

COUNTY COUNCIL

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Sussex County

DELAWARE
sussexcountyde.gov
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SUSSEX COUNTY COUNCIL

A G E N D A

JUNE 6, 2023

10:00 A.M.

***AMENDED on June 2, 2023 at 12:15 p.m.¹**

Call to Order

Approval of Agenda

Approval of Minutes – May 23, 2023

Reading of Correspondence

Public Comments

Consent Agenda

1. Proclamation Request – Cape Henlopen Boys Volleyball Team State Championship

Presentation – Sarah Carter and Dan Cruce, United Way of Delaware

Todd Lawson, County Administrator

1. Recognition of the SCEMS Team for the 2023 JEMS Games Gold Medal
2. Administrator's Report

Gina Jennings, Finance Director

1. Pension Update and Recommendation to Change Investment Policy Statements
2. Auditing Services RFP Results and Possible Award



3. ARPA Non-Profit Grant Program Recommendation

Hans Medlarz, County Engineer

- 1. South Coastal WRF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2**
 - A. General Construction, Project C19-11, Change Order 28**
- 2. EMS Public Safety Building – Project C19-04**
 - A. Change Order No. 25 & Close-out**
- 3. Mulberry Knoll Sewer Collection System, Project S20-22**
 - A. Change Order No. 1**
 - B. Granting of Substantial Completion**
- 4. South Coastal Library Roof Top Unit Replacement**
 - A. Recommendation to Award**
- 5. Cannon Road – Inland Bays Road Drainage Improvements and Constructed Wetlands, Project S22-05**
 - A. Change Order 1**

Old Business

Conditional Use No. 2336 filed on behalf of Community Power Group, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR FARM TO BE LOCATED ON A PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 25.012 ACRES, MORE OR LESS” (property lying on the north side of Woodland Ferry Road [S.C.R. 78] 0.15 mile east of the intersection of Woodland Ferry Road [S.C.R. 78] and Bethel Road [S.C.R. 493] and on the east side of Bethel Road [S.C.R. 493] 0.2 mile north of the intersection of Woodland Ferry Road [S.C.R. 78] and Bethel Road [S.C.R. 493]) (911 Address: N/A) (Tax Parcel: 232-5.00-11.03 [p/o])

Grant Requests

1. **True Blue Jazz, Inc. for their 11th Anniversary True Blue Jazz Festival for operating expenses**
2. **Greenwood Police Department for their Night Out event**
3. **Slaughter Neck Community Action Organization, Inc. for their Senior Center program**
4. **Eastern Shore AFRAM Festival Inc. for their annual festival**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

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

Possible action on Executive Session items

1:30 p.m. Public Hearings

Conditional Use No. 2353 filed on behalf of Sussex CSG 2, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR FARM TO BE LOCATED ON A 14.64 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 28.09 ACRES, MORE OR LESS” (properties lying on the south side of Gum Tree Road [S.C.R. 405], the west side of DuPont Boulevard [Rt. 113], and the north side of Blueberry Lane [S.C.R. 402]) (911 Address: N/A) (Tax Map Parcels: 433-6.00-18.00, 20.00 & 26.00)

Conditional Use No. 2354 filed on behalf of Sussex CSG 1, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR FARM TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 23.58 ACRES, MORE OR LESS” (property lying on the south side of Old Racetrack Road [S.C.R. 502], approximately 0.75 mile east of Delmar Road [Route 54]) (911 Address: N/A) (Tax Map Parcel: 532-20.00-14.00)

Conditional Use No. 2372 filed on behalf of Augusto Morales Morales

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS” (property lying on the west side of Cedar Corners Road [S.C.R. 638], approximately 0.8 mile south of Redden Road [Rt. 40]) (911 Address: 17490 Cedar Corners Road, Bridgeville) (Tax Map Parcel: 430-17.00-62.00)

Conditional Use No. 2391 filed on behalf of M.R.O. Auto Repair, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 0.46 ACRES, MORE OR LESS” (property lying on the northeast side of Cedar Lane [S.C.R. 318], approximately 950 ft. southeast of Wood Branch Road [S.C.R. 321]) (911 Address: 22491 Cedar Lane, Georgetown) (Tax Map Parcel: 135-20.00-142.00)

Change of Zone No. 1986 filed on behalf of JKJ Properties, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.22 ACRES, MORE OR LESS” (property lying on the north side of Johnson Road [S.C.R. 207], approximately 0.12 mile east of DuPont Boulevard [Rt. 113]) (911 Address: 18017 & 18033 Johnson Road, Lincoln) (Tax Map Parcel: 130-6.00-115.00)

Adjourn

¹ Per 29 Del. C. §10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended to address a matter which arose after the initial posting of the agenda but before the start of the Council meeting.

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on May 30, 2023 at 4:15 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 may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.

The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/county-council>.

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