

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 5, 2013**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 5, 2013, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

|                              |                             |
|------------------------------|-----------------------------|
| <b>Michael H. Vincent</b>    | <b>President</b>            |
| <b>Samuel R. Wilson, Jr.</b> | <b>Vice President</b>       |
| <b>George B. Cole</b>        | <b>Councilman</b>           |
| <b>Joan R. Deaver</b>        | <b>Councilwoman</b>         |
| <b>Vance Phillips</b>        | <b>Councilman</b>           |
| <b>Todd F. Lawson</b>        | <b>County Administrator</b> |
| <b>Susan M. Webb</b>         | <b>Finance Director</b>     |
| <b>Everett Moore</b>         | <b>County Attorney</b>      |

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

**Call to  
Order**

Mr. Vincent called the meeting to order.

**M 057 13  
Amend  
and  
Approve  
Agenda**

A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to amend the Agenda by deleting "Job Applicants' Qualifications" under "Executive Session"; and to approve the Agenda, as amended.

**Motion Adopted: 5 Yeas.**

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

**Minutes**

The minutes of January 29, 2013 were approved by consent.

**Corre-  
spondence**

Mr. Moore read the following correspondence:

**FOOD BANK OF DELAWARE, MILFORD, DELAWARE.  
RE: Letter in appreciation of grant.**

**DelDOT  
Presentation**

Natalie Barnhart, Chief Engineer, Delaware Department of Transportation, updated the Council on DelDOT's SR 1 Corridor projects. She noted three specific projects:

**SR 1 Safety Improvement Projects**

**SR 1, SR 30 grade separated intersection project (Milford)**

**SR 1 Pedestrian Improvement Project - Rehoboth Canal to north of  
Five Points (Lewes/Rehoboth)**

**DelDOT  
Presentation  
(continued)**

**Plantations Road/Cedar Grove Road/Postal Lane Realignment Project,  
Lewes**

**SR1 Traffic Safety Improvements**

**SR 1 and Cave Neck Road  
SR 1 and Kings Highway  
SR 1 and Median Crossover at Bay Crossing  
SR 1 and Dickinson Avenue  
Traffic Signal Rebuild Program  
Indian River Inlet Bridge  
Fenwick Island Pedestrian Signals  
SR 1 and Minos Conaway Road  
SR 1 and Fred Hudson Road (Road 360)  
SR 1 and SR 16**

**SR 1 Bicycle Safety Study and Improvements for SR 1 from Five Points to SR1A**

**The Department conducted a study which investigated the crash patterns involving cyclists along SR 1/Coastal Highway between US9/SR404 (Five Points) and SR 1A (Rehoboth). The study concluded that based on the crash data from October 2009 to October 2012, the majority of crashes are related to wrong way driving on the part of the cyclist. DelDOT recently received a request from Sussex Cyclists to improve bicycle facilities along the corridor. DelDOT will be convening a working group to identify potential solutions.**

**Ms. Barhart outlined other Sussex County projects that are either (1) in construction or going to construction in 2013 or (2) in design or conceptual stage:**

**In Construction or Going To Construction in 2013:**

- **SR 1 at SR 30, Grade Separation**
- **US 9 Intersection Improvements (includes the intersection at Gravel Hill Road, Hudson/Fisher Roads, and Dairy Farm/Sweetbriar/Log Cabin Hill Roads**
- **Indian River Inlet Bridge – Roadway Approach and Demolition**
- **SR 26 Detour Routes Project**
- **SR 26 Mainline Project – Advance Utility Relocation**

**In Design or Conceptual Stage**

- **SR 26, Atlantic Avenue, Clarksville to Assawoman Canal**
- **SR 24, Mulberry Knoll Road to SR 1**
- **SR 24, Love Creek to Mulberry Knoll Road**
- **SR 24 at SR 5 / SR 23**

**DelDOT  
Presentation  
(continued)**

- **SR 24, Mount Joy Road to Bay Farm Road**
- **SR 24 at Camp Arrowhead Road and Angola Road**
- **SR 24 at Banks Road**
- **SR 404 at SR 18 Intersection**
- **Iron Branch Road / State Street (Millsboro)**
- **Park Avenue**
- **US 9 and SR 5 Intersection Improvement**
- **Plantation Road / Cedar Grove Road / Postal Lane**
- **Patriots Way, Avenue of Honor to Stockley Branch**
- **SR 1, Rehoboth Canal to North of Five Points Pedestrian Improvements**
- **US 113 North / South Study**
- **US 113 Intersection Improvements (includes the intersections at Handy / Dagsboro Roads, Hardscrabble / Betts Ponds Roads, Sheep Pen Road / Patriots Way, and Staytonville / Fleatown Roads)**
- **US 113 at Millsboro Towne Square / 1st Street**
- **US 113 at SR 16 Grade Separated Intersection**
- **Zoar Road / Speedway Road / Bethesda Road Intersection Improvement**
- **US 113 at Alms House Road / Wood Branch Road / Kruger Road Intersection Improvement**
- **US 13 Seaford, Intersection Improvements (includes the intersections at Tharp / Herring Run Roads, Stein Highway, Middleford Road, Concord Road, and Oneals / Bethel Concord Road)**

**Ms. Barnhart noted that there are other projects in Sussex County that are being worked on by various DelDOT departments, such as bridge projects, TE projects, and maintenance projects. In addition, there are other projects in Sussex County that are listed in the CTP but funding is not available for design to begin for several years, so they are not included in this list.**

**Board of  
Assessment  
Review**

**Mr. Lawson advised that Julie Rigby's term on the Board of Assessment Review will expire in February 2013 and Ms. Rigby has agreed to serve another term. Mr. Lawson noted that the Board of Assessment Review meets in March each year to consider assessment appeals.**

**M 058 13  
Approve  
Reappoint-  
ment/  
Board of  
Assessment  
Review**

**A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, that the Sussex County Council approves the appointment of Julie Rigby to the Sussex County Board of Assessment Review, effective February 1, 2013, for a term of five years.**

**Motion Adopted: 5 Yeas.**

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

**FY 2012  
Surplus  
Discussion  
and Recom-  
mentation**

**Mr. Lawson reported that, at the January 22nd Council meeting, the Council focused on three options to allocate the FY 2012 budget surplus: (1) the 11 independent libraries, (2) the Community Development and Housing (CD&H) Department’s emergency housing repair program, and (3) the Sussex Conservation District. At the January 22nd meeting, the Council asked the Administrative/Finance staff to consider the recommendations of Council regarding the use of the surplus funding and to come back to the Council with a proposal within 30 days.**

**Mr. Lawson reported that, after careful consideration, it is recommended that the Council approve the surplus funds of \$854,029 to be allocated as follows: (1) \$350,000 for the 11 independent libraries, (2) \$150,000 for the emergency housing repair program, and (3) any surplus balance shall be returned to the County’s General Fund. Mr. Lawson recommended waiting to consider funding for the Sussex Conservation District during the FY 2014 budget process.**

**Mr. Lawson reported that he asked the Sussex County Library Advisory Board to analyze their needs and to determine an appropriate distribution of funds. The Board voted to approve the following recommendations:**

|                    |               |
|--------------------|---------------|
| <b>Milford</b>     | <b>3.5 %</b>  |
| <b>Lewes</b>       | <b>3.5 %</b>  |
| <b>Selbyville</b>  | <b>7.0 %</b>  |
| <b>Rehoboth</b>    | <b>7.0 %</b>  |
| <b>Millsboro</b>   | <b>7.0 %</b>  |
| <b>Georgetown</b>  | <b>7.0 %</b>  |
| <b>Bridgeville</b> | <b>7.0 %</b>  |
| <b>Frankford</b>   | <b>11.0 %</b> |
| <b>Delmar</b>      | <b>11.0 %</b> |
| <b>Seaford</b>     | <b>17.0 %</b> |
| <b>Laurel</b>      | <b>17.0 %</b> |

**These funds would be used by the independent libraries to facilitate their critical needs to improve or expand their library services.**

**Mr. Lawson stated that the second option was to provide funding to the Community Development and Housing (CD&H) emergency housing repair program which focuses on heating, plumbing, electrical, roofing, handicapped ramps, and structural problems for eligible County residents in critical need. Repairs range from \$500.00 to \$7,500.00 and are completed by local contractors. Currently, CD&H has over 1,250 residents on their waiting list and this funding would be used immediately.**

**Mr. Lawson stated that, after careful consideration, it is recommended that the Council approve surplus funds of \$854,029 to be allocated as follows: \$350,000 to the independent libraries, \$150,000 to the emergency housing and repair program, and any surplus balance to be returned to the County’s general fund. Mr. Lawson recommended waiting to consider**

(continued) funding for the Sussex Conservation District during the FY 2014 budget process.

**M 059 13** A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, that the  
**Approve** Sussex County Council approves the surplus funds of \$854,029 to be  
**Allocation** allocated as follows: \$350,000 to the 11 independent libraries, including:  
**Of Surplus** Milford – 3.5%, Lewes – 3.5%, Selbyville, 7%, Rehoboth – 7%, Millsboro –  
**Funds** 7%, Georgetown – 7%, Bridgeville – 7%, Frankford – 11%, Delmar – 11%,  
Seaford – 17%, and Laurel – 17%; and \$150,000 to the emergency housing  
and repair program; and any surplus balance to be returned to the  
County’s general fund.

**Motion Adopted:** 5 Yeas.

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

**Adminis-** Mr. Lawson read the following information in his Administrator’s Report:  
**trator’s**  
**Report**

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Waters Run –  
Phase 1A and Waters Run – Phase 1B received Substantial  
Completion effective January 29, 2013.

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

**Financial** Mrs. Webb presented the Financial Report for the Six Months Ending  
**Report** December 31, 2012 (unaudited estimated revenue and expense report).

**Discussion/** The Council discussed regulations relating to signs, flags (including feather  
**Sign** flags), banners, etc. and directed Lawrence Lank, Director of Planning and  
**Regulations** Zoning, to research sign regulations of other counties and to submit a  
recommendation to the Council on how to address this issue.

**Grant** Mrs. Webb presented grant requests for the Council’s consideration.  
**Requests**

**M 060 13** A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$2,500.00  
**Council-** (\$1,250.00 each from Mr. Cole’s and Mr. Phillips’ Councilmanic Grant  
**manic** Accounts) to the Lower Sussex Little League for operating expenses.  
**Grant**

**Motion Adopted:** 5 Yeas.

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

**M 061 13  
Council-  
manic  
Grant**

**A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 from Mr. Vincent's Councilmanic Grant Account to the City of Seaford for the Nanticoke Riverfest.**

**Motion Adopted: 5 Yeas.**

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

**Additional  
Business**

**Under Additional Business, Mr. Lawson recommended the cancellation of the February 12th Council meeting due to a light schedule.**

**M 062 13  
Cancel  
Feb. 12th  
Council  
Meeting**

**A Motion was made by Mr. Cole, seconded by Mr. Phillips, to cancel the February 12th Council meeting, per the recommendation of the County Administrator.**

**Motion Adopted: 5 Yeas.**

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

**M 063 13  
Go Into  
Executive  
Session**

**At 11:16 a.m., a Motion was made by Mr. Cole, seconded by Mr. Phillips, to recess the Regular Session and to go into Executive Session for the purpose of discussing issues relating to personnel, pending/potential litigation, and land acquisition.**

**Motion Adopted: 5 Yeas.**

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

**Executive  
Session**

**At 11:20 a.m., an Executive Session of the Sussex County Council was held in the Caucus Room of the Council Chambers for the purpose of discussing issues relating to personnel, pending/potential litigation, and land acquisition. The Executive Session concluded at 12:00 Noon.**

**M 064 13  
Reconvene  
Regular  
Session**

**At 12:01 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Cole, 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. Phillips, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**



**Public  
Hearing/  
C/U  
No. 1950  
(continued)**

**business for 10 to 12 months; that there are no more than 8 or 10 trailers on the property at a time; that he owns the tractors and hauls trailers for several local poultry firms; that the site is located in a residential area; that there are no structures on the site; and that no maintenance is performed on site.**

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

**Mr. Cole suggested that the Applicant come up with conditions of approval that would be agreeable to the Applicant and that might appease the neighbors.**

**(Mrs. Deaver joined the meeting during the public hearing and she stated that she would listen to the proceedings prior to the Council voting on the application.)**

**M 067 13  
Defer  
Action on  
C/U  
No. 1950**

**A Motion was made by Mr. Cole, seconded by Mr. Phillips, to defer action on Conditional Use No. 1950 filed on behalf of Erlin I. Rivera and to leave the record open for two weeks for the Applicant to submit proposed conditions, after which the record will remain open for an additional two weeks for responses/comments to the submitted proposed conditions.**

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

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

**Public  
Hearing/  
C/U  
No. 1953**

**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 MULTI-FAMILY DWELLING STRUCTURE (2 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.88 ACRES, MORE OR LESS” (Conditional Use No. 1953) filed on behalf of Thomas Milspaw.**

**The Planning and Zoning Commission held a Public Hearing on this application on January 10, 2013 at which time the Commission deferred action. On January 24, 2013, the Commission recommended that the application be approved with the following conditions:**

- 1. Only two (2) units shall be permitted, and they shall be located within the existing structure as shown on the Preliminary Site Plan, as well as the Final Site Plan.**
- 2. The units shall be occupied by the Applicant, Thomas Milspaw, and by his brother-in-law. In the event that they no longer occupy a unit on the property as their residence, this Conditional Use shall terminate automatically.**
- 3. The Final Site Plan shall be subject to the review and approval of the**

**Public  
Hearing/  
C/U  
No. 1953  
(continued)**

**Planning and Zoning Commission and that the Final Site Plan shall identify who will occupy each unit as permitted by this recommendation.**

**See the minutes of the Planning and Zoning Commission dated January 10 and 24, 2013.**

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

**Thomas Milspaw was present and he stated that he proposes to build a pole building type structure with an apartment on each end; that he was advised by the County that a multi-family use was not a permitted use; that his brother-in-law is handicapped and has sold his dwelling on a neighboring property and is in need of a residence; that the units are not intended to be rentals, but for family use; that the structure was originally designed with two units in concept and was approved by DNREC with one septic system and two drain fields (installed in 2003); and that he owns the house with 400 feet of this building.**

**The Applicant was requested to submit a copy of the DNREC permit to the County.**

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

**M 068 13  
Adopt  
Ordinance  
No. 2292  
(C/U  
No. 1953)**

**A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2292 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (2 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.88 ACRES, MORE OR LESS” (Conditional Use No. 1953) filed on behalf of Thomas Milspaw with the following conditions:**

- 1. Only two (2) units shall be permitted and they shall be located within the existing structure as shown on the Preliminary Site Plan, as well as the Final Site Plan.**
- 2. The units shall be occupied by the Applicant, Thomas Milspaw, and by his brother-in-law. In the event that they no longer occupy a unit on the property as their residence, this Conditional Use shall terminate automatically.**
- 3. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission and that the Final Site Plan shall identify who will occupy each unit as permitted by this recommendation.**
- 4. A copy of the DNREC septic approval shall be provided by the Applicant and referencing two units.**

**M 068 13  
(continued)**

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

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

**Public  
Hearing/  
C/U  
No. 1954**

**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 COMMERCIAL\RETAIL SHOP (HANDCRAFTED FURNITURE\GIFTS AND ANTIQUES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 2.306 ACRES, MORE OR LESS” (Conditional Use No. 1954) filed on behalf of Robert A. Hermanson.**

**The Planning and Zoning Commission held a Public Hearing on this application on January 10, 2013 at which time the Commission deferred action. On January 24, 2013, the Commission recommended that the application be approved with the following conditions:**

- 1. The use shall be limited to the sale of furniture, gifts, antiques and similar items.**
- 2. The hours of operation shall be Monday through Saturday, with hours of operation of 10:00 a.m. to 6:00 p.m. with no Sunday hours.**
- 3. One lighted sign no larger than 32 square feet per side shall be permitted.**
- 4. The areas to be used for any outdoor displays shall be clearly shown on the Final Site Plan.**
- 5. Areas designated for parking shall be shown on the Final Site Plan and shall be clearly marked on the site.**
- 6. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

**See the minutes of the Planning and Zoning Commission dated January 10 and 24, 2013.**

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

**Robert Hermanson was present and stated that he proposes a small shop to sell things that he makes and some things other local crafters make, and to sell antiques that he refinishes; and that he does not propose to have any employees. Mr. Hermanson reviewed the survey of the property.**

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

**M 069 13**

**A Motion was made by Mr. Phillips, seconded by Mr. Cole, to Adopt Ordinance No. 2293 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL**

**M 069 13  
Adopt  
Ordinance  
No. 2293  
(C/U  
No. 1954)  
(continued)**

**RESIDENTIAL DISTRICT FOR COMMERCIAL\RETAIL SHOP (HANDCRAFTED FURNITURE\GIFTS AND ANTIQUES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 2.306 ACRES, MORE OR LESS” (Conditional Use No. 1954) filed on behalf of Robert A. Hermanson, with the following conditions:**

- 1. The use shall be limited to the sale of furniture, gifts, antiques and similar items.**
- 2. The hours of operation shall be Monday through Saturday, with hours of operation of 10:00 a.m. to 6:00 p.m. with no Sunday hours.**
- 3. One lighted sign no larger than 32 square feet per side shall be permitted.**
- 4. The areas to be used for any outdoor displays shall be clearly shown on the Final Site Plan.**
- 5. Areas designated for parking shall be shown on the Final Site Plan and shall be clearly marked on the site.**
- 6. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

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

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

**Mr. Phillips left the meeting.**

**Conflict  
of Interest**

**Mr. Cole stated that he would not be participating in the next Public Hearing due to a potential conflict of interest.**

**Public  
Hearing/  
C/Z  
No. 1724**

**A Public Hearing was opened on 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 BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 8.05 ACRES, MORE OR LESS” (Change of Zone No. 1724) filed on behalf of Central Storage @ Harbeson, LLC.**

**M 070 13  
Recess/  
Public  
Hearing  
on C/Z  
No. 1724/  
Lack of  
Voting  
Quorum**

**At this time during the Public Hearing, due to the lack of 3 members in attendance able to vote on the application, a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess (2:12 p.m.).**

**Motion Adopted: 3 Yeas, 2 Absent.**

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

**M 071 13  
Reopen  
Public  
Hearing  
on C/Z  
No. 1724**

**At 2:28 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to come out of recess and to reopen the Public Hearing on Change of Zone No. 1724.**

**Motion Adopted: 3 Yeas, 2 Absent.**

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

**Lack of  
Voting  
Quorum**

**Mr. Robertson announced that due to the lack of a quorum of members to consider/vote on the application, it was necessary to table the Public Hearing.**

**M 072 13  
Table  
Public  
Hearing  
on C/Z  
No. 1724**

**A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Public Hearing on Change of Zone No. 1724 be tabled on this date and continued until Tuesday, February 26, 2013 at 10:30 a.m.**

**Motion Adopted: 3 Yeas, 2 Absent.**

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

**M 073 13  
Adjourn**

**At 2:29 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn.**

**Motion Adopted: 3 Yeas, 2 Absent.**

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

**Respectfully submitted,**

**Robin A. Griffith  
Clerk of the Council**





