

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 1, 2016

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 1, 2016, 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
Robert B. Arlett	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 100 16
Amend
and
Approve
Agenda**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to amend the Agenda by deleting “Improve Utilities (Airfield Lighting), Project 15-11, Change Order No. 1 and Substantial Completion”, and to approve the Agenda, as amended.

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of February 9, 2016 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**SUSSEX FAMILY YMCA, REHOBOTH BEACH, DELAWARE.
RE: Letter in appreciation of grant.**

**LOVE, INC. OF MID-DELMARVA, SEAFORD, DELAWARE.
RE: Letter in appreciation of grant.**

**IMMANUEL SHELTER, NASSAU, DELAWARE.
RE: Letter in appreciation of grant.**

**Public
Comments**

Public Comments

Joyce Jason, Jeanette Cosgrove, Jackie Riemenschneider, Walt Yatko, and Steve Zee commented on the Proposed Herring Creek Sanitary Sewer District and Proposed Winding Creek Water District.

Paul Reiger commented on the appointments of the Planning and Zoning Commission members.

Dan Kramer commented on septic tanks versus sewer treatment plants.

**Delaware
Electric
Cooperative**

Bill Andrew, President and Chief Executive Officer of the Delaware Electric Cooperative (DEC), presented a check in the amount of \$16,853.46 to the Sussex County Council representing capital credits that were earned in 1997 and 1998.

**M 101 16
Approve
Consent
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to approve the following items listed under the Consent Agenda:

Wastewater Agreement No. 887-3
Sussex County Project No. 81-04
Batson Creek Estates – Phase 4
Johnson’s Corner Sanitary Sewer District

Wastewater Agreement No. 638-5
Sussex County Project No. 81-04
The Estuary – Phase 1C – 1A (Construction Record)
Miller Creek Sanitary Sewer District

Wastewater Agreement No. 638-6
Sussex County Project No. 81-04
The Estuary – Phase 1B (Construction Record)
Miller Creek Sanitary Sewer District

Motion Adopted: 5 Yeas.

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

**Proposed
Amendment
to
Ordinance
No. 2414**

Mr. Lawson presented a Proposed Amendment to Ordinance No. 2414 entitled “AN ORDINANCE TO ESTABLISH A MORATORIUM UPON THE ACCEPTANCE OF SPECIAL USE EXCEPTION APPLICATIONS FOR OFF-PREMISES SIGNS” to extend the moratorium for a period of three months. Mr. Lawson noted that this extension would allow for enough time for the Council to consider and vote on a sign ordinance update.

**M 102 16
Extend
Sign
Moratorium
for Six
Months**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the six month moratorium on the acceptance of any special use exception applications for off premise signs contained in Ordinance No. 2414 be extended for a period of three additional months from its current expiration date of March 15, 2016.

Motion Adopted: 4 Yeas, 1 Nay.

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

**Adminis-
trator's
Report**

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

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Coastal Club – Land Bay 5 and Swann Cove – Phase 7 received Substantial Completion effective February 16th and February 25th, respectively.

2. Linda Rogers

It is with sadness that we note the passing of former County employee Linda Rogers on Sunday, February 28th. Mrs. Rogers was also the wife of former County Councilman Lynn Rogers. Mrs. Rogers worked in the Planning and Zoning Department as an Administrative Secretary from May 2, 1973, through May 1, 1984. We would like to extend our condolences to the Rogers family.

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

**Clean
Water and
Flood
Abatement
Task
Force
Update**

Mrs. Jennings provided an update on the Clean Water and Flood Abatement Task Force. The Task Force met on February 23rd and a second version of the draft legislation entitled "AN ACT TO AMEND TITLES 29, 7, AND 30 OF THE DELAWARE CODE RELATING TO THE CLEAN WATER FOR DELAWARE ACT" was discussed.

Mrs. Jennings reported that, in December, legislation was drafted to add a Clean Water Fee to property tax bills. The new legislation adds a flat \$45 fee to all residential sewer bills and an increased fee for businesses. DNREC would be responsible to invoice all septic system users. The Bill states that most of Delaware's waters do not meet water quality standards for their designated uses, such as drinking, swimming, and supporting fish and other aquatic life. Delaware's list of impaired waters include 377 bodies of water that suffer from excess nutrients, low dissolved oxygen, toxins, and bacteria. Extensive analysis of chemical contaminants in fish has led to advisories that fish are unsafe to eat in more than 30 waterways statewide." The Bill also states it is in the

Clean Water and Flood Abatement Task Force Update (continued)	<p>public's interest to establish a Clean Water Trust Fund to coordinate the available resources for State drinking water, wastewater, stormwater, non-point source pollution reduction, toxics removal and ecological restoration.</p> <p>Mrs. Jennings reported that the fee from Sussex County property owners is estimated to generate over \$5 million to the Clean Water Trust Fund. The County would be responsible to invoice \$3 million to its customers annually. Mrs. Jennings advised that she, along with other members of the committee, brought up questions that is generating another version of this legislation. Mrs. Jennings reported that she expects to get another draft by the Committee's next meeting, which is scheduled for March 17.</p>
Council Grant Application	<p>Mrs. Jennings presented for Council's discussion the Council grant application, which is currently required by Mr. Arlett for grant requests in District 5.</p> <p>The Council discussed using this grant application for all districts/all grants.</p> <p>Mr. Vincent commented on the process he follows in considering grant requests and he questioned the extent that the County should go to in verifying the use of funds, i.e. audits.</p>
M 103 16 Adopt Council Grant Application	<p>A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, that the Council adopt the Council Grant Application form for all Council grants.</p> <p>Motion Adopted: 3 Yeas, 2 Nays.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Nay; Mr. Vincent, Nay</p>
Bid Results/ Sodium Hypochlorite	<p>Hans Medlarz, County Engineer, reported on the bid results for Bulk Delivery of Sodium Hypochlorite (Sussex County Project 16-12). Four bids were received; the apparent low bidder, Intercoastal Trading submitted a base bid of \$1.05 (per gallon) and an alternate bid of \$105.00 for a 30 gallon container. The previous contract award was \$1.078 per gallon.</p>
M 104 16 Award Bid/ Sodium Hypochlorite	<p>A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project 16-12, Bulk Delivery of Sodium Hypochlorite, be awarded to Intercoastal Trading, Inc. of Secretary, Maryland, for the base bid amount of \$1.05 per gallon and an alternate bid amount of \$105.00 for a 30 gallon container.</p> <p>Motion Adopted: 5 Yeas.</p>

**M 104 16
(continued)**

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

**Bid
Results/
Granular
Lime**

Hans Medlarz, County Engineer, reported on the bid results for Bulk Delivery of Granular Lime (Sussex County Project 16-13). Mr. Medlarz stated that despite considerable effort to solicit bids, only one bid was received. The bid received was submitted by Greer Lime at a base bid of \$180.00 per ton. The previous contract award was \$175.00 per ton.

**M 105 16
Award
Bid/
Granular
Lime**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project 16-13, Bulk Delivery of Granular Lime, be awarded to Greer Lime of Morgantown, West Virginia, at the bid amount of \$180.00 per ton.

Motion Adopted: 5 Yeas.

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

**Bid
Results/
Irrigation
Rigs
Replace-
ment
WRSSD**

Hans Medlarz, County Engineer, presented an update on the West Rehoboth Sanitary Sewer District (WRSSD) Irrigation Rigs Replacement Project (Sussex County Project 15-18). He reported that this project was developed to replace two of the five existing wastewater spray irrigation rigs at the Wolfe Neck Regional Wastewater Facility. He noted that this equipment has been in continuous operation for over twenty years, has deteriorated significantly, and is in desperate need of replacement. Mr. Medlarz reported that considerable effort was made by the Engineering Department to solicit as many bids as possible; despite these efforts, only one bid was submitted. Mr. Medlarz advised that the one bid that was received was within the amount budgeted for the work and that the Engineering Department recommends awarding the bid to Sussex Irrigation Company, Inc. of Laurel, Delaware. It was noted that there was an Alternative Bid; however, the Engineering Department chose not to award it.

**M 106 16
Award
Bid/
Irrigation
Rigs
Replace-
ment
WRSSD**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project 15-18, WRSSD Irrigation Rigs Replacement, be awarded to Sussex Irrigation Company, Inc. of Laurel, Delaware, at the base bid amount of \$221,548.00.

Motion Adopted: 5 Yeas.

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

**Update/
Proposed
Herring
Creek
Sanitary
Sewer
District and
Winding
Creek
Village
Water
District**

John Ashman, Director of Utility Planning, provided a summary of the Public Hearings on the boundaries for the Proposed Herring Creek Sanitary Sewer District and the Winding Creek Village Water District.

Mr. Ashman reported that, on February 13, 2016, the Engineering Department made a presentation to over 300 people at Conley's United Methodist Church near Angola. The presentation included maps and a verbal description of the proposed boundaries along with preliminary system infrastructure layouts depicting estimated line sizes and pump station locations. The presentation provided a proposed schedule for the referendum date, the design and construction of the project and the hook-up procedure once the system is operational. It provided estimated costs and rate information as well as the Absentee Ballot information and voter eligibility. This topic raised considerable debate as to who was able to vote. Mr. Ashman noted that the process was in accordance with State law. A primary concern seemed to focus on the eligibility of property owners as compared to eligible residents.

Mr. Ashman reported that the presentation also provided information on a new program from the Financial Assistance Branch of DNREC that would allow for Additional Subsidization Assistance, for areas where a lower income level could be verified. Ron Graeber, Program Manager, Large Systems Branch for DNREC also provided a presentation on Nutrient Loading in the Inland Bays and the need for on-site septic removal to meet the Pollution Control Strategy.

Mr. Ashman reported that, since the meeting, the County has received significant requests for additional information and general comments about the proposed district. As a result, the Engineering Department believes it is in the best interest of the communities to postpone the referendum vote and host an additional public meeting at some point in the future.

Mr. Ashman also reported that, last week, the Engineering Department mailed out approximately 796 letters to property owners advising them of the County's decision to postpone the referendum. He noted that, at this point, the Department is examining a new potential schedule, as follows: a second public meeting to be held in April or May; a debriefing to Council in May, a Proposed Resolution on the boundary to Council in May; and a referendum in June.

Mr. Ashman reported that the following costs are the current estimates:

Annual Service Charge - \$302.00 per EDU (billed quarterly)

Assessment Charge - \$8.24 per Front Foot (FF) per year (billed quarterly)

System Connection Charge - \$0 per existing home, any new homes will pay \$5,775 or the fee in place at the time of connection.

Update/ Proposed Herring Creek Sanitary Sewer District and Winding Creek Village Water District (continued)	<p>Mr. Arlett referenced the public comments made at the beginning of the meeting and questioned the proper process for HOAs to get votes and regarding HOA Boards making decisions for residents without proper input. Mr. Arlett questioned, if there appears to be a mishap, how does the Council address it?</p> <p>Mr. Moore reported that there may have been some confusion or breakdown in communication between the HOA and individuals; that the Engineering Department was given certain information; that it appears the Engineering Department did follow through with the proper steps; and that the process is not over – there is going to be a referendum.</p> <p>Mr. Ashman commented that there seems to be concern as to why the County polled other communities. He stated that the purpose of polling other communities in the area was to establish boundaries. He noted that, typically, the larger the boundary, the lower the cost.</p>
Taxiway B Asphalt Tie-Down and Ramp Rehabili- tation Project	<p>Joe Wright, Assistant County Engineer, presented a recommendation to reject bids for Taxiway B, Asphalt Tie-Down and Ramp Rehabilitation Project, Contract 16-01. Two bids were received for this project and were considerably higher than the Engineer's estimate. The Engineering Department recommends rebidding the project, possibly in two phases, once the Department agrees on a new construction schedule with the Airport and the tenants.</p>
M 107 16 Reject Bids/ Taxiway B Asphalt Tie-Down and Ramp Rehabili- tation Project	<p>A Motion was made by Mr. Cole, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Engineering Department, that all bids for Contract 16-01 – Taxiway B, Asphalt Tie Down and Ramp Rehabilitation be rejected, and that the Contract be re-bid at a later date.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
Woods at Walls Creek/ Sussex Conser- vation District Proposal	<p>Joe Wright, Assistant County Engineer, presented a proposal to complete work at the Woods at Walls Creek. The original developer for the Woods at Walls Creek, Frank Robino Companies, LLC, failed to complete the stormwater management ponds and associated work in a satisfactory manner. Sussex County Engineering, with the Council's permission (granted on March 27, 2012), pulled the bond associated with this work. On August 3, 2015, payment of \$214,660 was received as the full surety amount. Mr. Wright reported that the Sussex Conservation District has reviewed the work remaining and provided a proposal to complete the work on behalf of the County. Their proposal will allow for reimbursement of actual costs incurred in an amount not to exceed \$210,000 and thus, will be paid in full with proceeds of the bond.</p>

Woods at Walls Creek (continued) **In response to questions raised by Mr. Arlett, Vince Robertson, Assistant County Attorney, commented on the lengthy process of receiving bond money.**

M 108 16 **A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, that the**
Approve **Sussex County Council approves the February 22, 2016 proposal from**
Sussex **Sussex Conservation District to complete stormwater infrastructure and**
Conser- **roadside swales in the subdivision of “Woods at Walls Creek” in accordance**
vation **with the approved plans and project requirements, in an amount not to**
District **exceed \$210,000.**

Proposal/
Woods at **Motion Adopted: 5 Yeas.**
Walls

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

Old **The Council considered Change of Zone No. 1782 filed on behalf of Robert**
Business/ **Atallion.**
CZ 1782

The Planning and Zoning Commission held a Public Hearing on this application on August 27, 2015 at which time action was deferred. On September 10, 2015, the Commission recommended that the application be denied.

The County Council held a Public Hearing on this application on September 29, 2015 at which time action was deferred.

Mr. Moore read proposed Findings of Fact for the Council’s consideration.

M 109 16 **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt**
Adopt **Ordinance No. 2437 entitled “AN ORDINANCE TO AMEND THE**
Ordinance **COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN**
No. 2437/ **AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1**
CZ 1782 **COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL**
 OF LAND LYING AND BEING IN LEWES AND REHOBOTH
 HUNDRED, SUSSEX COUNTY, CONTAINING 4.38 ACRES, MORE OR
 LESS” (Change of Zone No. 1782) filed on behalf of Robert Atallion, based
 on the following Findings of Fact:

A. This is the application of Robert Atallian to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a CR-1 Commercial Residential District for a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 4.38 acres, more or less. The property is located south of Lewes-Georgetown Highway (Route 9) 615 feet west of Arabian Acres Road (Road 282) (911 Address: 18501 Stamper Drive, Lewes) (Tax Map I.D. 334-4.00-88.00).

**M 109 16
Adopt
Ordinance
No. 2437/
CZ 1782
(continued)**

- B. Council found that DelDOT commented that the rezoning application could be considered without a Traffic Impact Study and that the need for a Traffic Impact Study will be evaluated when a subdivision or land development plan is proposed.**
- C. Council found that the Sussex Conservation District commented that the Applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are affected; that it is not likely that off-site drainage improvements will be required; and that it is possible that on-site drainage improvements will be required.**
- D. Council found that the Sussex County Engineering Department, Utility Planning Division, commented that the site is located in the North Coastal Planning Area; that conformity to the North Coastal Planning Study will be required; that the proposed Change of Zone is not in an area where the County has a schedule to provide sewer service at this time; and that a Concept Plan is not required.**
- E. The Council found that Robert Atallian and Bill Massey were present at the Planning and Zoning Commission hearing and Robert Atallian was present at the Council hearing and stated that historically this property has been used for an equestrian center, an eye glass business, and an approved antique store, which has an approved expansion for a produce market; that the application was filed to bring the property into the appropriate zoning category to establish the use as a permitted use, not requiring a conditional use; that the Applicant has operated a business on the property for over 20 years; that there are several commercial and business uses across Route 9 and in close proximity to the site, referencing Bada Engineering, TR Roofing, Beaman's Old and Gnu Antiques, Building Supply Depot, Grizzly's, Millman's Appliances, Steele's Gun Shop, a beauty salon, Beracah Homes, a pet daycare, Hopkin's Dairy Farm, and others; and that the area is trending toward commercial use.**
- F. Council also found that the existing antique store was established by Conditional Use in 1995; that the produce stand expansion to the site was established by Conditional Use in 2013; that they realize that all agency approvals are required before any additional expansions to the site; that two (2) rezonings have been approved recently in the area; that this site has been used historically as a commercial use; that the neighboring property recently denied for rezoning is a residential property; that if the property remains AR-1, the Applicant would have to apply for an additional conditional use application if he proposed to expand the business; that the Applicant is only asking for conforming zoning to uses that have already been established; that the private drive easement on the property provides access to the Stamper properties to the rear; that the economic challenges and hardships require the business plan to be expanded to other uses; and that the two (2) current uses of the property are the retail antiques and produce stand.**

**M 109 16
Adopt
Ordinance
No. 2437/
CZ 1782
(continued)**

G. Based on the record created before the Planning and Zoning Commission and the Sussex County Council, Council found that:

- 1. The property is located along Route 9 (Lewes – Georgetown Highway) in an area that is trending toward commercial use and is basically surrounded by commercial uses, including C-1, conditional uses and non-conforming commercial uses, as well as some AR-1 zoning. This location is appropriate for CR-1 zoning.**
- 2. Surrounding uses include commercial uses as Bada Engineering, TR Roofing, Beaman’s Old and Gnu Antiques, Building Supply Depot, Grizzly’s Landscape Supply Services, Millman’s Appliances, Steele’s Gun Shop, a beauty salon, Beracah Homes, a pet daycare, Hopkin’s Dairy Farm, and others. The rezoning to CR-1 and the permitted uses in that zone are compatible with the uses of the surrounding properties.**
- 3. CR-1 Zoning is appropriate, since the County Zoning Code states that the purpose of such zoning is to provide for a wide variety of commercial and service activities generally serving a wide area, and that such uses should be located along existing major thoroughfares where a general mixture of commercial and service activities now exist. In this case, the rezoning along Route 9 falls within the stated purposes of the CR-1 District.**
- 4. The CR-1 zoning classification will allow the Applicant to expand his business plan in a manner consistent with the additional uses permitted in a CR-1 District as well as the current use of the property and the surrounding properties.**
- 5. The use will not adversely affect neighboring properties or area roadways.**
- 6. DelDOT has not required a Traffic Impact Study or imposed any requirements regarding the requested use.**
- 7. No parties appeared in opposition to the application.**

H. Based on the record of the Planning and Zoning Commission and the record created before Council, the Council approved this application.

Motion Adopted: 4 Yeas, 1 Abstention.

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

[Mr. Wilson did not participate in the Public Hearing on this application on September 29, 2015 and therefore, did not participate in the vote.]

**Grant
Requests**

Mrs. Jennings presented grant requests for the Council’s consideration.

**M 110 16
Council-
manic
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$375.00 (\$187.50 from Mrs. Deaver’s Councilmanic Grant Account and \$187.50 from Mr. Cole’s Councilmanic Grant Account) to the Lewes – Rehoboth Rotary Club for the 2016 Trail Guide.

**M 110 16
(continued)**

Motion Adopted: 5 Yeas.

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

**M 111 16
Countywide
Youth
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$1,000.00 from Countywide Youth Grants to Children of the Delaware National Guard Youth Camp for camp operations.

Motion Adopted: 5 Yeas.

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

**M 112 16
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$200.00 (\$50.00 each from Mr. Arlett's, Mr. Cole's, Mr. Vincent's and Mr. Wilson's Councilmanic Grant Accounts) to the Delaware Seaside Railroad Club for expenses.

Motion Adopted: 5 Yeas.

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

**M 113 16
Council-
manic
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to give \$750.00 from Mrs. Deaver's Councilmanic Grant Account to the Lewes Historical Society for the Annual Chautauqua Tent Show.

Motion Adopted: 5 Yeas.

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

**M 114 16
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$4,500.00 (\$3,000.00 from Mr. Vincent's Councilmanic Grant Account and \$1,500.00 from Mr. Arlett's Councilmanic Grant Account) to the Laurel Historical Society for improvements to the Heritage Museum.

Motion Adopted: 5 Yeas.

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

**Council
Members'
Comments**

Council Members' Comments

Mr. Cole commented on unit pricing for sewer districts in lieu of front footage costs. At the request of Mr. Cole, County Engineer Hans Medlarz participated in the discussion. Mr. Medlarz stated that Delaware Code stipulates that charges are based on front footage and he noted that there is a minimum and a maximum; a change to unit pricing would require a change in State Code. Mr. Medlarz and Mrs. Jennings will discuss Mr. Cole's suggestion and report back to the Council at a later date.

Mrs. Deaver commented on the Comprehensive Plan Workshop that is scheduled on this date.

Mr. Arlett commented on the benefits of Delaware Hospice to families and to the community.

**M 115 16
Go Into
Executive
Session**

At 12:06 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to go into Executive Session to discuss matters relating to collective bargaining and pending/potential litigation.

Motion Adopted: 5 Yeas.

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

**Executive
Session**

At 12:10 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to collective bargaining and pending/potential litigation. The Executive Session concluded at 12:51 p.m.

**M 116 16
Reconvene
Regular
Session**

At 12:54 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 5 Yeas.

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

**E/S
Action**

There was no action on Executive Session matters.

**M 117 16
Reconvene
Regular
Session**

At 12:54 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to recess and to reconvene at the West Complex for the Sussex County Comprehensive Plan Workshop.

Motion Adopted: 5 Yeas.

**M 117 16
(continued)**

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

**M 118 16
Reconvene
Regular
Session**

At 1:21 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to reconvene for the purpose of holding a Workshop on the Sussex County Comprehensive Plan.

Motion Adopted: 5 Yeas.

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

**Workshop/
Compre-
hensive
Plan**

A Workshop on the Sussex County Comprehensive Plan was held.

The following were in attendance:

Michael H. Vincent	President, Sussex County Council
Samuel R. Wilson, Jr.	Vice President, Sussex County Council
George B. Cole	Councilman, Sussex County Council
Joan R. Deaver	Councilwoman, Sussex County Council
Robert B. Arlett	Councilman, Sussex County Council
Todd F. Lawson	County Administrator
Lawrence Lank	Director of Planning & Zoning
Janelle Cornwell	Planning & Zoning Manager
Bob Wheatley	Chairman, Planning & Zoning Commission
I.G. Burton	Member, Planning & Zoning Commission
Michael Johnson	Member, Planning & Zoning Commission
Marty Ross	Member, Planning & Zoning Commission
Rodney Smith	Member, Planning & Zoning Commission
Everett Moore	County Attorney
Vince Robertson	Assistant County Attorney
Jamie Sharp	Assistant County Attorney

Mr. Lawson announced that this workshop is the kick-off of the Sussex County Comprehensive Plan for 2018, which has to be completed by June 2018 according to Delaware Code.

Mr. Lawson stated that representatives from McCormick Taylor, the County's Consultant for the Comprehensive Plan, were in attendance:

**John Mullen, Planner
Burt Cossaboon, Planner
Ted Goglietta, Planner
Sonia Marichic-Goudy, Highway Engineer**

Mr. Lawson advised that Ms. Cornwell is going to be the County's point of contact for this effort.

**Workshop/
Compre-
hensive
Plan
(continued)**

Ms. Cornwell and the representatives of McCormick Taylor gave an overview of the process that will be undertaken to update the Comprehensive Plan. Topics covered were State requirements for Comprehensive Plans, McCormick Taylor's experience in Delaware and Sussex County with Comprehensive Plans; draft work program schedule including identifying opportunities and coordination activities, and visioning/development framework.

A discussion was held regarding the process and specifically, how the County and the Consultant will reach out to the public for input.

**M 119 16
Adjourn**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to adjourn at 2:45 p.m.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

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

{An audio recording of this meeting (a.m. session only) is available on the County's website.}