Sussex County Council
Public/Media Packet

MEETING:
July 28, 2015

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Sussex County Council

A G E N D A

JULY 28, 2015

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. **Wastewater Agreement No. 341-5**
   Sussex County Project No. 81-04
   Americana Bayside – Phase 1, Revision 5, Town Center
   Fenwick Island Sanitary Sewer District

2. **New County GIS Mapping Platform Demonstration**

3. **Discussion and Possible Introduction of a Proposed Ordinance Relating to a Moratorium on Off-Premises Signs**

4. **Administrator's Report**

10:15 a.m. Public Hearing

Proposed Marsh Farm Estates Expansion of the Angola Neck Sanitary Sewer District

Bobby Schoonover, EMS Technical Services Division Manager

1. **EMS Response Vehicles – Bid Award**

EQUAL HOUSING OPPORTUNITY

Grant Requests

1. **Nanticoke River Arts Council for operating costs**
2. **The Seaford Historical Society for new exhibit costs**
3. **Autism Delaware for the Blue Jean Ball Fundraiser**
4. **Town of Bethany Beach for a handicap beach wheel chair**
5. **Oak Orchard – Riverdale American Legion Post 28 for the Rugby team**
6. **Everlasting Hope Ministries for Anti-Drug Rally & March**

Introduction of Proposed Zoning Ordinances

Council Members′ Comments

Adjourn

1:00 p.m. Medic 105 Station Grand Opening, 33663 South Coastal Lane, Frankford

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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 July 21, 2015 at 4:50 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, JULY 21, 2015

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 21, 2015, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	**President**
Samuel R. Wilson, Jr.	**Vice President**
George B. Cole	**Councilman**
Joan R. Deaver	**Councilwoman**
Robert B. Arlett	**Councilman**
Todd F. Lawson	**County Administrator**
Gina A. Jennings	**Finance Director**
J. Everett Moore, Jr.	**County Attorney**

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

Call to Order

Mr. Vincent called the meeting to order.

M 273 15 Approve Agenda

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to approve the Agenda, as posted.

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of June 30, 2015 were approved by consent.

Corre-spondence

Mr. Moore read the following correspondence:

ED SCHIMLER, DAGSBORO, DELAWARE.
RE: Letter in appreciation of the County retaining the 100 foot cap on assessment charges in the FY 2016 Budget.

MILFORD MEMORIAL AUXILIARY BOARD, MILFORD, DELAWARE.
RE: Card in appreciation of grant.

NEW HOPE RECREATION AND DEVELOPMENT CENTER, ELLENDALE, DELAWARE.
RE: Letter in appreciation of grant.

SUSSEX COUNTY FOSTER PARENT CLUSTER ASSOCIATION, GEORGETOWN, DELAWARE.
RE: Letter in appreciation of grant.

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(continued) **DELAWARE HOSPICE, MILFORD, DELAWARE.**
RE: Letter in appreciation of grant.

Public Comments

Public Comments

Paul Reiger updated the Council on past problems on an adjacent property and concerns about barbed wire fencing.

Council Chambers Technology Demon-stration

Mr. Lawson demonstrated various technology upgrades that have taken place in the Council Chambers, including high-definition displays, new digital audio, enhanced cameras, improved streaming and the ability to broadcast presentations. The upgrades also include new carpet and paint. All of the upgrades have been made to enhance the user experience, whether in chambers or online.

Public Hearing/ Issuance of Bonds/ Concord Road Wastewater Expansion

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO $850,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE CONSTRUCTION AND EQUIPPING OF THE CONCORD ROAD WASTEWATER EXPANSION AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH".

Mrs. Jennings reported that the Proposed Ordinance would authorize the issuance of $850,000 of General Obligation Bonds of Sussex County for the cost of the design, construction, and equipping of the Concord Road Wastewater Expansion. A grant in the amount of $449,000 is expected to be received for this project. The bonds are backed by the County's full faith and credit and are expected to be paid back over 40 years through revenues from the Concord Road Wastewater Expansion. This bond issuance is within the legal debt limit of the County. It is anticipated that the Bonds will be sold to the United States of America, Rural Utilities Services. The Bonds will provide the funding for the boundaries of the area known as the Concord Road Expansion, which was adopted by Sussex County Council on September 24, 2013. This funding is in line with what was presented when the boundaries were established for this expansion.

There were no public comments and the Public Hearing was closed.

M 274 15 Adopt Ordinance No. 2407

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2407 entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO $850,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE CONSTRUCTION AND EQUIPPING OF THE CONCORD ROAD WASTEWATER EXPANSION AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH".

Motion Adopted: 5 Yeas.

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M 274 15 (continued

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

Appointment

Mr. Lawson presented a recommendation for an appointment to the Board of Assessment Review for District 5. The appointment of Steven McCabe, if approved, would be effective as of February 1, 2015 for a term of five years.

M 275 15 Approve Appointment/ Board of Assessment Review

A Motion was made by Mr. Cole, seconded by Mr. Arlett, that the Sussex County Council approves the appointment of Steven McCabe to the Board of Assessment Review, effective February 1, 2015, for a term of five years.

Motion Adopted: **5 Yeas.**

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

Appointments

Mr. Lawson presented recommendations for appointments to the Advisory Committee for the Aging and Adults with Physical Disabilities for District 1. The appointment of Janice Moseley and Helen Smith would be effective immediately, for a term of two years.

M 276 15 Approve Appointments/ Advisory Committee on Aging and Adults with Physical Disabilities

A Motion was by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves the appointments of Janice Moseley and Helen Smith to the Advisory Committee for the Aging and Adults with Physical Disabilities, effectively immediately, for a term of two years.

Motion Adopted: **5 Yeas.**

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

Administrator's Report

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

1. <u>Projects Receiving Substantial Completion</u>

Per the attached Engineering Department Fact Sheets, Bay Pines received Substantial Completion effective July 1 and Senators – Phase 2C received Substantial Completion effective July 13, 2015.

2. <u>Delaware State Police Activity Report – May 2015</u>

Per the attached Delaware State Police activity report for May, there were 124 violent crime arrests with 91 clearances; 1,195 property crimes with 425 clearances; and 19,809 total traffic charges with 13,744 corresponding arrests. Of those traffic arrests, 380 were for DUI. Finally, there were 1,940 total vehicle crashes investigated in May. In

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Administrator's Report (continued)

total, there were 191 troopers assigned to Sussex County for the month of May.

3. <u>County Pensioners Faye Webb and Janet Hill</u>

It is with sadness that we note the passing of County pensioners Faye Webb and Janet Hill on July 7th and July 15th, respectively. Mrs. Webb began her career with Sussex County in May 1969 and retired from the Data Processing Department as a Computer Operator II in March 2006 with 36 years and 11 months of service. Ms. Hill started with the County in November 1975 and retired from the Treasury Division as a Clerk III Technician in March 2001 with 25 years and 4 months of service. We would like to extend our condolences to the Webb and Hill families.

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

Delaware Transit Reimbursement Program Request

Mrs. Jennings reported that DART, a division of DelDOT, has allocated $796,862 for funding of transportation expenses for various senior centers in Sussex County. This amount has remained at the same level for a number of years. The County's responsibility is to approve a recommended funding amount for Fiscal Year 2016 as per State law. This is an allocation of State grant funds to various senior agencies for transportation purposes. The recommended funding for each agency is the same as in previous years:

Nanticoke Senior Center	**$ 44,959.30**
Indian River Senior Center	**2,100.00**
Laurel Senior Center	**99,082.94**
Lewes Senior Center	**27,120.41**
Cape Henlopen Senior Center	**43,065.65**
CHEER, Inc.	**580,533.70**
TOTAL	**$ 796,862.00**

M 277 15 Approve Allocation of Funds to Senior Agencies

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves the allocation of State funds to various senior agencies within Sussex County, as presented.

Motion Adopted: 5 Yeas.

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

Septic System Relief Policy

Mrs. Jennings reported that, during the last Council meeting, a new septic relief policy was presented to the Council. At that meeting, it was the Council's recommendation to come back with a policy that included an income-based qualification. Mrs. Jennings stated that she added a

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Septic System Relief Policy (continued)

provision that a property owner's income cannot exceed the medium household income level of Sussex County ($63,000 for a family of 4). She stated that the septic system relief policy is created for property owners who are required to connect to County sewer within 5 years of installing, or upgrading, a new septic system on the same property. It is the County's hope that anyone in the five-year sewer planning area only install temporary systems until public sewer is available. The criteria to qualify for the program are: the property has no County Code violations; the property owner must be current on all County debts; the property owner must not exceed current Sussex County's medium household income levels; and the property owner purchased, or upgraded, the property's septic system by spending at least $10,000 within five years of the required County connection date. If the criteria is met, the property owner will receive a deferred connection fee up to five years or until the property transfer, whichever comes first; and a grant for the annual front footage charge up to five years depending on the date of septic repair or installation and the required date of connection.

M 278 15 Approve Septic Relief Policy

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, that the Sussex County Council approves the septic relief policy to be administered by the Sussex County Engineering Department, as presented on July 21, 2015.

Motion Adopted: 5 Yeas.

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

Comprehensive Plan Annual Report

Vince Robertson, Assistant County Attorney, presented a Comprehensive Land Use Report that must be completed annually and submitted to the State of Delaware, Governor's Cabinet Committee on State Planning and the Office of State Planning Coordination. This is the fourth annual report to the State. This annual report highlights the County's accomplishments and progress in implementing its Comprehensive Plan and provides a summary of activity over the past year. The report covers the period of July 1, 2014 through June 30, 2015. The report will be posted on the County's website.

Sign Regulations

Mr. Lawson referenced previous concerns expressed by Mr. Cole regarding off-premise signs (specifically, billboards and electronic signs). Mr. Cole referenced a letter to Council members from the Board of Adjustment requesting direction on sign applications. The Council discussed holding a workshop to discuss the sign ordinance and possible amendments thereto, and the possibility of placing a moratorium on new off-premise signs. Vince Robertson, Assistant County Attorney, and Lawrence Lank, Director of Planning and Zoning, responded to questions regarding the County's current sign ordinance.

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M 279 15 Draft Ordinance/ Sign Moratorium

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to direct legal staff to prepare a draft ordinance to place a moratorium on off-premise signs/billboards for consideration at the July 28, 2015 Council meeting.

Motion Adopted: 4 Yeas, 1 Nay.

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

Legislative Update

Hal Godwin, Deputy County Administrator, provided a legislative update on the following bills: House Bill 140 relating to DMV fees; House Bill 151 relating to Sussex County Sanitary and Water Districts; House Bill 171 regarding a Telecommunications Equipment Tax; House Bill 130 regarding the establishment of transient-oriented development districts called Complete Community Enterprise Districts; House Bill 201 relating to regulating the possession of firearms, ammunition, etc. in county buildings and police stations; House Bill 200 relating to defining accessible parking spaces; and Senate Bill 166 and 167 relating to Transportation Trust Fund money.

Dog Control Services

Mr. Godwin reported that as a part of the State's Budget, the State will take dog control back from the counties; this will take place as contracts expire. Sussex County's contract with First State Animal Center and SPCA expires on December 31, 2015. Mr. Godwin also reported that the County has a received a letter from that agency stating that they are terminating the dog control contract with Sussex County on September 15, 2015. Mr. Godwin discussed options as to how the County might handle dog control in the interim (the period of time between when the contract is terminated/expires and when the State picks up dog control). Mr. Lawson commented that he is not sure if First State Animal Center and SPCA can back out of the contract.

Roadside Trash Program/ Reward Initiative

Mike Costello, County Constable, referenced that the Council previously considered proposals on how to deal with trash issues along the roadways in the County. Mr. Costello commented on the reward initiative approved by the Council and he stated that the Department decided to utilize the services of Delaware Crime Stoppers who have agreed to provide the service. Mr. Costello stated that the Department will display posters and flyers in communities, include notices in County mailings, and post information on the program on the County's social media pages. Mr. Costello explained how the reward program will work and noted that the reward for information leading to an arrest will be $100.00.

In response to comments made by Mrs. Deaver, Mr. Costello reported on the clean-up efforts in the Coolsprings community which involved the County as well as other agencies.

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Legg-Hudson Lease Termination (continued)

Jim Hickin, Airport and Industrial Park Director, presented a proposal for a lease termination. He stated that Legg-Hudson LLC leases a one acre parcel from the County and owns a 2,500 square foot hangar on the parcel. The 20 year lease expires December 31, 2017. Legg-Hudson has agreed to terminate the lease since they no longer have an aircraft to store in the hangar. Mr. Hickin proposed that the County purchase the hangar and terminate the lease for $11,000.00. This amount compensates Legg-Hudson for the residual value of the hangar and lost potential revenue for the sublease of the hangar. Mr. Hickin commented that approval of this hangar purchase and lease termination will provide an opportunity to develop the parcel more efficiently. In the interim, the County would lease the hangar at a higher rent than currently received.

The Council discussed the proposal and other leases at the airport.

M 280 15 Approve Lease Termination for Legg-Hudson Lease

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council approves the termination of the lease between Sussex County and Legg-Hudson, LLC and the purchase of the airplane hangar and all improvements on the leased lot for the sum of $11,000.00.

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

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

Air Methods Lease Amend-ment

Jim Hickin, Airport and Industrial Park Director, commented that the parcel located next to the Legg-Hudson parcel is leased by Air Methods Corporation (LifeNet). In 2013, the Council approved a sublease between Legg-Hudson and LifeNet for LifeNet to lease a strip of land for placement of their modular building for sleeping quarters; part of that agreement stated that if the Legg-Hudson lease ever terminated, the County would add that strip of land to their main lease. Mr. Hickin stated that an Addendum to the Lease has been prepared reflecting this agreement.

M 281 15 Approve Air Methods Lease Amend-ment

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves Amendment One to the Lease Agreement between Air Methods Corporation (LifeNet) and Sussex County, as presented.

Motion Adopted: **5 Yeas.**

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

Grant Requests

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

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M 282 15 Council-manic Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give $500.00 from Mr. Vincent's Councilmanic Grant Account to the City of Seaford for the Police Department's Annual Community Night Out.

Motion Adopted: **5 Yeas.**

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

M 283 15 Council-manic Grant

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give $2,000.00 ($1,000.00 each from Mrs. Deaver's and Mr. Cole's Councilmanic Grant Accounts) to the Delaware Lions Foundation for materials to build ramps for the handicapped.

Motion Adopted: **5 Yeas.**

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

M 284 15 County-wide Youth Grant

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to give $2,000.00 from the Countywide Youth Grant Account to Fellowship of Christian Athletes for football program expenses.

Motion Adopted: **5 Yeas.**

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

M 285 15 Council-manic Grant

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to give $1,500.00 from Mrs. Deaver's Councilmanic Grant Account to the Milton Historical Society to sponsor the Best of Milton Auction fundraiser.

Motion Adopted: **5 Yeas.**

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

Representatives of the Laurel American Legion Post 19 reported on their plans for the third annual Eastern Shore Veterans Day Parade and thanked the Council for its past support.

M 286 15 Council-manic Grant

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to give $2,500.00 ($500.00 from each Councilmanic Grant Account) to the Laurel American Legion Post 19 for the Eastern Shore Veterans Day Parade.

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M 286 15 (continued)

Motion Adopted: **5 Yeas.**

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

Bob Carey of Delmarva Teen Challenge was in attendance and updated the Council on the organization's programs and fundraising efforts.

M 287 15 Council-manic Grant

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to give $10,000.00 ($2,500.00 from Mr. Arlett's Councilmanic Grant Account, $2,500.00 from Mr. Vincent's Councilmanic Grant Account, $4,000.00 from Mr. Wilson's Councilmanic Grant Account, and $1,000.00 from Mr. Cole's Councilmanic Grant Account) to Delmarva Teen Challenge for a fundraising event.

Motion Adopted: **5 Yeas.**

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

M 288 15 Council-manic Grant

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give $750.00 ($500.00 from Mrs. Deaver's Councilmanic Grant Account and $250.00 from Mr. Arlett's Councilmanic Grant Account) to Mount Joy Community Civic Association for a back-to-school event.

Motion Adopted: **5 Yeas.**

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

Introduction of Proposed Ordinances

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BOAT SALES, SERVICE AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 27.84 ACRES, MORE OR LESS" (Conditional Use No. 2025) filed on behalf of Rudy South c/o T & C Properties, LLC (Tax I.D. No. 234-6.00-96.00) (911 Address: None Available).

Mrs. Deaver introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A HOME BASED BUSINESS (AUTO REPAIR, DETAILING, AND AUTO RESALES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.982 ACRES, MORE OR LESS" (Conditional Use No.

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Introduction of Proposed Ordinances (continued)

2026) filed on behalf of Cristian Omar Hernandez Perez and Terri L. Martin (Tax I.D. No. 235-30.00-60.00) (911 Address: 26740 Lewes-Georgetown Highway, Harbeson).

Mr. Arlett introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A HOME BUSINESS – RETAIL GUN SHOP AND GUNSMITHING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 6.61 ACRES, MORE OR LESS OF A 14.04 ACRE TRACT" (Conditional Use No. 2027) filed on behalf of SLC Homestead, LLC (Tax Map I.D. 233-11.00-17.00 (Part of) (911 Address: 31005 Iron Branch Road, Dagsboro).

Mrs. Deaver introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.38 ACRES, MORE OR LESS" (Change of Zone No. 1782) filed on behalf of Robert Atallian (Tax Map I.D. No. 334-4.00-88.00) (911 Address: 18501 Stamper Drive, Lewes).

The Proposed Ordinances will be advertised for Public Hearing.

Council Members' Comments

<u>Council Members´ Comments</u>

Mrs. Deaver commented on events in District 3.

Mr. Cole and Mr. Arlett commented on their attendance at the NACo Conference in Charlotte, North Carolina.

Mr. Cole commented on vendor permits.

Mr. Cole read correspondence received from the Delaware Seaside Railroad Club in appreciation of a grant.

M 289 15 Go Into Executive Session

At 12:24 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to recess the Regular Session and go into Executive Session for the purpose of discussing issues relating to personnel and pending/potential litigation.

Motion Adopted: **5 Yeas.**

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

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Executive Session

At 12:26 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing issues relating to personnel and pending/potential litigation. The Executive Session concluded at 1:34 p.m.

M 290 15 Reconvene Regular Session

At 1:37 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 5 Yeas.

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

Rules of Procedure

Mr. Moore read the Rules of Procedure for public hearings.

Public Hearing/ CU 2017

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 22,500 SQUARE FEET, MORE OR LESS" (Conditional Use No. 2017) filed on behalf of Eli and Victoria Zacharia (Tax Map I.D. 334-18.00-7.00) (911 Address – 20336 John J. Williams Highway, Lewes).

The Planning and Zoning Commission held a Public Hearing on this application on June 11, 2015 at which time the application was denied for the lack of any record of support since no one appeared on behalf of the application.

(See the minutes of the Planning and Zoning Commission dated June 11, 2015.)

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing and decision.

Mr. Lank reported that the Commission received a letter of request from Mr. Zacharia for reconsideration of the application since he was unable to attend the public hearing for just cause. The letter referenced Mr. Zacharia's health conditions and included an attachment from First State Orthopedics referencing Mr. Zacharia's health conditions.

The Commission granted the request for reconsideration and the record stated that the application will be re-advertised for public hearings.

Mr. Lank noted that Mr. Zacharia was not in attendance on this date and that it may be due to the fact that he may think that both hearings were rescheduled. Mr. Lank also noted that Planning and Zoning staff prepared

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Public Hearing/ CU 2017 (continued)

advertisements for both hearings (one for the Commission and one for the Council).

Mr. Moore commented that this is a new process (Failure to Appear Ordinance) and he advised that because of the verbiage used at the Planning and Zoning public hearing that the public hearings (plural) would be rescheduled, and since notice was sent to the Applicant that both hearings would be rescheduled, the Council could defer action on this date until the date of the re-advertised hearing.

The new public hearings have been scheduled on August 13, 2015 for the Commission and September 22, 2015 for the Council.

There was no one in attendance in support of or in opposition to the application.

M 291 15 Defer Action on CU 2017

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to defer action on Conditional Use No. 2017 filed on behalf of Eli and Victoria Zacharia until the date of the re-advertised hearing (September 22, 2015).

Motion Adopted: 5 Yeas.

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

Public Hearing/ CU 2018

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SPORTING GOODS BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 11,473 SQUARE FEET, MORE OR LESS" (Conditional Use No. 2018) filed on behalf of David Clark Lankford (Tax Map I.D. 331-6.00-89.00) (911 Address – 9636 Tharp Road, Seaford).

The Planning and Zoning Commission held a Public Hearing on this application on June 11, 2015 at which time the Commission recommended that the application be denied.

(See the minutes of the Planning and Zoning Commission dated June 11, 2015.)

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's public hearing and decision.

The Council found that David Clark Lankford was present and gave a presentation on his application including information on the proposed use as a small gun shop, parking, fencing, removal of the shed and carport, and information on other commercial uses/home-based businesses in the area.

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Public Hearing/ CU 2018 (continued)

Mr. Lankford submitted information referencing the tags on his vehicles, drawings of the property, and pictures of the property.

It was noted that the ATF (Bureau of Alcohol, Tobacco and Firearms) requires a FFL (Federal Firearms License) and requires that an applicant have a letter from the jurisdiction that the site is located in stating that it complies with zoning regulations.

Public comments were heard.

There were no public comments in support of the application.

Richard Truitt, Doug Hearn, Cynthia Sauers, and Robert Harding spoke in opposition to the application. They expressed concerns about traffic, parking and lack of shoulders on the roadway and they stated that they do not want to live next to a gun shop; that a gun shop is not compatible with a residential area; that the use would create a disruption of a quiet neighborhood; and that the safety of the children in the area is a concern. Mr. Hearn referenced a petition in opposition to the application that was previously submitted into the record.

M 292 15 Adopt Proposed Ordinance/ CU 2018

DENIED

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SPORTING GOODS BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 11,473 SQUARE FEET, MORE OR LESS" (Conditional Use No. 2018) filed on behalf of David Clark Lankford.

Motion Denied: **3 Nays, 2 Abstentions.**

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

Public Hearing/ CZ 1775

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND 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" (Change of Zone No. 1775) filed on behalf of Charles R. Auman, Jr. (Tax Map I.D. No. 330-5.00-7.04 and 8.00) (911 Address: None Found).

Public Hearing/

The Planning and Zoning Commission held a Public Hearing on this application on June 11, 2015 at which time the Commission recommended

DRAFT

Public Hearing/ CZ 1775 (continued)

that the application be approved.

(See the minutes of the Planning and Zoning Commission dated June 11, 2015.)

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's public hearing and decision.

The Council found that Tim Willard, Esq., with Fuqua, Yori and Willard, P.A., was in attendance with Charles Auman. They gave a presentation on the application including information on the purpose of the application, the Applicant's seafood business, the history of the site, and uses of nearby properties. Mr. Willard and Mr. Auman stated that they agree with the Findings of the Planning and Zoning Commission.

Mr. Willard submitted copies of an Exhibit Booklet. The Exhibit Booklet was made a part of the record.

There were no public comments and the Public Hearing was closed.

M 293 15 Adopt Ordinance No. 2408/ CZ 1775

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2408 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND 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" (Change of Zone No. 1775) filed on behalf of Charles R. Auman, Jr.

Motion Adopted: **5 Yeas.**

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

M 294 15 Adjourn

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 2:41 p.m.

Motion Adopted: **5 Yeas.**

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

Respectfully submitted,

Robin A. Griffith
Clerk of the Council

DRAFT

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

July 17, 2015

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
AMERICANA BAYSIDE - PHASE 1, REVISION 5, TOWN CENTER
AGREEMENT NO. 341 - 5

DEVELOPER:

Mr. Rich Rishel
Carl M. Freeman Companies
38017 Fenwick Shoals Blvd.

Selbyville, De 19975

LOCATION:

Americana Parkway

SANITARY SEWER DISTRICT:

Fenwick Island Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Town Center Phase 1-A

SYSTEM CONNECTION CHARGES:

$23,100.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
03/30/15

Department Of Natural Resources Plan Approval
07/17/15

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 30
Construction Admin And Construction Inspection Cost – $24,668.16
Proposed Construction Cost – $164,454.37

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

July 28, 2015

PROPOSED MOTION

BE IT MOVED THAT BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, FOR SUSSEX COUNTY PROJECT NO. 81-04, AGREEMENT NO. 341-5 THAT THE SUSSEX COUNTY COUNCIL EXECUTE A CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION AGREEMENT BETWEEN SUSSEX COUNTY COUNCIL AND "CARL M. FREEMAN COMPANIES" FOR WASTEWATER FACILITIES TO BE CONSTRUCTED IN "AMERICANA BAYSIDE – PHASE 1, REVISION 5, TOWN CENTER", LOCATED IN FENWICK ISLAND SANITARY SEWER DISTRICT.

ORDINANCE NO. 38
AGREEMENT NO. 341-5

TODD LAWSON
COUNTY ADMINISTRATOR

ORDINANCE NO. __

AN ORDINANCE TO ESTABLISH A MORATORIUM UPON THE ACCEPTANCE OF SPECIAL USE EXCEPTION APPLICATIONS FOR OFF-PREMISES SIGNS.

WHEREAS, Sussex County Code ("County Code") currently allows off-premises signs to be approved for a special use exception by the Sussex County Board of Adjustment in certain zoning districts; and

WHEREAS, an off-premises sign is defined in the County Code, Chapter 115 as a "sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises where the sign is maintained;" and

WHEREAS, Sussex County Council views the placement of off-premises signs as an important public safety issue in Sussex County and believes that the recent proliferation of off-premises signs has a detrimental effect on the safety and welfare of the citizens of Sussex County; and

WHEREAS, Sussex County Council believes that the current County Code provisions do not sufficiently address the safety issues and its other concerns with off-premises signs and that the continued approval of off-premises signs under the current County Code provisions will exacerbate the issues associated with these signs; and

WHEREAS, Sussex County is in the process of engaging a consultant to study land use planning issues, including off-premises signs; and

WHEREAS, in order to avoid exacerbating the issues with the off-premises signs and to allow Sussex County a reasonable time period for the review and study of off-premises signs, the preparation of proposed legislation to address resultant issues, and

DRAFT

the consideration of said legislation, Sussex County Council desires to establish a moratorium upon the acceptance of any special use exception application for an off-premises sign for a period of six (6) months from the date of adoption of this Ordinance, unless otherwise extended, modified or terminated by a majority vote of County Council.

NOW THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That a moratorium upon the acceptance of any special use exception application for off-premises signs be hereby imposed for a period of six (6) months after the date of adoption of this Ordinance, unless extended, modified, or terminated in accordance with this Ordinance. During the period of said moratorium, the office of the Sussex County Planning and Zoning Director is hereby directed to decline to accept all special use exception applications for an off-premises sign. The meaning of "off-premises sign" shall be as defined in Sussex County Code, Section 115-157(B).

Section 2. This Ordinance may be extended, modified, or terminated at any time by a majority vote of all members of the County Council of Sussex County.

Section 3. This Ordinance shall become effective upon its adoption.

Synopsis

This Ordinance establishes a six-month moratorium upon the acceptance of applications for a special use exception for off-premises signs. This moratorium may be extended, modified, or terminated at any time by a majority vote by the Sussex County Council.

DRAFT

Sussex County
Engineering Department

MICHAEL A. IZZO, P.E.
County Engineer

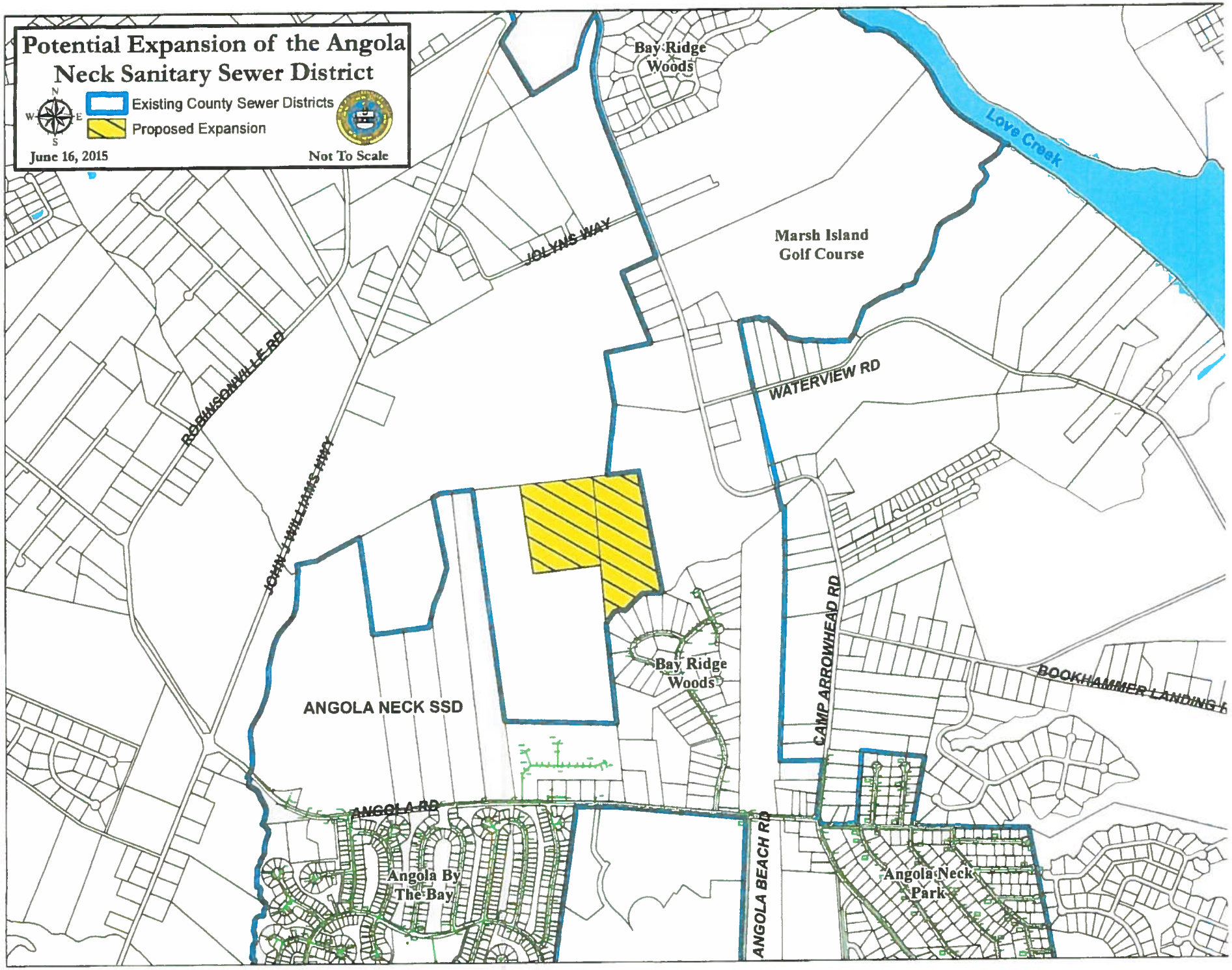
2 THE CIRCLE
P.O. BOX 589
GEORGETOWN, DELAWARE 19947

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

Marsh Farm Estates
Annexation into the
Angola Neck Sanitary Sewer District

- The public hearing will consider a property owner's request to annex two parcels of land into the Angola Neck Sanitary District.
- I came to County Council on June 16, 2015 and received permission to prepare and post public hearing notices. A public hearing notice, with a map of the area, is attached. The area proposed for annexation is shown crosshatched on the attached map.
- Notices were posted in the sewer district, on the two parcels and on Sussex County's web site on July 7, 2015.
- To date, we have received no comments regarding the proposed annexation.


Potential Expansion of the Angola Neck Sanitary Sewer District
Existing County Sewer Districts
Proposed Expansion
June 16, 2015
Not To Scale
N
S
E
W
Bay Ridge Woods
Love Creek
Marsh Island Golf Course
JOLYNS WAY
ROBINSONVILLE RD
JOHN J WILLIAMS HWY
WATERVIEW RD
CAMP ARROWHEAD RD
BOOKHAMMER LANDING R
ANGOLA NECK SSD
Bay Ridge Woods
ANGOLA RD
ANGOLA BEACH RD
Angola By The Bay
Angola Neck Park

NOTICE
PROPOSED EXPANSION OF THE ANGOLA NECK SANITARY SEWER DISTRICT TO INCLUDE 2 PARCELS OF LAND LOCATED WEST OF COUNTY RD 279 TAX MAP REFERENCE 234-12.00 PARCELS 15 AND 16

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on June 16, 2015 to consider extending the boundary of the Angola Neck Sanitary Sewer District (ANSSD) to include 2 parcels of land, located northeast of the town of Millsboro, being in Indian River Hundred, Sussex County, Delaware. The tax map reference for the parcels proposed to be added to the AASSD is 234-12.00 Parcels 15 and 16. File number: ANG-7.07.

This action is in conformity with 9 Del.C. §6502.

A description of the area, which is contiguous to and to be added to the ANSSD is described as follows:

BEGINNING at a point, said point being the southwesternmost corner of lands now or formerly (N/F) of Richard J & Mary Marsh; thence following said lands of Marsh northerly 620± feet to a point, said point being the southeasternmost corner of other lands N/F of Richard J & Mary Marsh; thence proceeding by and with said other lands of March the following directions and distances: southwesterly 720± feet, northwesterly 950± feet, northeasterly 780± feet to a point, said point being the northwesternmost corner of said lands of Marsh; thence following said lands of Marsh in a northeasterly direction 150± feet to a point, said point being located on the northerly property boundary of said lands of Marsh and a point on the existing boundary of the ANSSD; thence by and with said ANSSD boundary in the following directions and distances: northeasterly 330± feet, southeasterly 1300± feet, westerly 215± feet, southwesterly 250± feet, northwesterly 50± feet, westerly 65± feet, southwesterly 150± feet to a point, said point being that of the **BEGINNING.**

The proposed expansion of the ANSSD is within these boundaries and said to contain 33.75 acres, more or less. The boundary description has been prepared using Sussex County Tax Map Number 234-12.00.

A map outlining and describing the extension to the ANSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:15 a.m. on July 28, 2015 in the Sussex County Council Chambers, County Administrative Offices, 2 The Circle, Georgetown, Delaware. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-1299.

Michael A. Izzo, P. E.
County Engineer

RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE ANGOLA NECK SANITARY SEWER DISTRICT (ANSSD) TO INCLUDE 2 PARCELS OF LAND LOCATED WEST OF COUNTY ROAD 279, TAX MAP REFERENCE 234-12.00 PARCELS 15 AND 16

WHEREAS, Sussex County has established the Angola Neck Sanitary Sewer District (ANSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County by and contiguous to the ANSSD, the inclusion of these parcels will be beneficial; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (a), the Sussex County Council may, upon request of the County Engineer, revise the boundary of an established sewer district when 50 or more houses have been connected by posting a public notice in four public places in the district describing the new or revised boundary; and

WHEREAS, the Sussex County Council has caused to be posted a public notice in at least four public places in the district, as verified by the affidavit of Rob Davis, a copy of which affidavit and public notice is attached hereto and made a part hereof; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (b), the Sussex County Council shall, within thirty days after posting the public notices pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE,

BE IT RESOLVED the Sussex County Council hereby revises the boundary of the ANSSD to include 2 parcels of land east of the town of Millsboro, as follows:

PROPOSED

BEGINNING at a point, said point being the southwesternmost corner of lands now or formerly (N/F) of Richard J & Mary Marsh; thence following said lands of Marsh northerly 620± feet to a point, said point being the southeasternmost corner of other lands N/F of Richard J & Mary Marsh; thence proceeding by and with said other lands of March the following directions and distances: southwesterly 720± feet, northwesterly 950± feet, northeasterly 780± feet to a point, said point being the northwesternmost corner of said lands of Marsh; thence following said lands of Marsh in a northeasterly direction 150± feet to a point, said point being located on the northerly property boundary of said lands of Marsh and a point on the existing boundary of the ANSSD; thence by and with said ANSSD boundary in the following directions and distances: northeasterly 330± feet, southeasterly 1300± feet, westerly 215± feet, southwesterly 250± feet, northwesterly 50± feet, westerly 65± feet, southwesterly 150± feet to a point, said point being that of the **BEGINNING.**

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and right-of-way by purchase, agreement, or condemnation in accordance with the existing statutes; and

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare maps, plans, specifications, and estimates, elect contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any and all structures required to provide for the safe disposal of sewage in the sanitary sewer district, as amended.

PROPOSED

ANGOLA NECK SANITARY SEWER DISTRICT
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(
:
COUNTY OF SUSSEX)(

BE IT REMEMBERED That the subscriber, ROB DAVIS, personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

A. On July 7, 2015 he was a Planner for the Sussex County Engineering Department, Sussex County, State of Delaware, and

B. On July 7, 2015 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:

1. On Delaware Electric Co-op utility pole #155777 near a stop sign at the intersection of Waterview Road with Camp Arrowhead Road.

2. On Delaware Electric Co-op utility pole #21367 near the entrance to the Villages of Herring Creek. (Note- on tax maps it is the south Villages at Herring Creek, long white fence on both sides of lane).

3. On a post located on the northerly side of Angola Road, approximately opposite of the main entrance for the Angola By The Bay development.

4. On Delaware Electric Co-op utility pole #21292 near community mailboxes at entrance to Angola Neck Park, Cypress Drive.

5. On bulletin board located inside the entrance of the pro shop for Marsh Island Golf Course.

6. On a driven stake near Delaware Electric Co-op utility pole #117286 at entrance to Bay Ridge Woods.

7. On the two parcels of land being considered for the proposed extension of Angola Neck Sanitary Sewer District in 4 locations as follows:

   a. On a tree located near the southwesterly property corner of 2-34-12.00 Parcel 15;

   b. On a driven stake near the southeasterly property

corner of 2-34-12.00 Parcel 15;

c. On a driven stake along the westerly property line of parcel 234-12.00-16.00, approximately 555.0 feet south of the parcel's northwesterly property corner.

d. On a driven stake along the easterly property line of parcel 234-12.00-16.00, approximately 695.0 feet south of the parcel's northeasterly property corner.

Rob Davis

ROB DAVIS

SWORN TO AND SUBSCRIBED before me on this 7th day of July A.D., 2015.

Jayne E. Dickerson

NOTARY PUBLIC

JAYNE E. DICKERSON
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on May 7, 2017

My Commission Expires _____.

Sussex County

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Sussex County Deputy County Administrator until **3:00 pm, Thursday, July 23, 2015** for three (3) 4-wheel drive Suburban vehicles to be used by the Sussex County EMS Department. Contract proposals available by request from Sussex County EMS, P.O. Box 589, 22215 South DuPont Highway, Georgetown, DE 19947. (302) 854-5050.

PUBLIC NOTICE

Sussex County Delaware will be accepting sealed bids for the purchase of the following vehicles.

Three (3) 4-wheel drive Suburban Vehicles.

These vehicles are for use by the Sussex County EMS Department.

Sealed proposals will be received by the Sussex County Deputy County Administrator until **3:00 pm, Thursday July 23, 2015.** Contract proposals available by request from Sussex County EMS, P.O. Box 589, 22215 South DuPont Highway Georgetown, DE 19947. (302) 854-5050.

BID REPLY FORM
(Suburban)

Date: 7/22/15

Vehicle Type Full size utility

Company Name: Hertrich Fleet Services Inc

Manufacturer: Chevrolet Chassis Vendor: —

1500 Suburban: Price per unit: $ 43,196.00 Contract Total: $ 129,588.00

3500 Suburban: Price per unit: $ No bid Contract Total: $ No bid

Delivery time: 60 - 180 days

Exceptions:

1) At this time GM has not released pricing etc on the 3500 HD Suburban.

2) The radio is AM/FM with CD and auxiliary input jack

3) The Driver Alert package is not available on this package for 2016 but it does include power adjustable pedals.

Option Prices:

Enclosures:

✓ Bid Bond
✓ Warranty Statements
✓ Non-Collusion Statement

BID REPLY FORM
(Suburban)

Date: 7/22/15

Vehicle Type 1500 Suburban

Company Name: IG Burton and Company Inc.

Manufacturer: Chevrolet Chassis Vendor: Model Number CK15906

1500 Suburban: Price per unit: $ 43,881.00 Contract Total: $ 131,643.00

3500 Suburban: Price per unit: $ No Bid Contract Total: $ No Bid

Delivery time: 90 – 120 Days ARO

Exceptions:

Option Prices:
5% off MSRP Manufacturers Stated Option Pricing

Enclosures:

✓ Bid Bond
✓ Warranty Statements
✓ Non-Collusion Statement

SUSSEX COUNTY
EMERGENCY MEDICAL SERVICES

22215 Dupont Blvd. • P.O. Box 589 • Georgetown, DE 19947 • 302-854-5050 • FAX 302-855-7780

Robert A. Stuart
Director

Motion:

Be it moved that Sussex County Council accepts from, the lowest responsible bidder Hertrick Fleet Services of Milford, DE three 2016 model year Chevrolet Suburban vehicles for the use as Paramedic response vehicles at a cost of $ 43,196.00 each, total award of $ 129,588.00

Caring People, Quality Service

Todd F. Lawson
Administrator

NANTICOKE RIVER ARTS COUNCIL

July 8, 2015

Christina Darby
4408 Woodland Church Rd.
Seaford, DE 19973

Councilman Mike Vincent
Sussex County Government
2 The Circle | PO Box 589
Georgetown, DE 19947

Dear Mr. Vincent,

Gallery 107 continues to operate and serve our community as we have done since our inception. Classes for adults and children are increasingly popular and often filled to capacity. Many of our members are also members of Seaford Tomorrow formerly known as theSeaford Enhancement Team, which strives in an effort to revitalize our downtown. Downtown revitalization is part of the mission statement of the Nanticoke River Arts Council. Our expenses are met almost solely due to the classes, art sales, and member dues, with little funding from outside sources. The money from the Sussex County Council aids in our efforts to bring cultural experiences and education to western Sussex County.

On Monday, June 29, a water leak occurred in an apartment above the gallery and was not discovered for several hours. This resulted in flooding a closet containing much of the gallery supplies and other items. Fortunately, none of the art work was damaged and as a precautionary measure, all artwork was removed from the entire gallery. All of the flooring, ceiling, and walls will need to be repaired and replaced. This will be accomplished by the building owner. However due to the repair work, the gallery is closed for an indefinite period, resulting in a loss of income. This comes at a very critical time since Seaford's Riverfest is upcoming, and the gallery is normally open during the entire festival, which is now not possible. In addition, the gallery's only fundraiser is held in August, and tickets are typically purchased at the gallery, which is also now not an option. Any assistance from the Council is greatly appreciated.

If there are any questions and/or additional information is required, please do not hesitate to contact me. Again, we encourage all Sussex County members to visit the gallery when we re-open and allow us to show what we are accomplishing.

Thank you,

Christina Darby
President, Nanticoke River Arts Council
EIN # 74-3259770

The Seaford Historical Society

203 High Street, Seaford, DE 19973

July 1, 2015

Mr. Mike Vincent, President
Sussex County Council

Dear Mr. Vincent,

The Seaford Museum is now in the process of planning for a new exhibit on the history of "Women in the Workplace." It is one of the most interesting stories in not only Seaford's History but also our country's history.

I remember having our guidance counselor talk to our class when we were seniors probably and telling the girls that they could also become professionals by going to teachers', secretarial or nursing schools after graduation. What a difference in these last 50 years with Seaford having young ladies who are now Veterinarians, Doctors, and Lawyers.

We want to tell this story. It affects so many people, with women not only becoming professionals but also the story of the DuPont Plant bringing in women in WW II who wanted not to go back home after the war, but wanted to keep on working there. The sewing factories in the area that hired women pretty much exclusively and the canning factories that also hired so many women. Women helped make our town what it is today. And we need to include them in our history in the Seaford Museum.

We would appreciate any assistance that you might provide as we begin our search for the monies needed to provide a good exhibit here at the Seaford Museum.

Sincerely,

Jim Blackwell

Jim Blackwell, Curator

Presented by:

Hertrich
FAMILY OF AUTOMOBILE DEALERSHIPS

Saturday, September 26, 2015, Rehoboth Beach Convention Center

6:00 P.M.—11:00 P.M.

Enjoy a casual atmosphere, two great bands, delicious hors d'oeuvres from favorite local restaurants, beer & wine bars, and live and silent auctions!

Sponsorship Options for the 2015 Autism Delaware Blue Jean Ball:

Diamond: $2,000

- Tickets and reserved seating for 10 people to event
- Noted as sponsor on event invitation (if notified by deadline of **Tuesday, June 30, 2015**)
- Private food server for the dinner guests at your table
- Press alert issued to publicize sponsorship
- 2 color slides in event presentation
- Name on sponsor sign at event venue
- Recognition of sponsorship on all social media sites
- Logo and link on event website
- Verbal acknowledgement during remarks

Emerald: $1,500

- Tickets and reserved seating for 10 people to event
- 1 color slide in event presentation
- Name on sponsor sign at event venue
- Recognition of sponsorship on all social media sites
- Logo and link on event website
- Verbal acknowledgement during remarks

Ruby Sponsor: $500

- Tickets and reserved seating for 4 people to event
- 1 color slide in event presentation
- Name on sponsor sign at event venue
- Recognition of sponsorship on all social media sites
- Logo and link on event website
- Verbal acknowledgement during remarks

Sapphire Sponsor: $250

- Tickets and reserved seating for 2
- Recognition of sponsorship on all social media sites
- Logo and link on event website
- Verbal acknowledgement during remarks

Be Exclusive:

Take this opportunity to become the exclusive sponsor of one or more portions of this year's Blue Jean Ball! Only one of each level is sold.

Exclusive Sponsor Package assets include:

- **10 reserved seats** at the event
- **NEW!** 60 second partnership commercial on a local radio station *(companies only)*
- **NEW!** On-air radio interview on local radio show *(companies only)*
- **Private food server** for the dinner guests at your table
- Company **name, logo, profile and link to your website** on the Blue Jean Ball section of Autism Delaware's site
- **2 color slides** in the event presentation, as well as verbal acknowledgment during remarks
- **Exclusive Sponsor sign** prominently displayed at the event
- **A press** alert to southern Delaware media noting your Exclusive Sponsorship, as well as recognition on Autism Delaware's social media pages
- **Noted as sponsor on event invitation** (if notified by deadline of **Friday, June 5, 2015**)
- **Exclusive logo placement** on the cell phone and bidding device of every guest. *(BidPal Sponsorship Only)*

Exclusive Sponsor Options:

SOLD Presenting Sponsor: $7,500

Exclusive Venue Sponsor: $5,500

SOLD Band Sponsor: $4,500

SOLD Excl. BidPal Sponsor: $3,500

Other Ways to Support the Blue Jean Ball

Individual Tickets: $85*

- Open seating is guaranteed for all individual ticket holders. Premium reserved seating is limited to sponsors. *Tickets will be $85 until September 12th and $100 September 13th until sold out.

Make a Donation to Autism Delaware

- Can't attend the Blue Jean Ball this year? You can still support Autism Delaware! Go to www.BidPal.net/BlueJeanBall and click on the 'Donate' button. Your donations help to support individuals and families affected by autism.

Remote Bidding on Silent Auction Items

- Our new bidding system, BidPal, allows anyone to bid on items from the silent auction even if you're not at the event! Just log on to www.BidPal.net/BlueJeanBall, click "register" and start bidding! Items won by remote bidders will be shipped out the week after the event or pick up arrangements made.

Buy a Raffle Ticket: Three for $10 or 5 for $15

- Purchase a raffle ticket for a chance to win a 50" Magnavox big screen Smart TV from our friends at Aaron's! Go to www.BidPal.net/BlueJeanBall and find out more!

For Sponsor or ticket purchases visit

www.BidPal.net/BlueJeanBall

or complete the form below and Fax or Mail to
Autism Delaware at (302) 224-6017
924 Old Harmony Rd. Suite 201 Newark, DE 19713

Which sponsorship support level would you like? _____
If purchasing individual seats, write "Individual"

❒ We plan to use ____ of our seats. Please make the other seats available for sale.
❒ We do not know how many seats we will use.

Please provide us with the names and cell phone numbers of your guests
No Later than September 11th.
This information is used to expedite check in and is not shared with third parties

Company name: _____ Contact name: _____
Address: _____ Telephone: _____
Email: _____ We will pay by __ check __ invoice __ MasterCard/VISA/AMEX
Card #: _____ Exp. date: _____ Security code: _____
Signature: _____

Make checks payable to: Autism Delaware

Guests:

Name _____ Cell# _____ Name _____ Cell# _____
Name _____ Cell# _____ Name _____ Cell# _____
Name _____ Cell# _____ Name _____ Cell# _____
Name _____ Cell# _____ Name _____ Cell# _____
Name _____ Cell# _____ Name _____ Cell# _____

❒ I will provide my guest's names by September 11th.

Questions? Contact Autism Delaware's Events Manager, Deanna Principe at deanna.principe@delautism.org or 302-224-6020 x213

TOWN OF BETHANY BEACH
P.O. Box 109
214 GARFIELD PARKWAY
BETHANY BEACH, DE 19930
OFFICE (302) 539-8011
FAX (302) 539-8149
EMAIL: admin@townofbethanybeach.com

June 30, 2015

Councilman George Cole
Sussex County Council
2 The Circle
Georgetown, DE 19947

Dear Councilman Cole:

The Town of Bethany Beach requests financial assistance in order to purchase a handicap beach wheel chair. The Town currently has three (3) of these chairs available for loan. On most busy days, the three (3) have been lent and we are unable to fill the demand of those with special needs who would like to enjoy our beach.

As one of Sussex County's most popular beaches for county residents, this wheel chair would be well used and certainly appreciated.

The cost of a beach wheel chair is approximately $3,500.00. Any financial assistance that helps us with this proposed purchase would be greatly appreciated.

Sincerely,

Cliff Gravlet
Town Manager

OAK ORCHARD-RIVERDALE POST #28 of the AMERICAN LEGION
31768 Legion Road
MILLSBORO, DE 19966
302-945-1673

July 14, 2015

County Finance Director
George Cole
P.O. Box 589
Georgetown, DE

Dear County Finance Director:

The American Legion located at 31768 Legion Road in Millsboro has recently begun a partnership with Delmarva Rugby to bring the game of rugby to Sussex County. An estimated 10-12 games a year will be played at the site. After each game, Delmarva Rugby and the American Legion host a social party for the visiting team. All games and socials are open to the public. Attendance by the public has averaged 40 -50 people per game with plans in the works to increase that number substantially.

We have many plans to increase the look and feel of the experience and would like to ask the Sussex County Council to help upgrade the facilities by extending a grant for the goal posts and pads. Rugby, much like football, requires a set of goal posts to allow teams to score points via kicks. Unlike football, these posts are located on the goal line and as such must have pads to protect the players. The 38' goal posts cost $3,299.00 plus shipping of $350.00. The goal post pads cost $775.00 for a full set. Total Funding request is $4,424.00.

The American Legion Federal Tax I. D. is #51-0271790. Should you need more information, please call me at the American Legion 302-945-1673 extension #10. Thank you for your consideration in this matter.

Sincerely,

Charles Bonte,
Third Vice Commander
American Legion Post 28

EVERLASTING HOPE MINISTRIES

A Ministry of the Booker Street Church of God P.O. Box 131 Georgetown, DE 19947 (302) 856-9097

Celebrating 22 Years!

June 17, 2015

To Whom It May Concern:

I am writing this letter to solicit your support for some very important programs that are sponsored by Everlasting Hope Ministries. Each year, this ministry of caring sponsors a series of special fellowship services under a big tent placed strategically in the community. We also sponsor a community anti-drug rally through the streets of Georgetown. The purpose of these services and events is to provide an avenue of support and hope for individuals whose lives have been adversely affected by drugs and alcohol. Special outreach efforts are made to target individuals and offer them assistance during these events. These programs have positively impacted hundreds of people in the community over the years.

That's where your help is needed. Everlasting Hope Ministries would like to provide a variety of items, as part of the assistance program, made available to these needy and often forgotten individuals. Funds are needed to purchase food for these events. We also want to provide health care products, toiletries, and other helpful items such as educational literature and t-shirts containing positive, healthy messages. These items will be given free to those who attend the services. This year's tent services will be held August 11- 13, & 16, 2015. The service times are 7:00 p.m. Tuesday through Thursday. Sunday's service times are 11:30 a.m. and 5:00 p.m. Our Annual Anti-Drug Rally & March will be held on Saturday, August 15, 2015, beginning at 11:00 a.m. We are expecting 400-500 marchers. This year's theme is "*TAKING THE STREETS BACK FOR GOD.*"

Would you or your organization consider making a financial contribution to help underwrite the costs of these activities? Your donation will be used solely to purchase materials and supplies to promote our anti-drug message. Checks should be made payable to *Everlasting Hope Ministries*. Your contribution will have a lasting impact on the lives of individuals in our community, and will be greatly appreciated.

Everlasting Hope Ministries [EHM] was established in 1993 as a support ministry for individuals who have fallen prey to drug and alcohol addictions. We provide a variety of services to help meet individuals' needs. These support services include transportation, job searches, mentoring, and housing. Individual counseling as well as referrals to other agencies are made as necessary. EHM also offers a weekly support class to individuals battling substance abuse addictions; sponsors a weeklong series of tent services; and operates Tony's House, a temporary shelter for individuals in transition from the penile system back into the community. We are a tax-exempt entity and would greatly appreciate any donation amount. I am available to meet with you to provide additional information about Everlasting Hope Ministries or to answer any questions you may have. Thanks in advance for your consideration of this request. Please do not hesitate to contact me should you have any questions or concerns. I can be reached by calling (302) 381-3711 or (302) 854-6692. I look forward to your prompt response.

Sincerely,

Tony Neal

Rev. Anthony "Tony" Neal, Director
Everlasting Hope Ministries

"MAKING A DIFFERENCE…WHATEVER IT TAKES"

To Be Introduced 7/28/15

Council District No. 5 – Arlett
Tax I.D. No. 533-12.00-100.00
911 Address: None Available

ORDINANCE NO. ___

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 14.79 ACRES, MORE OR LESS

WHEREAS, on the 25th day of June 2015, a conditional use application, denominated Conditional Use No. 2028 was filed on behalf of Cauthen Ventures DE, LLC; 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. 2028 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 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 V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2028 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 Baltimore Hundred, Sussex County, Delaware, and lying north of Lighthouse Road (Route 54), east of Laws Point Road, and northwest of Bayville Shores Drive and being more particularly described as follows:

BEGINNING at a point on the northeasterly right-of-way of Lighthouse Road (Route 54), a corner for these subject lands and lands, now or formerly, of Raymond McCabe, Jr. et.ux.; thence North 24°51′54″ East 146.05 feet along said McCabe lands to a concrete monument; thence North 66°44′54″ West 257.53 feet along said McCabe lands to a concrete monument; thence North 03°06′46″ West 499.40 feet along Shady Park Trailer Park Development to an iron pipe; thence South 89°34′54″ East 975.41 feet along Shady Park Trailer Park Development to a concrete monument; thence South 30°33′24″ East 277.53 feet

TO BE INTRODUCED

along Bayview Landing Subdivision to a point; thence southwesterly 967.74 feet along the meandering property line with Bayville Shores – South Condominiums (12 bearing breaks) to a point on the northeasterly right-of-way of Lighthouse Road; and thence North 64°36′38″ West 185.70 feet along the northeasterly right-of-way of Lighthouse Road to the point and place of beginning, said parcel containing 14.79 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

To Be Introduced 07/28/15

Council District No. 5 - Arlett
Tax Map I.D. No. 533-12.00-100.00
911 Address: None Available

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 14.79 ACRES, MORE OR LESS

WHEREAS, on the 24th day of June 2015, a zoning application, denominated Change of Zone No. 1783 was filed on behalf of Cauthen Ventures DE, LLC; 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. 1783 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 [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of MR Medium Density 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 Baltimore Hundred, Sussex County, Delaware, and lying north of Lighthouse Road (Route 54) east of Laws Point Road, and northwest of Bayville Shores Drive and being more particularly described as follows:

TO BE INTRODUCED

BEGINNING at a point on the northeasterly right-of-way of Lighthouse Road (Route 54), a corner for these subject lands and lands, now or formerly, of Raymond McCabe, Jr. et.ux.; thence North 24°51′54″ East 146.05 feet along said McCabe lands to a concrete monument; thence North 66°44′54″ West 257.53 feet along said McCabe lands to a concrete monument; thence North 03°06′46″ West 499.40 feet along Shady Park Trailer Park Development to an iron pipe; thence South 89°34′54″ East 975.41 feet along Shady Park Trailer Park Development to a concrete monument; thence South 30°33′24″ East 277.53 feet along Bayview Landing Subdivision to a point; thence southwesterly 967.74 feet along the meandering property line with Bayville Shores – South Condominiums (12 bearing breaks) to a point on the northeasterly right-of-way of Lighthouse Road; and thence North 64°36′38″ West 185.70 feet along the northeasterly right-of-way of Lighthouse Road to the point and place of beginning, said parcel containing 14.79 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