

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 9, 2016

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 9, 2016, 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 087 16
Amend
and
Approve
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to amend the Agenda by deleting “Executive Session – Personnel pursuant to 29 Del. C. §10004(b)” and “Possible Action on Executive Session Items”; and to approve the Agenda, as amended.

Motion Adopted: 5 Yeas.

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

Minutes

A correction to the minutes of January 5, 2016 was approved by consent.

The minutes of February 2, 2016 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**YMCA OF DELAWARE, WILMINGTON, DELAWARE.
RE: Letter in appreciation of grant.**

**Public
Comments**

Public Comments

Paul Reiger commented on appointments to the Planning and Zoning Commission and Board of Adjustment.

**Caroling
on The
Circle
Food Drive
Recogni-
tion**

Mr. Lawson announced that over 23,500 food items were collected during the Caroling on The Circle Food Drive; additionally, \$6,000 was also collected and used to purchase food items. The Council thanked and recognized the following participants who helped in this effort:

| | |
|---|--|
| Little Einstein Preschool | 151 items |
| Georgetown Middle School | 200 items |
| All Span, Inc. | 240 items \$200.00 |
| Sussex County Association of REALTORS® | 300 items \$250.00 |
| Sussex Academy | 307 items |
| West Bay Homeowners Association | 480 items \$400.00 |
| Colonial East, L.P. | 480 items \$400.00 |
| H. O. Brittingham Elementary School | 500 items |
| Fuqua, Yori and Willard, P.A. | 600 items \$500.00 |
| Milton Elementary School | 650 items |
| A.P. Croll and Son, Inc. | 1,000 items |
| Sussex County Employees | 1,352 items |
| Georgetown Elementary School | 2,405 items |
| Millsboro Middle School | 2,452 items |
| First State Manufactured Housing Association | 2,502 items \$2,085.00 |
| Delaware Manufactured Homeowners Association | 2,561 items 11 bags of clothing |
| Long Neck Elementary School | 2,622 items |
| Aloft AeroArchitects | 3,074 items \$2,000.00 48 turkeys |

**Recognition
(continued)** **Mr. Lawson recognized Mark Roethel for donating the pod that was used for storing food items as they were collected during the month of December and Best Equipment, Inc. for donating the use of a wagon for the festivities.**

**Board of
Assessment
Review
Appointment** **Mr. Lawson reported that Thomas O'Hagan's term on the Board of Assessment Review expires in February and that Mr. O'Hagan has agreed to serve another term. Mr. O'Hagan is the District 3 appointment. The Board of Assessment Review meets the first fifteen working days of March each year to consider property assessment appeals.**

**M 088 16
Approve
Reappointment/
Board of
Assessment
Review** **A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council approves the reappointment of Thomas O'Hagan to the Board of Assessment Review, effective February 1, 2016, 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**

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

1. Delaware State Police Activity Report

Per the attached Delaware State Police activity report for November, there were 337 violent crime arrests with 232 clearances; 2,963 property crimes with 1,049 clearances; and 42,410 total traffic charges with 29,772 corresponding arrests. Of those traffic arrests, 904 were for DUI. Finally, there were 4,799 total vehicle crashes investigated in November. In total, there were 189 troopers assigned to Sussex County for the month of November.

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

**Airport
Advisory
Committee
Appoint-
ments** **Jim Hickin, Director of Airport and Industrial Park Operations, presented a recommendation to reappoint the members of the Airport Advisory Committee.**

The Advisory Committee consists of seven appointments by the Sussex County Council; the members serve a term of one year and expire at the end of each year. The Committee's current membership is as follows: one representative of the Fixed Base Operator (Garrett Dernoga), one non-commercial airport tenant (Larry Kelley), one commercial airport tenant (Jeff Reed), two airport-based aircraft owners (Rick Garner & Gus Croll), one Industrial Park tenant representative (Mark Ryan), and one representative at-large (Richard Wilson). The County Council's representative is Councilman Arlett; Councilman Arlett's appointment was

(continued) approved by Council on January 5, 2016.

M 089 16 A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, that the
Approve Sussex County Council appoints Robert Arlett, Gus Croll, Garrett Dernoga,
Appoint- Larry Kelley, Jeff Reed, Rick Garner, Mark Ryan, and Richard Wilson to
ments to the Sussex County Airport Advisory Committee appointments for 2016.
Airport
Advisory
Committee

Motion Adopted: 5 Yeas.

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

Old Under Old Business, the Council considered the Proposed Ordinance
Business/ entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF
CU 2017 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 August 13, 2015 at which time the Commission deferred action. On September 24, 2015, the Commission recommended that the application be denied.

The County Council held a Public Hearing on this application on September 22, 2015 at which time the Council deferred action and left the record open to allow the Applicant to obtain a feasibility study from DNREC that their current septic capacity is adequate for the proposed use, a two unit multi-family dwelling structure within the existing dwelling by conversion of the garage into an apartment.

Lawrence Lank, Director of Planning and Zoning, reported that on December 30, 2015, DNREC issued Permit No. 231402 to upgrade the existing septic system to allow an increase in the number of bedrooms from 4 to 5 and on January 8, 2016, a Certificate of Satisfactory Completion was issued for the upgrade.

Council members and Mr. Lank discussed garage/studio apartments, multi-family dwelling structures containing two units, separate and attached buildings, guest houses, “mother-in-law” suites, etc.

Lawrence Lank, Director of Planning and Zoning, clarified that it is a house with a garage, and the garage is proposed to be converted to an apartment. It was noted that no new structures are proposed.

**Old
Business/
CU 2017
(continued)**

Mr. Lank noted that Council discussed this application on February 2, 2016 and deferred action to allow time for Legal Counsel to prepare conditions of approval and Findings of Fact for Council's consideration.

Mr. Moore read proposed Findings of Fact and the conditions of approval, as follows:

- A. This is the application of Eli and Victoria Zacharia to consider the 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. The property is located northwest of John J. Williams Highway (Route 24) 365 feet southwest of Spencer Lane, the entrance into Harts Landing Subdivision (911 Address: 20336 John J. Williams Highway, Lewes) Tax Map I.D. 334-18.00-7.00.**
- B. Council found that DelDOT commented that Level of Service "E" of John J. Williams Highway will not change as a result of this proposed application.**
- C. Council found that the Sussex Conservation District commented that the applicants will be required to follow recommended erosion and sediment control practices during any construction and to maintain vegetation after construction; that there are no storm flood hazard areas affected; that no off-site drainage improvements will be required; that it may be possible that on-site drainage improvements will be required; and that no tax ditches are affected.**
- D. Council found that the Sussex County Engineering Department Utility Planning Division commented that the property is located in the Goslee Creek Planning Area; that the parcel has not been provided with a sewer connection point; that the project is not capable of being annexed into a County operated sanitary sewer district at this time; that conformity to the North Coastal Area Planning Study will be required; that when the County provides central sewer service, the on-site system must be abandoned and a direct connection to the central system is mandatory; and that a concept plan is not required.**
- E. Council found that, at the Planning and Zoning Commission hearing, Mr. Lank, Director of Planning and Zoning, advised the Commission that if the use is approved a minimum of four parking spaces will be required, and that the MR Medium Density Residential zoning classification permits Conditional Use applications for multi-family dwelling structures.**
- F. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that Eli Zacharia and Sammy Zacharia were present at the Planning and**

**Old
Business/
CU 2017
(continued)**

Zoning Commission hearing and Eli Zacharia was present at the Council hearing; that, in response to questions raised at the Planning and Zoning Commission hearing, Eli Zacharia presented a sketch showing the intended parking area; that they stated they have an attached garage that has been remodeled for extra living space with a kitchen; that Sammy Zacharia or a seasonal employee will reside in the converted garage unit; and that separate electrical meters have already been installed.

- G. Council found that no parties appeared in opposition to the application.**
- H. Council found that the use will not adversely affect neighboring properties or area roadways.**
- I. Based on the record of the Planning & Zoning Commission and the record created before the Sussex County Council, the Conditional Use is approved subject to the following eight (8) conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties:**
 - 1. The multi-family residential use shall be limited to the existing structures on the property, being the existing residence and the attached garage which has been converted to a residential unit. No additional structures shall be permitted for residential use.**
 - 2. All entrances and roadway improvements shall be subject to DelDOT approvals.**
 - 3. All dumpsters or trash receptacles shall be screened from view of neighboring properties or roadways.**
 - 4. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
 - 5. The site shall have a minimum of four (4) parking spaces on the premises.**
 - 6. In the event the County provides central sewer service to the area at a later date, the Applicant shall be required to abandon the on-site system and connect directly to the County's central sewer system.**
 - 7. The location of all buildings, parking areas, and driveways shall be shown on the Final Site Plan and clearly marked on the site itself.**
 - 8. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Mr. Cole expressed some concerns about Condition No. 1 and suggested that the wording limit the use to "structure" instead of "structures".

**M 090 16
Amend
Condition
No. 1**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to amend Condition No. 1 to read as follows: “The multi-family residential use shall be limited to the existing structure on the property, being the existing residence and the attached garage which has been converted to a residential unit. No additional structures shall be permitted for residential use. This application is for a garage apartment only.

Motion Adopted: 5 Yeas.

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

**M 091 16
Approve
Proposed
Conditions**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to approve the proposed conditions, as amended.

Motion Adopted: 5 Yeas.

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

**M 092 16
Adopt
Ordinance
No. 2436**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to Adopt Ordinance No. 2436 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, with findings and conditions, as amended, as follows:

- A. This is the application of Eli and Victoria Zacharia to consider the 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. The property is located northwest of John J. Williams Highway (Route 24) 365 feet southwest of Spencer Lane, the entrance into Harts Landing Subdivision (911 Address: 20336 John J. Williams Highway, Lewes) Tax Map I.D. 334-18.00-7.00.
- B. Council found that DelDOT commented that Level of Service “E” of John J. Williams Highway will not change as a result of this proposed application.
- C. Council found that the Sussex Conservation District commented that the applicants will be required to follow recommended erosion and sediment control practices during any construction and to maintain

**M 092 16
Adopt
Ordinance
No. 2436
(condition)**

vegetation after construction; that there are no storm flood hazard areas affected; that no off-site drainage improvements will be required; that it may be possible that on-site drainage improvements will be required; and that no tax ditches are affected.

- D. Council found that the Sussex County Engineering Department Utility Planning Division commented that the property is located in the Goslee Creek Planning Area; that the parcel has not been provided with a sewer connection point; that the project is not capable of being annexed into a County operated sanitary sewer district at this time; that conformity to the North Coastal Area Planning Study will be required; that when the County provides central sewer service, the on-site system must be abandoned and a direct connection to the central system is mandatory; and that a concept plan is not required.**
- E. Council found that, at the Planning and Zoning Commission hearing, Mr. Lank, Director of Planning and Zoning, advised the Commission that if the use is approved a minimum of four parking spaces will be required, and that the MR Medium Density Residential zoning classification permits Conditional Use applications for multi-family dwelling structures.**
- F. Based on the record before the Planning and Zoning Commission and the hearing before the Sussex County Council, Council found that Eli Zacharia and Sammy Zacharia were present at the Planning and Zoning Commission hearing and Eli Zacharia was present at the Council hearing; that, in response to questions raised at the Planning and Zoning Commission hearing, Eli Zacharia presented a sketch showing the intended parking area; that they stated they have an attached garage that has been remodeled for extra living space with a kitchen; that Sammy Zacharia or a seasonal employee will reside in the converted garage unit; and that separate electrical meters have already been installed.**
- G. Council found that no parties appeared in opposition to the application.**
- H. Council found that the use will not adversely affect neighboring properties or area roadways.**
- I. Based on the record of the Planning & Zoning Commission and the record created before the Sussex County Council, the Conditional Use is approved subject to the following eight (8) conditions which will serve to minimize any potential impacts on the surrounding area and adjoining properties:**
 - 1. The multi-family residential use shall be limited to the existing structure on the property, being the existing residence and the attached garage which has been converted to a residential unit. No additional structure shall be permitted for residential use. This**

**M 092 16
Adopt
Ordinance
No. 2436
(condition)**

application is for a garage apartment only.

- 2. All entrances and roadway improvements shall be subject to DeIDOT approvals.**
- 3. All dumpsters or trash receptacles shall be screened from view of neighboring properties or roadways.**
- 4. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- 5. The site shall have a minimum of four (4) parking spaces on the premises.**
- 6. In the event the County provides central sewer service to the area at a later date, the Applicant shall be required to abandon the on-site system and connect directly to the County's central sewer system.**
- 7. The location of all buildings, parking areas, and driveways shall be shown on the Final Site Plan and clearly marked on the site itself.**
- 8. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Motion Adopted: 5 Yeas.

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

Mr. Cole suggested that Planning and Zoning interpret the County ordinance regarding attached and detached and to clarify garage/studio apartments versus multi-family, since multi-family is typically townhouses.

**Grant
Requests**

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

**M 093 16
Council-
manic
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$500.00 from Mrs. Deaver's Councilmanic Grant Account to Cape Henlopen High School for the Advancement Via Individual Determination (AVID) Program.

Motion Adopted: 5 Yeas.

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

Grant Application Process Mr. Arlett advised that through the grant application process, he requests applicants to complete a Council Grant Application (for District 5 grants). He noted that, in the packet, the grant request from the River Soccer Club includes a completed application. Mr. Arlett stated that the purpose of the application is to provide a means for full disclosure of financial need and to provide relevant information so that Council can make a decision on a grant. Mr. Arlett encouraged other Council Members to use this application process. It was the consensus of the Council to place the matter on a future agenda, with recommendations from staff.

M 094 16 Councilmanic Grant A Motion was made by Mr. Arlett, seconded by Mr. Cole, to give \$2,000.00 (\$1,500.00 from Mr. Arlett's Councilmanic Grant Account and \$500.00 from Mr. Cole's Councilmanic Grant Account) to the River Soccer Club (a/k/a Indian River Soccer Club) for a field construction project.

Motion Adopted: 5 Yeas.

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

M 095 16 Countywide Youth Grant A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to give \$2,500.00 from Countywide Youth Grants to Camp Barnes for mess hall renovations.

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 Zoning Ordinances Mr. Cole 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 MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 35.45 ACRES, MORE OR LESS" (Change of Zone No. 1796) filed on behalf of Lockwood Design and Construction, Inc. (Tax I.D. No. 334-12.00-127.02, 127.04, 127.05) (911 Address: None Available).

Mr. Cole introduced 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 35.45 ACRES, MORE OR LESS" (Conditional Use No. 2046) filed on behalf of Lockwood Design and Construction, Inc. (Tax I.D. No. 334-12.00-127.02, 127.04, 127.05) (911

**Introduction
of Proposed
Zoning
Ordinances
(continued)**

Address: None Available).

Mr. Arlett 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 LI-2 LIGHT INDUSTRIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 9.822 ACRES, MORE OR LESS” (Change of Zone No. 1797) filed on behalf of John P. and Sherry B. Disharoon (Tax Map I.D. No. 532-13.00-51.00 (Part of) (911 Address: None Available).

Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A C-1 GENERAL COMMERCIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.99 ACRES, MORE OR LESS” (Change of Zone No. 1798) filed on behalf of David and Veronica Hamm/Clarksville Auto (Tax Map I.D. No. 134-11.00-155.00, 153.00, and 83.01) (911 Address: None Available).

Mr. Moore presented two Proposed Ordinances for re-introduction: Change of Zone No. 1794 and Conditional Use No. 2044. He noted that the re-introduction is necessary due to corrections that needed to be made to the Proposed Ordinances after they were first introduced on January 26, 2016.

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 BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.9192 ACRES, MORE OR LESS” (Change of Zone No. 1794) filed on behalf of JCBB, LLC (Tax Map I.D. No. 235-30.00-63.00 & 63.01) (911 Address: 26526 Lewes Georgetown Highway, Harbeson).

Mr. Wilson introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF AN EXISTING BORROW PIT OPERATION LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 7.85 ACRES, MORE OR LESS” (Conditional Use No. 2044) filed on behalf of Edward J. Kaye (Tax I.D. No. 430-23.00-41.00) (911 Address: 20956 Coverdale Road, Bridgeville).

(continued) The Proposed Ordinances will be advertised for Public Hearing.

Council Members' Comments **Council Members' Comments**

Mr. Cole commented on the quality of the Sussex County seal used in a recent publication.

Mr. Cole commented on the Slam Dunk to the Beach event.

Mrs. Deaver referenced a comment made by an elected official from another County regarding the roads in Sussex County.

Mr. Wilson commented on County roads.

Mr. Arlett recognized the Register of Wills Cindy Green and he stated that he had the opportunity to take a tour of her office and meet the staff.

Mr. Arlett announced that, last week, he was sworn in as an Honorary Troop Commander for Delaware State Police, Troop 4. He noted that Delaware State Police has a new program throughout the State to improve relations with the public and to improve transparency. Through this effort, they have selected honorary troop commanders for each troop.

Mr. Arlett commented on the Sussex County Legislative Breakfast hosted by the Indian River Volunteer Fire Company on Saturday, February 6th. This event was sponsored by the Sussex County Fire Chief's Association and the Sussex County Volunteer Firefighter's Association.

Mr. Arlett commented on a public meeting held in Georgetown with the Common Interest Community Ombudsman regarding Homeowners Associations.

Mrs. Deaver referenced ordinances that were to be considered relating to the Comprehensive Land Use Plan Update and she questioned the status of the ordinances.

In regard to the discussion on roads, Mr. Vincent clarified that the County does not build or maintain any roads in the County.

Council Meeting **Mr. Lawson proposed that the February 16th Council meeting be cancelled due to the lack of agenda items.**

M 096 16 **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to cancel the**
Cancel **February 16, 2016 Council meeting due to a lack of agenda items.**
2/16/16

Meeting **Motion Adopted: 5 Yeas.**

**M 096 16
(continued)**

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

**M 097 16
Recess
Regular
Session/
Convene
Sign
Ordinance
Joint
Workshop**

At 11:06 a.m., a Motion was made by Mrs. Deaver, seconded by Mr. Cole, to recess the Regular Session and to relocate to Sussex County's West Complex for the Sign Ordinance Joint Workshop.

Motion Adopted: 5 Yeas.

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

**M 098 16
Reconvene**

At 11:35 a.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett to reconvene.

Motion Adopted: 5 Yeas.

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

**Sign
Ordinance
Joint
Workshop**

The following were in attendance:

| | |
|------------------------------|---|
| Michael H. Vincent | President, Sussex County Council |
| Samuel R. Wilson, Jr. | Vice President, Sussex County Council |
| George B. Cole | Councilman, Sussex County Council |
| Joan R. Deaver | Councilwoman, Sussex County Council |
| Robert B. Arlett | Councilman, Sussex County Council |
| Todd F. Lawson | County Administrator |
| Lawrence Lank | Director of Planning & Zoning |
| Janelle Cornwell | Planning & Zoning Manager |
| Dale Callaway | Chairman, Board of Adjustment |
| Jeff Hudson | Member, Board of Adjustment |
| John Mills | Member, Board of Adjustment |
| Bud Rickard | Member, Board of Adjustment |
| Brent Workman | Member, Board of Adjustment |
| Bob Wheatley | Chairman, Planning & Zoning Commission |
| Marty Ross | Member, Planning & Zoning Commission |
| Everett Moore | County Attorney |
| Vince Robertson | Assistant County Attorney |
| Jamie Sharp | Assistant County Attorney |
| Kyle Gulbranson | Member, Sign Ordinance Working Group |
| David Hutt, Esq. | Member, Sign Ordinance Working Group |
| Lynn Rogers | Member, Sign Ordinance Working Group |
| Bill Murphy | Member, Sign Ordinance Working Group |
| Nancy Chernoff | Member, Sign Ordinance Working Group |

**Sign
Ordinance
Joint
Workshop
(continued)**

Mr. Lawson stated that no decisions would be made at the workshop; in the future, a draft ordinance will be presented to the Board of Adjustment, Planning and Zoning Commission, and the County Council for consideration.

Jamie Sharp, with a powerpoint presentation, highlighted the Sign Ordinance Working Group's recommendations. Topics discussed were billboards (size, separation distances, height, location, non-conforming / replacement), electronic message centers (LED signs), scenic byways, bandit signs, on-premise signs, and enforcement.

Mr. Lawson referenced Ordinance No. 2414 entitled "AN ORDINANCE TO ESTABLISH A MORATORIUM UPON THE ACCEPTANCE OF SPECIAL USE EXCEPTION APPLICATIONS FOR OFF-PREMISES SIGNS" which was adopted on September 15, 2015 and which imposes a moratorium on off-premises signs for a period of six months from the date of adoption and he stated that the moratorium ends on March 15, 2016.

Mr. Lawson noted that an ordinance on signs needs to be drafted for consideration. He asked that the Board of Adjustment and the Planning and Zoning Commission place this matter on a future agenda (as soon as possible) for the purpose of providing feedback/direction on the information presented at this workshop. Thereafter, the County Council will place the matter on its agenda for discussion for the purpose of drafting an ordinance.

**M 099 16
Adjourn**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 1:15 p.m.

Respectfully submitted,

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

{An audio recording of this meeting (a.m. session only) is available on the County's website.}