Sussex County Council
Public/Media Packet

MEETING:
JANUARY 29, 2013

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SAMUEL R. WILSON JR., VICE PRESIDENT
GEORGE B. COLE
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Sussex County Council

A G E N D A

JANUARY 29, 2013

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Todd Lawson, County Administrator

1. **Administrator's Report**

John Ashman, Director of Utility Planning

1. **Presentation of Public Hearing results for SR26, Phase III, Millville Sanitary Sewer District Expansion**

10:30 a.m. Public Hearing

"AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF SUSSEX COUNTY RELATING TO APPLICATIONS FOR PERMITS UNDER THE INTERIM CODE FOR BUILDING SEWER AND WATER SERVICE PIPE CONNECTIONS"

Grant Request

1. **Southern Delaware Choral Society for performance expenses.**
2. **Hawkseye Property Owners Association for signage costs.**
3. **Sussex County Science Fair for operating expenses.**
4. **Georgetown-Millsboro Rotary Club to sponsor the Club's Winter Event.**

EQUAL HOUSING OPPORTUNITY

Introduction of Proposed Zoning Ordinances

Any Additional Business Brought Before Council

Executive Session – Job Applicants′ Qualifications, Personnel, Pending/Potential Litigation, and Land Acquisition pursuant to 29 Del. C. §10004(b)

Possible Action on Executive Session Item

12:00 Noon – Luncheon with Sussex Outdoors Board – Delaware Community Foundation, The Circle, Georgetown

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Sussex County Council meetings can be monitored on the internet at www.sussexcountyde.gov.

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on January 22, 2013 at 4:20 p.m., and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

# # # #

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 22, 2013

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 22, 2013, 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 038 13 Amend and Approve Agenda

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to amend the Agenda by deleting "Nanticoke Rotary Club for the Annual Sussex County Paramedics Awards Dinner" under "Grant Requests", by deleting "Executive Session - Job Applicants′ Qualifications, Personnel, Pending/Potential Litigation, and Land Acquisition pursuant to 29 Del.C. §10004(b)", and by deleting "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 January 15, 2013 were approved by consent.

Corre-spondence

Mr. Moore read the following correspondence:

DELMARVA TEEN CHALLENGE.
RE: Letter in appreciation of Council's support and grant.

Delaware Electric Cooperative/ Check Presen-tation

Bill Andrew, President and Chief Executive Officer of the Delaware Electric Cooperative (DEC), stated that DEC is the largest provider in Sussex County providing electric to over 75 percent of the County area and DEC supplies its customers with the lowest priced power in the region. Mr. Andrew explained that, because the County is a member, the County is also an owner and as a result, when DEC is able to make a profit, the company is able to allocate that

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(continued) **and give it back in the form of a capital credit check once it is retired. He noted that, this year, the company retired capital credits of 1993 and 1994. On behalf of DEC, Mr. Andrew presented a capital credit check to the County in the amount of $9,782.50.**

Administrator's Report

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

1. <u>Advisory Committee on Aging and Adults with Physical Disabilities for Sussex County</u>

Please be advised the Advisory Committee on Aging and Adults with Physical Disabilities for Sussex County will meet January 28, 2013, at 10:00 a.m. at the Sussex County West Administrative Complex in Georgetown. A copy of the agenda is attached. Representatives of the Greater Lewes Community Village will be speaking on their mission "*to provide neighbors 50 and older living in the Lewes area the services, expertise, social interaction, and practical means to remain independently and safely in their homes as they age in place.*"

2. <u>Sale of Surplus County Vehicles and Equipment</u>

A public auction of surplus County vehicles and equipment was held on Saturday, January 19, 2013, at 12:00 noon at the Sussex County Emergency Operations Center in Georgetown. Thirteen vehicles, eight generators, and two tractors were sold for a total of $20,485.

3. <u>County Pensioner Clarence Fisher</u>

It is with great sadness that we inform you of the passing of Clarence Fisher, County pensioner, on January 14, 2013. Mr. Fisher worked as a Water Operator at the Dewey Beach Water Tower from January 2002 until his retirement in April 2012.

A memorial service was held on Monday, January 21, at Melson's Funeral Home in Millsboro. The family requested that in lieu of flowers, a donation be made to St. Jude Children's Hospital.

We wish to express our condolences to the Fisher family.

Annual Financial Report for Fiscal Year Ended June 30, 2012

Mrs. Webb presented the Sussex County Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2012.

Mrs. Webb recognized County staff and Keith Hammond of BDO USA, LLP, the County's auditing firm, for their work on the audit.

Mrs. Webb reported that the Independent Auditor's Report states that "The financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, and each major fund of Sussex County, Delaware as

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Annual Financial Report for Fiscal Year Ended June 30, 2012 (continued)

of June 30, 2012, …"

Mrs. Webb reported on the Statement of Revenues, Expenditures and Changes in Fund Balance as of June 30, 2012 for the Governmental Fund (General Fund and Capital Projects Fund). She stated that this report shows revenues less expenses less transfers to get to a Net Change in Fund Balance (surplus); for the General Fund for Fiscal Year Ended June 30, 2012, this amount was $854,029.00. The Total Fund Balance (ending) for both the General Fund and Capital Projects Fund (ending June 30, 2012) was $94 million.

Mrs. Webb reviewed the Balance Sheet of Governmental Funds; the General Fund balance was $78,158,229 and the Capital Projects Fund balance was $16,075,741 for a total of $94,233,970. Of the $94 million, $64 million is Realty Transfer Tax and is restricted, i.e. public safety, capital, debt, economic development, public works. The Rainy Day Fund is 26% of the $94 million. Of the $78 million, $4.4 million is assigned through the Fund Balance Policy; County Administration may assign funds that are perceived to be reserved for use, i.e. economic development, reassessment and open space.

Mrs. Webb reviewed General Fund Revenues and Expenditures comparing 2011 and 2012. She noted the consistencies in the numbers for revenues: taxes, fire service, realty transfer tax, ROW offices, etc. She stated that there was only a $30,000 (approximate) difference between actual year to year. Mrs. Webb noted that Row Offices did have an increase in 2012 due mostly to the Sheriff Department's foreclosure sales. Regarding General Fund expenditures, the amounts for 2011 and 2012 were also comparable: administration, finance, paramedics, emergency preparedness, human resources, etc. Mrs. Webb referred to the large increase in human resources expenditures and she stated that this is due to the additional $2 million placed in the pension fund (which came out of the surplus from 2012).

Mrs. Webb reviewed the Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual - General Fund as of June 30, 2012.

Mrs. Webb reported that Capital Projects totaled $2.3 million, most of it for expansion and improvement of the Industrial Airpark ($1.4 million), Library expansion and improvements ($275,000) and Building and Land Improvements ($646,000), i.e. Administration Building, West Complex Building, and the Nanticoke River Dredging Project.

Mrs. Webb presented sewer highlights:

- **3 new sewer districts online (over 2,000 new users)**
- **expansions, upgrades and renovations to existing infrastructure**

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Annual Financial Report for Fiscal Year Ended June 30, 2012 (continued)

- **$3 million in connection fees - $1 million increase over last year due to new connections**
- **debt refinancing of sewer bonds - $7 million of savings**

Mrs. Webb reported that as of June 30, 2012, the Pension Trust Fund (Pension Fund and OPEB Fund) had a value of $76 million.

Mrs. Webb reported on long-term debt. There is $172 million in outstanding bonds payable including $18 million in sewer revenue bonds and $155 million in general obligation bonds. This debt is only for sewer districts; there is no General Fund bonded debt.

Mrs. Webb referenced the Schedule of Expenditures of Federal Awards and she reported that $31 million of federal funding was received: $18 million was received from the USDA; $2.1 million was received in CDBG funding; $907,000 was received from DelDOT; $8.8 million was received from the EPA State Revolving fund; $207,872 was received from the U.S. Department of Energy; and $450,449 was received from the U.S. Department of Homeland Security.

Mrs. Webb concluded by stating that the County has a strong financial foundation, no general fund debt, continues to make capital improvements using reserve funds, a healthy rainy day fund, a plan for the future – a capital improvement plan for both general fund and sewer, and the MUNIS system and total integration of departments to make the County more efficient.

Mr. Vincent referenced the $854,000 surplus and he stated that this amount does not include the County's commitment to the State Police for additional troopers. He noted that, for this reason, the surplus is actually estimated to be $500,000.

Mr. Vincent brought up for the Council's consideration the possibility of allocating the $500,000 surplus to the independent libraries ($350,000) and Community Development and Housing ($150,000). Mr. Vincent suggested charging the Library Advisory Board with making a recommendation on how the money could be used.

Council members discussed Mr. Vincent's suggestions and also discussed one other area to consider – drainage/stormwater issues.

The Council asked the Administrative/Finance staff to consider the recommendations of Council regarding the use of the surplus funding and to come back to the Council with a proposal within 30 days.

Proposed Sublease/ Air Methods and LifeNet

Jim Hickin, Airport Manager, presented a proposal for a sublease agreement between Air Methods Corporation and Legg Hudson, LLC. Mr. Hickin reported that Air Methods is the parent company of LifeNet; they lease Lot A2 from the County and the Lot has a County-owned hangar on it. Air Methods (LifeNet) operates an air ambulance service, with flight and medical

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Proposed Sublease/ Air Methods and LifeNet (continued)

crews on duty 24 hours a day. They currently use the second floor of the County-owned hangar on the lot as on-call sleeping quarters. They need additional space for air crew quarters and office space. They are proposing to place a 24 x 60 modular building on the property; however, they need additional land to do so. They have talked with Joe Hudson of Legg Hudson who leases the property next to Air Methods and requested to sublease 20 feet of the Legg Hudson property to have room for the modular building. Mr. Hickin advised that Legg Hudson has agreed to sublease a 20 foot wide section of their leased lot (Lot A) to Air Methods for $1.00 per year.

M 039 13 Approve Sublease Agreement/ Air Methods and LifeNet

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, that the Sussex County Council approves the Sublease Agreement between Air Methods Corporation and Legg Hudson, LLC and Sussex County, as presented.

Motion Adopted: 5 Yeas.

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

Administration Building Renovations Proposal

Brad Hawkes, Director of Utility Engineering, presented an update on the County's efforts to renovate the Administration Building. Mr. Hawkes presented drawings of the project; the project is to enhance the first floor of the building in and around the Building Code office, including the permit counter, by creating a "One-Stop-Shop" location for customers who come to the building and conduct their business. The plans include four teller-type windows for accepting payments and an area for a plan reviewer. This centralized location will allow all financial processes to be done utilizing the new ERP software and will improve the security of how the County currently collects payments.

Mrs. Jennings, Finance Director Appointee, noted that, as a result of the new ERP technology, the County will be able to accept all payments, including tax bills, dog licenses, building permits, sewer bills, and back-tax collections in one location. Currently, a customer must visit multiple floors of the Administration Building to conduct these types of business transactions.

Mr. Lawson advised that the renovation project was approved in the FY 2013 Budget and is the next step in the implementation of the County's ERP computer system. He noted that the changes resulting from the proposed construction project will greatly improve the County's efficiency and the effectiveness of the County's customer service. Mr. Lawson noted that the presentation on this date is the result of months of work and planning on the part of several County staff.

Mr. Hawkes stated that they have been working with architects to define cost estimates and that the next step will be to advertise for bids. He also stated that Phase 1 of the project needs to begin in a certain window of time so that there will be minimal impact by avoiding the peak tax time.

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Old Business/ C/U No. 1938

Mrs. Deaver stated that she was recusing herself from the discussion/action on the first matter of Old Business and she left the room.

Under Old Business, the Council considered Conditional Use No. 1938 filed on behalf of Karen Barwick.

Lawrence Lank, Director of Planning and Zoning, reported that the Planning and Zoning Commission held a Public Hearing on this application on August 9, 2012 at which time action was deferred. On August 23, 2012, the Commission deferred action again. On September 6, 2012, the Commission recommended that the application be approved for the following reasons and with the following conditions:

1. **The proposed use is primarily a home occupation where the Applicant conducts one-on-one therapy sessions. The need for this Conditional Use is the Applicant's intention to provide group therapy sessions on the premises of a very limited basis.**
2. **The use as a therapist office will benefit the health, safety, and welfare of Sussex County residents.**
3. **The project, with the conditions and stipulations placed upon it, will not have an adverse impact on neighboring properties or the community.**
4. **This recommendation for approval is subject to the following conditions:**
   - **A. The use shall be limited to small group therapy sessions in addition to the one-on-one therapy sessions permitted as a home occupation.**
   - **B. There shall be no more than seven (7) participants in any group therapy session on the premises. The group sessions will also be limited to two (2) group sessions per week.**
   - **C. The parking shall be reconfigured to contain only seven (7) spaces, with barriers to prohibit parking on grassy areas. The single parking space nearest the "do not enter" signs shall be eliminated. One additional parking space shall be provided for a handicap space. The Applicant shall also install signage notifying clients that parking on Collins Avenue is prohibited.**
   - **D. The Applicant shall post a sign at the Collins Avenue exit identifying the reduced speed on that residential roadway.**
   - **E. The Applicant shall contribute a pro-rata share of all upkeep and maintenance costs of Collins Avenue.**
   - **F. There shall also be one lighted sign along Route 24 to identify the practice and the entrance. The sign shall not exceed 32 square feet in size per side, and it shall not be illuminated between the hours of 9:00 p.m. and 6:00 a.m.**
   - **G. The hours of operation shall be between 7:00 a.m. and 8:00 p.m. Monday through Saturday.**
   - **H. There shall not be any parking in the front yard setback.**
   - **I. All entrances and improvements shall comply with all of DelDOT's requirements.**
   - **J. The use shall be served by County sewer when that service becomes available and shall comply with the requirements of the County Engineering Department regarding any improvements to the system**

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Old Business/ C/U No. 1938 (continued)

that are required to serve the property.

K. The Applicant shall submit a revised Preliminary Site Plan addressing the conditions of this approval.

L. This approval is linked to the Applicant's therapy home occupation. As a result, this Conditional Use shall automatically expire in the event the Applicant no longer resides on the property and the home occupation is no longer valid.

M. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

The County Council held a Public Hearing on this application on September 11, 2012 at which time action was deferred. On that date, Mr. Cole suggested that the Council defer action to consider the equitable use of Collins Avenue. Mr. Cole discussed how to deal with the private road issue and he noted that deed restrictions can be costly and difficult. He noted that maintenance is a primary concern and that the Attorney for the Applicant suggested an amendment to Condition E that the Applicant contribute a 50 percent share of all upkeep and maintenance costs of Collins Avenue. Mr. Cole also suggested that the amended condition should note that this requirement should only apply while the Conditional Use is an active use.

M 040 13 Amend Condition E for C/U No. 1938

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to amend Condition E recommended by the Planning and Zoning Commission to read as follows: The Applicant shall contribute a 50 percent share of all upkeep and maintenance costs of Collins Avenue during such times this Conditional Use remains in effect.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 041 13 Adopt Ordinance No. 2289 (C/U No. 1938)

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Ordinance No. 2289 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A THERAPIST OFFICE AND RESIDENCE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 22,161 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1938) filed on behalf of Karen Barwick with the following conditions, as amended:

A. The use shall be limited to small group therapy sessions in addition to the one-on-one therapy sessions permitted as a home occupation.

B. There shall be no more than seven (7) participants in any group therapy session on the premises. The group sessions will also be limited to two (2) group sessions per week.

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M 041 13 Adopt Ordinance No. 2289 (C/U No. 1938) (continued)

C. The parking shall be reconfigured to contain only seven (7) spaces, with barriers to prohibit parking on grassy areas. The single parking space nearest the "do not enter" signs shall be eliminated. One additional parking space shall be provided for a handicap space. The Applicant shall also install signage notifying clients that parking on Collins Avenue is prohibited.

D. The Applicant shall post a sign at the Collins Avenue exit identifying the reduced speed on that residential roadway.

E. The Applicant shall contribute a 50 percent share of all upkeep and maintenance costs of Collins Avenue during such times this Conditional Use remains in effect.

F. There shall also be one lighted sign along Route 24 to identify the practice and the entrance. The sign shall not exceed 32 square feet in size per side, and it shall not be illuminated between the hours of 9:00 p.m. and 6:00 a.m.

G. The hours of operation shall be between 7:00 a.m. and 8:00 p.m. Monday through Saturday.

H. There shall not be any parking in the front yard setback.

I. All entrances and improvements shall comply with all of DelDOT's requirements.

J. The use shall be served by County sewer when that service becomes available and shall comply with the requirements of the County Engineering Department regarding any improvements to the system that are required to serve the property.

K. The Applicant shall submit a revised Preliminary Site Plan addressing the conditions of this approval.

L. This approval is linked to the Applicant's therapy home occupation. As a result, this Conditional Use shall automatically expire in the event the Applicant no longer resides in the property and the home occupation is no longer valid.

M. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

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

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

Mrs. Deaver rejoined the meeting.

Old Business/ C/U No. 1923

Under Old Business, the Council discussed Conditional Use No. 1923 filed on behalf of Donna Massey.

Lawrence Lank, Director of Planning and Zoning, reported that the Planning and Zoning Commission held a Public Hearing on this application on February 9, 2012 at which time action was deferred for a review of the deed restrictions and restrictive covenants. On February 22 and March 8, 2012, the Commission deferred action again. On March 22, 2012, the

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Old Business/ C/U No. 1923 (continued)

Commission received a report from Vince Robertson, Assistant County Attorney, regarding his findings as to the restrictions and covenants. On March 22nd, the Commission recommended approval for the following reasons and with the following conditions:

1. **The Applicant owns the existing structure, which she desires to use as two (2) separate dwelling units while she occupies one of them.**
2. **With the conditions placed upon the use, it will be limited to the Applicant as long as she occupies one of the units.**
3. **The use will not have any significant impact on roadways or traffic.**
4. **Although there was opposition to the proposed use, that opposition appeared to be directed against the possibility that both units would become rental units occupied by unrelated parties and not the Applicant or her family.**
5. **This recommendation is subject to the following conditions:**
   - **A. Only two (2) units shall be permitted and they shall be located within the existing structure.**
   - **B. One of the units shall be occupied by the Applicant, Donna Massey, and her family. In the event she no longer occupies a unit on the property as her residence, this Conditional Use shall automatically terminate.**
   - **C. The property may be subject to Restrictive Covenants concerning the proposed use. The County is not a party to, nor governed by those restrictions. This recommendation should not be construed to override any applicable restrictions or the rights of property owners to enforce them.**
   - **D. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

It was noted that Mr. Robertson reported to the Commission that the use is not a permitted use, but an application process is available for an application, i.e. Conditional Use; that the use is not prohibited by Code or Ordinance; that the use requires Conditional Use approval; and that the County is not bound to abide by restrictive covenants, but the County should give some consideration to those restrictive covenants.

The County Council held a Public Hearing on this application on March 20, 2012 at which time action was deferred.

In response to questions, Mr. Lank stated that the property is subject to the deed restrictions for the (strip lots - minor) subdivision; however, the subdivision (Crestfield) to the rear of the property has the same or similar restrictions and that part of the restrictions is that it shall be a single family home built on the lot. Mr. Lank stated that this matter was referred to the County Attorney for a legal opinion on the deed restrictions. Mr. Moore stated that the property is not a part of the Crestfield Homeowners Association. He noted that there is no Homeowners Association on the strip lots; however, there are deed restrictions.

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M 042 13 Adopt Ordinance No. 2290 (C/U No. 1923)

A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to Adopt Ordinance No. 2290 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (2 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 35,000 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1923) filed on behalf of Donna Massey, with the following conditions:

A. Only two (2) units shall be permitted and they shall be located within the existing structure.
B. One of the units shall be occupied by the Applicant, Donna Massey, and her family. In the event she no longer occupies a unit on the property as her residence, this Conditional Use shall automatically terminate.
C. The property may be subject to Restrictive Covenants concerning the proposed use. The County is not a party to, nor governed by those restrictions. This recommendation should not be construed to override any applicable restrictions or the rights of property owners to enforce them.
D. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion Adopted: 4 Yeas, 1 Nay.

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

Grant Requests

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

M 043 13 Human Service Grant/ Council-manic Grant

A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give $2,500.00 ($870.00 from Human Service Grants and $326.00 from each Councilmanic Grant Account) to the Delaware Police Chiefs′ Council for Local Police Coordination staff support.

Motion Adopted: 5 Yeas.

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

M 044 13 Council-manic Grant

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to give $3,500.00 from Mrs. Deaver's Councilmanic Grant Account to Lewes in Bloom for the Children's Learning Garden.

Motion Adopted: 5 Yeas.

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M 044 13 (continued)

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

Introduction of Proposed Ordinance

Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR WAREHOUSING AND RELOCATION OF A HELICOPTER PAD AS EXTENSION TO CONDITIONAL USE NO. 1679 (OFFICE AND WAREHOUSING) AND CONDITIONAL USE NO. 1858 (HELICOPTER LANDING SITE, PRIVATE) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 8.46 ACRES, MORE OR LESS" (Conditional Use No. 1958) filed on behalf of Omar Road, LLC. The Proposed Ordinance will be advertised for Public Hearing.

There was no Additional Business.

M 045 13 Recess

At 11:43 a.m., a Motion was made by Mr. Wilson, seconded by Mr. Phillips, to recess the meeting for the purpose of attending the Sussex County Profile Luncheon at Sussex Pines Country Club.

Motion Adopted: **5 Yeas.**

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

Profile Luncheon

At 12:00 Noon, a luncheon was held at the Sussex Pines Country Club in Georgetown for the unveiling of the 2013 Sussex County Profile.

M 046 13 Adjourn

At 1:25 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Cole, to adjourn the meeting.

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

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF SUSSEX COUNTY RELATING TO APPLICATIONS FOR PERMITS UNDER THE INTERIM CODE FOR BUILDING SEWER AND WATER SERVICE PIPE CONNECTIONS.

WHEREAS, Sussex County Code, Chapter 110 currently governs Water and Sewer services within the Sussex County; and

WHEREAS, Sussex County Code, Chapter 110, Article VII governs building sewer and water service pipe connections and Sussex County Code § 110-63(b) requires that applications of permits under this section shall be made in person on application forms; and

WHEREAS, this Ordinance will permit the Sussex County Engineer to prescribe the manner in which applications of permits are submitted including, but not limited to, submission of applications through mail and electronic communications.

NOW THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. Amend Sussex County Code, Chapter 110, Section 110-63(b) deleting the language contained in brackets below and by inserting the language underlined and italicized below as follows:

"B. Application for a permit shall be made [in person and on application forms provided] by an applicant in *the manner and method directed by the Sussex County Engineer.* Such information as required shall be provided to complete the application."

Section 2. Effective Date. This Ordinance shall become effective upon its adoption by a majority of all members elected to County Council.

PROPOSED

Synopsis

This Ordinance allows the Sussex County Engineer to set forth the manner in which applications for permits under the Interim Code for Building Sewer and Water Service Pipe Connections are made.

Deleted text is noted in brackets. Additional text is underlined and in italics.

PROPOSED

Southern Delaware Choral Society
PO Box 444 · Rehoboth Beach, DE 19971
Phone & Fax (302)226-5231

October 23, 2012

Councilwoman Joan Deaver
Sussex County Council
PO Box 589
Georgetown, DE 19947

Dear Joan,
I am writing to request your assistance in support of the efforts of the Southern Delaware Choral Society. We are an 80 member volunteer chorus that provides high quality choral entertainment across Sussex County. We will perform "A Holiday Voyage- Christmas Around the World" on December 8th at Woodbridge High School in Bridgeville and on December 9th at Cape Henlopen High School in Lewes. We have just finished our annual fundraising drive and fell $5,000 short of our goal. A sign of the tough economic times that we are facing, I am sure.

This means that we will encounter difficulties in providing the high quality, musical accompaniment that our audiences have come to expect. Typically, our revenue from ticket sales at our concerts is at about $4,000 per concert. In order to do justice to this beautiful music, we require an several musicians and professional soloists and have hired an arranger, Roo Brown of Lewes to provide narration for the program and to arrange the American music. The cost for artistic assistance is budgeted at $9,000. If you do the math, we are at a loss without adding in the costs for renting performance halls and buying tickets, posters and publicity for the concerts. We planned to use some of the money from our fundraising efforts to offset this deficit so that we would not have to increase ticket costs to generate the revenue. We believe that at $20 per ticket, our concerts provide a value that is affordable for our local residents, yet if you were to go to a more urban area to see this type of offering, you can bet that price would be doubled.

Over the years, we have benefitted from small grants from Sussex County Council that have helped us to meet our mission of providing high quality choral music across Sussex County. If there is any way that you can assist our efforts, I know that you will be enriching the quality of life for all of the residents in Sussex County. Thank you for your consideration.

Sincerely,

Gail E. Launay

Hawkseye Property Owners Association
P.O Box 357 • Lewes DE 19958

December 19, 2012

Councilwoman Joan Deaver
19208 Plantation Road
Rehoboth Beach, DE 19971

Re: Homeowners Association Grant Funds Request

Dear Councilwoman Deaver,

At the suggestion of Mr. Hal Godwin, we are writing this letter to request funds for our non-profit homeowners association, the Hawkseye Property Owners Association (HPOA).

The Delaware bike path runs through the center of our community. Unfortunately, bikers, hikers, runners use our neighborhood as their parking lot, disregarding the "No Parking" signs clearly visible throughout the community. They leave cars on our roads, in our pool parking lot, on our common areas and our storm water swales, and are frequently rude when we politely remind them that the community is private and should not be used for bike path parking.

In light of the complaints we have received from our HPOA members, our Board of Directors has voted to implement a towing program, following appropriate guidelines, including purchasing and installing additional signage to alert unauthorized parkers that their car will be towed, along with the retrieval information and costs. This signage will cost $460.00.

Since the problem is a direct result of the bike path located in our development, by resolution of our Board of Directors, we are asking you to request grant funds on our behalf to defray the cost of the new towing program signage.

If you need any further information, please don't hesitate to contact me.

Thank you for considering this matter.

Sincerely,

Bill Liento

Bill Liento
Vice President, Board of Directors
Roads Committee Chairperson
Hawkseye Property Owners Association

Promoting Science Research by Delaware Students

January 16, 2013

Sussex County Council
2 The Circle
P.O. Box 589
Georgetown, DE 19947

Dear County Council,

With great appreciation for your generous past support, the Sussex County Science Fair steering committee once again finds it necessary to request the support of our County Council.

This year marks the 21st annual Sussex County Science Fair for middle and high school students in our county. The fair will be held on March 4, 2013 at the Cape Henlopen State Park Biden Center. As in the past, the mission of the Fair is to provide an opportunity for students to showcase their science, mathematics, and engineering research projects. Winners from our local fair go on to the regional Delaware Valley Science Fair often to do very well. Last year, at the regional fair where there were approximately one thousand projects, half of the students we sent received awards, including one student at Sussex Technical High School who was the gold medal winner for 10th grade and went on to win fourth place at the Intel International Science and Engineering Fair.

The Sussex County Science Fair is run entirely by volunteers. We are fortunate to have the support of several businesses and organizations providing special awards for student participants, but we would not be able to cover the cost of the operation of the fair without community support. Any funding you could contribute would be greatly appreciated and recognized in our program, at the Awards Ceremony, and on our web site: http://www.sussexcountysciencefair.org/supporters.htm

Thank you for your attention and for your support in the past.

Sincerely,

Eve J. Aldred, M.D.

Sussex County Science Fair Steering Committee Co-Chairs

Eve Aldred, M.D.
aldred5@verizon.net

Rob Schroeder
rdschroe711@gmail.com

Helen Gieske
hgieske@verizon.net

Georgetown-Millsboro Rotary Club

January 24, 2013

To: Sussex County Council
Attention: Mr. Vance Phillips
2 The Circle
P.O. Box 589
Georgetown, DE 19947

From: Charlene Hubert, Board of Directors
Dan Tabler, Event Chair
Georgetown-Millsboro Rotary Club

Re: Donation

This year's Valentine theme event, "An Affair to Remember" will be held on Saturday, February 9th at Del Tech's Carter Partnership Center from 7-10pm. Dancing to the Skinny Leg Pete Band, delicious "finger food" from Lighthouse Catering, a raffle for a weekend getaway, and a silent auction are all features of the evening. We would be very pleased to have any or all of you join us as our guests.

Proceeds from "An Affair to Remember will be used to support local Rotary projects including college scholarships and sponsoring deserving teen leaders to attend the Rotary Youth Leadership Award (RYLA) Conference. The club was so impressed with the students we interviewed that we have increased our sponsorship from two to five teens.

A portion of the proceeds will be used to support Rotary International's PolioPlus project to eliminate Polio worldwide forever. The wild poliovirus currently remains in only Afghanistan, Pakistan and Nigerian. However, the virus is just a plane ride away from re-infecting places that have been Polio-free for years including Sussex County. This is a concern as most schoolchildren no longer receive the polio vaccine.

Thank you in advance for your continued support of the Georgetown-Millsboro Rotary Club. Please contact Dan at 228-2385 or Charlene at 381-2843, if additional information is needed.

Service Above Self

P.O. Box 164, Georgetown, DE 19947
Meetings Every Tuesday at Noon – Tunnell Hall, Georgetown Presbyterian Church