

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 14, 2026**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, April 14, 2026, at 10:00 a.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 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 117 26  
Approve  
Agenda**

**A Motion was made by Mr. Lloyd, seconded by Mr. Rieley, to approve the Agenda, 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 March 17, 2026, were approved by consensus.**

**Corre-  
spondence**

**Mr. Moore reported that correspondence was received from Bethany-Fenwick Area Chamber of Commerce, Sussex Rotary Can-Do Playground and Heritage Shores Military Club thanking Council for their support.**

**Public  
Comments**

**Public comments were heard, and the following people spoke:**

**Mr. George Merick spoke about SB159.**

**Mr. Kevin Goldsborough spoke about SB159.**

**Ms. Andrea Caggiano spoke about SB159.**

**Ms. Jen Palowski spoke about SB159.**

**M 118 26  
Consent  
Agenda**

**A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, to approve the following items under the Consent Agenda:**

**Use of Existing Wastewater Infrastructure Agreement, IUA-20-2025  
The Centre at Love Creek (Building 3), Angola North Area**

**Use of Existing Wastewater Infrastructure Agreement  
Bethany Bay Wastewater Treatment Plant, Millville Area**

**Motion Adopted: 5 Yeas**

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

**Opioid  
Commission  
Update**

**Mr. Lawson provided an update on the Opioid Commission Grant Application process and reviewed the timeframe that applications will be received.**

**Adminis-  
trator's  
Report**

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

**1. Projects Receiving Substantial Completion**

**Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Even Tide, effective February 13<sup>th</sup>; Forest Landing - Phase 1 (Construction Record), effective February 25<sup>th</sup>; Brookland Farms Phase 1 (Construction Record) effective March 13<sup>th</sup>; Millville By The Sea – West Village A-1 – Phase A (Construction Record), effective March 16<sup>th</sup>; Millville By The Sea – West Village C-1 (Plan Review & Construction Record), effective March 16<sup>th</sup>; Millville By The Sea- West Village – Pump Station Phase C1-2 (Plan Review & Construction Record), effective March 16<sup>th</sup> and Shore Vista (FKA Browning Farm) – Phase 1 (Construction Record), effective March 25<sup>th</sup>.**

**2. Richard “Dickie” Russell**

**It is with great sadness that we inform you that pension, Richard “Dickie” Russell, passed away on Sunday, April 5, 2026. Mr. Russell began his career with Sussex County Emergency Operations Center as a part-time dispatcher in February 1992, then he moved to a full-time role in March 1993 where he worked until June 2008 for a total of 15 years of service. His last position with the County was Emergency Communications Supervisor. We would like to extend our condolences to the Russell family.**

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

**1<sup>st</sup> Quarter Employee Recognition** Karen Brewington, Human Resources Director reported that there were 25 submissions received for the first quarter for the shining star employee recognition program. The winners for this quarter are Catherine Jenkins, Treasury, Sherman Littleton, Environmental Services and Thomas VanDyke, Engineering Department.

**DE Diamond Fund MOU** Brandy Nauman, Community Development & Housing Director presented a MOU for the Delaware Diamond Fund for Council’s consideration.

**M 119 26 Approve DE Diamond Fund MOU** A Motion was made by Mr. Rieley, seconded by Mr. McCarron, be it moved that Sussex County enter into a Memorandum of Understanding with the Delaware Diamond Fund 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**

**JMT Amendment** Mark Parker, Assistant County Engineer, presented amendment no. 6 for airpark water storage tank modifications for Council’s consideration.

**M 120 26 Approve Amend No 6 Airpark Water Storage** A Motion was made by Mr. Lloyd, seconded by Ms. Greenebaum, be it moved based upon the recommendation of the Sussex County Engineering Department that amendment no. 6 of Johnson, Mirmiran & Thompson base owner engineering agreement be approved in the not to exceed amount of \$18,250.00.

**Motion Adopted: 5 Yeas**

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

**Proposed Ordinance/ Joy Beach General Obligation Bond** Paul Mauser, Assistant County Engineer presented an Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$239,059 OF A GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE JOY BEACH PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

**Introduction or Proposed Ordinance** Mr. Lloyd introduced an Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$239,059 OF A GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE JOY BEACH PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

**Task Order 1 – Design**      **Bob Bryant, Airport Manager, presented task order 1 – design for construct taxilane and tie downs for Council’s consideration.**

**M 121 26**      **A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, be it moved**  
**Approve**      **based upon the recommendation of the Sussex County Engineering**  
**Task Order**      **Department on behalf of the Delaware Coastal Airport that Sussex County**  
**1/Construct**      **Council give approval to Delta Airport Consultants Task Order 1 in the**  
**Taxilane &**      **amount of \$275,000.00 for work associated with the construction of two new**  
**Tie Downs**      **taxi lanes and tiedowns phase 1 design subject upon Sussex County receiving**  
      **an airport infrastructure grant application from the FAA in the amount of**  
      **\$285,000.00 for same work.**

**Motion Adopted:      5 Yeas**

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

**GHD**      **Hans Medlarz, Project Engineer, presented GHD’s amendment no. 31 for**  
**Amendment**      **Wolfe Neck RWF upgrade and expansion for Council’s consideration.**  
**31**

**M 122 26**      **A Motion was made by Mr. McCarron, seconded by Mr. Lloyd, be it moved,**  
**Approve**      **based upon the recommendation of the Sussex County Engineering**  
**GHD**      **Department, to approve the modifications to GHD’s amendment 31 in the**  
**Amend 1/**      **amount of \$760,000 and based on the recommendation to adopt the**  
**Wolfe Neck**      **implementation approach outlined in the memorandum 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**

**LBPW**      **Hans Medlarz, Project Engineer, presented amendment no. 4 and pump**  
**Amend 4 &**      **station 4 & transmission agreement for Lewes Board of Public Works –**  
**Pump**      **Sussex County Partnership for Council’s consideration.**  
**Station 4**

**M 123 26**      **A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it**  
**Approve**      **moved, based upon the recommendation of the Sussex County Engineering**  
**Amend 4 &**      **Department to approve GMB’s amendment no. 4 and the companion**  
**Pump**      **agreement between the Board of Public Works of the City of Lewes and**  
**Station 4**      **Sussex County concerning pump station 4 & transmission improvements.**

**Motion Adopted:      5 Yeas**

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

**SCRWF CO** Hans Medlarz, Project Engineer, presented change order no. IB-012 and  
**No. IB-012** approval of a purchase order for SCRWF treatment process upgrade no. 3  
– Inland Bays Extension for Council’s consideration.

**M 124 26** A Motion was made by Mr. Rieley, seconded by Mr. McCarron, be it moved,  
**Approve CO** based upon the recommendation of the Sussex County Engineering  
**No. IB-012** Department, to issue change order no. IB-012 to M.F. Ronca & Sons in the  
amount of \$2,971,120.00.

**Motion Adopted: 5 Yeas**

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

**M 125 26** A Motion was made by Mr. Lloyd, seconded by Mr. Rieley, be it moved  
**PO** based upon the Sussex County Engineering Department & GHD, to issue a  
**Approval/** direct procurement purchase order to R.T.D. Enterprises in the amount of  
**Lagoon** \$617,314.00.  
**Cover**

**SCRWF** **Motion Adopted: 5 Yeas**

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

**Proposed** Vince Robertson, Assistant County Attorney, discussed a Proposed  
**Ordinance/** Ordinance related to forest preservation. Mr. Lawson reported that the  
**Forest** presentation today was a continuation of the Land Use Working Group  
**Preservation** Recommendations. As approved by all 10 LURWG members,  
recommendation #13 called for Forest Preservation & provided draft  
language. Staff developed recommendations along with State Forester Kyle  
Hoyd who is also present today. The Proposed Ordinance and language was  
discussed and reviewed and will come back for introduction.

**Old** Under Old Business, Jamie Whitehouse, Planning & Zoning Director  
**Business/** presented a Proposed Ordinance entitled “AN ORDINANCE TO AMEND  
**CZ2052** THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM  
AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC  
MEDIUM DENSITY RESIDENTIAL – RESIDENTIAL PLANNED  
COMMUNITY DISTRICT (210 UNITS) FOR CERTAIN PARCELS OF  
LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 60.84  
ACRES, MORE OR LESS” filed on behalf of Marlin Cove, LLC.

The County Council held a Public Hearing on the application at the meeting on October 21, 2025. At the conclusion of the Public Hearing, the Council closed the Public Record and deferred action on the application for further consideration.

**M 126 26  
Approve  
CZ2052/  
DENIED**

**A Motion was made by Mr. Rieley, seconded by Mr. McCarron to approve a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC MEDIUM DENSITY RESIDENTIAL – RESIDENTIAL PLANNED COMMUNITY DISTRICT (210 UNITS) FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 60.84 ACRES, MORE OR LESS” for the reasons given by the Planning & Zoning Commission.**

**Motion DENIED: 5 Nays**

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

**The Council Members voted nay based on the reasons provided by Mr. Hudson.**

**Grant  
Requests**

**Mrs. Jennings presented grant requests for Council’s consideration.**

**M 127 26  
Make-A-  
Wish  
Foundation**

**A Motion was made by Mr. Rieley, seconded by Mr. McCarron to give \$7,000 (\$750 from Mr. McCarron’s Councilmanic Grant Account, \$5,000 from Countywide Youth Grant Account, \$250 from Mr. Lloyd’s Councilmanic Grant Account, \$500 from Mr. Rieley’s Councilmanic Grant Account, and \$500 from Mr. Hudson’s Councilmanic Grant Account) to Make-A-Wish Foundation of Philadelphia, Delaware & Susquehanna Valley for their Wishes Transforming Lives in Sussex County program.**

**Motion Adopted: 5 Yeas**

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

**M 128 26  
Delaware 4-  
H, Inc.**

**A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$2,000 (\$1,000 from Mr. Hudson’s Councilmanic Grant Account, \$500 from Ms. Gruenebaum’s Councilmanic Grant Account and \$500 from Mr. Rieley’s Councilmanic Grant Account) to Delaware 4-H, Inc. for Country Clovers 4-H National LifeSmarts competition in Florida.**

**Motion Adopted: 5 Yeas**

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

**M 129 26**

**A Motion was made by Ms. Gruenebaum, seconded by Mr. Lloyd to give**

**Delaware Celebration of Jazz, Inc.**      **\$2,000 (\$1,000 from Ms. Gruenebaum's Councilmanic Grant Account and \$1,000 from Mr. Hudson's Councilmanic Grant Account) to Delaware Celebration of Jazz, Inc. for the Rehoboth Beach jazz festival.**

**Motion Adopted:      5 Yeas**

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

**M 130 26 Delaware Community Foundation**      **A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to give \$1,500 (\$1,000 from Mr. Rieley's Councilmanic Grant Account and \$500 from Mr. McCarron's Councilmanic Grant Account) to Delaware Community Foundation for their Flags for Heroes program.**

**Motion Adopted:      5 Yeas**

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

**M 131 26 DE State Troopers Association**      **A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to give \$1,500 (\$1,500 from Countywide Youth Grant Account) to Delaware State Troopers Association Benevolent Fund Inc. for their scholarship fund.**

**Motion Adopted:      5 Yeas**

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

**M 132 26 First State Community Action Agency**      **A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$1,000 (\$1,000 from Mr. Hudson's Councilmanic Grant Account) to First State Community Action Agency for their 11<sup>th</sup> annual It's a Par-Tee miniature golf tournament.**

**Motion Adopted:      5 Yeas**

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

**M 133 26 IR High School BPA**      **A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$2,000 (\$2,000 from Mr. Hudson's Councilmanic Grant Account) to Indian River High School Business Professionals of America for the National Leadership conference.**

**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** Ms. Gruenebaum introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR COIN RETAIL SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.34 ACRE, MORE OR LESS” filed on behalf of Patricia & Frank DiNatale.

Ms. Gruenebaum 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 C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 29.97 ACRES, MORE OR LESS” filed on behalf of Seaside Lewes, LLC & Derrickson Properties, LLC.

Mr. Rieley reintroduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SELF STORAGE FACILITY, AN OFFICE AND OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 7.00 ACRES, MORE OR LESS” filed on behalf of La Dolce Far Niente, LLC.

The Proposed Ordinances will be advertised for a Public Hearing.

**CM Comments** Ms. Gruenebaum spoke about dark sky week and light pollution.

**M 134 26 Recess** At 12:29 p.m., a Motion was made by Mr. Lloyd, seconded by Mr. McCarron to recess until 1:30 p.m. Public Hearings.

**Motion Adopted:** 5 Yeas

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

**M 135 26 Reconvene** At 1:30 p.m., a Motion was made by Mr. Lloyd, seconded by Mr. McCarron to reconvene.

**Motion Adopted:** 5 Yeas

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

**Mr. Hudson, Yea**

**Rules**                    **Mr. Moore read the rules of procedure for zoning hearings.**

**Public Hearing/  
CU2533**                    **A Public Hearing was held on Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS AND ASSOCIATED UTILITIES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 69.03 ACRES, MORE OR LESS” (property is lying on the south side of Cypress Road [Route 54], approximately 62 feet west of the intersection of Cliff Road ([S.C.R. 380A] and Cypress Road [Route 54]) (911 Address: N/A) (Tax Map Parcel: 533-8.00-10.00) filed on behalf of RWE Clean Energy.**

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

**The Planning & Zoning Commission held a Public Hearing on the application on February 18, 2026. At the meeting of March 18, 2026, the Planning & Zoning Commission recommended approval of the application for the 8 reasons of approval and subject to the 10 recommended conditions of approval as outlined.**

**The Council found that Mr. Joe Shanahan, Senior Project Manager, spoke on behalf of the Applicant, RWE Clean Energy, and also present was Mr. Brian Riley, Professional Engineer with Colliers Engineering & Design. Mr. Shanahan stated that provided a background of RWE Clean Energy; that the project proposed a ground-mounted solar facility to be located along Cypress Road (Route 54) in Frankford; that the overall project site consisted of a little over 69 acres, on land owned by Ellen Scott Anderson Revocable Trust, and was previously owned by Ellen Anderson individually, at the time the Conditional Use application was submitted; that the property has been in the Ellen’s family for three generations; that the land was currently being farmed by a member of the family; that there has been a concern expressed about farmland being lost in Sussex County; that the project is to be constructed in a lease area, which consists of only 24.5 acres of the overall 69 acre property; that the project is proposed to only utilize 35% of the land owned by their landlord, with the remaining 65% to continue to be used as the family had for generations; that the proposed solar facility is a public utility use under the Sussex County Zoning Code; that the project meets the purpose of a Conditional Use because it has a public or semi-public character, that is essential and desirable for the general convenience and welfare of Sussex County residents; that the project is located in the AR-1 (Agricultural Residential) Zoning District; that a public utility use is allowed in the AR-1 District, with the approval of the Sussex County Council; that the access will be by means of a 20 foot wide gravel driveway; that the project will be enclosed by a seven foot fence as is required by the National Electrical**

**Public  
Hearing/  
CU2533  
(continued)**

**Code; that the fence will be gated with a Knox box at each gate; that the solar project will contain solar arrays, which is a group of solar panels wired together to collect energy from the sun and send it into the solar projects inverter, which converts the power into useable electricity, and distribute it to the Delmarva Power grid; that the panels are hung on posts, being approximately three feet off of the ground, and approximately 12 feet in height; that the ground below and around the panels will be planted with a pollinator-friendly mix that provides more shelter, nesting habitat and food sources for a variety of insect populations that support wildlife species; that the proposed solar project will comply with all the specific requirements of Section 115-172 of the Sussex County Zoning Code; that the project is surrounded by a landscape buffer strip of open space, being a minimum of 100 feet from any street lines, and a minimum of 50 feet from all property lines; that the transformers and similar equipment are centrally located, and located a minimum of 200 feet away from any dwelling or property of other ownership; that as mentioned in detail previously, the project is surrounded by fencing with a gate and an emergency key box; that a Decommissioning Plan and Cost Estimate was submitted into the record.**

**Mr. Hudson questioned how many of the past approved solar farms, as were referenced, are in service at this time. Mr. Hudson asked about the bonding that has to be put up with the County for the project. He then asked about the setbacks for the property lines and expressed his concerns about the tax ditches that are located on the property. Mr. Hudson asked the applicant why this property was selected as a site. Mr. Moore asked if there was anything in the lease agreement to expand in later years.**

**Public comments were heard.**

**Mr. Clifton Parker spoke in opposition to the application.**

**Ms. Donna Mitchell spoke in opposition to the application.**

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

**M 136 26  
Defer  
Action/  
CU2533**

**A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to defer action on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS AND ASSOCIATED UTILITIES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 69.03 ACRES, MORE OR LESS”.**

**Motion Adopted: 5 Yeas**

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

**Mr. Hudson, Yea**

**Public  
Hearing/  
CU2614**

**A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 24.97 ACRES, MORE OR LESS” (property is lying on the north side of Vines Creek Road [Rt. 26], approximately 0.31 mile west of Sandy Landing Road [S.C.R. 342]) (911 Address: 32507 Vines Creek Road, Dagsboro) (Tax Map Parcel: 134-10.00-31.00) filed on behalf of FFT DE Vines Creek, LLC.**

**The Planning & Zoning Commission held a Public Hearing on the application on February 18, 2026. At the meeting of March 18, 2026, the Planning & Zoning Commission recommended approval of the application for the 8 reasons of approval and subject to the 9 recommended conditions of approval as outlined.**

**The Council found that Ms. Kelsey Crane, Project Manager for Forefront Power, spoke on behalf of Applicant, FFP DE Vines Creek, LLC; that also present was Mr. Richard Roseberry, Professional Engineer with Colliers Engineering & Design. Ms. Crane stated that the application proposes a 1.992 megawatt AC community solar project; that the site consisted of about 24 acres; that the solar project is proposed to use about 10 acres of the total 24 acres; that the site is located within the AR-1 (Agricultural Residential) Zoning District; that the project is a fixed tilt, not a tracker; that inverter would be centrally located; that the proposed height is about 12 feet; that they propose to use a pollinator-friendly seed mix with no pesticides or herbicides; that there are no batteries proposed to be used with the project; that there will be vegetative screening at the very front of the project; that the remainder of the project does not propose a vegetative screening, as the remainder of the site provides for existing vegetation; that the project had already obtained Delmarva interconnection approval; that they propose no signs at the project, other than the required 24 hour contact information; that the project proposes no lighting, and that the site is not being actively farmed.**

**Mr. Hudson questioned the setbacks for the project and how much wood and forest would be removed.**

**There were no public comments.**

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

**M 137 26  
Defer  
Action/  
CU2614**

**A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to defer action on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED**

**ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 24.97 ACRES, MORE OR LESS”.**

**Motion Adopted: 5 Yeas**

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

**M 138 26  
Go Into  
Executive  
Session**

**At 2:13 p.m., a Motion was made by Mr. Lloyd, seconded by Mr. McCarron to go into Executive Session to discuss matters related to land acquisition and pending & potential litigation.**

**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 related to land acquisition and pending & potential litigation. The Executive Session ended at 3:06 p.m.**

**M 139 26  
Reconvene**

**A Motion was made by Mr. Lloyd, seconded by Mr. McCarron to come out of Executive Session and go 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**

**M 140 26  
E/S Action**

**A Motion was made by Mr. McCarron, seconded by Mr. Lloyd to authorize the Council to continue with the litigation previously authorized.**

**Motion Adopted: 4 Yeas, 1 Nay**

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

**M 141 26  
Adjourn**

**A Motion was made by Mr. Lloyd, seconded by Mr. McCarron to adjourn at 3:12 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.}*