

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 7, 2025**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 7, 2025, at 1:00 p.m., in Council Chambers, with the following present:**

<b>Douglas B. Hudson</b>	<b>President</b>
<b>John L. Rieley</b>	<b>Vice President</b>
<b>Jane Gruenebaum</b>	<b>Councilwoman</b>
<b>Matt Lloyd</b>	<b>Councilman</b>
<b>Steve C. McCarron</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina A. Jennings</b>	<b>Finance Director</b>
<b>J. Everett Moore, Jr.</b>	<b>County Attorney</b>

**The Invocation and Pledge of Allegiance were led by Mr. Hudson.**

**Call to  
Order**

**Mr. Hudson called the meeting to order.**

**M 001 25  
Approve  
Agenda**

**A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, to approve the Agenda, as presented. Mr. Lawson noted that the start time was changed due to the weather.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Election  
Officers**

**of Mr. Lawson noted the requirement that the County Council must elect officers for 2025.**

**M 002 25  
Appoint  
President**

**A Motion was made by Mr. Rieley that Mr. Hudson serve as President of the Sussex County Council in 2025.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**M 003 25  
Appoint  
Vice  
President**

**A Motion was made by Mr. McCarron that Mr. Rieley serve as Vice President of the Sussex County Council in 2025.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;**

**Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Council  
Member  
Appoint-  
ments**

**Mr. Lawson noted the requirement that Council appoint members to the various boards and committees and he referenced the recommendations included in Council packets for this meeting, as follows: Doug Hudson to the Delaware Association of Counties (County Director); John Rieley to the Delaware Association of Counties (Executive Board); Doug Hudson to the Delaware League of Local Governments; Matt Lloyd to the Salisbury/Wicomico MPO (District Specific); Steve McCarron to the Sussex Conservation District Board; Matt Lloyd to the Sussex County Airport Committee; and John Rieley and Jane Gruenebaum to the Sussex County Land Trust.**

**M 004 25  
Approve  
Council  
Member  
Appoint-  
ments**

**A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it moved that the Sussex County Council approves the 2025 Member appointments as presented.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Legal  
Counsel  
Appoint-  
ments**

**Mr. Lawson referenced the appointment of Legal Counsel and the recommendation included in Council packets for this meeting, as follows: County Attorney – J. Everett Moore, Jr.; Assistant County Attorney – Vincent Robertson; and legal representation for the Board of Adjustment, Planning and Zoning Commission, and Sussex County Council/Government, as follows: Ballard Spahr LLP, Barnes & Thornburg, Moore & Rutt, P.A.; Parkowski, Guerke and Swayze, P.A.; Potter Anderson & Corroon LLP, and Young Conaway Stargatt & Taylor, LLP.**

**M 005 25  
Approve  
Appoint-  
ment  
of  
Legal  
Counsel**

**A Motion was made by Mr. Rieley that the Sussex County Council approves the 2025 appointment of Legal Counsel, as presented.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Rules  
of  
Procedure**

**Mr. Lawson presented the Rules of Procedure which were included in Council packets which were unchanged.**

**M 006 25  
Approve  
2025 Rules  
of Procedure**

**A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum that be it moved that the Sussex County Council approves the 2025 Rules of Procedure, as presented.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call:** Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea

**Minutes** The minutes from December 10, 2024, and December 17, 2024, were approved by consensus.

**Correspondence** Mr. Moore read correspondence received from Delaware Lions Foundation, Volunteer Delaware 50+ and Unique Minds Changing Lives, Inc. thanking Council for their donation.

**Public Comments** Public comments were heard, and the following people spoke:  
  
Mr. Jack Young spoke on behalf of the League of Woman Voters. He welcomed the new Council Members.

Mr. Phillip Brady congratulated the three new Council Members.

**M 007 25** A Motion was made by Mr. Rieley, seconded by Mr. McCarron to approve  
**Approve** the following item under the Consent Agenda:  
**Consent**

**Agenda** Use of Existing Wastewater Agreement  
Delmarva Bioenergy Center, South Blades Area

**Motion Adopted:** 5 Yeas

**Vote by Roll Call:** Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea

**Administrator's Report** Mr. Lawson read the following information in his Administrator's Report:  
  
1. **Project Receiving Substantial Completion**

Per the attached Engineering Department Fact Sheet, Chase Oaks – Phase 6 (Construction Record) received Substantial Completion effective December 8<sup>th</sup>.

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

**Bank Resolutions** Mrs. Jennings reported that when leadership changes, the signers on the County's financial institutional and investment accounts need to change. The signers are the President and Vice President of County Council and the Finance Director.

**M 008 25** A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum to Adopt

**Adopt Resolution No. R 001 25/Bank Resolutions**      **Resolution No. R 001 25 entitled “BE IT RESOLVED THAT THE SUSSEX COUNTY COUNCIL IS AUTHORIZING THE SIGNATURES ON THE ACCOUNTS OF THE SUSSEX COUNTY COUNCIL WITH VARIOUS FINANCIAL INSTITUTIONS AND INVESTMENT FIRMS TO BE DOUGLAS B. HUDSON PRESIDENT; JOHN L. RIELEY, VICE PRESIDENT; AND GINA A. JENNNINGS, FINANCE DIRECTOR/CHIEF OPERATING OFFICER”.**

**Motion Adopted:      5 Yeas**

**Vote by Roll Call:      Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Airport Advisory Committee Appoint**      **Mr. Bob Bryant, Airport Manager, presented for Council’s approval the Delaware Coastal Airport Advisory Committee members for the Year 2025.**

**M 009 25 Approve Airport Advisory Committee Appointments**      **A Motion was made by Mr. Rieley, seconded by Mr. McCarron, that the Sussex County Council appoints Dustin Berlinger, Larry Kelley, Jeff Reed, Rick Garner, Ezra Richards, Mark Ryan, Scott Thomas, and Ray Hopkins to the Delaware Coastal Airport Advisory Committee for 2025.**

**Motion Adopted:      5 Yeas**

**Vote by Roll Call:      Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Lochwood CO No. 3**      **Hans Medlarz, Project Engineer presented change order no. 3 for Lochwood Sewer expansion for Council’s consideration.**

**M 010 25 Approve CO No. 3/ Lochwood Sewer Expansion**      **A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, that be it moved based up the recommendation of the Sussex County Engineering Department, that change order no. 3 for project S22-07, Lochwood sewer district expansion, be approved, for an increase of 89 calendar days, contingent upon USDA concurrence.**

**Motion Adopted:      5 Yeas**

**Vote by Roll Call:      Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Joy Beach CO No. 3**      **Hans Medlarz, Project Engineer presented change order no. 3 for Joy Beach sewer expansion for Council’s consideration.**

**M 011 25 Approve CO No. 3/Joy**      **A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it moved based upon the recommendation of the Sussex County Engineering Department, that change order no. 3 for project S20-12, Joy Beach sewer**

**Beach Sewer Expansion** district expansion, be approved, for an increase of 115 calendar days.

**Motion Adopted:** 5 Yeas

**Vote by Roll Call:** Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea

**Grant**

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

**M 012 25 Frankford Public Library** A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, to give \$2,500 (\$2,500 from Mr. Hudson's Councilmanic Grant Account) to Frankford Public Library for safety doors for their meeting room.

**Motion Adopted:** 5 Yeas

**Vote by Roll Call:** Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea

**M 013 25 Bethany-Fenwick Area Chamber of Commerce** A Motion was made by Mr. Rieley, seconded by Mr. McCarron to give \$1,000 (\$1,000 from Mr. Hudson's Councilmanic Grant Account) to Bethany-Fenwick Area Chamber of Commerce for their 2025 Fire & Ice Festival.

**Motion Adopted:** 5 Yeas

**Vote by Roll Call:** Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea

**Introduction of Proposed Ordinances** Mr. McCarron introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL CONTRACTING AND HOME CONSTRUCTION BUSINESS, SERVICE & PROFESSIONAL OFFICES AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 5.57 ACRES, MORE OR LESS" filed on behalf of Savini Companies.

Mr. Hudson introduced a Proposed Ordinance entitled "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 CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 12.32 ACRES, MORE OR LESS" filed on behalf of Gulfstream Glen Cove, LLC.

**Introduction** Mr. Hudson introduced a Proposed Ordinance entitled "AN ORDINANCE

**of Proposed Ordinances (continued)**

**TO GRANT A CONDITIONAL USE OF LAND IN AN MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS (50 UNITS) TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 12.32 ACRES, MORE OR LESS” filed on behalf of Gulfstream Glen Cove, LLC.**

**Mr. Lloyd introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMUNITY SOLAR ENERGY GENERATING FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 39.6 ACRES, MORE OR LESS” filed on behalf of Woodland Ferry Solar 1, LLC.**

**The Proposed Ordinances will be advertised for a Public Hearing.**

**Council Members’ Comments**

**Mr. Lloyd thanked those that were present that supported him. He commented about development in the County and putting a moratorium in place. He then discussed the changes that a moratorium would create if put in place.**

**Mr. McCarron commented that he is honored to represent the 2<sup>nd</sup> District and looks forward to working with his fellow Council Members. He added that he is committed to addressing the issues that matter most to the residents. He pledged to make decisions that are thoughtful and well informed.**

**Ms. Gruenebaum commented that it is an honor to be here and recognizes it is a heavy responsibility. She added that the election was a voice for change throughout the County with how development is done. She believes that growth needs to be done in a more responsible way. She thanked everyone that helped her get elected.**

**Mr. Rieley welcomed the new members, and he looks forward to discussions moving forward.**

**Rules**

**Mr. Moore read the rules of procedure for public hearings.**

**Public Hearing/  
CZ2020**

**A Public Hearing was held on Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 4.86 ACRES, MORE OR LESS” (property lying on the west side of Sussex Highway [Rt. 13], and on the east side of Gordy Road [S.C.R. 70] approximately 150 feet north of the intersection of Sussex Highway [Rt. 13] and Gordy Road [S.C.R. 70]) (911 Address: N/A) (Tax Map Parcel: 332-1.00-67.03) filed on behalf of Samuel**

**Public**

**Hearing/  
CZ2020  
(continued)**

**Petersheim.**

**Jamie Whitehouse, Planning & Zoning Director presented the application.**

**The Planning & Zoning Commission held a Public Hearing on the application on November 13, 2024. At the meeting of November 13, 2024, the Planning & Zoning Commission recommended approval of the application for the 8 reasons as outlined.**

**Mr. Samuel Petersheim and Mrs. Glenda Petersheim, the applicants spoke on behalf of the application; that they own the Dutch Furniture Store in Laurel; that they have run out of space; that they want to sell storage buildings and display backyard properties, backyard structures, gazebos, pergolas, and lawn furniture; that they would like to move their furniture store to this area so that they can expand; that most of their customers buy the items rather than lease.**

**There were no public comments.**

**The Public Hearing and public record were closed.**

**M 014 25  
Adopt  
Ordinance  
No. 3068/  
CZ2020**

**A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to Adopt Ordinance No. 3068 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 4.86 ACRES, MORE OR LESS” for the reasons given by Planning & Zoning as follows:**

- 1. B-2 Business Community Zoning is designed to allow office, retail shopping, and personal service uses that serve a relatively small area, including low-density and medium-density neighborhoods.**
- 2. The site is in the Developing Area according to the current Sussex County Comprehensive Plan. B-2 zoning and the uses permitted in that District are appropriate in the Developing Area according to the Plan.**
- 3. This location is in an area along Route 13 where there is a larger commercially zoned area of land that includes a large store complex and warehousing as well as other retail and commercial uses.**
- 4. The rezoning will not adversely affect area roadways or traffic.**
- 5. The rezoning will also not adversely affect nearby properties or property values.**
- 6. No parties appeared in opposition to this Application.**
- 7. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity, and welfare of the County.**
- 8. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**M 015 25  
Go Into  
Executive  
Session**

**At 2:12 p.m., a Motion was made by Mr. Rieley, seconded by Mr. Lloyd to go into Executive Session for the purpose of discussing land acquisition.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Executive  
Session**

**At 2:18 p.m. an Executive Session was held in the Basement Caucus Room to discuss matters relating to land acquisition. The Executive Session ended at 2:55 p.m.**

**M 016 25  
Reconvene**

**At 2:58 p.m., a Motion was made by Mr. McCarron, seconded by Mr. Rieley to come out of Executive Session back into Regular Session.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**E/S Action**

**There was no action related to Executive Session matters.**

**M 017 25  
Adjourn**

**A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to adjourn at 2:59 p.m.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Respectfully submitted,**

**Tracy N. Torbert  
Clerk of the Council**

*{An audio recording of this meeting is available on the County's website.}*