

Motion Adopted: 4 Yeas, 1 Absent

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

**M 517 22
Good
Samaritan
Aid
Organiza--
tion, Inc.** A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$1,000 (\$1,000 from Mr. Vincent’s Councilmanic Grant Account) to Good Samaritan Aid Organization, Inc. for their Annual Christmas Basket, and Toy Outreach.

Motion Adopted: 4 Yeas, 1 Absent

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

Mr. Vincent, Yea

M 518 22 **A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$500**
Kim & **(\$500 from Mr. Vincent's Councilmanic Grant Account) to Kim and Evans**
Evans **Family Foundation, Inc. for Sussex SuperHero projects.**
Family
Foundation, **Motion Adopted: 4 Yeas, 1 Absent**
Inc.

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

Council **Mr. Lawson noted that he has been informed that there are not many**
Member **agenda items for next week, therefore, the meeting for next week may be**
Comments **cancelled.**

M 519 22 **At 10:47 a.m., a Motion was made by Mr. Rieley, seconded by Mr. Hudson**
Go Into **to recess the Regular Session, and go into Executive Session for the purpose**
Executive **of discussing matters relating to land acquisition.**
Session

Motion Adopted: 4 Yeas, 1 Absent

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

Executive **At 10:48 a.m., an Executive Session of the Sussex County Council was held**
Session **in the Council Chambers to discuss matters relating to land acquisition. The**
Executive Session concluded at 11:09 a.m.

M 520 22 **A Motion was made by Mr. Rieley, seconded by Mr. Hudson to come out of**
Reconvene **Executive Session to go back into Regular Session.**

Motion Adopted: 4 Yeas, 1 Absent

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

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

M 521 22 **A Motion was made by Mr. Hudson, seconded by Mr. Rieley to adjourn at**
Adjourn **11:12 a.m.**

Motion Adopted: 4 Yeas, 1 Absent

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

Respectfully submitted,

**Tracy N. Torbert
Clerk of the Council**

{An audio recording of this meeting is available on the County's website.}