



SUSSEX COUNTY COUNCIL

AGENDAS & MINUTES

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 16, 2010

Call to Order A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 16, 2010, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Vance Phillips	President
Michael H. Vincent	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Samuel R. Wilson, Jr.	Councilman
David Baker	County Administrator
Susan M. Webb	Finance Director
Hal Godwin	Deputy Administrator
J. Everett Moore	County Attorney

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

Mr. Phillips called the meeting to order.

M 143 10 A Motion was made by Mr. Cole, seconded by Mr. Vincent, to amend the
Amend Agenda by deleting "Health Insurance Bid Award" and to approve the
and Agenda, as amended.
Approve

Agenda Motion Adopted: 5 Yeas.

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

M 144 10 A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to accept the
Accept minutes dated February 16 and February 23, 2010. Motion Adopted by
Minutes Voice Vote.

Future It was decided that the following two issues would be placed on the next
Agenda Agenda:
Items

- Mr. Cole's recommendation that the Council consider a separate

- zoning category for casinos, racinos, etc.
- Rules of procedure regarding drafting ordinances.

**Corre-
spondence**

Mr. Moore read the following correspondence:

GUMBORO COMMUNITY CENTER ASSOCIATION, MILLSBORO, DELAWARE.

RE: Letter in appreciation of grant.

**Corre-
spondence
(continued)**

CHILDREN & FAMILIES FIRST, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of grant.

RONALD MCDONALD HOUSE OF DELAWARE.

RE: Letter in appreciation of grant.

CATHOLIC CHARITIES/CASA SAN FRANCISCO, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of grant.

DELAWARE BLUE HENS 12U BASEBALL TEAM, DAGSBORO, DELAWARE.

RE: Letter in appreciation of grant.

DELAWARE NATURE SOCIETY, HOCKESSIN, DELAWARE.

RE: Letter in appreciation of grant.

SUSSEX COUNTY PARAMEDIC ASSOCIATION, DAGSBORO, DELAWARE.

RE: Letter in response to the recent newspaper articles citing funding concerns for the paramedic program in Sussex County.

JIM SMITH, SENIOR PUBLIC AFFAIRS MANAGER, DELMARVA POWER, WILMINGTON, DELAWARE.

RE: Letter to Joseph Thomas, Director, Sussex County Emergency Operations Center, with thanks for his “superb leadership during the recent back-to-back snowstorms”.

Mrs. Deaver read correspondence from Albert and Rose Cavalieri, Jim and Melanie Hof, and Mary Waters regarding Prime Hook Beach. In their letters and emails, they state that their community has one road of entry and exit, Prime Hook Road, which runs through Prime Hook National Wildlife Refuge from Route 1 to the Delaware Bay and they state that this road is being physically eroded by tidal water on both sides of the road.

Mrs. Deaver reported that she has forwarded the letters/emails to DNREC and DelDOT.

**Southern
Delaware
Tourism**

Scott Thomas of Southern Delaware Tourism was in attendance to update the Council on local tourism initiatives. He stated that their mission is to support and encourage the identification, development and promotion of

**Southern
Delaware
Tourism
(continued)**

sustainable year-round tourism in Southern Delaware that contributes to economic growth and improves the quality of life. He stated that their office works closely with Sussex County Chambers of Commerce, convention and visitors bureaus, the State Tourism Office, and other regional tourism organizations along the Delmarva Peninsula. Mr. Thomas reported that tourism is big business in Delaware and it starts with Sussex County's coastal resort region that draws 90 percent of the 7 million visitors per year to the County. Mr. Thomas stated that initiatives include (1) culinary tourism, (2) cultural and heritage tourism, (3) create and promote a collection of county-wide trails that connect maritime, agriculture and religion areas that link interest driven itineraries, and (4) a travel blog entitled *Host Our Coast*. Mr. Thomas asked for the Council's support in their initiatives.

**Legislative
Update/
Dog
Control/
Dangerous
Dogs**

Mr. Baker reported on the draft State legislation regarding dog control, which was previously discussed on February 16th. Since that date, the following changes have been made to the draft legislation: (1) fines collected will be sent to the counties and (2) the Attorney General's Office will handle prosecutions for dog control, as needed. Mr. Baker reported that another change that has not been made, but that he believes the State would agree to, is to eliminate the wording that dog wardens cannot have other jobs.

Mr. Baker stated that Kent County SPCA has agreed to the proposed legislation and has agreed to handle the responsibility of dangerous dogs as part of its contract with Sussex County.

Pat Emory, Director of Fish and Wildlife, DNREC, and Bob Phillips, Deputy Attorney General, were present to participate in the discussion and to answer questions.

Mr. Cole expressed concern about nuisance/barking dogs. It was noted that the proposed legislation does not address this issue; however, the County could consider its own legislation.

Mr. Baker read the following proposed Motion: that the Sussex County Council supports proposed legislation to transfer Delaware Code language regarding dog control responsibilities from Title 7 to Title 9 and to add dangerous dogs responsibilities to County government.

No action was taken on the proposed Motion.

Mr. Baker stated that another option for the Council to consider would be to support the version of the proposed legislation for housekeeping issues without the dangerous dogs portion.

**M 145 10
Defer
Action on**

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to defer action on taking a position on the State's draft legislation regarding dog control, including the section regarding dangerous dogs.

**Draft
Legislation
Regarding
Dog
Control/
Dangerous
Dogs**

Motion Adopted: 5 Yeas.

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

**Property
Tax
Amnesty
Program
Report**

Mr. Baker reported on the Property Tax and Sewer and Water Amnesty Collection Program. The Treasury Department and Utility Billing Department have collected approximately \$1.2 million in delinquent tax and sewer and water bills as part of the month-long amnesty program. The County collected \$797,258 in delinquent property taxes, which includes school and county taxes. The County collected \$394,741 in delinquent sewer and water bills. These funds were collected from approximately 2,969 accounts. The program saved taxpayers approximately \$86,000 in penalties. It was noted that there is \$9,372,428 in total taxes receivable (not including penalties due in the amount of approximately \$4 million); approximately \$7,889,839 of the \$9,372,428 is school taxes.

Mr. Phillips asked that staff take aggressive steps in continuing collection efforts.

**Adminis-
trator's
Report**

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

1. Paramedic Competition Results

As per the attached press release, Sussex County paramedics, for the fourth time since 2005, won a medal at the JEMS (Journal of Emergency Medical Service) Games in Baltimore on March 5. The team, including paramedics Michael Carnuchio, Jeff Cox, Stuart Hensley, and Jill Wix received a silver medal amongst 18 different teams from across the United States. In 2005, Sussex County paramedics earned a gold medal, followed by silver medals in 2006 and 2009, as well as a third place finish in a separate international competition in 2008.

We wish to congratulate our Sussex County paramedics on this award reflecting their high quality service to our residents.

2. Sussex County Surplus Auction Report

On Saturday, March 13, 2010, the County auctioned 12 surplus vehicles, as well as eight generators for a total amount of \$39,350. We believe the auction was very successful in raising over twice the amount of funds than we expected. Approximately 100 people attended.

We wish to thank the County Sheriff's Office, Sheriff Eric Swanson,

and Tina Timmons, as well as Mr. Hal Godwin who organized this first-time event.

[Several Council members made the following suggestions regarding future auctions: (1) allow County employees to participate and (2) accept checks in addition to cash.]

Adminis-
trator's
Report
(continued)

3. National Flood Safety Awareness Week

The week of March 15 through March 19 is NOAA's National Flood Safety Awareness Week. An educational emphasis of this week is on flood insurance. Most homeowners' insurance policies do not cover flood damage. Flood insurance through the National Flood Insurance Program is available from local insurance agents. Also, a link is available on the County's home page, in addition to information on the website at www.floodsmart.gov/noaafloodweek.

4. Sussex County Building Code Department Newsletter

Attached is the first newsletter from the Sussex County Building Code Department. The goal of this newsletter is to keep contractors, designers, and building professionals updated on the building industry and code related items.

We wish to thank Mr. Andy Wright and his staff in the County's Building Code Department for their work in developing and distributing this newsletter.

5. Workshops – Bridge To A New Position

Attached is a schedule regarding workshops being held at the Greenwood Public Library on March 16 and March 23 pertaining to resume writing and consultation help for those who are searching for a new employment position. This workshop series began on March 9 at the Greenwood Library.

6. Airport Committee Meeting

Attached is an agenda for the first meeting of our newly appointed Airport Advisory Committee. This meeting will be held at the West Complex on Tuesday, March 23, at 7:00 p.m. This Committee, as appointed by the County Council, will advise Council on airport related matters.

7. Delaware Department of Transportation – DART Public Hearing Workshop

The Delaware Transit Corporation will hold a workshop on March

22, 2010, from 10:00 a.m. to 1:00 p.m. regarding DART First State para-transit service. The workshop will be held at the Easter Seals building in the second floor conference room, 22317 DuPont Highway, Georgetown. Attached is a copy of the notice.

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

**Software
Consultant
Recommendation**

Gina Jennings, Director of Accounting, reported that, on September 22, 2009, the County Council authorized the issuance of a Request for Proposals for consulting services to provide a business process review and technology needs assessment. Ms. Jennings stated that this project will improve the County's efficiency by performing both functionality and technology assessments. Some of the project goals include the elimination of inefficiencies, the improvement of taxpayer services, the reduction in the number of separate legacy systems, and the improvement of the County's internal controls.

Mrs. Jennings stated that the project went out to bid in February and 15 proposals were received; the Committee reviewed the proposals and have recommended Berry, Dunn, McNeil & Parker from Portland, Maine.

**M 146 10
Authorize
Contract/
Software
Consultant**

A Motion was made by Mr. Vincent, seconded by Mr. Cole, that the Sussex County Council authorizes the execution of a contract with Berry, Dunn, McNeil & Parker for their services to provide business process review and technology needs assessment; the project is not to exceed \$46,271.00.

Motion Adopted: 5 Yeas.

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

**DNREC
Project
Report**

John Ashman, Director of Utility Planning, reported that, on January 29, 2010, Sussex County Engineering Department submitted a total of (18) Notice-of-Intents to DNREC for consideration and ranking for the Clean Water Advisory Council's (CWAC) Project Priority List. In total, there were 56 Notice-of-Intents received from throughout the State. On Wednesday, March 10, 2010, the CWAC held a Public Hearing on their Project Priority List. These are projects requesting to be funded by the Water Pollution Control Revolving Fund. The 18 projects that Sussex County submitted for consideration span over a 5 year period. Projects were ranked on their water quality criteria. For the 2010 Project Priority List (PPL), Sussex County has 5 projects ranked in the top 10, with positions 4 through 7 and position 9. For the 2011 Project Priority List, Sussex County currently has projects ranked 2 through 6), for the 2012 PPL, the County has positions 2-4 and for the 2013 PPL, the County has the number 1 position. These positions can change as the next year's Notice of Intents are submitted. On the Green Project Reserve, the County has

projects ranked in position 17 and 20 for 2010. The Public Hearing was closed, but the public record will remain open until April 10, 2010. The Cleanwater Advisory Council is scheduled to vote on the proposed Project Priority List and Intended Use Plan at their next meeting scheduled for April 28th.

Woodlands of Millsboro Contract Julie Cooper, Project Engineer, presented a Contract Amendment to The Woodlands of Millsboro Sanitary Sewer District Project. This amendment is for the Construction Administration phase of the project.

M 147 10 Authorize Contract Amendment/ The Woodlands of Millsboro SSD A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Council hereby authorizes its President to execute Amendment No. 1 to its Contract with George, Miles & Buhr, LLC, of Seaford, Delaware, for Construction Phase Services for Sussex County Project 09-14, The Woodlands of Millsboro Sanitary Sewer District, Pump Station WOM 330, at a cost not to exceed \$40,000.00.

Motion Adopted: 5 Yeas.

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

Old Business/ C/U The Council discussed Conditional Use No. 1848 filed on behalf of Todd Bariglio.

No. 1848 Mr. Moore stated that there was a letter directed to Mr. Phillips, President, and Mrs. Deaver by the Attorney for the Applicant requesting that Mrs. Deaver voluntarily recuse herself or be disqualified from further participation.

Mrs. Deaver acknowledged receipt of the letter and she noted that it contained four points which she responded to, as follows:

1- Mrs. Deaver attended the Planning and Zoning Commission Public Hearing on September 24, 2009 with the opponents of this application.

Response: “I did attend the Planning and Zoning Commission’s Public Hearing and there is no law against that. It was very important to me because it was for my property only a quarter of a mile from my home. I arrived alone and left alone. I saw my neighbors and I did sit with them. They may or may not have been opponents of the application, depending on what was said there, and they should not have been characterized as such.”

2- Mrs. Deaver has delayed proceedings for purposes that are not permitted under law including post-hearing off-the-record contacts with the

applicant on behalf of herself and for opposition groups.

Response: “I thank the Council for giving me more time to consider my vote on this project. I asked the developer’s agent if I could speak to the developer and I was denied. I did not talk substantially to the developer’s agent and I did not talk to the developer at all after the record was closed.”

Old
Business/
C/U
No. 1848
(continued)

3- Mrs. Deaver has discussed the details of this pending application on a radio program aired on Tuesday, February 2nd, and characterized this project as an eyesore, a comment she later recanted.

Response: “I was asked on this radio show and I said nothing about how I would vote on this project.”

4- Mrs. Deaver’s personal residence is less than a half mile from the proposed site and as a result thereof, she has a personal interest in the outcome of the application.

Response: “There is no law against me voting on an application that is less than one half mile from my home, therefore I am going to vote on this application.”

The Council continued its discussion on Conditional Use No. 1848 filed on behalf of Todd Bariglio.

Lawrence Lank, Director of Planning and Zoning, reported that the Planning and Zoning Commission held a Public Hearing on this application on September 24, 2009 at which time they deferred action; on October 14, 2009, the Commission recommended that the application be approved with the following conditions:

1. The offices shall be limited to business or professional offices. The offices may be used for professional services such as law offices, medical offices, engineering offices and similar professions. The project shall not be occupied by general contractors, contractors, retail operations, or other uses inconsistent with the residential nature of the neighboring properties.
2. Any security lights shall only be installed on the buildings and shall be screened so that they do not shine on any neighboring properties.
3. The project shall be served by central water and sewer.
4. The use shall comply with all DelDOT regulations and requirements.
5. The Applicant shall provide for the perpetual maintenance, repair and replacement, if necessary, of interior drives, parking, buffers, storm water management facilities and other common areas.
6. Hours of operation shall be limited to 7:00 a.m. until 8:00 p.m. Monday through Friday and 8:00 a.m. until 5:00 p.m. on Saturdays.
7. One lighted sign, not to exceed 32 square feet per side shall be permitted.

8. The site plan shall be redesigned so that there is no parking within the front or side yard setbacks.
9. The site plan shall provide a location for future vehicular and pedestrian interconnectivity to adjacent properties.
10. The Final Site Plan shall be subject to the approval of the Planning and Zoning Commission.

(continued) Mrs. Deaver stated that, during the Public Hearing, Mike Riemann, a representative of the Applicant, stated that their hours of operation would be 8:00 a.m. to 5:00 p.m. Monday through Friday.

M 148 10 A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to amend
Amend Condition No. 6 to read as follows: Hours of operation shall be limited to
Condition 7:00 a.m. until 8:00 p.m. Monday through Friday.

Motion Adopted: 3 Yeas, 2 Nays.

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

M 149 10 A Motion was made by Mr. Wilson, seconded by Mr. Cole, to Adopt
Adopt Ordinance No. 2108 entitled “AN ORDINANCE TO GRANT A
Ordinance CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL
No. 2108 RESIDENTIAL DISTRICT FOR BUSINESS AND PROFESSIONAL
(C/U OFFICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND
No. 1848) LYING AND BEING IN LEWES AND REHOBOTH HUNDRED,
SUSSEX COUNTY, CONTAINING 4.711 ACRES, MORE OR LESS”
(Conditional Use No. 1848) filed on behalf of Todd Bariglio, with the
following conditions:

1. The offices shall be limited to business or professional offices. The offices may be used for professional services such as law offices, medical offices, engineering offices and similar professions. The project shall not be occupied by general contractors, contractors, retail operations, or other uses inconsistent with the residential nature of the neighboring properties.
2. Any security lights shall only be installed on the buildings and shall be screened so that they do not shine on any neighboring properties.
3. The project shall be served by central water and sewer.
4. The use shall comply with all DelDOT regulations and requirements.
5. The Applicant shall provide for the perpetual maintenance, repair and replacement, if necessary, of interior drives, parking, buffers, storm water management facilities and other common areas.
6. Hours of operation shall be limited to 7:00 a.m. until 8:00 p.m. Monday through Friday.
7. One lighted sign, not to exceed 32 square feet per side shall be permitted.

8. The site plan shall be redesigned so that there is no parking within the front or side yard setbacks.
9. The site plan shall provide a location for future vehicular and pedestrian interconnectivity to adjacent properties.
10. The Final Site Plan shall be subject to the approval of the Planning and Zoning Commission.

M 149 10 (continued)	Motion Adopted: 3 Yeas, 2 Nays. Vote by Roll Call: Mrs. Deaver, Nay; Mr. Wilson, Yea; Mr. Cole, Nay; Mr. Vincent, Yea; Mr. Phillips, Yea
Requests	Mrs. Webb presented grant requests for the Council's consideration.
M 150 10 Community Grant	A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, to give \$1,000.00 (\$500.00 each from Mr. Vincent's and Mr. Phillips' Community Grant Accounts) to Ducks Unlimited (Nanticoke Chapter) for land conservation. Motion Adopted: 3 Yeas, 1 Nay, 1 Abstention. Vote by Roll Call: Mrs. Deaver, Yea; Mr. Wilson, Nay; Mr. Cole, Yea; Mr. Vincent, Yea; Mr. Phillips, Abstained
M 151 10 Community Grant	A Motion was made Mr. Vincent, seconded by Mrs. Deaver, to give \$500.00 (\$250.00 each from Mr. Vincent's and Mr. Phillips' Community Grant Accounts) to Laurel Youth Sports Basketball for expenses. Motion Adopted: 5 Yeas. Vote by Roll Call: Mrs. Deaver, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea; Mr. Phillips, Yea
M 152 10 Community Grant	A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$1,000.00 (\$500.00 from Mr. Cole's Community Grant Account and \$250.00 each from Mr. Phillips' and Mr. Wilson's Community Grant Accounts) to the Indian River School District for a pre-school arts education program. Motion Adopted: 5 Yeas. Vote by Roll Call: Mrs. Deaver, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea; Mr. Phillips, Yea
M 153 10 Community Grant	A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, to give \$500.00 (\$100.00 from each Community Grant Account) to the Spicer Memorial Tournament to benefit the trust fund established for Aubrey

Spicer (contingent on a 501c3 qualification).

Motion Adopted: 5 Yeas.

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

M 154 10 **A Motion was made by Mr. Cole, seconded by Mr. Vincent, to give \$250.00**
Community **from Mr. Phillips' Community Grant Account to the Dagsboro Church of**
Grant **God for the Community Easter Egg Hunt.**

Motion Adopted: 5 Yeas.

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

M 155 10 **A Motion was made by Mr. Cole, seconded by Mr. Vincent, to give**
Human **\$1,000.00 from Human Service Grants to the March of Dimes for the 2010**
Service **March for Babies event.**
Grants

Motion Adopted: 5 Yeas.

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

M 156 10 **A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, to give**
Community **\$10,000.00 from Mr. Phillips' Community Grant Account to the Town of**
Grant **Fenwick Island for lifeguards.**

Motion Adopted: 5 Yeas.

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

Introduction **Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE**
of Proposed **TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1**
Ordinance **AGRICULTURAL RESIDENTIAL DISTRICT TO PARK/STORE**
 CONSTRUCTION EQUIPMENT AND MATERIALS, AND LIGHT
 DUTY METAL FABRICATION TO BE LOCATED ON A CERTAIN
 PARCEL OF LAND LYING AND BEING IN LITTLE CREEK
 HUNDRED, SUSSEX COUNTY, CONTAINING 2.622 ACRES, MORE
 OR LESS" (Conditional Use No. 1861) filed on behalf of Absher
 Construction, Inc. The Proposed Ordinance will be advertised for Public
 Hearing.

Introduction of Proposed Ordinance **Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO REPLACE 260 MOBILE HOME LOTS WITH 367 SEASONAL RV/CAMPER SITES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 50.81 ACRES OF A 138 ACRE TRACT” (Conditional Use No. 1862) filed on behalf of Nanticoke Shores Associates, LLC. The Proposed Ordinance will be advertised for Public Hearing.**

(continued)

Additional Business **Under Additional Business, H. Parsons of Laurel spoke against the increase in dog license and kennel license fees. Mr. Parsons stated that the County is charging two separate fees, one fee for spayed and neutered dogs and a higher fee for dogs that have not been spayed or neutered. He commented that that this is unconstitutional and cited a Kentucky Court Ruling to support his statement.**

Mr. Parsons was asked to submit a copy of the Kentucky Court Ruling to the County Council.

Under Additional Business, Carole Summers of the League of Women Voters of Sussex County stated that the League observes this day as “Sunshine Day”, reflecting the importance of open government. Ms. Summers reported that, in January 2009, the League organized an Observers Corps of members who have been attending County Council and Planning and Zoning Commission meetings for the purpose of educating themselves about how the system functions and identifying issues on which the League has positions. The reports the observers made were compiled into a document, which is their first annual report and which has been shared with the Council. The report highlights the following areas:

- Courtesy and respect toward the public and among members of the Council or Commission.**
- Communication with the public.**
- First Amendment.**
- Environment and energy conservation.**
- Land use and affordable housing.**

Under Additional Business, Esther Shelton of the League of Women Voters of Sussex County stated that the 2010 Census is here and she expressed the importance of the Census. Ms. Shelton asked for the Council’s help in getting as many as people as possible to fill out the form and she reviewed talking points supporting the Census. Ms. Shelton emphasized that answers provided in the Census are protected by law.

Under Additional Business, David Glass of Georgetown talked about the County’s real estate tax bill collection and due date procedures and he presented a proposal for the Council to consider.

**M 157 10
Recess/
Go Into
Executive
Session** **At 12:10 p.m., a Motion was made by Mr. Cole, seconded by Mr. Vincent, to recess the Regular Session and to go into Executive Session for the purpose of discussing issues relating to personnel, pending/potential litigation and land acquisition.**

Motion Adopted: 5 Yeas.

**M 157 10
(continued)** **Vote by Roll Call: Mrs. Deaver, Yea; Mr. Wilson, Yea;
Mr. Cole, Yea; Mr. Vincent, Yea;
Mr. Phillips, Yea**

**Executive
Session** **At 12:12 p.m., an Executive Session of the Sussex County Council was held 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 1:05 p.m.**

**M 158 10
Reconvene** **At 1:06 p.m., a Motion was made by Mr. Cole, seconded by Mr. Vincent, to come out of Executive Session and to reconvene the Regular Session. Motion Adopted by Voice Vote.**

**Executive
Session
Issues** **Mr. Moore stated that several issues were discussed during Executive Session and that, on the issue of land acquisition, there is a Proposed Motion for the Council to vote on.**

**M 159 10
Authorize
Land
Purchase
Agreement** **A Motion was made by Mr. Vincent, seconded by Mr. Wilson, that the Sussex County Council authorizes a Purchase Agreement for a parcel to be used for a Nanticoke dredging site and open space park, subject to the approval of a grant waiver request to the State of Delaware.**

Motion Adopted: 5 Yeas.

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

**M 160 10
Adjourn** **A Motion was made by Mr. Cole, seconded by Mr. Vincent, to adjourn at 1:07 p.m. Motion Adopted by Voice Vote.**

Respectfully submitted,

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