



# SUSSEX COUNTY COUNCIL

## AGENDAS & MINUTES

### SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 3, 2009

**Call to Order** A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 3, 2009, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Vance Phillips	President
George B. Cole	Vice President
Joan R. Deaver	Councilwoman
Michael H. Vincent	Councilman
David Baker	County Administrator
Susan M. Webb	Finance Director
Hal Godwin	Deputy Administrator
James D. Griffin	County Attorney

Mr. Phillips called the meeting to order.

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

**M 075 09** A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, to amend  
**Approve** the Agenda by deleting "Introduction of Proposed Zoning Ordinances" and  
**Agenda** to approve the Agenda, as amended.

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

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

**Minutes** The minutes of December 9, 2008; December 16, 2008; and January 27,  
**Approved** 2009 were approved by consent.

**Online** Mr. Baker reported on a new feature on the County's website, an Online  
**Suggestion** Suggestion Box, which will allow the public and employees to submit ideas  
**Box** on how County government can more efficiently provide services. The  
County is hopeful that the public will use the feature to make a variety of  
suggestions for improvement, from what services the County should offer to

ways government can save the taxpayers' dollars.

**Voluntary  
Furlough  
Policy**

Mr. Baker and Denny Cordrey, Personnel Director, reviewed the Sussex County Voluntary Furlough Policy, as follows: in an effort to reduce operating costs, effective February 1, 2009, Sussex County employees may request a voluntary furlough, without pay, of up to five (5) working days per calendar year. A voluntary furlough as used in this policy will be treated as a voluntary leave of absence, without pay. This policy will not modify any other County employment policy, including without limitation, the County's vacation accrual policy. A request for a voluntary furlough must be submitted in writing and approved by the employee's Department Head. Mr. Baker noted that the goal of the Program is to save money.

**Voluntary  
Furlough  
Policy  
(continued)**

Mrs. Deaver stated that she did not realize that budget reductions were going to be implemented right away; that she does not support the Furlough Policy; and that she apologizes for voting for it.

**Adminis-  
trator's  
Report**

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

1. **Agricultural Farm Lease Update**

As per the attached "Invitation To Bid," sealed bids for an agricultural lease for the County's Inland Bays Regional Wastewater Facility near Long Neck will be opened on February 9, 2009. As noted, we are requesting proposals for the farming of County-owned agricultural fields with approximately 568 tillable acres. The bid documents are available from Ms. Sharon Smith in the County Engineering Department at 855-7718. Ms. Juel Gibbons, Project Engineer for the Engineering Department, is available to answer questions regarding the documents at 855-7381.

2. **Employee Blood Pressure Checks**

As per the attached, the Sussex County Paramedic Department will be providing blood pressure checks for employees at the County Administration Building from 11:00 a.m. to 1:00 p.m. twice per month, and from noon to 1:00 p.m. at the South Coastal Regional Wastewater Facility. This is an outcome of the County Health Fair where a number of County employees were observed to have high blood pressure readings at that time. As noted, there are no additional costs with the program to the County since they will be conducted using on-duty medics, supported by paramedic administrators.

3. **Beneficial Acceptance**

The Engineering Department granted Beneficial Acceptance to The Captain's Place, Agreement No. 427, on January 20, 2009. The developer is Joe Maggio and the project is located southwest of

**Assawoman Canal and Cedar Neck Road in the Ocean View Expansion of the Bethany Beach Sanitary Sewer District, consisting of four single-family lots (one existing and three proposed). Included with this report is a fact sheet on the project.**

**(The attachments referred to in the Administrator's Report are not made a part of the minutes.)**

**Private  
Activity  
Bond  
Volume  
Cap  
Allocation**

**Mrs. Webb reported that correspondence has been received from the Department of Finance, State of Delaware, requesting that any portion of the 2008 Private Activity Bond Volume Cap Allocation assigned to Sussex County, which will not be allocated either to a qualified project or identified as eligible for carry-forward, be reassigned to the State for reallocation. This request is made annually to allow the State to maximize usage of its Private Activity Bond Volume Cap.**

**In 2008, the State allocated \$26,210.00 to Sussex County for private activity bonds; however, the County received no applications and there are currently no projects in the pipeline for the funding. If the Council agrees, the State would reallocate this funding to the Delaware State Housing Authority to be used primarily for single-family housing programs.**

**Mrs. Webb noted that this matter was deferred at the January 27th meeting and additional information was included in Council envelopes which were mailed on Friday, January 30th.**

**Mr. Phillips stated that, when the Council meets with Delaware's Congressional Delegation in March, a request can be made to expand the opportunities of the funding made available through the Private Activity Volume Cap Allocation.**

**M 076 09  
Reassign-  
ment of  
Private  
Activity  
Bond  
Volume  
Cap**

**A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves the reassignment of the 2008 Private Activity Bond Volume Cap in the amount of \$26,210,000 to the State of Delaware.**

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

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

**Wastewater  
Agreement**

**Mr. Godwin presented a Wastewater Agreement for The Meadows at Bayard.**

**M 077 09  
Approve  
Wastewater  
Agreement/  
The**

**A Motion was made by Mr. Cole, seconded by Mr. Vincent, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 580, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and The Meadows at**

**Meadows at Bayard**      **Bayard, LLC, for wastewater facilities to be constructed in The Meadows at Bayard, located in the Bayard Planning Area.**

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

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

**Grant Procedure**      **At the request of Mr. Phillips, Mrs. Webb explained the process of awarding Community Grants. In Fiscal Year 2009, each Councilmember received an allocation of \$61,000.00 for Community Grant disbursements. Typically, grants are awarded per Councilmanic District; other times, some or all Council members participate. When a grant request is received, it is the decision of the Councilmember whether or not to put it on the Agenda for consideration. Mrs. Webb stated that she reviews the requests to determine eligibility. Mrs. Webb noted that there is currently no written policy on this procedure.**

**Questions were raised regarding grants to scout organizations and to churches; funding granted to organizations outside of the County; and the policy for delivery of grant checks.**

**Mrs. Webb was directed to prepare a memo that outlines the County's grants procedure for consideration at a future Council meeting.**

**Grant Request**      **Mrs. Webb presented the grant request from Cape Henlopen Food Basket, Inc.**

**M 078 09 Community Grant**      **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$1,000.00 from Mr. Cole's Community Grant Account to the Cape Henlopen Food Basket, Inc. for food for needy families.**

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

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

**M 079 09 Recess and go into Executive Session**      **At 10:44 a.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess the Regular Session and to go into Executive Session for the purpose of discussing personnel, land acquisition, and pending/potential litigation.**

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

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

**Executive Session**      **At 10:45 a.m., an Executive Session of the Sussex County Council was held in the Caucus Room of the Council Chambers to discuss personnel, land acquisition, and pending/potential litigation. The Executive Session concluded at 12:17 p.m.**

**M 080 09 Reconvene Reg. Sess.**      **At 12:18 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to come out of Executive Session and to reconvene the Regular Session.**

**M 081 09 (continued)**      **Motion Adopted:      4 Yeas, 1 Absent.**

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

**M 082 09 Adjourn**      **A Motion was made by Mr. Vincent, seconded by Mr. Cole, to adjourn at 12:18 p.m. Motion Adopted by Voice Vote.**

**Respectfully submitted,**

**Robin A. Griffith  
Clerk of the Council**