SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 21, 2011

Call to Order

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, June 21, 2011, at 10:16 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**
Everett Moore	**County Attorney**

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

Mr. Vincent called the meeting to order.

M 348 11 Amend and Approve Agenda

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to amend the Agenda by deleting Job Applicants′ Qualifications, Personnel, and Land Acquisition under Executive Session; 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 June 7 and 14, 2011 were approved by consent.

DTCC Presen-tation

Dr. Ileana Smith of Delaware Technical & Community College (DTCC), accompanied by Roady the Roadrunner, made a presentation of a Gala keepsake (personalized gear shift coat rack and shirts) to the Council in appreciation of the partnership between DTCC and the County Council. Dr. Smith also presented a keepsake picture (pick-up truck) to David Baker. She stated that the theme of their Gala in April was Motown and the keepsakes are representative of that time period.

Board Appointments

Mr. Baker asked if any of the Council members wanted to offer any Board appointments as there are a number of appointments that could be considered.

M 349 11 Library Advisory Board Appointment

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to reappoint Norma Prettyman to the Library Advisory Board for a term of three years, until June 2014.

Motion Adopted: 5 Yeas.

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

M 350 11 Planning and Zoning Commission Appointment

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to reappoint Rodney Smith to the Planning and Zoning Commission for a term of three years, until June 2014.

Motion Adopted: 5 Yeas.

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

Board of Adjustment Application Fee

Mr. Baker noted that the County currently charges a $400.00 fee for a Board of Adjustment application for a special use exception or variance, which is established in the County Code. Mr. Baker advised that a question has been raised regarding this amount and whether or not it is too high given the nature of some of the requests.

Mr. Baker outlined estimated costs per application:

Board cost per application, Fiscal 2010	**$137 based on 210 hearings**
Estimated advertising and postage costs per application	**$101 based on review**
Estimated Attorney cost	**$ 91 based on recent bill**
	$329

Also, staff review of each application, posting property, preparing mailings, attending meetings, preparing minutes, etc. may add an average of $127 to these costs.

Mr. Baker advised that a change to the fee would require a change to the County Code by ordinance amendment.

Mr. Baker reviewed the fees charged by New Castle and Kent counties.

The Council members discussed Mr. Phillips' proposal to decrease the fee. Mr. Phillips' noted that the fee used to be $150.00 and that the previous Council voted to raise it to $400.00.

(continued)

Mr. Vincent asked staff to look into the matter; to see how Kent County's Board of Adjustment fee structure is set up; and to prepare a proposal for presentation to the Council at the July 19th meeting.

Request for Time Extension/ W. Edward Metz/ C/U No. 1681

The Council considered a request received on May 27, 2011 from W. Edward Metz for a time extension for Ordinance No. 1903 (Conditional Use No. 1681) which expired on June 5, 2011. The application is for a campground. Mr. Baker noted that considerable work has been done on the project; however, all of the approvals have not been received.

Lawrence Lank, Director of Planning and Zoning, reported that the Applicant is waiting for final approvals from DelDOT and the County Engineering Department. Mr. Lank noted that site work is taking place as a result of the authorization from the Sussex Conservation District.

M 351 11 Grant One Year Time Extension/ C/U No. 1681/ Ordinance No. 1903

A Motion was made by Mr. Wilson, seconded by Mr. Cole, to grant a one year time extension for Ordinance No. 1903 (Conditional Use No. 1681), an application of W. Edward Metz.

Motion Adopted: 5 Yeas.

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

Proposed Ordinance Relating to Time Extensions/ Request for Information

Mr. Vincent noted that, last month (at the May 10th Council meeting), a Public Hearing was held on a Proposed Ordinance which would authorize time extensions on various projects and, at that meeting, questions were asked regarding how many projects would be affected by the Proposed Ordinance. Mr. Vincent asked Mr. Lank when he thinks the information will be available for review. Mr. Lank stated that the report on subdivisions is hand written and needs to typed in some form and that he still needs to prepare a report on Conditional Uses; however, he does not see this as a lengthy task.

Mr. Lank noted that, in regard to the subdivision listing, the information that will be provided will include the case number, applicant name, project name, type of subdivision, acreage, number of lots, and tax map number. He noted that providing the location would be too time consuming. It was decided that Mr. Lank would place this matter on the July 26th Agenda for presentation of the information to the Council.

Mr. Phillips expressed concern about delaying the Proposed Ordinance on time extensions stating that it is delaying the opportunity for economic

progress in the County. Mr. Phillips requested that the Proposed Ordinance be placed on the next Agenda under Old Business.

Fiscal 2011 Funding Requests Fiscal 2011 Funding Requests (continued)

Mr. Baker stated that a suggestion has been made that the Council may want to consider a few additional grants to various nonprofit organizations. Mr. Baker noted that it appears that the financial report for Fiscal Year 2011 will be positive; revenues do appear to be above our budget in some categories, especially realty transfer tax. He noted that the increase in realty transfer tax is due primarily to a one time transfer of a large property which yielded almost $750,000 in unexpected realty transfer tax revenue. Mr. Baker stated that an option could be to authorize expenditures during Fiscal 2011 for specific grants if it is determined that the General Fund net increase in fund balance for Fiscal 2011 equals or exceeds the total amount of the authorization. He noted that this would be consistent with action taken in June 2010.

Mr. Baker presented the following grant options:

West Rehoboth Community Coalition – Streetlights and Community Cleanup	**$ 7,500**
Town of Fenwick Island Lifeguards in unincorporated area	**$ 10,000**
Nanticoke Senior Center – Capital Campaign	**$ 35,000**
Housing Assistance Grant Increase	**$ 10,000**
Local Law Enforcement Grant Increase – $2,500 per town	**$ 52,500**
Meals on Wheels Programs – Greenwood CHEER, Georgetown CHEER, Long Neck CHEER, Roxana CHEER, Ocean View CHEER, Nanticoke Senior Center, and Meals on Wheels of Lewes & Rehoboth - $3,000 each	**$ 21,000**
TOTAL	**$136,000**

In response to a question raised by Mr. Phillips, Mr. Baker stated that, as of today, the County's realty transfer tax revenue is over budget in an amount of approximately $1 million.

M 352 11 Authorize Additional Grants and

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, that the Sussex County Council authorizes the additional grants presented on this date in the amount of $136,000 and that the remaining amount of the Fiscal Year 2011 surplus is to go back to the taxpayers in the form of a one-time tax rebate (in the July 2012 tax billing).

One-Time Tax Rebate

Motion Adopted: 3 Yeas, 2 Nays.

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

M 352 11 (continued)

Mr. Cole and Mrs. Deaver noted that they do not oppose the additional grants in the amount of $136,000.

Administrator's Report

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

1. <u>Fire and Ambulance Callboard Call Statistics</u>

As per the attached schedules, 9,151 9-1-1 calls were received during May 2011, with 75 percent of the calls being received from wireless phones. A total of 2,337 fire, advanced life support, and basic life support incidents were dispatched.

2. <u>Delaware Department of Transportation Public Workshop</u>

The Delaware Department of Transportation will be holding a public workshop regarding the Iron Branch Road/State Street road safety improvement project on June 27, 2011, from 4:00 to 7:00 p.m. at the Millsboro Fire Company. Attached is information regarding the workshop.

3. <u>Airport Advisory Committee</u>

Attached is an agenda for the June 22, 2011, Airport Advisory Committee meeting. The meeting will be held at 7:00 p.m. at the West Complex building on Route 113 in Georgetown.

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

Proposed Fund Balance Policy

Susan Webb, Finance Director, reported that the Governmental Accounting Standards Board has issued Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions. The requirements of this Statement are effective for financial statements for periods beginning after June 15, 2010.

Mrs. Webb reviewed a draft Fund Balance Policy, which is meant to improve financial reporting by providing fund balance categories and classifications. This Fund Balance Policy will only apply to the County's governmental funds.

Mr. Baker noted that the proposal "pretty much reflects how we have operated in the past".

M 353 11 Adopt Fund Balance Policy

A Motion was made by Mr. Cole, seconded by Mr. Phillips, that the Sussex County Council adopts the Fund Balance Policy effective Fiscal Year 2011, as presented on June 21, 2011.

Motion Adopted: 5 Yeas.

M 353 11 (continued)

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

Insurance Renewal Recom-mendation

Susan Webb presented the insurance renewal recommendation, including the Consultant's (Insurance Buyers Council (IBC) analysis of the proposals and IBC's recommendation, as well as the scoring matrix used to evaluate the options. The insurance renewal is for the period July 1, 2011 through June 30, 2014.

Mrs. Webb explained that IBC prepared the Request for Proposals (RFP) for the County's insurance bids and the results have been evaluated.

Scott Agar, the County's insurance consultant with Insurance Buyers Council, discussed the analysis of the proposals. He noted that it was determined that only the County's current producer (Pratt Insurance) could submit a proposal for all lines of coverage. Mr. Agar stated that due to the nature of the County's existing placement and exposures, there was a limited number of underwriters (4) willing to provide proposals.

Mr. Agar stated that they were able to identify two separate options for the bulk of the liability coverage, each of which had pros and cons; however, when weighing them and attempting to score the benefits versus the detriments of each, they did not merit changing the insurance product from its existing placements.

M 354 11 Authorize Purchase of Insurance with Pratt Insurance

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council authorizes the purchase of insurance for the period July 1, 2011 to June 30, 2014, as recommended by Insurance Buyers Council and the County Finance Department, binding coverage with Pratt Insurance.

Motion Adopted: 5 Yeas.

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

Mrs. Webb and Mr. Agar recognized Louise Thompson, County employee, for her help with the RFP process.

Medical Insurance Savings

Karen Brewington, Personnel Director, stated that, with the renewal of the County's health insurance for Fiscal Year 2012, the plan includes the use of the One Call Network. Mrs. Brewington noted that this savings initiative

Proposal

was presented to the County by Integra due to some high cost claims involving diagnostic testing, including MRI/CAT/PET scans. An analysis was performed and shows that the County could be saving 50% to 60% per claim. Ms. Brewington presented the following proposal:

Medical Insurance Savings Proposal (continued)

1. Waive the $20 co-pay for diagnostics under the Gold Plan and change the co-insurance from 90% to 100% after the deductible for the Silver Plan.

This will incent employees and their dependents to use One Call Network providers.

2. Employees and their dependents are not forced to use One Call but are incentivized by the waiver of the co-pay.

3. Savings to the County far outweigh the cost of the waiver; the proposed savings reported are $80,000 to $160,500.

4. One Call contact information may be printed on the new medical cards.

Mrs. Brewington emphasized that the program would be involuntary.

M 355 11 Approve Change in the Medical Insurance Plan to Utilize One Call Network

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, that the Sussex County Council approves a change in the medical insurance plan whereby the County will utilize One Call Network for diagnostic testing and waive co-pays of $20.00 for those participants who use the network that are currently on the Gold Plan and change the co-insurance to 100 percent after the deductible for those participants who are currently on the Silver Plan.

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. 1862

The Council considered Conditional Use No. 1862 filed on behalf of Nanticoke Shores Associates, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on February 24, 2011 at which time they deferred action; on March 24, 2011, the Commission recommended that the application be denied.

The County Council held a Public Hearing on this application on March 22, 2011 at which time the Council deferred action.

Lawrence Lank, Director of Planning and Zoning, reported that at the request of the Council, he prepared suggested Findings of Fact and conditions of approval, as follows:

Old Business/ C/U No. 1862 (continued)

1) **This is an application for a Conditional Use in an AR-1 Agricultural Residential District to create a 367 site campground/RV park. The property is owned by Nanticoke Shores Associates, LLC. The project, as applied for, would replace a 260, presently undeveloped, manufactured home lot portion of the manufactured home community known as Rehoboth Shores with a 367 unit camp site/RV park, on 50.81 acres, more or less, in Indian River Hundred, Sussex County, lying on the northeasterly side of Long Neck Road.**
2) **This is a redevelopment of a portion of a manufactured home park and in the Sussex County Comprehensive Plan – 2008 Update, the property is identified for purposes of future land use as a growth zone/environmentally sensitive developing area. The recommended density and uses set out in Table 8 are met by this application.**
3) **The Strategies for State Policies and Spending identify the property as Investment Level 2 and 3, which encourages development of single family dwellings and encourages tourism.**
4) **The Applicant has responded appropriately to the PLUS comments.**
5) **The project is consistent with the purposes and goals of the Sussex County Comprehensive Plan – 2008 Update since it (1) promotes economic development, (2) promotes tourism, and (3) is consistent with the character and trend of development in the Long Neck area.**
6) **There is a demonstrated need for additional campground/RV parks in the area, since all such facilities in the Long Neck area are and have been full for a number of years. Nearby developments, such as Leisure Point and Oak Forest, demonstrate that manufactured homes and RVs and campers work well in the same community if properly designed and planned.**
7) **At present, retail sales and placement of manufactured homes in rental manufactured home communities are slow. In the past two (2) years in this community, only three (3) vacant lots were leased and new manufactured homes put in place, while at the same time, 33 manufactured homes were repossessed by creditors. There will remain 80 vacant developed manufactured homes in this community. Whether this represents affordable housing opportunities in this present economy and lending climate is uncertain.**
8) **Public investment in infrastructure will be avoided because the project will be served with wastewater treatment by Sussex County and with potable water by Long Neck Water Company, a water utility regulated by the Public Service Commission. Additionally, the project will require far less than the 260 sewer EDU's already assigned to the property. More than 160 EDU's will be available for use elsewhere in the Long Neck Sanitary Sewer District if this project is constructed.**
9) **The concerns and objections of residents, neighbors and manufactured home tenants in the area and the recommendation of the Planning and Zoning Commission have been carefully considered, and with the conditions and limitations imposed on this approval, there will be no adverse impact on property values and the**

Old Business/ C/U No. 1862 (continued)

current residents of Rehoboth Shores will be benefitted by the fact that the RV Park will be closed for at least five (5) months during the year and traffic within and outside Rehoboth Shores will be thereby reduced. The community will be no more densely developed that if the 260 undeveloped manufactured home lots were developed and filled with manufactured homes, using the roads and amenities of the community 12 months per year, and revenues from this project will contribute to community improvements for all residents.

10) With the vegetated earthen berm, indigenous trees and fencing, the project will be screened from view for the existing manufactured home community and the neighboring Bay City manufactured home community.

11) There will be no impact on schools or other public facilities, since the project will be seasonal only. In fact, traffic generated by this project and other impacts, if any, will be less than traffic generated by a developed 260 lot manufactured home community.

12) The project meets the requirements of the Environmentally Sensitive Developing District Overlay Zone. No wetlands will be disturbed. No timber or forest of value will be disturbed. Stormwater and sedimentation and erosion control will follow best management practices.

13) This recommendation of approval of Conditional Use No. 1862 is subject to the following conditions:

1. **The maximum number of campground/RV sites is 260, the same number as approved, but undeveloped manufactured home sites.**
2. **All entrances and other road improvements shall be constructed as required by DelDOT.**
3. **Interior streets shall be designed in accordance with Sussex County Street Design requirements.**
4. **The project shall be served by the Long Neck Sanitary Sewer District and the Long Neck Water Company.**
5. **Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements, and maintained using best management practices.**
6. **Any road naming and addressing shall be subject to the approval of the Sussex County Mapping and Addressing Department.**
7. **The Applicant shall cooperate and coordinate with the State and County emergency preparedness offices to develop and implement an emergency evacuation plan.**
8. **The project shall be surrounded by a 50 foot vegetative buffer with a 6-foot earthen berm, planted with indigenous trees, and the perimeter of the property shall be fenced with a security gate at the entrance to the campground/RV park, with appropriate security lighting, and shall include a separate office for this project, with appropriate directional signage.**
9. **The campground/RV park may open no earlier that March 15 each year and shall close no later than October 31 each year.**
10. **Since the number of campground/RV sites is being reduced from**

the requested 367 sites to 260 sites, the Applicant shall provide revised Preliminary Site Plans showing the intended site layout and either depicting or noting the Conditions of Approval on it for review by the Sussex County Planning and Zoning Commission. The project shall comply with all requirements of Chapter 115 Article XXIV Section 115-172 H for Conditional Use park or campground.

Old Business (continued)

11. There shall not be any tent camping.

12. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission upon receipt of all appropriate agency approvals.

M 356 11 Adopt Ordinance No. 2204 (C/U No. 1862)

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to Adopt Ordinance No. 2204 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO REPLACE 260 MOBILE HOME LOTS WITH 367 SEASONAL RV/CAMPER SITES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 50.81 ACRES OF A 138 ACRE TRACT" (Conditional Use No. 1862) filed on behalf of Nanticoke Shores Associates, LLC., with the following conditions:

1. **The maximum number of campground/RV sites is 260, the same number as approved, but undeveloped manufactured home sites.**
2. **All entrances and other road improvements shall be constructed as required by DelDOT.**
3. **Interior streets shall be designed in accordance with Sussex County Street Design requirements.**
4. **The project shall be served by the Long Neck Sanitary Sewer District and the Long Neck Water Company.**
5. **Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements, and maintained using best management practices.**
6. **Any road naming and addressing shall be subject to the approval of the Sussex County Mapping and Addressing Department.**
7. **The Applicant shall cooperate and coordinate with the State and County emergency preparedness offices to develop and implement an emergency evacuation plan.**
8. **The project shall be surrounded by a 50 foot vegetative buffer with a 6-foot earthen berm, planted with indigenous trees, and the perimeter of the property shall be fenced with a security gate at the entrance to the campground/RV park, with appropriate security lighting, and shall include a separate office for this project, with appropriate directional signage.**
9. **The campground/RV park may open no earlier that March 15 each year and shall close no later than October 31 each year.**
10. **Since the number of campground/RV sites is being reduced from the requested 367 sites to 260 sites, the Applicant shall provide revised Preliminary Site Plans showing the intended site layout and either**

depicting or noting the Conditions of Approval on it for review by the Sussex County Planning and Zoning Commission. The project shall comply with all requirements of Chapter 115 Article XXIV Section 115-172 H for Conditional Use park or campground.

11. There shall not be any tent camping.

12. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission upon receipt of all appropriate agency approvals.

M 356 11 Adopt Ordinance No. 2204 (C/U No. 1862) (continued)

Motion Adopted: 3 Yeas, 2 Nays.

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

Millville SSD/ Northwest Expansion Contract/ Bid Results

Michael Izzo, County Engineer, presented the bid results for Sussex County Project No. 11-02, Millville Sanitary Sewer District, Northwest Expansion – Whites Neck Road; the bids were opened on June 2, 2011. Mr. Izzo reported that seven bids were received; the low bidder was A. P. Croll and Son of Georgetown, Delaware, who submitted a bid in the amount of $2,560,460.00.

M 357 11 Award Bid/ Millville SSD/ Northwest Expansion Contract 11-02

A Motion was made by Mr. Cole, seconded by Mr. Wilson, based upon the recommendation of the Engineering Consultants and the Engineering Department, that Sussex County Project No. 11-02, Millville Sanitary Sewer District, Northwest Expansion – Whites Neck Road, be awarded to A.P. Croll and Son, Inc. of Georgetown, Delaware, at the bid amount of $2,560,460.00, contingent upon the receipt of approval from the Delaware Department of Natural Resources and Environmental Control and/or Rural Utility Service.

Motion Adopted: 5 Yeas.

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

Bid Results for Fine Bar Screen/ Wolfe Neck

Juel Gibbons, Project Engineer, presented the bid results for Sussex County Project No. 11-03, Fine Bar Screen for the Wolfe Neck Regional Wastewater Facility; the bids were received on June 3, 2011. Ms. Gibbons reported that three bids were received; the low bidder was Headworks, Inc. of Houston, Texas who submitted a bid in the amount of $122,294.00.

M 358 11 Award Bid/ Fine Bar Screen for the Wolfe Neck

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 No. 11-03, Fine Bar Screen for the Wolfe Neck Regional Wastewater Facility, be awarded to Headworks, Inc. of Houston, Texas, at the bid amount of $122,294.00.

Regional Wastewater Facility

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 359 11 Community Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give $500.00 from Mr. Cole's Community Grant Account to the Mid-Atlantic Symphony Orchestra for operating expenses.

Motion Adopted: **5 Yeas.**

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

M 360 11 Community Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give $1,000.00 from Mr. Cole's Community Grant Account to the West Rehoboth Children and Youth Program for a computer lab to enhance their summer enrichment program.

Motion Adopted: **5 Yeas.**

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

M 361 11 Community Grant

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to give $500.00 from Mr. Phillips' Community Grant Account to the Millsboro Hut for operating expenses.

Motion Adopted: **5 Yeas.**

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

There was no additional business.

M 362 11 Go Into Executive Session

At 12:15 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Phillips, to recess the Regular Session and to go into Executive Session for the purpose of discussing matters relating to pending/potential litigation.

Motion Adopted: **5 Yeas.**

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

Mr. Vincent, Yea

Executive Session

At 12:19 p.m., an Executive Session of the Sussex County Council was held in the Caucus Room of the Council Chambers for the purpose of discussing matters relating to pending/potential litigation. The Executive Session concluded at 12:36 p.m.

M 363 11 Reconvene Regular Session

At 12:38 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Cole, 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. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

Mr. Moore announced that, during the Executive Session, the Council discussed and received an update on pending/potential litigation issues.

No action was required on Executive Session items.

M 364 11 Adjourn

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 12:39 p.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