SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 5, 2011

Call to Order

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, April 5, 2011, 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**
David Baker	**County Administrator**
Susan M. Webb	**Finance Director**
J. Everett Moore	**County Attorney**

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

Mr. Vincent called the meeting to order.

M 192 11 Amend and Approve Agenda

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to amend the Agenda by deleting "Executive Session – Job Applicants' Qualifications, Personnel, Pending/Potential Litigation, and Land Acquisition pursuant to 29 Del. C. §10004(b)" 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 March 22, 2011 were approved by consent.

Corre-spondence

Mr. Moore read the following correspondence:

SALLY HOYER.
RE: Letter to Community Development for repairs made to her mobile home.

EVE ALDRED, M.D., STEERING COMMITTEE CO-CHAIR, SUSSEX

COUNTY SCIENCE FAIR, CAPE HENLOPEN SCHOOL DISTRICT, LEWES, DELAWARE.
RE: Letter in appreciation of the Council's support of the 19th annual Sussex County Science Fair.

Procla-mation

The Council presented to Carol Fitzgerald, County Librarian, the Proclamation entitled "PROCLAIMING THE WEEK OF APRIL 10 – 16, 2011 AS *NATIONAL LIBRARY WEEK*".

Bayhealth Report

Terry Murphy, Chief Executive Officer of Bayhealth Medical Center, presented an overview of the Bayhealth organization and facilities plan, which includes the replacement of the Milford Memorial Hospital. Bayhealth Medical Center facilities include Milford Memorial Hospital and Kent General Hospital.

City of Seaford Loan Agreement/ Amend-ment Request

Mr. Baker reported that, on April 5, 2007, the Council entered into a loan agreement with the City of Seaford to provide a $250,000 Economic Development Stimulus Loan. The loan was for one percent over a period of 10 years. The full faith and credit of the City of Seaford secures this loan. The purpose of this loan was to fund improvements to the Seaford Sports Complex Project. The City of Seaford also entered into an agreement with the Sussex County Sports Foundation regarding this project. Since that time, three annual payments were made in 2008, 2009, and 2010. Mr. Baker advised that the City of Seaford and the Sussex County Sports Foundation have requested a change in the terms of the loan. They are recommending this change due to the current difficult economic conditions whereby the project has not proven to be self-sustaining. The City of Seaford has requested that the terms of the loan be changed so that the balance of $177,594 is paid over 15 years versus the remaining 7 as per the current agreement. They have also requested that the one percent interest be reduced to zero percent. The loan will remain a debt of the City of Seaford. The City of Seaford is also requesting that the payments be made monthly versus annually. Thus, the total monthly payments due from the City of Seaford will be $986.63 or $11,839.61 annually for 15 years. This compares to the current annual payment due of $26,395.55 for the remaining 7 years.

Mr. Cole commented on the reduction to a 0% interest rate and he suggested that the City be required to pay any legal costs associated with the amendment of the documents.

M 193 11 Approve Amend-ments to City of Seaford Loan Agreement

A Motion was made by Mr. Wilson, seconded by Mr. Cole, to approve the amendments to the Seaford Loan Agreement, as presented, contingent on the City of Seaford paying the legal fees to have the documents amended.

Motion Adopted: 4 Yeas, 1 Nay.

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

Mr. Vincent, Yea

Administrator's Report

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

1. <u>Delaware State Police Report for February 2011</u>

Administrator's Report (continued)

As per the attached report from the Delaware State Police for February, a total of 3,357 complaints were handled, 4,037 traffic arrests were made, and 2,375 criminal arrests were made during the month. Attached is a copy of the report received.

2. <u>Solar Panel Project Groundbreaking</u>

A groundbreaking ceremony will occur at 9:00 a.m. on Tuesday, April 12, at the Sussex County Emergency Operations Center outside of Georgetown. We wish to invite the public to this ceremony for this project which will save on electric utility costs for the County-run Emergency Operations Center for many years to come.

3. <u>Substantial Completion</u>

The Engineering Department granted Substantial Completion to Bay Forest Club - Phase 2.1, Area "I," Agreement No. 918-1, on March 31, 2011. The developer is Bay Forest, L.L.C., c/o Natelli Communities, and the project is located on the east side of Whites Neck Road and north of Old Mill Road in the Millville Expansion of the Bethany Beach Sanitary Sewer District, consisting of a 37-unit residential subdivision. Included with this report is a fact sheet on the project.

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

Mr. Wilson asked for an analysis on the savings at the Laurel Medic Station's electric bill as a result of solar panels being installed.

Health Insurance Renewal Proposal

Susan Webb stated that it is time to renew the County's health insurance and stop/loss insurance; the stop/loss insurance is the insurance that the County has to cover claims above the self-insurance limits. Mrs. Webb and Dave Smith, President of Integra Administrative Group, the County's Third Party Administrator, reviewed the recommendation:

- **Renew stop/loss insurance with a new carrier – Companion Life (a Blue Cross subsidiary). Based upon the quotes received and the risk the County wants to assume, Companion offered the best price.**
- **Increase education and awareness of available programs to save money – disease management, health benefits plan waiver, urgent care centers vs. emergency rooms**

- **Drop the 24-hour nurse hotline**
- **Implementation of the following for future cost savings: specialty pharmacy program, new Rx contract with CVS/Caremark, One Call – preferred radiology network, early retiree reinsurance program – refund under the new Affordable Care Act, Advanced Medical Pricing Solutions – hospital charge review, MDI – possible future custom network and PRMC lab contract.**

Health Insurance Renewal Proposal (continued)

Mrs. Webb reported that the selection of the carrier was also reviewed by the County's independent consultant, Insurance Buyer's Council (IBC). Scott Agar of IBC agreed with the recommendation to go with Companion Life.

M 194 11 Approve Health Insurance Renewal

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, that the Sussex County Council approve entering into an insurance agreement with Companion Life to purchase stop/loss reinsurance for the period May 1, 2011 through April 30, 2012 for a fixed price of $299,274.00 and to continue the use of Alliance, iNetico and Health Advocate.

Motion Adopted: **5 Yeas.**

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

Requests

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

M 195 11 Grants/ Realty Transfer Tax

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to give $15,000.00 each to the Town of Ellendale and the Town of Greenwood for their Fiscal Year 2009 since they did not reach their threshold of $20,000.00 in Realty Transfer Tax, contingent on the receipt of the required financial information and letter of request.

Motion Adopted: **5 Yeas.**

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

M 196 11 Community Grant

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to give $250.00 from Mr. Phillips' Community Grant Account to the Dagsboro Church of God for the Community Easter Egg Hunt.

Motion Adopted: **4 Yeas, 1 Nay.**

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

M 197 11

A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give

Community Grant

$1,000.00 ($500.00 from Mr. Phillips' Community Grant Account and $500.00 from Mr. Vincent's Community Grant Account) to the Laurel Independence Day Committee for fireworks celebration.

Motion Adopted: 5 Yeas.

M 197 11 (continued)

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

M 198 11 Community Grant

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give $2,000.00 from Mrs. Deaver's Community Grant Account to the Beebe Medical Foundation for the purchase of an I-STAT System to improve the care of pediatric patients.

Motion Adopted: 5 Yeas.

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

Grant/ Chicken Festival

In regards to the grant request from the Greater Georgetown Chamber of Commerce for the Delmarva Chicken Festival, Mrs. Webb reported that $500.00 (County Council Grants) has already been budgeted for this event.

M 199 11 Community Grant

A Motion was made by Mr. Cole, seconded by Mr. Deaver, to give $500.00 from Mr. Vincent's Community Grant Account to the City of Seaford for the 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 200 11 Community Grant

A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give $375.00 from Mr. Phillips' Community Grant Account to the Millsboro Little League for batting cages/equipment.

Motion Adopted: 5 Yeas.

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

M 201 11 Community Grant

A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give $500.00 ($400.00 from Mr. Vincent's Community Grant Account and $100.00 from Mr. Phillips' Community Account) to the Western Sussex Farmers' Market to promote farming and healthy eating.

Motion Adopted: **5 Yeas.**

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

Introduction of Proposed Ordinances

Mrs. Deaver introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A YOGA STUDIO TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.134 ACRES, MORE OR LESS" (Conditional Use No. 1894) filed on behalf of Ellen Sanders and Tom Walls.

Mrs. Deaver introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A PRIVATE SCHOOL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.71 ACRES, MORE OR LESS" (Conditional Use No. 1895) filed on behalf of Freedom Worship Center, Inc.

The Proposed Ordinances will be advertised for Public Hearing.

Additional Business

Barbara Mullins of the League of Women Voters announced that the pamphlets entitled "They Represent You" are ready for distribution. Ms. Mullins extended the League's thanks for the Council's financial support of this project. Ms. Mullins also announced that the directory will be placed on their website and kept up-to-date.

Carol Jones of the League of Women Voters stated that the League has a vital interest in the redistricting that will occur in accordance with the 2010 Census and she announced that the League will be sponsoring a series of forums on redistricting; the first forum will be held on Wednesday, April 13th, at 1:00 p.m. in the Conference Room at the Beebe Medical Arts Building on Route 24.

M 202 11 Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to adjourn at 11:06 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,

Robin A. Griffith
Clerk of the Council