



Sussex County Council Agendas & Minutes

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 20, 2006

**Call to
Order**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, June 20, 2006 at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Lynn J. Rogers	President
Dale R. Dukes	Vice President
George B. Cole	Member
Finley B. Jones, Jr.	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
James D. Griffin	County Attorney

**M 431 06
Approve
Agenda**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to amend the Agenda by deleting "Tribute honoring Indian River School District Students" and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

**M 432 06
Approve
Minutes**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to approve the minutes of May 9, 2006.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

**M 433 06
Approve
Minutes**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to approve the minutes of May 16, 2006.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

- M 434 06**
Approve
Minutes
M 434 06
(continued)
- A Motion was made by Mr. Dukes, seconded by Mr. Jones, to approve the minutes of May 23, 2006.
- Motion Adopted:** 5 Yea.
- Vote by Roll Call:** Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea
- Corre-**
spondence
- Mr. Griffin read the following correspondence:
- THE ODYSSEY OF THE MIND 2006 STATE AND WORLD CHAMPION TEAM, INDIAN RIVER SCHOOL DISTRICT.**
RE: Letter in appreciation of the Council's contribution.
- Adminis-**
trator's
Report
- Mr. Stickels read the following information in his Administrator's Report:
1. **Beneficial Acceptance**
- The Engineering Department granted Beneficial Acceptance to Sandbar Village at Nassau Bridge, Agreement No. 399, on June 12, 2006. The developer is Holiday Park, L.L.C., and the project is located on the southbound lane of Route 1, just south of the Nassau Bridge, in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, consisting of nine townhouse buildings, a commercial site, and swimming pool. Included with this report is a fact sheet on the project.
- M 435 06**
Adopt
Resolution/
Captain
John Smith
Chesapeake
National
Historic
Trail
- A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt the Resolution entitled "PLEDGING SUPPORT FOR THE ESTABLISHMENT OF THE CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL".
- Motion Adopted:** 5 Yea.
- Vote by Roll Call:** Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea
- Distribute**
Certified
Copies of
Resolution
- A certified copy of this Resolution shall be forwarded to United States Senator Joseph R. Biden, Jr., United States Senator Thomas R. Carper, United States Congressman Michael N. Castle, Governor of the State of Delaware Ruth Ann Minner, and the Director of the National Park Service.
- Wastewater**
Agreement
- Mr. Godwin presented a wastewater agreement for the Council's consideration.
- M 436 06**
Approve
- A Motion was made by Mr. Jones, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, for Sussex

Wastewater Agreement M 436 06 (continued) County Project No. 81-04, Agreement No. 560, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Tunnell Cancer Center, for wastewater facilities to be constructed in Tunnell Cancer Center, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

**Public Hearing/
Annual
Operating
Budget
for
Fiscal
Year
2007**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2007”.

Mr. Stickels, Mr. Baker and Mrs Webb (Director of Accounting) presented the Proposed Fiscal 2007 Budget.

Mr. Stickels stated that the theme of this year’s budget is “The Next Generation” for several reasons: this is his 19th and final budget presentation; the Council will be naming his replacement for the position of County Administrator; and there are fifteen (15) key senior management employees who are eligible to retire within the next two years.

Mr. Stickels stated that the Budget Committee focused on three things in preparing the Fiscal 2007 Budget:

- the longevity of the staff and retirement of key employees
- building expansion projects (the budget includes a new 40,000 square foot building to be constructed on West Pine Street for the purpose of housing the Engineering Department and a records retention center)
- energy costs inflation (which will affect the County’s utility rates, Streetlighting districts, and sewer and water districts)

Mr. Stickels announced that the Proposed Budget does not include an increase in property taxes. He noted that Sussex County’s budget is not set up on property taxes; that property taxes are the County’s fourth income source; and that the County sets up its budget based on user fees. He explained that the Realty Transfer Tax is one of the user fees. He pointed out that the Proposed Budget includes fee increases in the Sheriff’s Department and the Planning and Zoning Department. A review of the fees charged by the Clerk of the Peace is planned to make that department more cost effective.

Mr. Stickels reported that the Fiscal Year 2007 Budget totals \$140,134,857 and includes the following:

**Public
Hearing/
Annual
Operating
Budget
for
Fiscal
Year
2007
(continued)**

- **General Fund - \$57,114,630**
- **Capital Improvement Fund - \$19,686,337**
- **Community Development - \$1,266,000**
- **Sewer and Water Districts - \$32,011,890**
- **Capital Projects - \$30,056,000 (this amount does not include \$14,862,350 for costs that are included in the other budgets)**

Mr. Stickels reported that the Proposed Budget recommends a Rainy Day Fund in the amount of \$13.9 million, which is 25.2 percent of General Fund expenditures. Mr. Stickels noted that the County does not have any General Fund debt that is based on property tax.

Mr. Stickels reported that the County's largest source of income comes from the Realty Transfer Tax (36.76 percent). Other major sources of funding are: Fees and Services (17.03 percent), Appropriated Surplus (15.12 percent) and Property Taxes (14.35 percent – only \$11 million of the total budget).

Mr. Stickels reported that the largest expenditures are: Paramedic Program (15.8 percent), Property Acquisition and Building Expansion (12.81 percent), and Finance and Data Processing (10.88 percent).

Susan Webb, Director of Accounting, reviewed personnel benefits. The Budget Committee is recommending that all employees receive an across-the board \$500.00 increase, plus a three and one-half percent cost of living increase effective July 1, 2006. The Budget Committee is also recommending that elected officials receive a three and one-half percent cost of living increase and retirees a one and one-half percent cost of living increase. A 25 percent increase to the pension fund is also being recommended.

Mrs. Webb reviewed the Public Safety budget, which is 36 percent of the General Fund budget - \$21 million – a 20 percent increase over last year. This budget includes funding for the fire service, additional paramedic units and paramedic supervisors, State Police subsidy (funding for 32 additional state police), ambulance service, emergency preparedness (new Emergency Operations 911 Center and Enhanced PSAP), and the continuation of the Revenue Sharing for Local Law Enforcement Program (\$25,000 for each municipality for capital expenditures).

Mrs. Webb presented a listing of projects that will be funded by the Appropriated Reserve Budget (June 30, 2005 excess of revenues over expenditures), if approved:

- **Airport Clear Zone Project - \$1,546,337**
- **Community Improvement Grants - \$150,000**
- **Housing Assistance Programs - \$150,000**

**Public
Hearing/
Annual
Operating
Budget
for
Fiscal
Year
2007
(continued)**

- **Property Acquisition Program - \$2,500,000**
- **Open Space Land Trust & Agriculture Preservation Funding - \$1,480,371**
- **Pension Fund Contributions - \$1,500,000**
- **Revenue Sharing for Local Law Enforcement - \$500,000**
- **Suburban Road Project – Holly Oak - \$300,000**
- **Sewer Project Grants - \$2,000,000**
- **Sewer – Wireless Technology Improvements - \$171,000**
- **Sewer – SCADA Panels at Towers - \$18,000**
- **Public Safety – Fire Sirens - \$75,000**
- **State Police – Additional Troopers - \$1,413,000**

Total - \$11,803,708

Mr. Baker reviewed the Non-Sewer and Water Capital Improvement Budget, which totals \$19,686,337. He stated that it is funded by \$13.4 million of Realty Transfer Tax revenues (approximately 68 percent of this budget). Some of the projects include:

- **County Airport Projects**
- **Water and Fire System at the Industrial Park and Airport**
- **Property Acquisition**
- **Library Expansion**
- **Administrative Building Annex – Phase I**

Mr. Baker reviewed the 5-Year Capital Improvements Plan totaling \$246,677,850. He noted that approximately 70 percent of this funding is for sewer projects, including the Millville, South Ocean View and Angola expansions; also included is the Administrative Annex Building and the Emergency Operations Center.

Mr. Baker reviewed the “Budget Realities”:

- **Fuel cost increases (78 percent increase)**
- **Delmarva Power increases (94 percent increase)**
- **5-Year Capital Plan (\$246,677,850)**
- **Phase 1 of Administrative Annex Building – a \$15 million facility (including Records Retention Center)**
- **No tax increase**
- **2.16 percent budget increase**
- **15 members of senior management are eligible to retire in FY 07**
- **40 percent of Department Heads are eligible to retire in FY in 2007**
- **Sussex County has 103 paramedics**
- **Contribution to the Delaware State Police - \$1,413,000 for FY 2007**
- **Sussex County Volunteer Firemen’s Association - \$3.7 million**
- **Paid ambulance attendants portion - \$1.5 million (42 percent increase)**

**Public
Hearing/
Annual
Operating
Budget
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Fiscal
Year
2007
(continued)**

Mr. Stickels stated that the Budget Committee has been made aware of the requests of several groups requesting funding which were not included in the Budget. He explained that the County cannot fund everyone's request and that some of the requests exceed the County's capabilities. A list of these requests was distributed to the Council. Mr. Stickels advised that the General Assembly has cut back on a lot of funding through their Grant-In-Aid Program. Mr. Stickels reported that the General Assembly is still in session and three Bills that would affect the County are still pending: one Bill would take \$18 million from the County to go to Open Space; one Bill would take \$1.3 million from the County for DART transportation on Sunday; and one Bill (that has been delayed until next year) would cost the County in excess of \$300,000 for animal control. For this reason, the County is hesitant to fund requests that have not been funded before. He noted, however, that the agencies have been given the opportunity to attend the Public Hearing and present their requests for funding for the Council's consideration.

Mr. Rogers stated that testimony would be heard; however, the Council would wait until the actions of the General Assembly are finalized.

Public comments were heard.

- Bernice Edwards, Executive Director, First State Community Action Agency – requesting \$75,000 to improve three low income communities.
- Marcia Dewitt, Rehoboth Art League – requesting \$50,000 to partner with the League for The Homestead restoration project.
- Mable Granke and Roxie Sturgis, West Rehoboth Community Land Trust – requesting \$25,000 to help fund closing costs on a loan to purchase a double lot in West Rehoboth.
- John Culp and Ken Bock of CHEER – requesting \$109,000 for rising transportation costs, \$60,000 for increased efficiency and transport capacity, \$40,000 for on-going transportation services, and funding for a \$2 million capital program for Greenwood.
- Dan Costello of Preservation Delaware – requesting that the County hire another Historic Preservation Planner.
- Mimi Dupont of Delaware Tech (Owens Campus) – requesting \$20,000 towards the completion of their Agricultural Education Center.
- Bill McGowan, University of Delaware, Research and Education Center, requesting a \$25,000 in funding to partially support the salary of a Safety Agent, which was originally funded by Federal and State funding.
- Kevin Gilmore of Sussex County Habitat for Humanity – requesting \$50,000 for construction materials for one Habitat house.

**Public
Hearing/
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(continued)**

- **Deb Schiffer of Interfaith Mission – requesting \$100,000 for the development of single-family homes.**
- **Marlena Gibson, Diamond State Community Land Trust – requesting \$102,000 to provide capital for affordable housing projects and for operating expenses.**
- **Walt Reynolds, President of the Sussex County Firemens Association – thanking the Council for its continued support.**
- **Helena Gibbs of Delmarva Clergy United in Social Action, Inc. in Ellendale – requesting \$25,000 for general operational expenditures for programs to increase literacy, decrease child abuse and juvenile crime, to provide teen counseling, to offer a 3-day per week soup kitchen, to offer GED classes, etc.**
- **Andre' Beaumont of Primeros Pasos, Inc. – requesting \$25,000 to provide childcare for low income families in Georgetown.**
- **George Parish, Clerk of the Peace – thanking the Budget Committee for embracing their recommendation of establishing a fee schedule; stating that they are the only County in the State that does not have a fee schedule for services rendered; and that a proper ordinance is needed.**
- **Dan Kramer of Greenwood – commenting on the number of funding requests the Council receives and asking the Council to be cautious because someday the funds will empty out.**

The Public Hearing was closed.

**Public
Hearing/
Assessment
Rolls for
Sanitary
Sewer and
Water
Districts**

A Public Hearing was held on the Assessment Rolls for all Sussex County Sanitary Sewer and Water Districts. Mr. Baker stated that the assessment rolls reflect the County's billing records for EDUs and billable front footage for each sewer and water district account. These records have been made available for public inspection in the Utility Billing Office for review and they are subject to individual appeals via the Assessment Review Board.

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

**Public
Hearing/
Proposed
Ordinance
for Sanitary
Sewer and
Water
District
Rates**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS".

Mr. Baker distributed and reviewed several charts and handouts. He explained that the proposed \$32 million sewer and water budget includes a recommended increase in (1) sewer connection charges which are one-time fees for hook-ups and (2) service charges for operations and maintenance costs. Major increases in electricity and fuel costs are part of the reason for the recommended service charge increase. The sewer and water budget does include \$2.7 million in Realty Transfer Tax money to help maintain the

**Public
Hearing/
Proposed
Ordinance
for Sanitary
Sewer and
Water
District
Rates
(continued)**

rates at the recommended levels. The Engineering Department is working on different areas to provide sewer, i.e. Pinetown, South Ocean View, Millville, Johnsons Corner, Miller Creek and Angola. Mr. Baker stated that the County has been very aggressive in providing sewer service throughout the County. In 1988, there were 13,000 EDUs in the County sewer districts; in Fiscal Year 2007, there will be 54,000, a 314 percent increase (17 percent annually).

Mr. Baker reviewed information relating to electric rate increases projected by Delmarva Power. The major increases in electric were reflected in the major facility users of electric – the South Coastal Regional Treatment Facility and the West Rehoboth/Wolfe Neck Treatment Facility (and the County Administrative Office Building). The electricity rates for these three facilities is expected to increase \$280,000 next year.

Mr. Baker reviewed the average sewer and water bills in each district, which are based on an average front footage by district. He stated that 87 percent of the sewer EDUs increased approximately \$1.55 per month or less; the highest increase was in Henlopen Acres District at \$3.26 per month. Mr. Baker noted that the recommended increases are mostly due rising electric and fuel costs and major maintenance costs since many districts are aging; some of the districts are close to thirty years old.

Mr. Baker reviewed the proposed connection charges, which are one-time fees that are charged to new users of the sewer districts. Many of the connection charges are increasing five percent, which reflects inflationary costs. The sewer districts that are served by the South Coastal Regional Wastewater Facilities are proposed to increase an additional \$442.00 due to major improvements that will be needed in the near future.

Public comments were heard.

Willie Coffey, a resident in the North Bethany expansion area, stated that their distribution rate is \$11.99 per front foot; that most of the residents are part-time residents; that their rate is almost 17 times higher than some of the rates just a few miles down the street; that their rates are the highest in the County; that his sewer bill totals over \$1,400 per year; that the average rate in the County is \$3.39; and that the rates in the North Bethany area are unfair and inequitable.

Mr. Stickels told Mr. Coffey that he would be willing to schedule a meeting so that the history of the district and the rates could be explained.

Ed Schimler, a resident of The Greens, stated that he was present to talk about wastewater program equitable cost sharing. He stated that he would address the inequities in the front footage assessment, with hopes that the County could make some adjustments or modifications. He referred to three problems:

**Public
Hearing/
Proposed
Ordinance
for Sanitary
Sewer and
Water
Districts
(continued)**

- **Sussex County’s continued use of front footage for assessments produces inequitable user fees.**
- **Inappropriate charges (assessments) for capital cost of new sewer mains in The Greens – Holt’s Landing Sewer District.**
- **Lack of accountability for actual costs and assessments to extend Holt’s Landing Sewer District to include The Greens.**

Mr. Schimler detailed each “problem” and presented recommended solutions.

Mr. Schimler stated that he has in the past been denied the opportunity to meet with the Engineering Department personnel regarding his concerns and that one time, it took 10 1/2 months to receive a response to his correspondence.

Mr. Rogers and Mr. Stickels promised Mr. Schimler that he would be given the opportunity to meet with Mr. Archut, Assistant County Engineer, and others in the Engineering Department.

Dan Kramer of Greenwood stated that sewer district users should not be subsidized and that sewer treatment plants put out a lot of pollution.

The Public Hearing was closed.

**M 437 06
Adopt
Ordinance
No. 1853**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt Ordinance No. 1853 entitled “AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2007”, including tax rates, Firemen’s Enhancement Funding Program, and the Cluster Fee for density bonus, which remain the same, and that all un-funded grant requests be tabled until the General Assembly concludes their legislative session (July 1, 2006).

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

**M 438 06
Adopt
Assessment
Rolls**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, based on the recommendations of the County Engineer and County Finance Director and for the reasons stated during the Public Hearing, that the Sussex County Council hereby adopts the assessment rolls for all Sussex County Sanitary Sewer and Water Districts for the period July 1, 2006 through June 30, 2007.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;**

Mr. Rogers, Yea

M 439 07

**Adopt
Ordinance
No. 1854**

A Motion was made by Mr. Jones, seconded by Mr. Cole, to Adopt Ordinance No. 1854 entitled “AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS”.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

Mr. Cole stated that he would vote “Yea”; however, he wanted to note that he agrees with those who have concerns about the inequitable rates and that a unit pricing system would be fair to the users and it would be easier to manage for the County’s staff.

**Deferral of
Agenda
Item**

Mr. Phillips asked that the next agenda item be deferred for one week – “Old Business: Change of Zone No. 1607 and Conditional Use No. 1678 – Marine Farm, LLC”. He stated that he missed the Public Hearings on the Marine Farm applications and that he plans to listen to the taped proceedings of the Public Hearings and to review the record.

M 440 06

**Defer
Action on
C/U
No. 1678**

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to defer action for one week on Change of Zone No. 1607 and Conditional Use No. 1678, filed on behalf of Marine Farm, LLC.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

**Discussion/
Marine
Farm
Applications**

In regards to the Marine Farm applications, Mr. Jones referred to the acreage where the horse farm is proposed and he questioned the approval of the first application and whether anything could be built there.

Mr. Griffin responded that his recollection was that the condition was that there could not be twenty lots put there; that he did not think the condition stated that it could never be built upon or that it be perpetually dedicated to open space.

Mr. Lank, Director of Planning and Zoning, responded that the first condition of approval of Ordinance No. 1770 stated that “The maximum

**Discussion/
(continued)**

number of dwelling units shall not exceed 630 of which at least 432 shall be located on single family lots. The 20 lots with roadway connection to Jimtown Road shall be eliminated. The roadway connection to Jimtown Road shall be also eliminated.”

Mr. Griffin and Mr. Lank clarified that this meant that the development could not have a second entrance on that road; that there would be no connector road on Jimtown Road for the Marine Farm project; and that the twenty homes were to be eliminated.

**Additional
Business/
Legislative
Report**

Under *Additional Business*, Mr. Godwin, Administrative Assistant, advised that there was an urgent issue in the State House. He reported that, on this date, at 1:45 p.m., the Housing and Community Affairs Committee would be holding a hearing on House Bill No. 506 in the House Majority Caucus Room. This Bill mandates that the County direct a portion of its funds received from Realty Transfer Tax revenues to Open Space and/or Farmland Preservation. Mr. Godwin stated that he would like to attend the hearing to represent the County’s interests, which is that the County does not want the State dictating what the County does with its Realty Transfer Tax revenues. It was the consensus of the Council to oppose this legislation.

Mr. Godwin presented House Bill Nos. 458 and 459, which were introduced by Representative Schwartzkopf and directed at defining the duties and powers of the Sheriff. He stated that they are not going to be worked unless the Council directs that to the sponsor in some form of resolution. Mr. Griffin stated that the two Bills remove any language that suggests the possibility in Delaware Law that the Sheriff has law enforcement responsibilities. It was the consensus of the Council to support this legislation.

Dan Kramer of Greenwood stated that the Council should take the Sheriff’s money away and shut him down.

**M 441 06
Go Into
Executive
Session**

At 1:02 p.m., a Motion was made by Mr. Dukes, seconded by Mr. Jones, to go into Executive Session for the purpose of discussing pending litigation and personnel.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

**Executive
Session**

An Executive Session of the Sussex County Council was held at 1:03 p.m. in the Caucus Room of the Council Chambers for the purpose of discussion pending litigation and personnel. The Executive Session concluded at 1:20 p.m.

M 442 06

At 1:21 p.m., a Motion was made by Mr. Jones, seconded Mr. Phillips, to come out of Executive Session and reconvene the Regular Session.

M 442 06
(continued)

Motion Adopted: 5 Yea.
Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

M 443 06
Appoint
County
Adminis-
trator

A Motion was made by Mr. Cole, seconded by Mr. Jones, that the Sussex County Council appoints David B. Baker as County Administrator, effective November 1, 2006, for the remainder of his current term as Director of Finance, which renewed on February 11, 2006 for a term of three years ending on February 11, 2009, at an annual salary of \$110,544.00, beginning November 1, 2006, for the remainder of Fiscal Year 2007; if he terminates prior to the end of this term, he shall provide six months written notice of his intent to terminate his employment.

Motion Adopted: 5 Yea.

**Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea**

M 444 06
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Jones, to adjourn at 1:35 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,

Robin A. Griffith
Clerk of the Council