

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 5, 2024**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 5, 2024, at 10:00 a.m., in Council Chambers, with the following present:**

<b>Michael H. Vincent</b>	<b>President</b>
<b>John L. Rieley</b>	<b>Vice President</b>
<b>Cynthia C. Green</b>	<b>Councilwoman</b>
<b>Douglas B. Hudson</b>	<b>Councilman</b>
<b>Mark G. Schaeffer</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina 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. Vincent.**

**Call to  
Order**

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

**M 118 24  
Approve  
Agenda**

**A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, to approve the Agenda, as presented.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Minutes**

**The minutes from February 27, 2024, were approved by consensus.**

**Corre-  
spondence**

**Mr. Moore reported that there was no correspondence.**

**Public comments were heard.**

**Public  
Comments**

**Ms. Judy Rose Siebert spoke about how Introduction of Proposed Ordinances is listed on the agenda and requested that any hearings that have large interest be moved to a large venue.**

**Recognition**

**The Sussex Central High School Wrestling Division I State Championship team was recognized for their accomplishment.**

**Adminis-  
trator'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, Newdale Acres**

– Pump Station – Phase 1B received Substantial Completion effective February 22<sup>nd</sup>.

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

**MOU  
Amendment  
DSP**

Gina Jennings, Finance Director presented an amendment to the Memorandum of Understanding with the Delaware Department of Safety and Homeland Security, Division of State Police for Council’s consideration.

Mrs. Jennings reported that the County has had an arrangement with the State of Delaware to provide additional troopers over the State’s base allocation to Sussex County since 1994. The current arrangement is 44 troopers added to the State’s base allocation for a total of 187 troopers allocated to Sussex. Twenty-two troopers are paid by the State and 22 are paid by the County.

As approved in the FY 2024 budget, the County, with the State’s concurrence, have agreed to pay for six additional troopers over the next three years. The MOU amendment finalizes this agreement. The amendment has both the County and the State paying for one additional trooper for the next three years. This amendment brings the new allocation after three years to 193. The FY 2024 budget has \$4.1 million to support this new agreement.

Colonel Melissa A. Zebley, Delaware State Police thanked the Council for the support given and adding more troopers.

**M 119 24  
Approve  
MOU  
Amendment  
DSP**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, that be it moved that the Sussex County Council approve the MOU amendment with the State of Delaware Division of State Police to add six new troopers over the next three years whereas the County pays for three of the six troopers.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Pension  
Committee  
Appoint-  
ments**

Gina Jennings, Finance Director presented pension committee appointments for Council’s consideration. She requested approval to appoint two members to the pension committee; one is a new appointment, and one is a reappointment. Ms. Kathy Roth is the reappointment who currently serves on the committee as a current employee.

The second appointment to be filled is one of the two community member seats. Mrs. Jennings reported that she is recommending Lance Rogers. Mr.

**Rogers is a Financial Advisor with Edward Jones Investments. He has 9 years of investment experience which includes portfolio reviews and managing over \$100 million in assets. His strong investment background will make him valuable to the committee.**

**M 120 24  
Approve  
Pension  
Committee  
Appoint-  
ments**

**A Motion was made by Mr. Rieley, seconded by Mr. Hudson, that be it moved that the Sussex County Council appoint Kathy Roth and Lance Rogers to a 4-year term on the Pension Committee.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Discussion  
of PLUS  
MOU**

**Vince Robertson, Assistant County Attorney presented a Memorandum of Understanding with PLUS for Council's consideration. Mr. Roberston reported that there has been a MOU in effective since about 2003. He explained that this takes care of the standard land use development process. In addition, it deals with amendments to the Future Land Use Map. Mr. Robertson stated that this is an improvement to this process. This will allow the party who is requesting the land use map amendment to participate as a party to the PLUS process. It also establishes that the PLUS process does not happen until after the Planning & Zoning Commission has had their public hearing. Previously, the Office of State Planning Coordination required just the County to go in front of the Office of State Planning Coordination for PLUS review on a Future Land Use Amendment. However, the County did not know anything about the amendment because it was the first process. With this MOU, the hearing process would occur at P&Z, goes to PLUS and then would come to County Council with a PLUS report. Mr. Robertson added that the final decision on all land use matters and specifically, the final decision of the adoption of the Comprehensive Plan is that of the County.**

**M 121 24  
Approve  
PLUS MOU**

**A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer that be it moved that the Sussex County Council adopt the Amended Memorandum of Understanding between Sussex County, Delaware and the Delaware Office of State Planning Coordination with regard to the State PLUS process and coordination with the Office of State Planning Coordination.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Public  
Hearing/  
Tax Exempt**

**A Public Hearing was held for a Proposed Resolution entitled "A RESOLUTION OF THE COUNTY COUNCIL OF SUSSEX COUNTY, DELAWARE, FOR THE PURPOSE OF SATISFYING SECTION 147(F)**

**Bond/  
Imperium,  
Inc.**

**OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPROVING THE ISSUANCE OF NOT TO EXCEED \$80,000,000 OF BONDS TO BE ISSUED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF SIERRA VISTA”.**

**Mr. Moore stated that now is the time set for the public hearing to be conducted pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (referred to hereafter as the “Code”), on the plan for The Industrial Development Authority of the City of Sierra Vista (referred to hereafter as the “Issuer”), to issue its revenue notes, bonds or other obligations in one or more series from time to time pursuant to a plan of financing, in an amount not to exceed \$80,000,000 (referred to hereafter as the “Bonds”), a portion of which in an amount not to exceed \$6,000,000 will be allocated to and used in Sussex County, Delaware (the “Sussex County Portion”) for the purpose of loaning the Sussex County Portion to Imperium, Inc., a Pennsylvania nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code (together with its affiliates or assigns, the “Borrower”), and used to pay all or a portion of the costs of (i) financing or refinancing the acquisition, construction, improvement, and or equipping of healthcare facilities and other related property located at various locations within Sussex County, Delaware, as described on Exhibit A, attached to the Notice of Public Hearing published on the County’s website (the “Bond-Financed Facilities”); (ii) funding any required reserve funds, including a deposit to the debt service reserve fund, and (iii) paying certain issuance expenses related to the Bonds (collectively, the “Project”). The Bond-Financed Facilities will be owned and/or operated by the Borrower or one of its affiliates, each of which is an organization described in 501(c)(3) of the Code.**

**Mr. Moore stated that members of the public are invited to comment with respect to the proposed issuance of the Bonds, the plan of financing, the nature of the Bond-Financed Facilities to be financed, and the Project, generally.**

**Mrs. Jennings stated that Imperium is a non-profit healthcare organization that operates in Sussex. In order for them to qualify for the non-tax-exempt status, they do have to hold a public hearing where they provide the services. These bonds are an obligation of the non-profit organization not Sussex County Government. This is just a platform for them to have the public hearing today.**

**Public comments were heard.**

**Mr. Gawan Curtis came forward to speak. He stated that he believes there should be more oversight and that a lot of agencies have not been regulated properly. He added that he believes that the public should have more oversight.**

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

**M 122 24  
Adopt  
Resolution  
No. R 004 24**

**A Motion was made by Mr. Rieley, seconded by Mr. Hudson to Adopt Resolution No. R 004 24 entitled “A RESOLUTION OF THE COUNTY COUNCIL OF SUSSEX COUNTY, DELAWARE, FOR THE PURPOSE OF SATISFYING SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPROVING THE ISSUANCE OF NOT TO EXCEED \$80,000,000 OF BONDS TO BE ISSUED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF SIERRA VISTA”.**

**Motion Adopted: 5 Years**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Public  
Hearing/  
Beaver Dam  
Road  
Annexation  
into  
SCUSSD**

**A Public Hearing was held for the Beaver Dam Road Annexation of the Sussex County Unified Sanitary Sewer District (Millville Area).**

**John Ashman, Director of Utility Planning & Design reported that this project was discussed in 2011 and was deferred by County Council indefinitely.**

**In 2015, the subject area again was evaluated, and it was discovered that DelDOT had just paved Beaver Dam Road and there was a 5-year moratorium on any project impacting the roadway. Recent interest in central sewer for the area prompted the department to distribute a new polling letter based on potential change of ownership since the original meeting and hearings. That polling consisted of 23 properties of those, 11 were in favor and 3 were opposed to the annexation. County Council granted permission to prepare and post notices for a public hearing on the annexation on January 9, 2024. The Engineering Department added the project to the website and posted notices on February 8, 2024, and advertised the week of February 21<sup>st</sup> and 28<sup>th</sup>. To date, there has been no correspondence either in support or opposition to the annexation.**

**Public comments were heard.**

**Mr. Jeremy Rohrer came forward to speak; that he has owned the land since 2004 and built a house in 2006; that currently he has a 2,800-gallon holding tank; that he voted in favor back about 10 years ago; that he wants the public sewer there; that he currently lives in PA; that his goal is to move down here as a permanent resident in the next few years; that he is in support of this moving forward.**

**Mr. Paul DuVillis said that he wanted to know what it will cost; that he questioned the timing and the fees; that he has a working and functional septic system on his property; that he would like to know more information on how it would affect him; that he supports the environment and making things better.**

**Mr. Richard Rohrer said that he has a tank; that he was told that there was planning in motion to have sewer in the area; that they bought and built thinking they would soon get the services; that there is sewer on all of the properties around them; that there is a real need for this; that septic systems are only good for so long.**

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

**M 123 24  
Adopt  
Resolution  
No. R 005 24**      **A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to Adopt Resolution No. R 005 24 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) MILLVILLE AREA, TO INCLUDE THE PENN DEL ACRES SUBDIVISION AND SEVERAL PARCELS ALONG BEAVER DAM ROAD AND SUBSTATION ROAD LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE”.**

**Motion Adopted:      5 Yeas**

**Vote by Roll Call:      Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Cannon  
Road/CO  
No. 4**      **Hans Medlarz, County Engineer, Ret. presented change order no. 4 for Cannon Road – Inland Bays Road Drainage Improvements and Constructed Wetlands, project S22-05 for Council’s consideration.**

**M 124 24  
Approve CO  
No. 4/  
Cannon  
Road**      **A Motion was made by Mr. Rieley, seconded by Mr. Hudson, that be it moved based upon the recommendation of the Sussex County Engineering Department that change order no. 4a and 4b for contract 22-05, Cannon Road & Inland Bays Road drainage improvements and constructed wetlands be approved increasing the contract amount by \$116,691.37 and not to exceed amount of \$95,800.00 respectively.**

**Motion Adopted:      5 Yeas**

**Vote by Roll Call:      Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**James Farm  
Award**      **Patrick Brown, Project Engineer III presented a recommendation to award for James Farm Ecological preserve for Council’s consideration. Mr. Brown reported that the project was advertised and there were three bids received.**

**M 125 24  
Approve  
Recommen-**      **A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that be it moved based upon the recommendation of the Sussex County Engineering Department that contract C23-21 for the proposed campus of James Farm**

**dition to  
Award/  
James Farm**

**Ecological Preserve be awarded to Bancroft Construction in the their lowest base bid amount less alternate deduct for a total of \$2,090,500.00, contingent upon the Sussex County Finance Department's receipt of project funding.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Old  
Business/  
CZ1998**

**Under Old Business, Jamie Whitehouse, Planning & Zoning Director presented a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-2 NEIGHBORHOOD COMMUNITY DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.11 ACRES, MORE OR LESS" filed on behalf of Louis, Janet & William Melton.**

**The County Council held a Public Hearing on the application at its meeting on February 20, 2024. At the conclusion of the Public Hearing, the Council deferred action on the application for further consideration.**

**M 126 24  
Approve  
CZ1998/  
DENIED**

**A Motion was made by Mr. Hudson, seconded by Mr. Rieley to approve a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-2 NEIGHBORHOOD COMMUNITY DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.11 ACRES, MORE OR LESS" for the reasons given by Planning & Zoning 1-7.**

**Motion DENIED: 5 Nays**

**Vote by Roll Call: Mrs. Green, Nay; Mr. Schaeffer, Nay;  
Mr. Hudson, Nay; Mr. Rieley, Nay;  
Mr. Vincent, Nay**

**Mr. Hudson voted no for the following reasons:**

- 1. I have considered this application a lot. Although the Commission recommended approval of this Conditional Use, I have real concerns about it. The property is only 2.11 acres, which seems very small for a standalone B-2 zoning and the possible uses that could occur there.**
- 2. The immediate area is entirely residential in character. This small, standalone parcel of B-2 Zoned land would not be consistent with the**

**neighborhood.**

**M 126 24  
Approve  
CZ1998/  
DENIED  
(continued)**

- 3. Although the Applicant stated that there are other commercial and business uses and zoning districts in the area, they are all located along the Route 26 corridor or oriented to that roadway. There are not any business or commercial uses in this neighborhood.**
- 4. Old Mill Road is a narrow, two-lane road with no shoulders, bike paths or sidewalks. It is very dangerous where it crosses over White's Creek east of this location. The narrow area roadways are not suitable for the increased truck and vehicle traffic that would be generated by having B-2 property at this location. There should not be any business or commercial zoning located in this area along Old Mill Road.**
- 5. There was testimony in the record that there are currently several vacancies within existing commercial properties along Route 26. As a result, there is not an immediate need for more business or commercially-zoned property in the area, and particularly here on a standalone property on Old Mill Road.**
- 6. B-2 Zoning would permit uses like hotels and motels, convenience stores and restaurants, which are all fairly intensive uses. Once rezoned, any of these uses would be permitted on this site. These more intensive uses are not appropriate at this location on these small roads.**
- 7. In addition to being relatively small at 2.11 acres, the property has a narrow triangular shape. Its size and shape is not suitable for B-2 zoning and all of the permitted uses that could occur on it – particularly after the DelDOT, stormwater and parking requirements are taken into consideration.**
- 8. For these reasons, I am not satisfied that the proposed use will promote the health, safety, and welfare of inhabitants of Sussex County, and particularly this neighborhood.**
- 9. For all of these reasons, the rezoning from GR-1 to B-2 for this property should be denied.**

**Old  
Business/  
Ord. 23-09**

**Under Old Business, Jamie Whitehouse, Planning & Zoning Director presented a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE SUSSEX COUNTY SEWER TIER MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL 533-11.00-23.02".**

**The County Council held a Public Hearing on the potential amendment at its meeting of November 14, 2023. As the PLUS response from the State of Delaware was not available at the time of the County Council hearing, the Council deferred action on the application and let the record open to**

receive PLUS comments from the Office of State Planning and Coordination.

The announcement was made of receipt of PLUS comments and there will be 30 days for comments.

**Old  
Business/  
CU2389**

Under Old Business, Jamie Whitehouse, Planning & Zoning Director presented a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL STORAGE FACILITY INCLUDING RV/BOAT STORAGE, THE STORAGE OF COMMERCIAL VEHICLES, AND AN OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 6.95 ACRES, MORE OR LESS” filed on behalf of AWH Properties, LLC.

The County Council held a Public Hearing on the application at its meeting on November 14, 2023. At the conclusion of the Public Hearing, Council closed the Public Record and deferred action on the application for further consideration.

The announcement was made of receipt of PLUS comments and there will be 30 days for comments.

**Old  
Business/  
CZ1993**

Under Old Business, Jamie Whitehouse, Planning & Zoning Director presented a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 64.85 ACRES, MORE OR LESS” filed on behalf of Ocean One Holdings, LLC.

The County Council held a Public Hearing on the application at its meeting on February 20, 2024. At the conclusion of the Public Hearing, the Council closed the Public Record, and action on the application was deferred for further consideration.

**M 127 24  
Adopt  
Ordinance  
No. 2994/  
CZ1993**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to Adopt Ordinance No. 2994 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 64.85 ACRES, MORE OR LESS” for the reasons given by the Planning & Zoning Commission as follows:

1. C-3 Heavy Commercial Zoning is designed to allow auto-oriented retail and service businesses that serve local and regional residents. Permitted Uses include retail uses, restaurants, offices, and vehicle

**M 127 24  
Adopt  
Ordinance  
No. 2994/  
CZ1993  
(continued)**

- service stations.
2. The site has frontage along Route 1 and Route 16 at the intersection of those two significant roadways. Route One is identified as an “Other Principal Arterial” by DelDOT and a “Major Arterial Roadway” in the Sussex County Code. DelDOT identifies Route 16 as a “Major Collector”. This location is appropriate for C-3 zoning.
  3. This site is the location of a grade-separated intersection (or overpass) that is being constructed by DelDOT with on-ramps and off-ramps. DelDOT and this developer have coordinated throughout the intersection design process about the design of this site and its access including an internal service road. This coordination has taken into account the possibility that this property would be rezoned to C-3. For all of these reasons, C-3 Zoning is appropriate for this property.
  4. A Traffic Impact Study was required for this site by DelDOT, and DelDOT issued its Review Letter of that study on December 26, 2023. That Review Letter clarified the maintenance of the proposed service road and on-and off-ramps to the site. After taking into account the development of the entire property, DelDOT confirmed the proposed off-site road improvements will include, but not be limited to (1) typical entrance and frontage improvements; (2) design and construction of a service road between Route 16 and the southerly limits of the property; (3) design and construction of a dual-lane roundabout for the property’s access to Route 16 and an on-ramp to Route One; (4) design and construction of an on/off ramp to Route One; (5) construction of an all-way stop intersection where the service road intersects the Route One ramps; (6) traffic signal installation and agreements at two intersections created by the new Route One overpass; (7) closure of medians within Route One near the overpass; and (8) typical bicycle, pedestrian and transit improvements within the property and off-site.
  5. The site will be served by central water and sewer.
  6. Sussex County has anticipated the development of this particular site based upon the investment that DelDOT is making in the intersection there. According to the current Sussex County Comprehensive Plan, this site is designated as being in the “Developing Area” which is a “Growth Area”. It is one of the few areas in this part of Route One that anticipates a more intensive use while protecting the eastern side of Route One from more intensive development. This planning suggests that development beyond the current AR-1 zoning can occur in this specific location and C-3 zoning is appropriate here.
  7. This application received support from several sources, including the Milton Chamber of Commerce, the Kent Sussex Leadership Alliance, Southern Delaware Tourism, the Southern Delaware Economic Development Action Committee, and State Representative Parker Selby. The theme of this support was summarized best by Representative Parker Selby, who stated that this is “a project that looks like smart growth with safety and the economy in mind.”
  8. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity, and

welfare of the County.

**M 127 24  
Adopt  
Ordinance  
No. 2994/  
CZ1993  
(continued)**

9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

10. For all of these reasons, it is appropriate to recommend approval of this Change in Zone from AR-1 to C-3 at this location.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Ordinance  
Introduct-  
ions**

**Mr. Vincent introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MEDICAL BUILDING FOR OUTPATIENT SERVICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 2.24 ACRES, MORE OR LESS” filed on behalf of Eric Johnson.**

**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 B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.50 ACRE, MORE OR LESS” filed on behalf of DTN Properties, LLC.**

**CC Member  
Comments**

**There were no Council Member comments.**

**M 128 24  
Go Into  
Executive  
Session**

**At 10:59 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Rieley to go into Executive Session for the purpose of discussing matters related to land acquisition & pending & potential litigation.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea**

**Executive  
Session**

**At 11:01 a.m., an Executive Session of the Sussex County Council was held in the Council Chambers to discuss matters related to pending & potential litigation & land acquisition. The Executive Session concluded at 12:00 p.m.**

**M 129 24  
Reconvene**

**At 12:01 p.m., a Motion was made by Mr. Rieley, seconded Mr. Schaeffer to come out of Executive Session back into Regular Session.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call:** Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea

**E/S Action** There was no action related to Executive Session matters.

**M 130 24** A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer to adjourn at  
**Adjourn** 12:01 p.m.

**Motion Adopted:** 5 Yeas

**Vote by Roll Call:** Mrs. Green, Yea; Mr. Schaeffer, Yea;  
Mr. Hudson, Yea; Mr. Rieley, Yea;  
Mr. Vincent, Yea

**Respectfully submitted,**

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

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