



# **Sussex County Council Public/Media Packet**

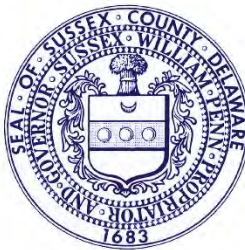
**MEETING:  
March 17, 2015**

**\*\*DISCLAIMER\*\***

This product is provided by Sussex County government as a courtesy to the general public. Items contained within are for background purposes only, and are presented 'as is'. Materials included are subject to additions, deletion or other changes prior to the County Council meeting for which the package is prepared.

**Sussex County Council  
2 The Circle | PO Box 589  
Georgetown, DE 19947  
(302) 855-7743**

MICHAEL H. VINCENT, PRESIDENT  
SAMUEL R. WILSON JR., VICE PRESIDENT  
ROBERT B. ARLETT  
GEORGE B. COLE  
JOAN R. DEAVER



2 THE CIRCLE | PO BOX 589  
GEORGETOWN, DE 19947  
(302) 855-7743 T  
(302) 855-7749 F  
sussexcountype.gov

# Sussex County Council

## AGENDA

MARCH 17, 2015

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Consent Agenda

1. Wastewater Agreement No. 766-8  
Sussex County Project No. 81-04  
Senators – Phase 2C  
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
2. Wastewater Agreement No. 766-9  
Sussex County Project No. 81-04  
Senators – Phase 2D  
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
3. Wastewater Agreement No. 1005  
Sussex County Project No. 81-04  
Americana Bayside - Knox Property  
Bay View Estates Sanitary Sewer District

### Todd Lawson, County Administrator

1. Discussion on commercial vendors including food trucks.
2. Administrator's Report



**Gina Jennings, Finance Director**

**1. Wilmington Trust Custodial Agreement**

**Old Business:**

**Conditional Use No. 1994 filed on behalf of Robert Wilkerson**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOBILE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.5 ACRES, MORE OR LESS” (land lying north of Route 88 (Cave Neck Road) 340 feet east of Road 261 (Sweetbriar Road) (Tax Map I.D. 235-22.00-18.09) (911 Address: None Available)**

**Grant Requests**

- 1. Lewes in Bloom for the Children’s Learning Garden.**
- 2. True Blue Jazz for operating costs and scholarship funding.**
- 3. First State Community Action Agency for a fundraiser to benefit youth programming.**

**Introduction of Proposed Zoning Ordinances**

**Council Members’ Comments**

**Executive Session – Personnel, Pending/Potential Litigation, Land Acquisition pursuant to 29 Del. C. §10004(b)**

**Possible Action on Executive Session Items**

**Adjourn**

**12:00 Noon - Luncheon with Sussex County Firefighters Association**  
**The Brick Hotel Restaurant**

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 10, 2015 at 5:55 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.

# # # #

## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

MICHAEL A. IZZO, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 10, 2015

### **FACT SHEET**

SUSSEX COUNTY PROJECT 81-04  
SENATORS - PHASE 2C  
AGREEMENT NO. 766 - 8

#### **DEVELOPER:**

Mr. Nick Hammonds  
Senators Lewes, LP  
246 Rehoboth Avenue  
Rehoboth Beach, De 19971

#### **LOCATION:**

West side of Gills Neck Road.

#### **SANITARY SEWER DISTRICT:**

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

#### **TYPE AND SIZE DEVELOPMENT:**

32 single family lots

#### **SYSTEM CONNECTION CHARGES:**

\$176,000.00

#### **SANITARY SEWER APPROVAL:**

Sussex County Engineering Department Plan Approval  
01/22/10

Department Of Natural Resources Plan Approval  
06/07/10

#### **SANITARY SEWER CONSTRUCTION DATA:**

Construction Days – 60  
Construction Admin And Construction Inspection Cost – \$15,859.50  
Proposed Construction Cost – \$105,730.00

## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

MICHAEL A. IZZO, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 10, 2015

### **FACT SHEET**

SUSSEX COUNTY PROJECT 81-04  
SENATORS - PHASE 2D  
AGREEMENT NO. 766 - 9

#### **DEVELOPER:**

Mr. Nick Hammonds  
Senators Lewes, LP  
246 Rehoboth Avenue  
Rehoboth Beach, De 19971

#### **LOCATION:**

West side of Gills Neck Road.

#### **SANITARY SEWER DISTRICT:**

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

#### **TYPE AND SIZE DEVELOPMENT:**

27 single family lots

#### **SYSTEM CONNECTION CHARGES:**

\$148,500.00

#### **SANITARY SEWER APPROVAL:**

Sussex County Engineering Department Plan Approval  
01/22/10

Department Of Natural Resources Plan Approval  
06/07/10

#### **SANITARY SEWER CONSTRUCTION DATA:**

Construction Days – 50  
Construction Admin And Construction Inspection Cost – \$13,319.85  
Proposed Construction Cost – \$88,799.00

## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
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# Sussex County

DELAWARE  
sussexcountyde.gov

MICHAEL A. IZZO, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 10, 2015

### **FACT SHEET**

SUSSEX COUNTY PROJECT 81-04  
AMERICANA BAYSIDE KNOX PROPERTY  
AGREEMENT NO. 1005

#### **DEVELOPER:**

Mr. Chris Garland  
Carl M. Freeman Communities  
36097 Sand Cove Road  
Selbyville, DE 19975

#### **LOCATION:**

North east of Williamsville Rd. #395.

#### **SANITARY SEWER DISTRICT:**

Bay View Estates Sanitary Sewer District

#### **TYPE AND SIZE DEVELOPMENT:**

45 single family homes and 48 duplexes

#### **SYSTEM CONNECTION CHARGES:**

\$511,500.00

#### **SANITARY SEWER APPROVAL:**

Sussex County Engineering Department Plan Approval  
12/31/14

Department Of Natural Resources Plan Approval  
02/20/15

#### **SANITARY SEWER CONSTRUCTION DATA:**

Construction Days – 70  
Construction Admin And Construction Inspection Cost – \$53,927.09  
Proposed Construction Cost – \$359,513.92



TODD F. LAWSON  
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**Sussex County**  
DELAWARE  
sussexcountype.gov

## **Memorandum**

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Jr., Vice President  
The Honorable Robert B. Arlett  
The Honorable George B. Cole  
The Honorable Joan R. Deaver

FROM: Todd F. Lawson  
County Administrator

RE: **VENDOR DISCUSSION**

DATE: March 13, 2015

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During Tuesday's meeting, we are scheduled to continue to discuss the vendor and food truck topic. Recall, there was a previous discussion with Council in August. Based on your feedback, we have developed specific criteria for a streamlined process to allow vendors to operate on property zoned commercial.

Please note, this discussion and initiative **does not apply** to traditional farm markets and produce stands that are allowed to legally operate on AR-1 property.

### **Background**

Under current County Code, certain vendors such as food trucks, food carts, produce wagons, and merchandise kiosks are required to apply for a conditional use of land to legally operate on a commercially zoned property. In some instances, the same vendor is also required to apply for a variance.

The process is expensive, lengthy, and in some instances over-burdensome.

### **Proposal**

To improve the current system, the proposal is to amend County Code and provide a streamlined process for vendor-type activity that meets a very specific criteria. The proposal would allow a "counter review" and permit process by the Planning and Zoning Director.





The proposal would eliminate the requirement of seeking a conditional use, and in most cases eliminate the need for a variance or special use exception.

The proposal does allow the Director to require the applicant to seek a special use exception through the Board if there are concerns regarding location, parking, neighboring properties, or good cause.

### **Specifics**

An applicant with the following criteria would qualify for a permit under the proposal:

1. Property Zoning: C-1 and CR-1 only
2. Activity: Temporary and removable vending stand, including food trucks
3. Length of Time: 6 months or less
4. Amount: 1 stand per parcel
5. Size: 162 sq. feet or less (average size of a parking spot)
6. Permission: Activity must be approved, in writing, by property owner
7. Plan: Drawing showing stand location required
8. Kick-Out: Director may require applicant to seek Board approval

On Tuesday, we intend to further discuss this proposal and receive your feedback and guidance. If appropriate, we will follow-up with a proposed ordinance for introduction during a future meeting.

Please let me know if you have any questions.

TFL/sww

pc: Vincent G. Robertson, Esquire  
Mr. Lawrence B. Lank

GINA JENNINGS  
DIRECTOR OF ACCOUNTING  
(302) 855-7853 T  
(302) 855-7722 F  
gjennings@sussexcountye.gov



**Sussex County**  
DELAWARE  
sussexcountye.gov

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Jr., Vice President  
The Honorable Robert B. Arlett  
The Honorable George B. Cole  
The Honorable Joan R. Deaver

FROM: Gina A. Jennings  
Finance Director

SUBJECT: **Wilmington Trust Custodial Agreement**

DATE: March 13, 2015

On Tuesday, I will be requesting to change our arrangement with Wilmington Trust from a Trust Agreement to a Custodial Agreement for the Sussex County Employee Pension Fund.

In 1976, Sussex County signed an agreement with Wilmington Trust to be the Trustee of funds held with them for the pension plan; this agreement costs the County 7 basis points. In 2011, Sussex County signed a similar agreement with Wilmington Trust to be the Custodian of funds held with them for the OPEB plan. This agreement costs the County 4 basis points.

In an attempt to save money, I have reviewed the differences between a trustee and a custodial account. Below are both the monetary and authority differences:

	Trustee	Custodian
Definition	Manages assets for the beneficiaries	Holds the assets for an organization
Authority	Must make investment decisions. The beneficiaries can sue the trustee if the trustee makes an irresponsible decision.	Has no authority to make management decisions with the funds held at the bank
Fiduciary Responsibility	Must make investment decisions. The beneficiaries can sue the trustee if the trustee makes an irresponsible decision	Must protect the assets from theft
Fee	.07%	.04% - .03%

	Current Scenario	Proposed Scenario
WTC – OPEB	\$19,237,000	\$19,237,000
Annual Fee	\$7,695	\$5,771
WTC – Pension	\$20,396,000	\$20,396,000
Annual Fee	\$14,277	\$6,119
Total Annual Fee	\$21,972	\$11,890
<b>Annual Savings</b>		<b>\$10,082</b>

The County has had no issues with the custodial arrangement with Wilmington Trust through the OPEB plan, and, therefore, I am recommending the County terminate the Trust Agreement with Wilmington Trust and develop a Custodial Agreement. The new agreement has been reviewed by the County's legal counsel. Attached is the resolution for your consideration on Tuesday.

Please let me know if you have any questions.

Attachment

pc: Mr. Todd F. Lawson

**RESOLUTION NO. R --- 15**

**RESOLUTION APPOINTING SUSSEX COUNTY COUNCIL TO ACT AS TRUSTEE OF THE TRUST ESTABLISHED AS PART OF THE SUSSEX COUNTY EMPLOYEE PENSION PLAN**

**WHEREAS, Sussex County, Delaware (the "Corporation") maintains the Sussex County Employee Pension Plan (the "Plan") which is qualified under Section 401(a) of the Internal Revenue Code of 1986 as amended;**

**NOW THEREFORE BE IT RESOLVED, that Sussex County Council (the "Successor Trustee") is hereby appointed to act as Trustee of the Trust established as part of the Plan; and**

**BE IT FURTHER RESOLVED, that Wilmington Trust, N.A. (WTNA) currently serving as non-discretionary Trustee of the Plan be removed as Trustee effective as of the date the Successor Trustee accepts their appointment.**

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R --- 15 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2015.**

**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**

**Successor Trustee Acceptance**

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**The undersigned hereby acknowledge and accept their appointment as Successor Trustee of Sussex County Employee Pension Plan (the “Plan”) as of the execution date of this acceptance.**

**Trustee Acceptance**

**SUSSEX COUNTY COUNCIL**

**Michael H. Vincent, President**

**Dated: \_\_\_\_\_**

## OLD BUSINESS

March 17, 2015

This is to certify that the Sussex County Planning and Zoning Commission conducted a public hearing on the below listed application for Conditional Use. At the conclusion of the public hearing, the Commission moved and passed that the application be forwarded to the Sussex County Council with the recommendations as stated.

Respectfully submitted:

COUNTY PLANNING AND ZONING  
COMMISSION OF SUSSEX COUNTY

Lawrence B. Lank

Director of Planning and Zoning

The attached comments relating to the public hearing are findings of the Planning and Zoning Commission based upon a summary of comments read into the record, and comments stated by interested parties during the public hearing.

### **Conditional Use #1994 – Robert Wilkerson**

Application of **ROBERT WILKERSON** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an automobile repair shop to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 1.5 acres, more or less, land lying north of Route 88 (Cave Neck Road) 340 feet east of Road 261 (Sweetbriar Road) (911 Address – None Available) (Tax Map I.D. #2-35-22.00-18.09).

The Commission found that the Applicant had submitted a copy of the survey of the property depicting the garage as existing on the property.

The Commission found that DelDOT provided comments on February 6, 2014 in the form of a Support Facilities Report referencing that a traffic impact study was not recommended, and that the current Level of Service “C” of Cave Neck Road (Route 88) will not change as a result of this application proposing to utilize the property for auto repair.

The Commission found that the County Engineering Department Utility Planning Division provided comments on August 20, 2014 in the form of a memorandum which reference that the property is not located in a County operated or maintained sanitary sewer and/or water district; that the property is located in the North Coastal Planning Area; that an on-site septic is proposed; that conformity to the North Coastal Planning Study will be required; that the proposed project is not in an area where the County currently has a schedule to provide sewer service; and that a concept plan is not required.



Mr. Lank advised that Commission that the Department has received six (6) letters and/or emails in opposition to this application and provided the Commission with copies to review.

The Commission found that Robert Wilkerson was present and stated in his presentation and in response to questions raised by the Commission that he is proposing to use an existing garage on the property for an auto repair shop; that the activity is mostly a hobby; that he takes care of vehicles owned by family members and friends; that he does not charge fees; that he has received some donations for some of his work; that he has been utilizing the site for this purpose for approximately 5 years; that waste oils are pickup and handled by a waste oil handler; that parts removed from vehicles are disposed of or hauled away to salvage yards; that he does not want to have more than 10 vehicles on the site at any one time; that there are no other businesses in the area; that the area is predominantly residential and agricultural; that his normal business hours are from 8:30 a.m. to 5:00 p.m. Monday through Saturday; that there are no sanitary facilities on the site; that there are no vehicles for sale on the site; that he does offer any towing services; that he does not offer any repossession storage; that the service is needed in the area; that his father owns the property; and that his family owns the adjacent acreage as the Holland Family Land Corp.; that he has five or six people to and from the site daily; that he has no employees; that the building has a concrete floor; that he uses oil dry if any spill occurs; that he utilizes a parts cleaner system for cleaning parts; that there is no water on site; that security lighting exists; that he has an approved business license; and that he does not have a car lift in the shop, but utilizes jacks and jack-stands to service vehicles.

The Commission found that Ardie Bolden and Leeland Harmon, Jr. were present and spoke in support of the application stating that they have no objection to the application; that the site is well maintained; that there is little to no noise; that the site is clean, near and the grass is cut; that the applicant has been a good neighbor and is a good worker; and that he does a good job repairing vehicles and lawn mowers.

The Commission found that Nicki Trigg, Maureen Gosparik, Norma Jean Boudah, Roger Beaudin, Megan Stevens, Ben Cavaliere, Beverly Delli Santi, Debbie Kurpinski, and Ken Kurpinski were present and spoke in opposition to this application expressing concerns that there are normally 20 or more vehicles on the site; that there is heavy pedestrian activity on the site; that they do not support the need for an auto repair shop in the area; that the site is unsightly and an eyesore; that there are no restroom facilities; that power tool noises are disturbing; that the applicant has been in business for several years without any approvals; that tires have been stacked along the building; that the area is residential; that recently a convenience store application was denied near this site due to the residential area; that there are a large number of people coming and going to the site; that the lot does not have a septic system; that there is no hazardous materials waste report for review; that the entrance has not been built to State specification; that they purchases because the area is residential; that the intersection of Cave Neck Road, Hudson Road, and Sweetbriar Road is very dangerous; that the use is not compatible with the residential area surrounding the site; and that the area should remain residential and agricultural.

At the conclusion of the public hearings, the Commission discussed this application.

On August 21, 2014 there was a motion by Mr. Johnson, seconded by Mr. Smith, and carried unanimously to defer action for further consideration. Motion carried 4 – 0.

On September 11, 2014 the Commission discussed this application under Old Business.

Mr. Johnson stated that he was prepared to make a motion, but asked if the other Commissioners had any comments.

Mr. Smith stated that the site is an appropriate location for an auto repair shop to serve the area based on some of the support heard during the public hearing.

Mr. Ross agreed with Mr. Smith's comments.

Mr. Burton stated that he would be abstaining from participating in the discussion and vote since he was not present during the public hearing.

Mr. Johnson stated that he would move that the Commission recommend approval of Conditional Use No. 1994 for Robert Wilkerson for an automobile repair shop based on the record made during the public hearing and for the following reasons:

- 1) Contrary to some of the statements made during the public hearing, this is not a conversion to a commercial or business zoning district. The use will be specific, with conditions and limitations placed upon it. Like any conditional use, if these requirements are violated, the conditional use can be terminated.
- 2) The use is relatively small in scope. If there was a home on this property, it is a small enough of a use with no employees that it is similar to a home occupation.
- 3) While there are some relatively new developments in this area, it is still a predominantly rural agricultural/residential area.
- 4) The use is adjacent to a much larger parcel owned by the applicant's family.
- 5) Although there was some opposition to this application, I am satisfied that these issues can be addressed through appropriate conditions.
- 6) I do not believe this use adversely affects traffic in the area.
- 7) With the conditions and limitations placed upon this use, it will not adversely affect neighboring properties or the community.
- 8) The use provides a benefit to Sussex County residents by providing a convenient location for automobile services.
- 9) This recommendation is subject to the following conditions:
  - A. The use shall be limited to the existing structure on the property. No additional structures will be permitted.
  - B. The use shall be operated solely by the applicant. As stated by the applicant, there shall not be any other employees associated with the business.
  - C. No outside repairs shall be permitted.
  - D. No junked, unlicensed or unregistered vehicles, trucks or trailers shall remain on the property for longer than six (6) months.
  - E. No more than ten (10) vehicles, trucks or trailers shall be located outside at any one time.

- F. The use shall include porta-toilet facilities. The nature and location of these facilities shall be shown on the Final Site Plan and shall be screened from neighboring properties.
- G. There shall not be any outside storage of vehicle parts, equipment, scrap, or similar materials.
- H. There shall not be any vehicle sales occurring on the site.
- I. All dumpsters or trash receptacles shall be screened from view of neighboring properties or roadways.
- J. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
- K. One unlighted sign, not to exceed 32 square feet in size per side, shall be permitted.
- L. The areas for outside vehicles shall be shown on the Final Site Plan and clearly marked on the site itself.
- M. All oils, hazardous substances, fluids and similar substances shall be stored inside in accordance with all applicable laws and regulations and shall be disposed of the same way.
- N. The hours of operation shall be between 8:30 am and 5:00 pm, Monday through Saturday.
- O. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Johnson, seconded by Mr. Smith, and carried with four (4) votes to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons and with the conditions stated. Motion carried 4 – 0, with Mr. Burton abstaining since he was not present during the public hearing.

**Introduced 05/20/14**

**District No. 3**

**Tax Map I.D. 235-22.00-18.09**

**911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOBILE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.5 ACRES, MORE OR LESS”**

**WHEREAS, on the 2nd day of May 2014, a conditional use application, denominated Conditional Use No. 1994 was filed on behalf of Robert Wilkerson; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2014, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 1994 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2014, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

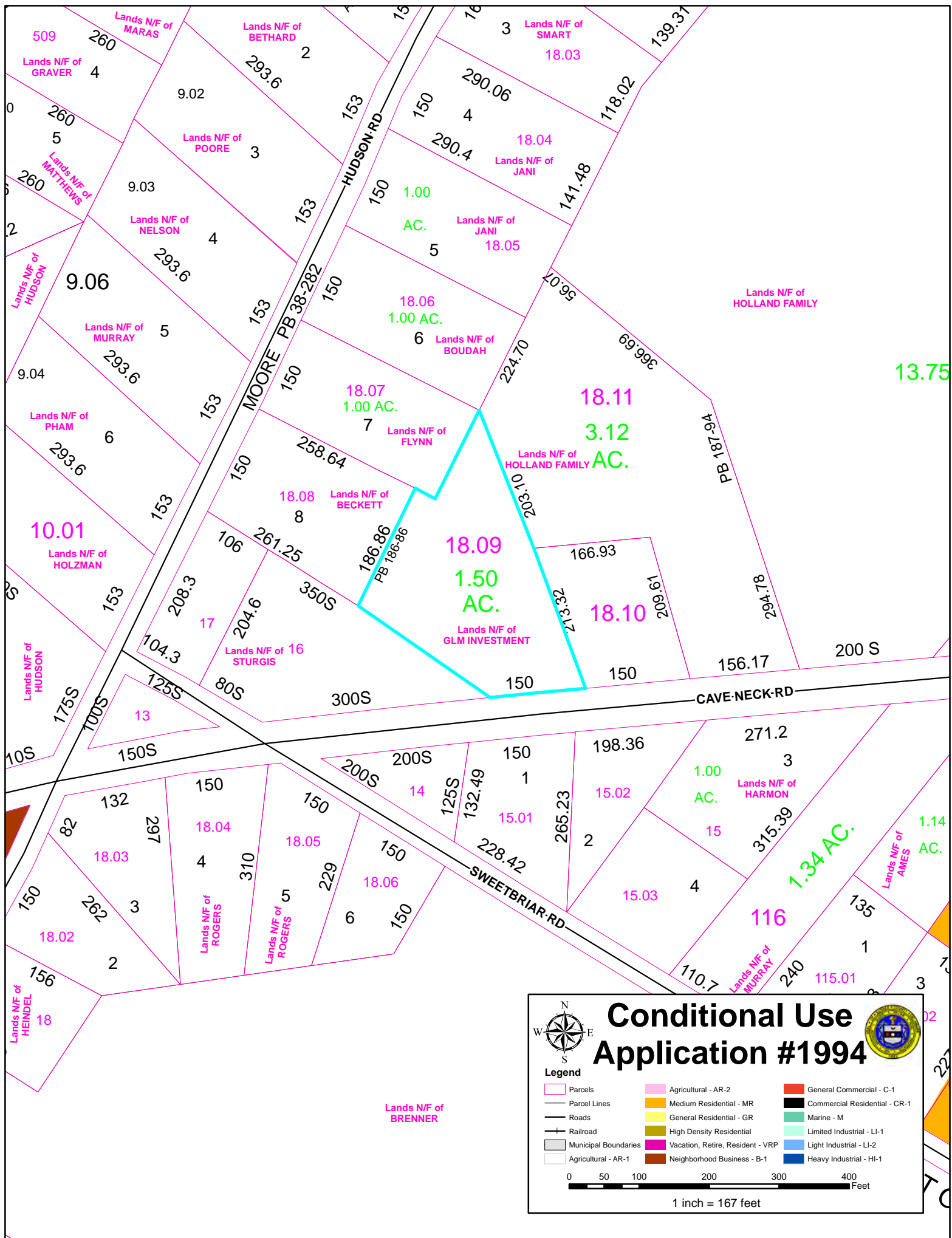
**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

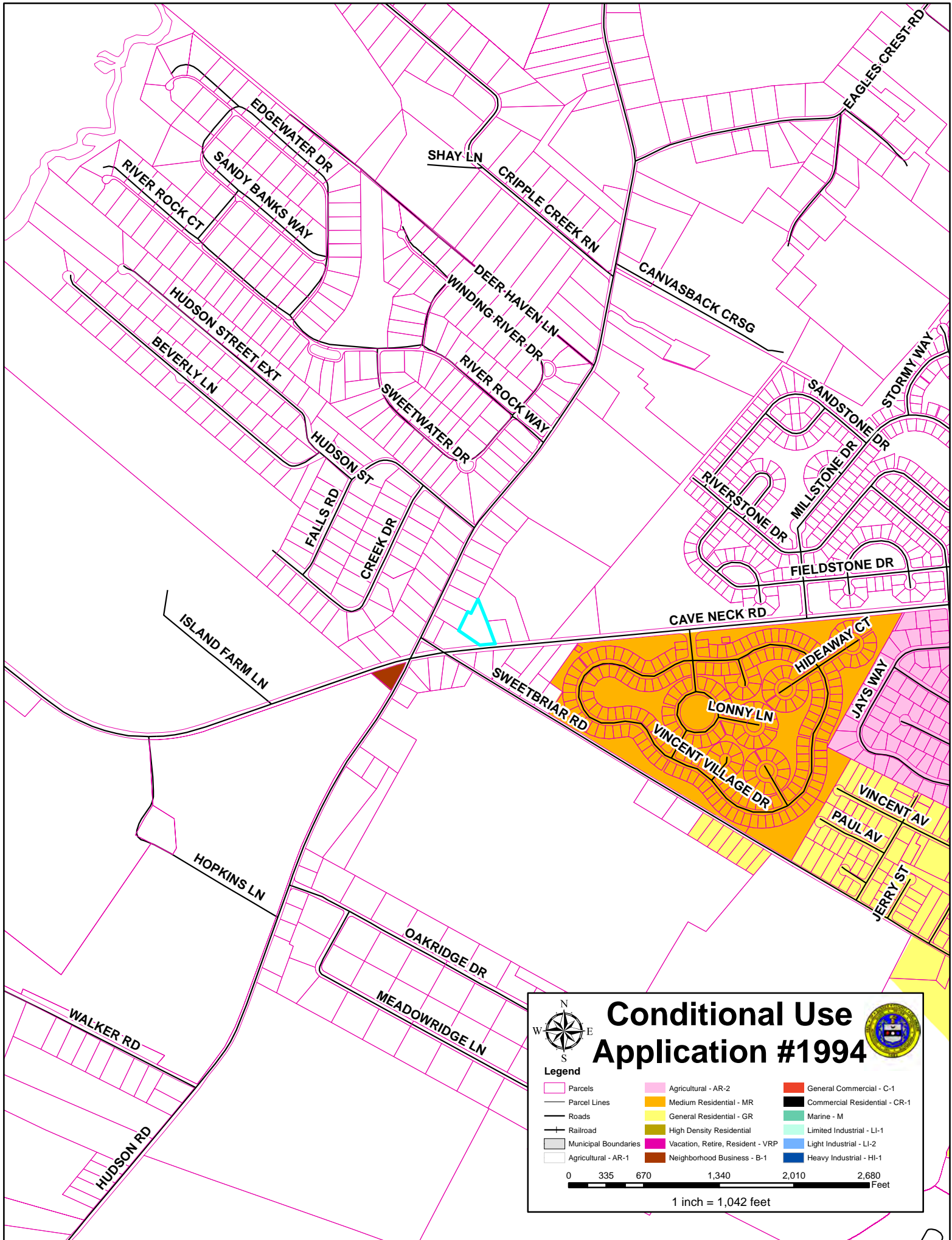
**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1994 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land, lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying north of Route 88 (Cave Neck Road) 340 feet east of Road 261 (Sweetbriar Road) and being more particularly described as the residual parcel in Plot Book 186, Page 86, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 1.5 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**













Council Woman Joan Deaver

February 17, 2015

Sussex Council, DE 19971

Dear Mrs. Deaver,

We are seeking a grant of \$500 to sustain the Children's Learning Garden in Lewes, DE and to expand our vegetable/fruit plantings and activities for 2015. The garden is sponsored by "Lewes in Bloom", a 501(C)3 non-profit organization. We have just completed our second year of operations. Besides the planting and harvesting of vegetables and fruits throughout the growing season, we conducted gardening, cooking, music, and storytelling and exercise classes from spring through fall. All were well attended. Garden Story Hour on Monday mornings was particularly popular with an average attendance of thirty-seven. Cooking classes, where children learned about the nutritional value of the fruits and vegetables they grew, was another well attended activity and will be expanded in 2015. A new undertaking that we hope to implement in 2015 is the donation of some of our produce to a soup kitchen. We want to emphasize to our children that there are some in our community who don't have enough to eat. A dedicated group of volunteers continue to help with the operation of the garden and assist with planned activities. We hope Sussex County Council will approve the grant so we can continue to provide this healthy and valuable service to our children.

Checks for the Children's Learning Garden should be made payable to "Lewes in Bloom" with the Children's Learning Garden noted in the memo area. Our tax ID number is 51-0400365.

Sincerely yours,

Louis Papp

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Lewes In Bloom - P O Box 308 - Lewes, DE 19958

[www.lewesinbloom.org](http://www.lewesinbloom.org)

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## true blue jazz inc.

Gina Jennings  
Sussex County Council Finance Director  
Georgetown, DE 19947

Gina,

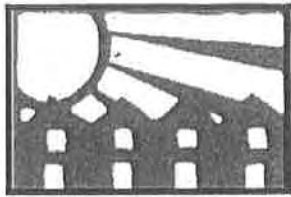
Thank you for taking my call to discuss submitting our request for an Arts Grant through the Sussex County Council, and other support that Councilman George Cole has been kind enough to extend to us.

Speaking with George about True Blue Jazz Inc., we have shared with him the motivating premise behind our now 3 year old Straight Ahead Jazz Series. It is simply this, "Preservation through performance". Along with the many great regional Jazz Artists and Performers that we have introduced to Jazz Fans all across the Delaware Beaches, we are continuing with our Young Jazz Musicians initiative, both in Artists we book, as well as our Youth Jazz Showcase Concert which takes place on Rehoboth Bandstand... Saturday of our October Show Dates.

To continue our amazingly rapid growth as producers and presenters of Live Straight Ahead Jazz, and to facilitate our support for the up and coming, young jazz musicians of our area, we would like to request a Grant of \$2500 USD. This funding will help us to meet our goal of offering a True a Blue Jazz Scholarship to an aspiring jazz player, Sheet Music or Instrument Rentals for a budget challenged School District, or Private Lessons for a struggling Music Student. In addition to Councilman Cole, we hope we can have the support of our entire Sussex County Council.

Sincerely,

Eddie Sherman & Peggy Raley



# FirstState

## COMMUNITY ACTION AGENCY

*People Helping People Build Community*

MAR - 9 2015

March 3, 2015

Ms. Gina Jennings  
Sussex County Government  
2 The Circle  
P.O. Box 589  
Georgetown DE 19947 USA

Dear Ms. Jennings:

Well, the par-tee is back and it's better than ever!!!



Please join me for this highly anticipated event and help us commemorate fifty years of service as a leading anti-poverty human service organization. On **Thursday, May 14, 2015**, we present our 2<sup>nd</sup> annual miniature golf tournament to benefit youth programming at First State Community Action Agency, Inc. Support will provide opportunities for youth to engage in the arts, improve their academic performance through tutoring and homework assistance, improve their knowledge of money and banking, provide mentoring and case management and to provide skills training for the workforce.

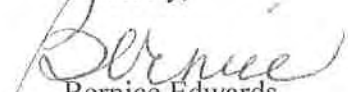
In the past year, First State has assisted and impacted more than 15,000 individuals with its full spectrum of programs and services in its efforts to empower, change, and promote independence in the lives of people and improve the health of our communities.

The miniature golf tournament, to be held at Jungle Jim's in Rehoboth Beach, will attract many leaders in the community, including local organizations and companies. **I invite you to join us at this fun amateur sporting event and help us continue to provide much needed services to the youth in our community by becoming a sponsor or donor.** Moreover, we encourage you to participate by registering a team of four to play. We can't do it without you!

With your support, the miniature golf tournament will be an outstanding event and a great commemoration of First State's many youth programs and services to families in Sussex County and the entire state of Delaware.

Enclosed you will find a team registration form as well as support form with detailed information about the benefits of sponsorship. As a sponsor you or your company will be given invaluable visibility and recognition in the community. Most importantly, you will have the opportunity, at the event itself, to meet many others from our community with whom business opportunities and partnerships can be forged in years to come.

Sincerely,

  
Bernice Edwards  
Executive Director

Enclosures

*This event is brought to you by*

**DISCOVER** | STUDENT LOANS

Stanford L. Bratton Building  
P. O. Box 877  
308 N. Railroad Avenue  
Georgetown, Delaware 19947  
Email: [firststatecna.org](mailto:firststatecna.org)

Phone: 302 - 856 - 7761  
800 - 372 - 2240  
Fax: 302 - 856 - 2599

Blue Hen Corporate Center  
655 S. Bay Road, Suite 4J  
Dover, Delaware 19901

Phone: 302 - 674 - 1355  
Fax: 302 - 674 - 5229

Rose Hill Community Center  
19 Lambson Lane, Suite 105 A  
New Castle, Delaware 19720

Phone: 302 - 498 - 0454  
Fax: 302 - 575 - 1409

### Board of Directors

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Executive Director  
Bernice Edwards



Member of  
Community Action Partnership



## *2<sup>nd</sup> Annual Miniature Golf Tournament*

**Thursday, May 14, 2015**

10:00 a.m.— Registration; 12:00 p.m. Lunch

Jungle Jim's Miniature Golf Course, 36944 Country Club Road, Rehoboth Beach, DE 19971

King's Creek Country Club, 1 Kings Creek Circle, Rehoboth Beach, DE 19971

### **SPONSOR BENEFITS**

#### *\$2,500 Primary Event Sponsor\**

"Brought To You By" Advertising on Program, Social Media & Video Marketing

Prominent Exposure on External Banner (can be seen from the road)

Prominent Exposure on our Sponsor Banner

Logo Present on Team Photo Signage

Placement of Company Vehicle (if applicable)

Logo & Company Branding Incorporated at Raffle Draw, Sign-in & Prize Tables

Prominent Mention at Lunch

Prominent Company Mention in Program

Mention on Agency Newsletter & Website

Three Teams

#### *\$1,500 Lunch Sponsor*

Logo & Company Branding Incorporated at Raffle Draw & Prize Tables

Social Media Mentions Leading Up To Event (and during day-of event)

Mention in Program

Mention on Agency Newsletter & Website

Prominent Exposure on Large Sign at King's Creek

Logo and/or Company name on Table Signage

Two Teams

*\*receives recognition on all tournament literature and press releases*

#### *\$1,000 Major Sponsor*

Logo & Company Branding Incorporated at Raffle Draw & Prize Tables

Social Media Mentions Leading Up To Event (and during day-of event)

Logo Present on Team Photo Signage

Large Logo on Sponsor Banner

Mention in Program

Mention on Agency Newsletter & Website

Two Teams

#### *\$500 Awareness Sponsor*

Logo on 6 Awareness Signs Around the Course

Mention on Agency Newsletter & Website

Company Mention in Program

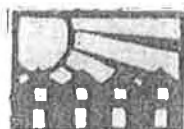
One Team

#### *\$100 Hole Sponsor*

Your Logo on one Tee Sign (multiples can be purchased by the same company)

Company Mention in Program

Mention on Agency Newsletter & Website



**FirstState**  
COMMUNITY ACTION AGENCY  
*People Helping People Build Community*

**To Be Introduced 03/17/15**

**Council District No. 3 - Deaver  
Tax Map I.D. 334-12.00-16.06  
911 Address – None Found**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PUBLIC SERVICE FACILITY (STATE POLICE) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 9.3 ACRES, MORE OR LESS**

**WHEREAS, on the 18th day of February 2015, a conditional use application, denominated Conditional Use No. 2015 was filed on behalf of Delaware Division of Facilities Management; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2015 be \_\_\_\_\_;**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said Conditional Use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the Conditional Use is for the general convenience and welfare of the inhabitants of Sussex County.**

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Section 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2015 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as:**

**All that certain tract, piece or parcel of land, lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying southwest of Mulberry Knoll Road (Road 284) 1,450 feet northwest of John J. Williams Highway (Route 24) and 2,700 feet southwest of Cedar Grove Road (Road 283) and being more particularly described as Parcel "B" on the minor subdivision plan of lands of J. G. Townsend, Jr. & Co. as recorded in Plot Book 202 Page 55 in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 9.3 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**



**To Be Introduced 03/17/15**

**Council District No. 3 - Deaver  
Tax Map I.D. 334-12.00-45.01  
911 Address – None Found**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELEMENTARY SCHOOL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 25.4 ACRES, MORE OR LESS**

**WHEREAS, on the 23rd day of February 2015, a conditional use application, denominated Conditional Use No. 2016 was filed on behalf of Cape Henlopen School District; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2016 be \_\_\_\_\_;**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said Conditional Use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the Conditional Use is for the general convenience and welfare of the inhabitants of Sussex County.**

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Section 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2016 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as:**

**All that certain tract, piece or parcel of land, lying and being in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying northwest of John J. Williams Highway (Route 24) 500 feet southwest of Mulberry Knoll Road (Road 284) and being more particularly described as Parcel "A" in Plot Book 202 Pages 54 and 55 in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 25.4 acres, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**

**Introduced 3/17/15**

**Council District No. 3 - Deaver  
Tax Map I.D. No. 330-5.00-7.04 and 8.00  
911 Address: None Found**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 12,394 SQUARE FEET, MORE OR LESS**

**WHEREAS, on the 20th day of February 2015, a zoning application, denominated Change of Zone No. 1775 was filed on behalf of Charles R. Auman, Jr.; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1775 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2015, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,**

**NOW, THEREFORE, THE COUNTY OF SUSSEX COUNTY ORDAINS:**

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [GR General Residential District] and adding in lieu thereof the designation of CR-1 Commercial Residential District as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Cedar Creek Hundred, Sussex County, Delaware, and lying at the northeast end of the dead-end of Lighthouse Road (Road 203) 1.0 mile north of Cedar Beach Road (Route 36) and being more particularly described in Deed Book 3272 Page 295 and Deed Book 2823 Page 309 in the Office of the Recorder of Deeds in and for Sussex County, and containing approximately 12,394 square feet, more or less.**

**This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.**