



SUSSEX COUNTY COUNCIL

MINUTES

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 24, 2012

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 24, 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 389 12
Amend
and
Approve
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to amend the Agenda by deleting "Executive Session - Job Applicants' Qualifications, Personnel, Pending/Potential Litigation, and Land Acquisition" and "Possible Action on Executive Session Items"; 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

Minutes

The minutes of July 17, 2012 were approved by consent.

**Food
Bank of
Delaware**

Mr. Lawson announced the Council's financial support of the Food Bank of Delaware's capital campaign. Funding will be used for a \$2.8 million expansion of the Food Bank's Milford facility which will increase their warehouse space, construct a culinary school and provide backpacks to

**Food
Bank of
Delaware
(continued)**

needy school children.

Patricia Beebe, President and CEO of the Food Bank of Delaware, announced a September 17th groundbreaking of the Food Bank of Delaware's Milford Branch expansion project. Mrs. Beebe introduced Chad Robinson who was recently hired as the Branch Manager of the Food Bank's Milford facility.

The Council presented a check to the Food Bank of Delaware in the amount of \$25,000.

**Adminis-
trator's
Report**

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

1. **DelDOT 2013-2018 Capital Transportation Program**

Sussex County residents are reminded to submit their comments for the upcoming 2013-2018 Capital Transportation Program request by this Friday, July 27th. Residents and property owners with ideas for improving the local transportation network and other related infrastructure can go on the County's website to submit their suggestions. The Administration will review all suggestions and compile a draft report for the County Council's consideration in late August before submitting it to DelDOT in September.

Mrs. Deaver questioned if there was any news on the Metropolitan Planning Organization's (MPO) idea for Sussex County. Mr. Lawson responded that he has met with DelDOT officials regarding this item and he reported that DelDOT is reaching out to federal officials to get more information as to the process and the decisions behind the MPO's expansion. He stated that he has asked DelDOT, once they have obtained this information, to make a presentation to the Council.

Mr. Cole referenced the Council's future presentation to DelDOT regarding the Capital Transportation Program and he commented on the locations of the DART bus stops, i.e. on road sides, along Coastal highway, etc.

**Wastewater
Agreement**

Mr. Godwin presented wastewater agreements for the Council's consideration.

**M 390 12
Approve
Wastewater
Agreement/
The
Woods at**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 889, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Bay Twenty, LLC, for wastewater facilities to be constructed in The Woods at Johnson's

Johnson's Corner **Corner, A/K/A Fenwick Hamlet, A/K/A Fox Haven, Phase 1, located in the Johnson's Corner 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 391 12 **A Motion was made by Mr. Cole, seconded by Mr. Phillips, based upon the**
Approve **recommendation of the Sussex County Engineering Department, for Sussex**
Wastewater **County Project No. 81-04, Agreement No. 634-1, that the Sussex County**
Agreement/ **Council execute a Construction Administration and Construction**
Waters **Inspection Agreement between Sussex County Council and Waters Run**
Run **Development Group, LLC, for wastewater facilities to be constructed in**
 Waters Run – Phase 1B, located in the Fenwick Island 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**

Proposed **Patti Deptula, Director of Special Projects, reported on the Proposed**
Lochwood **Lochwood Chapter 96, Sussex Community Improvement (SCI) Project.**
Chapter 96 **Mrs. Deptula reported that, on May 15, 2012, the Council approved a**
Sussex **Resolution establishing a date, time, place and judge for an election to**
Community **consider the project. The Resolution also approved an estimated annual**
Improve- **assessment of \$324.43 per buildable property for a 15 year time period. On**
ment **June 28, 2012, the election was held and the vote was certified as favorable**
Project **to proceed with the project with ninety-six (96) Yes votes cast and forty-one**
 (41) No votes cast out of a total of 244 possible votes. Construction is
 planned for the Spring of 2013.

M 392 12 **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt**
Adopt **Resolution No. R 013 12 entitled "A RESOLUTION AUTHORIZING THE**
R 013 12 **SUSSEX COUNTY ENGINEER TO PERFORM IMPROVEMENTS AND**
 THE SUSSEX COUNTY ENGINEER AND FINANCE DIRECTOR TO
 DETERMINE A UNIFORM ASSESSMENT RATE FOR BILLING UPON
 SUBSTANTIAL COMPLETION OF THE IMPROVEMENTS FOR THE
 LOCHWOOD 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**

**Old
Business/
C/U
No. 1930**

The Council discussed Conditional Use No. 1930 filed on behalf of Penn Central, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on May 10, 2012 at which time action was deferred. On May 31, 2012, the Commission deferred action again. On June 21, 2012, the Commission recommended that the application be approved with the following conditions:

- 1. No more than 3 units shall be constructed upon the property.**
- 2. This recommendation for no more than 3 units is also contingent upon the approval of that number of units from the Sussex County Board of Adjustment. Such a variance is not required if only two units are constructed.**
- 3. The development shall be served as part of a Sussex County Sanitary Sewer District, and the developer shall comply with all County Engineering Department requirements for connections and possible upgrades to the system necessary for service to these units.**
- 4. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur during the hours between 8 a.m. and 6 p.m., Monday through Saturday.**
- 5. The units shall be served by central water.**
- 6. All entrances shall be designed and completed in accordance with DelDOT regulations.**
- 7. The Final Site Plan shall include a landscape plan. The large pine trees along the southern boundary of the property shall be depicted on the Final Site Plan and retained on the site.**
- 8. The Final Site Plan shall identify all parking areas and spaces for the multi-family units.**
- 9. The Final Site Plan shall be subject to approval of the Planning and Zoning Commission.**

**M 393 12
Adopt
Ordinance
No. 2272
(C/U
No. 1930)**

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to Adopt Ordinance No. 2272 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (3 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 8,030 SQUARE FEET, MORE OR LESS" (Conditional Use

**M 393 12
Adopt
Ordinance
No. 2272
(C/U
No. 1930)
(continued)**

No. 1930 filed on behalf of Penn Central, LLC, with the following conditions:

- 1. No more than 3 units shall be constructed upon the property.**
- 2. This recommendation for no more than 3 units is also contingent upon the approval of that number of units from the Sussex County Board of Adjustment. Such a variance is not required if only two units are constructed.**
- 3. The development shall be served as part of a Sussex County Sanitary Sewer District, and the developer shall comply with all County Engineering Department requirements for connections and possible upgrades to the system necessary for service to these units.**
- 4. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur during the hours between 8 a.m. and 6 p.m., Monday through Saturday.**
- 5. The units shall be served by central water.**
- 6. All entrances shall be designed and completed in accordance with DelDOT regulations.**
- 7. The Final Site Plan shall include a landscape plan. The large pine trees along the southern boundary of the property shall be depicted on the Final Site Plan and retained on the site.**
- 8. The Final Site Plan shall identify all parking areas and spaces for the multi-family units.**
- 9. The Final Site Plan shall be subject to approval of the Planning and Zoning Commission.**

Motion Adopted: 3 Yeas, 1 Nay, 1 Abstention.

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

**Beebe
Medical
Center
Update
and
Vision**

Jeffrey Fried, President & CEO of Beebe Medical Center was in attendance to provide an update on the Medical Center and the hospital's vision for Sussex County. Mr. Fried shared thoughts and plans as to where they see healthcare going in the area and some of the opportunities they have already identified. Mr. Fried stated that the existing healthcare system is not sustainable the way it is currently structured and that Beebe has some alternatives identified that will help provide better care in a more cost effective way, i.e. alternatives to traditional hospital care. Mr. Fried stated that one of the big challenges in the County is the availability of doctors, particularly primary care doctors, and Beebe is working very hard to recruit not only more primary care doctors, but also mid-level providers, nurse practitioners, and physician assistants. Mr. Fried also reported that Beebe has had some major expansions over the years (Route 24 and

Beebe Medical Center Update and Vision (continued)	<p>Millville, Ocean View areas), and they are concentrating now on the Route 113 corridor; Beebe has some plans that are in process for expanding their services in Millsboro and Georgetown. Alex Sydnor, Vice President for External Affairs, presented information on Beebe's plans to expand services in the Georgetown and Millsboro area.</p> <p>Mr. Fried announced that Beebe Medical Center is working with the other two hospitals in Sussex County to combat health problems in the area. The three hospitals announced their "Healthier Sussex" initiative on Wednesday, July 18th; the initial focus of this initiative is on diabetes and breast cancer.</p>
Grant Requests	<p>Mrs. Webb presented grant requests for the Council's consideration.</p>
M 394 12 Councilmanic Grant	<p>A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to give \$3,000 from Mr. Vincent's Councilmanic Grant Account to the Seaford Historical Society for project costs.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
M 395 12 Councilmanic Grant	<p>A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to Making Strides Against Breast Cancer, an event to be held in Georgetown to benefit the American Cancer Society.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
M 396 12 Councilmanic Grant	<p>A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to give \$3,000 from Mrs. Deaver's Councilmanic Grant Account to the Lewes Fire Department for the purchase and equipping of a Traffic Control Unit.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>

M 397 12 Councilmanic Grant **A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to give \$10,000 (\$5,000 each from Mr. Wilson's and Mrs. Deaver's Councilmanic Grant Accounts) to the Ellendale Volunteer Fire Company for costs associated with a new well.**

Motion Adopted: 5 Yeas.

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

M 398 12 Councilmanic Grant **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$2,500 (\$500 from each Councilmanic Grant Account) to the Nanticoke Indian Association to sponsor the annual Powwow.**

Motion Adopted: 3 Yeas, 2 Nays.

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

M 399 12 Grant **A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$500 from Mrs. Deaver's Councilmanic Grant Account to the Milton Historical Society for the Auction & Garden Party fundraiser.**

Motion Adopted: 5 Yeas.

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

M 400 12 Councilmanic Grant **A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$1,000 from Mrs. Deaver's Councilmanic Grant Account to the Overfalls Foundation for printing/publishing costs.**

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 referenced the presentation by Jeffrey Fried of Beebe Medical Center and comments regarding expanding services and locations and he questioned why the doctors in this area refer patients to other doctors and hospitals.**

Under Additional Business, Mr. Cole suggested that the County

Administrator look into the possibility of holding Council meetings every other week.

**M 401 12
Adjourn**

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to adjourn at 11:02 a.m.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

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

