



SUSSEX COUNTY COUNCIL

AGENDAS & MINUTES

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 28, 2012

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 28, 2012, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Vance Phillips	Councilman
Todd F. Lawson	County Administrator
Susan M. Webb	Finance Director
Everett Moore	County Attorney

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

Call to Order

Mr. Vincent called the meeting to order.

M 107 12 Amend and Approve Agenda

A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to amend the Agenda by deleting "Job Applicants' Qualifications" under "Executive Session"; and to approve the Agenda, as amended.

Motion Adopted: 5 Yeas.

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

Mr. Lawson noted that Brad Hawkes, Director of Utility Engineering, would be presenting "Wastewater Agreements", which were scheduled to be presented by Hal Godwin, Deputy County Administrator.

Comments/ Sussex Con- servation District Tour

Mrs. Deaver reported that she recently participated in a tour conducted by the Sussex Conservation District and that she would like to have the presentation given at the tour made public and presented at an upcoming Council meeting. She stated that the presentation provided information on communities in the County that have flooding issues and she stated that the

Council needs to do something to alleviate flooding problems. She stated that (1) this is an emergency situation that needs to be addressed and (2) long term planning is needed to address the issue.

Mr. Vincent noted that the next meeting of the Council will be held on March 20th and that this issue can be placed on the Agenda for that meeting.

Minutes **The minutes of February 7 and February 14, 2012 were approved by consent.**

**Corre-
spondence** **Mr. Moore read the following correspondence:**

GIRL SCOUTS OF AMERICA, SERVICE UNIT 14, MILLSBORO, DELAWARE.

RE: Letter in appreciation of grant.

MOUNT JOY COMMUNITY CIVIC ASSOCIATION, MILLSBORO, DELAWARE.

RE: Letter in appreciation of grant.

**Presen-
tation/
Delaware
Nature
Society/
Choosing
Clean
Water** **Jason Beal, Manager of the Abbott's Mill Nature Center in Milford, thanked the Council for its continued support of the Center's educational programs, which benefit under-privileged children who visit the Center to learn about Delaware's environment and its rich agricultural history. He stated that the Center maintains over 6 miles of trails for the public to utilize. Mr. Beal introduced Madeleine Russell of the Delaware Nature Society and he advised that her presentation to the Council on this date is part of an educational outreach mission.**

Madeleine Russell presented "Choosing Clean Water" on behalf of the Delaware Nature Society and the Chesapeake Bay Watershed in the State of Delaware. Ms. Russell reported that there are 64,000 square miles in the Watershed and that 1,800 local governments are in the watershed. She advised that she has given the presentation to Sussex County communities, schools and organizations. Ms. Russell stated that the Watershed Implementation Plan has been put in place to reduce the nitrogen and phosphorus that enters streams and rivers and flows to the Bay. In her presentation, Ms. Russell discussed sources of pollutants and actions to limit pollution, i.e. stream restoration, backyard wildlife habitats, clean marinas, cover crops, rain gardens, rain barrels, floating wetlands, grow native plants, plant trees, eliminate chemical applications, fertilize in the Fall, conserve or restore habitat, street sweeping, community clean-up, and join Clean Water Coalition.

**Capitation
Tax** **Mr. Lawson reported that Title 9, Chapter 3, Section 305, of the Delaware Code requires that "The government of Sussex County annually at a meeting held during the month of February shall fix and determine the amount of capitation tax which the Board of Assessment shall assess for the following**

year.” Section 305(a)(2) requires that “In Sussex County, such capitation tax shall in no case exceed the sum of \$10.00, nor be less than the sum of \$3.00, and shall be uniform throughout the County, when levied and assessed.”

Mr. Lawson noted that the Delaware Code does not require Kent County to levy a capitation tax and, currently, they do not levy one.

**Capitation
Tax
(continued)**

Mr. Lawson recommended, to satisfy the County’s legal obligation per the Delaware Code, that the Council set the capitation tax for the upcoming year to be levied at the minimum amount (\$3.00) with the requirement that the County Administrator and Finance Director shall revisit the issue during the upcoming budget process. Mr. Lawson also recommended that the County seek to amend the Delaware Code to provide Sussex County the same latitude both Kent and New Castle Counties have regarding the determination of their capitation tax.

**M 108 12
Set
Capitation
Tax**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to set the Capitation Tax at the amount of \$3.00 for the upcoming year.

Motion Adopted: 5 Yeas.

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

**M 109 12
Seek
Amend-
ment to
State
Code/
Capitation
Tax**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council hereby authorizes County Administration to seek an amendment to Title 9, Chapter 3, Section 305, of the Delaware Code as it relates to the Capitation Tax levied and collected in Sussex County.

Motion Adopted: 5 Yeas.

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

**Proposed
Legislation/
Delaware
Code
Relating
to
Personnel
Policies**

Mr. Lawson reported that Title 9, Chapter 70, Section 7006 of the Delaware Code governs Sussex County’s personnel policies and its ability to effectively develop and manage its own policies. The Delaware Code is silent for Kent County (Code was amended in 1988 allowing them to administer their personnel policies internally) and New Castle is different because of unions.

Mr. Lawson stated that Sussex County is under an initiative to amend personnel policies and to start administering personnel policies internally. Therefore, the County is working with the Everett Moore, County Attorney, and Barry Willoughby, the County’s Labor Attorney. Mr. Lawson noted that the County cannot do this without an amendment to the Delaware

Code.

M 110 12 **A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to authorize**
Seek State **County Administration to seek an amendment to Title 9, Chapter 70,**
Code **Section 7006 of the Delaware Code so that the County can manage its own**
Amendment **personnel policies.**

M 110 12 **Motion Adopted: 5 Yeas.**
(continued) **Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;**
 Mr. Phillips, Yea; Mr. Wilson, Yea;
 Mr. Vincent, Yea

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

1. National Association of Counties Legislative Conference

Representatives from Sussex County will attend the National Association of Counties annual Legislative Conference in Washington, D.C., starting Saturday, March 3.

The conference provides several helpful workshops and educational sessions regarding topics pertaining to Sussex County including airport funding, information technology advancements, and the status of the Federal budget and appropriations process. These workshops prove to be of valuable assistance in learning from experiences of other public officials in different parts of the country.

A meeting with our congressional delegation is scheduled on Wednesday, March 7, where we will provide an update on some of Sussex County's concerns.

2. Sussex Conservation District Tour and Luncheon

On February 22, 2012, the Sussex Conservation District hosted a legislative tour at the request of Senator Joe Booth. The tour provided both State and County officials the opportunity to see the work the District is doing throughout the County.

Immediately following today's Council meeting, the Conservation District will be hosting a luncheon and presentation for the Council at the County's West Complex.

3. Julia Elizabeth "Betty" (Hobbs) Hitchens

We regret to inform you that Betty Hitchens, County pensioner, passed away on February 13, 2012. Ms. Hitchens worked in the Recorder of Deeds Office and also as a Clerk of the Orphans Court and Register in Chancery. She was employed by the Levy Court of Sussex County from May 1944 to December 1960 and was Sussex

County's oldest pensioner, reaching the remarkable age of 106.

4. Advisory Committee on Aging and Adults with Physical Disabilities for Sussex County

Adminis-
trator's
Report
(continued)

Please be advised the Advisory Committee on Aging and Adults with Physical Disabilities will meet on Monday, March 19, at 10:00 a.m. at the Milton CHEER Center located at 13275 Reynolds Road in Milton. A copy of the agenda is attached. Guest speaker at the meeting will be Janet Villareal, Planner with the Delaware Division of Services for the Aging and Adults with Physical Disabilities, where she will be speaking on the "*Diamond State Health Plan Plus*."

5. County Council Meeting Schedule

The County Council will not hold meetings on March 6 and March 13. The next regularly scheduled meeting will be held on March 20.

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

Public
Hearing/
Repeal
Ordinance
No. 2227
Relating
to Council-
manic
Election
Districts

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO REPEAL ORDINANCE NO. 2227 RELATING TO COUNCILMANIC ELECTION DISTRICTS AND ADOPTING COUNCILMANIC ELECTION DISTRICTS".

Richard Carter, the County Attorney's consultant on redistricting, explained the Proposed Ordinance which includes three proposed changes to the earlier redistricting Ordinance, Ordinance No. 2227, which was adopted on November 15, 2011. All of the changes were requested by the Board of Elections; in each case except the change in the District 5 language, it is proposed to only delete existing boundary language, not add any new language. In the case of the District 5 change, only new language is being added and nothing is being deleted.

The following proposed changes were presented:

Change to District One (between Districts 1 and 2): Deletion only – Bridgeville area – small block along U.S. 13

Language to be deleted: [to U.S. Route 13 (known at that point in its course as Sussex Highway), and proceeding southerly along U.S. Route 13]

Changes to District Two:

First Change – between District 2 and District 3 – deletion only – Sand Hill Road and Route 9 east of Georgetown

Language to be deleted: [to Briarwood Road (also known as County Road

253), and proceeding easterly along Briarwood Road to Shingle Point Road (also known as County Road 249), and proceeding southerly along Shingle Point Road to U.S. Route 9 proceeding southerly along Shingle Point Road]

Second Change – between Districts 2 and 5: (Stockley area – Peterkins Road) – deletion only

Public
Hearing/
Repeal
Ordinance
No. 2227
Relating
to Council-
manic
Election
Districts
(continued)

Language to be deleted: [Zoar Road (also known as County Road 48) and proceeding westerly along Zoar Road to]

Third Change – between Districts 1 and 2: (Bridgeville area – small block along U.S. 13) – deletion only

Language to be deleted: [U.S. 13 (also known at that point in its course as Sussex Highway), and proceeding northerly along U.S. 13

Change to District Three – between Districts 2 and 3: deletion only: Sand Hill Road & Route 9 east of Georgetown

Language to be deleted: [Shingle Point Road (also known as County Road 249), and proceeding northerly along Shingle Point Road to Briarwood Road (also known as County Road 253), and proceeding easterly along Briarwood Road to]

Change to District Five – between Districts 2 and 5: deletion only: Stockley area – Peterkins Road

Language to be added: Peterkins Road (also known as County Road 317), and proceeding northeasterly along Peterkins Road to

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

M 111 12
Adopt
Ordinance
No. 2243
Repealing
Ordinance
No. 2227/
Council-
manic
Election
Districts

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Ordinance No. 2243 entitled “AN ORDINANCE TO REPEAL ORDINANCE NO. 2227 RELATING TO COUNCILMANIC ELECTION DISTRICTS AND ADOPTING COUNCILMANIC ELECTION DISTRICTS”.

Motion Adopted: 5 Yeas.

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

2012
General
Obligation
Bond

Mrs. Webb reported on the General Obligation Bond Sale, which took place on February 8, 2012 and she introduced Les Guthorn, the County’s Financial Advisor, who explained the results of the sale. Mr. Guthorn

Sale Results	reported that (approximately) \$61,375,000 in Sussex County General Obligation Refunding Bonds were sold; that there was a gross savings of 12.5 percent (Net Present Value Savings) or \$11.5 million in gross savings. Mr. Guthorn noted that the transaction mirrored the loans outstanding; the maturity was not extended; and nothing was changed except the interest rate that each of the loans pay. The Underwriters of the Bond Sale were Wells Fargo, Manufacturers & Traders (M&T) and Royal Bank of Canada (RBC). The distribution of the Bonds was as follows: Retail (individuals and trusts) - \$20,760,000 and Institutions - \$40,615,000; priority was given to Sussex County residents, State of Delaware residents, and then institutions.
Bond Sale Results (continued)	Mrs. Webb noted that the savings will remain in the sewer districts and she provided information on the savings in each District.
Wastewater Agreements	Brad Hawkes, Director of Utility Engineering, presented Wastewater Agreements for the Council's consideration.
M 112 12 Execute Wastewater Agreement/ Vincent Overlook	A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 843-1, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Vincent Overlook, LLC, for wastewater facilities to be constructed in Vincent Overlook – Phase 2B, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. Motion Adopted: 5 Yeas. Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea
M 113 12 Execute Wastewater Agreement/ Forest Landing	A Motion was made by Mr. Cole, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 343-3, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Forest Landing Communities, LLC for wastewater facilities to be constructed in Forest Landing – Phase 2A, located in the Miller Creek Sanitary Sewer District. Motion Adopted: 5 Yeas. Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea
Old Business/	Under Old Business, the Council discussed the Proposed Ordinances entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI,

Proposed Ordinances Relating to Electronic Message Display

SECTION 159.5B OF THE CODE OF SUSSEX COUNTY REGARDING ELECTRONIC MESSAGE DISPLAY ON OFF-PREMISES SIGNS" and "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI, SECTION 159.5B OF THE CODE OF SUSSEX COUNTY TO PROHIBIT ELECTRONIC MESSAGE DISPLAY ON OFF-PREMISES SIGNS".

Old Business/ Proposed Ordinances Relating to Electronic Message Display on Off-Premises Signs (continued)

The Planning and Zoning Commission held a Public Hearing on the Proposed Ordinance Amendments on January 12, 2012 at which time action was deferred. On January 26, 2012 the Commission deferred action again. On February 9, 2012, the Commission recommended the approval of the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI, SECTION 159.5B OF THE CODE OF SUSSEX COUNTY REGARDING ELECTRONIC MESSAGE DISPLAY ON OFF-PREMISES SIGNS" with the following amendment to 115-159.5, as follows:

(5) An off-premises sign may include an Electronic Message Display if specifically applied for and approved as part of a Special Use Exception. If approved as part of a Special Use Exception, the standards for Electronic Message Displays contained in Section 115-159.5.A.4 (or more stringent State or Federal standard(s) shall apply.

On February 9, 2012, the Commission recommended the denial of the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI, SECTION 159.5B OF THE CODE OF SUSSEX COUNTY TO PROHIBIT ELECTRONIC MESSAGE DISPLAY ON OFF-PREMISES SIGNS".

The County Council held a Public Hearing on the Proposed Ordinances on February 7, 2012 at which time action was deferred.

Mr. Cole suggested that there should be amendments to the Proposed Ordinance that supports the inclusion of Electronic Message Displays with limitations on road locations, timing of sign changes, etc.

Mr. Moore advised that any amendments to the Proposed Ordinance would have to be discussed and made in public session since Public Hearings have already been held on the Proposed Ordinances.

**M 114 12
Defer
Action on
Proposed Ordinance
Relating to
Permitting
Electronic
Message
Display on**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to defer action on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI, SECTION 159.5B OF THE CODE OF SUSSEX COUNTY REGARDING ELECTRONIC MESSAGE DISPLAY ON OFF-PREMISES SIGNS" for additional information/suggested amendments.

Motion Adopted: 4 Yeas, 1 Nay.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;

Off-Premises Signs

**Mr. Phillips, Nay; Mr. Wilson, Yea;
Mr. Vincent, Yea**

[Mr. Vincent directed Council to advise Lawrence Lank, Director of Planning and Zoning, of their concerns / ideas / suggested amendments regarding the Proposed Ordinance.]

**M 115 12
Defer
Action on
Proposed
Ordinance
Prohibiting
Electronic
Message
Display**

A Motion was made by Mr. Phillips, seconded by Mr. Vincent, to defer action on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI, SECTION 159.5B OF THE CODE OF SUSSEX COUNTY TO PROHIBIT ELECTRONIC MESSAGE DISPLAY ON OFF-PREMISES SIGNS”.

Motion Adopted: 3 Yeas, 2 Nays.

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

**Bird Haven
Proposed
Sussex
Community
Improvement
Project**

Patti Deptula, Assistant Director of Public Works, presented information on a Proposed Suburban Community Improvement (SCI) Project in the Bird Haven subdivision, located within the Rogers Haven subdivision. There is one street in the subdivision, Blue Herring Drive (aka Blue Heron Drive), which is approximately 600 feet ± in length; it is unpaved and privately owned by the Bird Haven Property Owners Association, Inc. (POA). There are 11 total buildable parcels/lots in the proposed project. Representative Gerald Hocker agreed to provide \$15,000 of funding towards the pavement of Blue Herring Drive if there was enough interest among the property owners to request the balance of the monies required to complete the project through the County’s Chapter 96 Sussex Community Improvement Program. It was determined that the project meets all necessary criteria for inclusion in this program.

Mrs. Deptula reported that, on December 22, 2010, a letter was sent to all property owners of record from Sussex County Engineering Department (SCED) asking if they would be in agreement with paving the street through the County program and also with the partial funding from Representative Hocker. A reply total of seven (7) Yes ballots and two (2) No ballots were returned to SCED.

Mrs. Deptula reported that the SCED received a formal written request on September 16, 2011 from the Bird Haven POA to formally initiate the SCI process, as allowed by Sussex County Code, Chapter 96. A petition package was sent in the mail to all property owners of record and seven (7) signed and notarized petitions were received, representing 63% of the buildable parcels, which exceeds the 50 percent requirement of Chapter 96. A public meeting was held on Tuesday, February 21, 2012; at that meeting, the consensus opinion supported the project and the effort to move forward

with a referendum vote. The County received written correspondence from six (6) property owners; five have stated their agreement with the proposed project and one stated their disapproval of it. The estimated assessment for this project is calculated to be \$119.90 per year for a ten year period. This estimated annual assessment reflects a monetary contribution of \$15,000 from Representative Hocker.

M 116 12
Adopt
R 006 12/
Bird Haven
Proposed
SCI
Project

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Resolution No. R 006 12 entitled “A RESOLUTION ESTABLISHING A DATE, TIME, PLACE AND JUDGE FOR AN ELECTION TO BE HELD TO CONSIDER THE BIRD HAVEN PROPOSED CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENT PROJECT”.

Motion Adopted: 5 Yeas.

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

Bid
Results/
Rehabilitate
Taxiway
A (N)
Project

Bob Jones, Project Engineer, presented the bid results for the Rehabilitate Taxiway A (N), Contract No. 11-10. Four bids were received with David A. Bramble, Inc. of Chestertown, Maryland, being the low bidder (\$458,080.00). The Engineer’s Estimate for the project was \$511,140.00. Mr. Jones explained the project, which will repair and rehab the runway from the Terminal to the north end of Runway 22.

M 117 12
Award
Bid/
Rehabilitate
Taxiway
A (N)
Project

A Motion was made by Mr. Wilson, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project 11-10, Rehabilitate Taxiway A (N) be awarded to David A. Bramble, Inc. of Chestertown, Maryland, at the bid amount of \$458,080.00.

Motion Adopted: 5 Yeas.

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

Grant
Requests

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

M 118 12
Community
Grant

A Motion was made by Mr. Wilson, seconded by Mr. Cole, to give \$2,000.00 from Mr. Wilson’s Community Grant Account to the Georgetown Little League for improvements to the concession facility.

Motion Adopted: 5 Yeas.

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

Mr. Vincent, Yea

M 119 12 Community Grant **A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$400.00 (\$200.00 each from Mrs. Deaver's and Mr. Cole's Community Grant Accounts) to People to People Ambassador Program for Kierstyn Miller's trip expenses.**

M 119 12 (continued) **Motion Adopted: 5 Yeas.**
Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 120 12 Community Grant **A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$2,500.00 from Mr. Cole's Community Grant Account to the Town of Millville for advertising their Farmers Market.**

Motion Adopted: 5 Yeas.
Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 121 12 Community Grant **A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$1,000.00 (\$200.00 from each Community Grant Account) to the Delaware Ducks Unlimited for the Greenwing Event.**

Motion Adopted: 5 Yeas.
Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 122 12 Community Grant **A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$1,000.00 (\$500.00 each from Mr. Phillips' and Mr. Cole's Community Grant Accounts) to the Indian River Baseball Boosters for the purchase of a new batting cage.**

Motion Adopted: 5 Yeas.
Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 123 12 Community Grant **A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$500.00 from Mr. Vincent's Community Grant Account to the City of Seaford for event expenses (Nanticoke Riverfest).**

Motion Adopted: 5 Yeas.

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

M 124 12 Community Grant A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$6,000.00 (\$3,000.00 each from Mr. Phillips' and Mr. Vincent's Community Grant Accounts) to the Laurel Fire Department to help furnish their remodeled main fire station and new fire substation.

M 124 12 (continued) Motion Adopted: 5 Yeas.

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

M 125 12 Community Grant A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$1,000.00 (\$500.00 each from Mr. Vincent's and Mr. Phillips' Community Grant Accounts) to the Nanticoke Chapter Ducks Unlimited for land preservation.

Motion Adopted: 5 Yeas.

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

Additional Business Under Additional Business, Dan Kramer of Bridgeville commented on the Clean Water presentation and he stated that tax ditches do more damage to the environment than farmers. He also advised that DNREC will hold a meeting in Dover on Wednesday night (March 1st) and he stated that farmers should be in attendance. (The DNREC public forum will be on Delaware's plan for cleaner waterways that drain into the Chesapeake Bay.)

Mrs. Deaver raised the issue of flooding and she asked what she should tell her constituents when they call her with concerns and complaints. Mr. Cole stated that the calls/complaints should be referred to the Sussex Conservation District, which is a State agency, or to State legislators.

M 126 12 Go Into Executive Session At 11:41 a.m., a Motion was made by Mr. Cole, seconded by Mr. Wilson, to go into Executive Session for the purpose of discussing issues relating to personnel, pending/potential litigation and land acquisition.

Motion Adopted: 5 Yeas.

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

Executive At 11:43 a.m., an Executive Session of the Sussex County Council was held

Session in the Caucus Room of the Council Chambers for the purpose of discussing issues relating to personnel, pending/potential litigation and land acquisition. The Executive Session concluded at 11:57 a.m.

M 127 12 Reconvene Regular Session At 11:59 a.m., a Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to come out of Executive Session and to reconvene the Regular Session.

M 127 12 (continued) Motion Adopted: 5 Yeas.

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

Action There was no action required on Executive Session items.

M 128 12 Recess At 11:59 a.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess to the County's West Complex for a luncheon meeting with the Sussex Conservation District.

Motion Adopted: 5 Yeas.

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

Luncheon Meeting with Sussex Conservation District At 12:12 p.m., the Council reconvened at the County's West Complex for a luncheon meeting with the Sussex Conservation District. A PowerPoint presentation was given and a discussion was held on issues regarding Sussex Conservation District funding and how funding is spent, staffing, tax ditches, public ditches, and drainage.

The following were present from Sussex County:

Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Vance Phillips	Councilman
Todd F. Lawson	County Administrator
Susan M. Webb	Finance Director
Lawrence Lank	Director of Planning and Zoning

M 129 12 Adjourn At 1:57 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn. Motion Adopted by Voice Vote.

Respectfully submitted,

Robin A. Griffith

Clerk of the Council

