



*Sussex County Council
Agendas & Minutes*

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 17, 2005

Call to Order The regular meeting of the Sussex County Council was held Tuesday, May 17, 2005 at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

M 313 05 Approve Agenda A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to amend the Agenda by (1) deleting "Bridle Ridge" under "Wastewater Agreements", (2) by adding "Request for Executive Session" and "Executive Session – Pending Litigation" at the end of the Agenda, and to approve the Agenda, as amended.

Motion Adopted: **5 Yea.**

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

M 314 05 Approve Minutes A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to approve the minutes of May 3, 2005.

Motion Adopted: **5 Yea.**

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

Wastewater Agreement Mr. Stickels reviewed a Wastewater Agreement for the construction of wastewater facilities in Henlopen Landing – Phase III located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 315 05 Execute Wastewater Agreement	<p>A Motion was made by Mr. Dukes, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 517, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Bridle Ridge Properties, L.L.C., for wastewater facilities to be constructed in Henlopen Landing – Phase III, located in the West Rehoboth Sanitary Sewer District.</p> <p>Motion Adopted: 5 Yea.</p>
M 315 05 (continued)	<p>Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Rogers, Yea; Mr. Jones, Yea</p>
Administrator's Report	<p>Mr. Stickels read the following information in his Administrator's Report:</p> <p>1. <u>Beneficial Acceptance</u></p> <p>The Sussex County Engineering Department has granted Beneficial Acceptance to Long Neck Shores, Sussex County Project No. 81-04, Agreement No. 296 – Phase I. The developer is Dyer McCrea Ventures, L.L.C., and the project is located in the Long Neck Sanitary Sewer District, consisting of single-family and age-restricted dwellings. Included with this report is a fact sheet on the project.</p>
Budget Presentation	<p>Mr. Stickels presented the Proposed Annual Operating Budget for Fiscal Year 2006 and the accompanying budget letter. A power point presentation provided a comprehensive overview of the proposed budget.</p> <p>Mr. Stickels encouraged the members of the County Council to review the Proposed Annual Operating Budget carefully prior to the Public Hearing scheduled for June 14, 2005.</p>
Introduction of Proposed Ordinance	<p>Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2006". The Proposed Ordinance will be advertised for Public Hearing on June 14, 2005.</p>
Introduction of Proposed Ordinance	<p>Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE 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". The Proposed Ordinance will be advertised for Public Hearing on June 14, 2005.</p>
Public Comments	<p>Dan Kramer addressed the Council and referred to a comment made by the County Attorney at the May 10th County Council meeting regarding</p>

County laws and State laws as they relate to an application for a conditional use when no business license has been obtained.

M 316 05	A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to authorize an Executive Session for the purpose of discussing pending litigation and to go into Executive Session at 11:22 a.m.
M 316 05 (continued)	Motion Adopted: 5 Yea.
	Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Rogers, Yea; Mr. Jones, Yea
Executive Session	An Executive Session of the Sussex County Council was held beginning at 11:24 a.m. in the Caucus Room of the Sussex County Council Chambers for the purpose of discussion pending litigation.
M 317 05 End Executive Session and Reconvene Regular Session	At 11:46 a.m., a Motion was made by Mr. Dukes, seconded by Mr. Phillips, to come out of Executive Session and reconvene the Regular Session.
	Motion Adopted: 5 Yea.
	Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Rogers, Yea; Mr. Jones, Yea
M 318 05 Adjourn	A Motion was made by Mr. Cole, seconded by Mr. Dukes, to adjourn at 11:47 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,

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