

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 8, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, April 8, 2014, 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
Vance Phillips	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 169 14
Amend
and
Approve
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to amend the Agenda by striking “Land Acquisition” 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 April 1, 2014 were approved by consent.

**Fair
Housing
Month**

The Council presented the Proclamation entitled “PROCLAIMING THE MONTH OF APRIL AS “FAIR HOUSING MONTH” IN SUSSEX COUNTY” to Angela Emerson who was in attendance in representation of the Sussex County Association of Realtors®.

**Coastal
Club LLC
Develop-
ment/
Ordinance
Require-
ment
Update**

Mr. Lawson and Mr. Vince Robertson, Assistant County Attorney, provided an update on the Coastal Club LLC ordinance requirements. Ordinance No. 1770 filed on behalf of Marine Farm, LLC was adopted in April 2005 subject to 18 conditions; since April 2005, the Marine Farm, LLC has changed ownership and is now called the Coastal Club, LLC.

Mr. Lawson reported that, within the Ordinance, there is a requirement by the developer to provide certain improvements to the local community next to the farm that is to be developed; the community is known as Jimtown. There is language in the ordinance that specifically says “if desired by the

Coastal Club LLC Development/ Ordinance Requirement Update (continued)

residents of Jimtown” (Condition No. 17). Mr. Lawson advised that, as a result of this language and the uniqueness of it, the County proposes to engage the residents of Jimtown to determine what they would desire as it relates to these improvements. The improvements include the installation of water and sewer lines along Jimtown Road and street lights and sidewalks. Mr. Lawson noted that water and sewer lines will go in regardless because the development will be part of a sewer district (expansion of the Goslee Creek Sanitary Sewer District); connection will not be mandatory. In accordance with the ordinance, sidewalks and street lights are optional.

Mr. Lawson reported that the County has teamed with First State Community Action Agency to serve as the County’s liaison to go out in the community and work with the residents to determine what their wishes are as they relate to these improvements. At some point in the future, there will be a community meeting with the residents of Jimtown to review and explain in detail the ordinance requirements.

Mr. Lawson noted that the new developer is not seeking to amend any of the obligations of the ordinance.

Mr. Lawson advised that the Council will be kept up to date on this matter.

Administrator’s Report

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

1. Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County

The Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County will hold a special conference planning meeting on Tuesday, April 15, at 10:00 a.m. at the Sussex Academy, 21150 Airport Road, in Georgetown. A copy of the agenda is attached.

2. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Swann Cove – Phase 4B received Substantial Completion effective April 1, 2014.

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

Health Insurance Renewal

Mrs. Jennings discussed the renewal of the County’s Stop Loss Insurance. This insurance covers claims above self-insurance limits and is renewed every year.

The County requested quotes from six carriers, with quotes received from four. In January, staff met with Integra and Steve Fallon of Insurance Buyers Council (IBC), the County’s insurance consultant, to discuss the

**Health
Insurance
Renewal
(continued)**

quotes and health insurance performance the last year. Both County staff and IBC recommended choosing the incumbent Companion. Companion's terms are consistent with the current year, with a specific deductible of \$285,000 and an aggregating specific deductible of \$100,000. This will be a \$4,223 annual savings in the County's fixed cost.

Mrs. Jennings reported that the County had a positive year for health insurance performance. It is anticipated that claims will be \$500,000 or 5 percent, less than projection. This is more than a \$400,000 decrease from last year's health insurance costs. Mrs. Jennings outlined the County's successes during the last year:

- **Joined the High Performance Network (HPN); this saved \$160,000. Beebe joined the network in January; they are the County's highest paid provider. The County anticipates another \$80,000 savings annually with this addition and other providers to the network.**
- **Adopted Spousal Coordination. Five people came off the County's plan. Using the average \$8,000 cost per person, this equates to \$40,000 annually.**
- **Encouraged use of generic Drugs. The savings for this was \$149,000 annually.**

David Smith of Integra gave an overview of the County's performance in the last year. He reported that one of the key factors is the installation of the HPN; that new providers are being added on a regular basis; and that he recently received news that the AI Dupont Nemours Foundation has just been added to the network. He noted that this helps control costs.

Mr. Smith warned that no one knows how the Affordable Care Act will affect costs.

**M 170 14
Renew
Stop Loss
Insurance
Coverage
with
Companion**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council renew its one year agreement with Companion to provide Stop Loss Insurance coverage for a fee of \$238,343.00.

Motion Adopted: 5 Yeas.

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

**Legislative
Update**

Hal Godwin, Deputy County Administrator, presented the following legislative update:

House Bill No. 272 – “AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC SERVICES”

Synopsis: This Bill, modeled after similar legislation enacted in Pennsylvania and West Virginia, clarifies paramedic immunity when

**Legislative
Update
(continued)**

consent to render care is unable to be obtained.

It was the consensus of the Council to support this legislation.

Senate Bill No. 157 – “AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO OPEN MEETINGS”

Synopsis: The Bill adds sales and leases to the current language regarding publicly funded capital improvements.

It was the consensus of the Council to support this legislation.

Senate Bill No. 191 – “AN ACT TO AMEND TITLES 22, 29, 30, AND 31 OF THE DELAWARE CODE RELATING TO DOWNTOWN DEVELOPMENT DISTRICTS”

Synopsis:

Healthy and vibrant downtowns are critical components of Delaware’s economic well-being and quality of life. The Downtown Development Districts Act is intended to leverage state resources to spur private investment in commercial business districts and surrounding neighborhoods; to improve the commercial vitality of our downtowns; and to increase the number of residents from all walks of life in downtowns and surrounding neighborhoods.

This Act establishes “Downtown Development Districts,” a small number of areas in our cities, towns, and unincorporated areas that will qualify for development incentives and other state benefits. Municipalities must apply for District designation. In the case of unincorporated areas, counties must apply. Applications will be evaluated by the Cabinet Committee on State Planning Issues, which will make recommendations to the Governor. Following the initial round of applications, the Governor must designate at least 1 but no more than 3 Districts. Designation of the first 3 Districts must include 1 District in each county. Under the Act, no more than 15 Districts may be designated at any one time.

As part of the application process, municipalities or counties must offer local incentives. The factors to be considered by the Committee when evaluating applications include, among others, (1) the municipality’s or unincorporated area’s need for District designation; (2) the quality of the District Plan; and (3) the quality of the local incentives offered. The Office of State Planning Coordination will prepare applications, establish criteria to determine what areas qualify as DDDs, and provide assistance to municipalities and counties during the application process.

Under the Act, investors (both non-profit and for-profit) who make qualified real estate improvements in a District would be entitled to receive Downtown Development District (DDD) Grants of up to 20 percent of their

**Legislative
Update
(continued)**

“hard costs” such as exterior, interior, and structural improvements. The incentive is modeled after a similar program in Virginia, which has been extremely successful in leveraging significant amounts of private capital in under-served areas. Investors would need to invest at least \$25,000 in a building or facility to qualify, and the 20 percent incentive would only qualify with respect to investments above \$25,000. For example, an investor making \$45,000 worth of qualifying investments in a District would be entitled to a DDD Grant of up to \$4,000 (*i.e.*, 20% of \$20,000). The Act gives DSHA the authority to cap the amount of Grants and to establish further conditions and limitations.

In addition, because Delaware’s Historic Preservation Tax Credit Program has proven to be a powerful tool both in preserving important historic structures and revitalizing neighborhoods, the Act also provides that 30% of the state’s yearly allocation of HPTCs will be reserved for projects in Downtown Development Districts. If by April 1 of each year any such credits are not allocated to projects in DDDs, such credits will be made available to any eligible project statewide.

Mr. Godwin reported that, although the Bill has been introduced, the details have not yet been revealed. He advised that he will keep the Council informed.

House Bill No. 289 – “AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND”

Synopsis: This Bill creates equity among users of telecommunications by extending the 911 fee to prepaid wireless retail transactions.

**Wetlands
Advisory
Committee
Report**

Hal Godwin, Deputy County Administrator, reported on the Wetlands Advisory Committee meetings that were a topic of discussion at recent Council meetings. Mr. Godwin noted that there are five questions that the Council needs to vote on prior to the next meeting of the Wetlands Advisory Committee on Friday, April 9th.

Marty Ross, Wetlands Advisory Committee member and Farm Bureau member, gave a presentation on the history of the regulatory authority over navigable waters of the United States (The Rivers and Harbors Act, also known as the Refuse Act passed in 1899 which was conferred to the Army Corps of Engineers. Mr. Ross’ presentation also referred to the Water Pollution Control Act, also known as The Clean Water Act, and the Clean Water Act Regulatory Programs.

(There were comments, questions, and answers during the presentation; the presentation and discussion can be heard in entirety on the audio recording of this meeting.)

**Wetlands
Advisory
Committee
Report
(continued)**

Mr. Godwin presented the questions proposed to the Wetlands Advisory Committee:

- 1. Does the Committee recommend that DNREC be given the authority to adopt a freshwater wetland program to protect Category I wetlands that are currently regulated by the Corps assuming nationwide permit authority is delegated to DNREC?**
- 2. Does the Committee recommend that DNREC be given the authority to adopt a freshwater wetland program to protect Category I wetlands that are not currently regulated by the Corps?**
- 3. Does the Committee recommend that DNREC be given authority to adopt a freshwater wetlands program to protect all federally regulated wetlands which are subject to federal nationwide permit authority assuming federal nationwide permit authority is delegated to DNREC?**
- 4. Does the Committee recommend that a consistent source of funding be provided for the purchase of forestland preservation easements in the forestland preservation program established under Subchapter V of Chapter 9 of Title 3 of the Delaware Code?**
- 5. Does the Committee recommend that the availability and limits of tax credits provided under the Delaware Land and Historic Resources Protection Incentives Act of 1999 (Subchapter I, Chapter 18, Title 30 of the Delaware Code) be amended and expanded to create greater incentives to private landowners to protect and preserve freshwater wetland and adjacent natural resource areas?**

Mr. Godwin noted that the majority of Council (excluding Mrs. Deaver) has previously voted *NO* on Question Nos. 1 and 2.

Regarding Question No. 4, members of Council stated that this cannot be answered unless it is known where the money is coming from.

**M 171 14
Answers to
Questions
Submitted
by the
Wetlands
Advisory
Committee**

A Motion was made by Mr. Wilson, seconded by Mr. Phillips, that the Sussex County Council answers *NO* to all five (5) questions (submitted to the Wetlands Advisory Committee) and that the current method of administering and protecting wetlands in the State of Delaware should remain the same (at the federal level in Philadelphia).

Motion Adopted: 4 Yeas, 1 Nay.

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

**Council-
member's
Vote**

Mrs. Deaver stated that she wishes it to be known that she believes all of the questions (submitted to the Wetlands Advisory Committee) should be considered.

- Report** Hal Godwin, Deputy County Administrator, submitted a report on the findings of the Delaware Bay Beach Work Group.
- Grant Requests** Mrs. Jennings presented grant requests for the Council's consideration.
- M 172 14 Councilmanic Grant** A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$300.00 (\$150.00 each from Mr. Vincent's and Mr. Phillips' Councilmanic Grant Accounts) to the New Zion United Methodist Church for the Youth Outreach Team's Annual Basketball Tournament and Community Awareness Day.
- Motion Adopted:** 5 Yeas.
- Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea
- M 173 14 Councilmanic Grant** A Motion was made by Mr. Phillips, seconded by Mr. Cole, to give \$2,500.00 (\$1,250.00 each from Mr. Cole's and Mr. Phillips' Councilmanic Grant Accounts) to the Little League Baseball (Lower Sussex Little League) for program expenses.
- 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, Paul Reiger raised questions regarding the legality of the use of barbed wire in a residential area.
- Under Additional Business, Bob Thornton, a builder in Sussex County, offered comments regarding wetlands. He stated that Sussex County Council has been extremely helpful in saving his business as a builder, i.e. tax payment plans, etc. and that the Council is pro-growth as he is. He spoke on his experiences with DNREC; he commented on the regulation of wetlands by DNREC versus the Corps; and he expressed concern about too much power being given to DNREC.
- Under Additional Business, Mr. Lawson reported that there are no work items for the April 15th Agenda and he recommended that the meeting be cancelled.
- M 174 14 Cancel 4/15/14 Council Meeting** A Motion was made by Mr. Cole to cancel the April 15, 2014 Council meeting.
- Mr. Vincent passed the gavel to Mr. Wilson.

**M 174 14
(continued)** **Mr. Vincent seconded Mr. Cole’s Motion to cancel the April 15, 2014 Council meeting.**

Mr. Wilson called for the vote on the Motion.

Motion Adopted: 5 Yeas.

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

**M 175 14
Go Into
Executive
Session** **At 11:45 a.m., a Motion was made by Mr. Phillips, seconded by Mr. Cole, to recess the Regular Session and to go into Executive Session for the purpose of discussing issues relating to personnel.**

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 11:47 a.m., an Executive Session of the Sussex County Council was held in the Council Caucus Room for the purpose of discussing issues relating to personnel. The Executive Session concluded at 12:06 p.m.**

**M 176 14
Reconvene
Regular
Session** **At 12:07 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, 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**

Action **There was no action on Executive Session matters.**

**M 177 14
Recess** **At 12:07 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Phillips, to recess until 1:30 p.m.**

Motion Adopted: 5 Yeas.

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

**M 178 14
Reconvene** **At 1:33 p.m., a Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to reconvene.**

Motion Adopted: 5 Yeas.

**M 178 14
(continued)**

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

**Public
Hearing/
C/U
No. 1980**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A USED CAR SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 14,295 SQUARE FEET, MORE OR LESS” (Tax Map I.D. 234-4.00-11.00) (Conditional Use No. 1980) filed on behalf of Eastern Shore Auto Exchange.

The Planning and Zoning Commission held a Public Hearing on this application on March 13, 2014 at which time action was deferred. On March 27, 2014, the Commission recommended that the application be approved subject to ten conditions.

(See the minutes of the meetings of the Planning and Zoning Commission on March 13 and 27, 2014.)

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

The Council found that Wendy Wall was present on behalf of the application. She stated that they propose a small, used car business; that no more than 10 cars will be displayed at one time; that previously, package stores were located on the site; and that the applicants agree to the conditions recommended by the Planning and Zoning Commission.

There were no public comments. The Public Hearing and public record were closed.

**M 179 14
Adopt
Ordinance
No. 2343
(C/U
No. 1980)**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to Adopt Ordinance No. 2343 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A USED CAR SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 14,295 SQUARE FEET, MORE OR LESS” (Conditional Use No. 1980) filed on behalf of Eastern Shore Auto Exchange, with the following conditions:

- A. The hours of operation shall be from 10:00 a.m. to 7:00 p.m., Monday through Friday, with weekend hours by appointment only.**
- B. One lighted sign, not to exceed 32 square feet per side, shall be permitted.**
- C. Security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.**
- D. Any dumpsters shall be screened from view of neighbors and**

**M 179 14
Adopt
Ordinance
No. 2343
(C/U
No. 1980)
(continued)**

roadways. The dumpster locations shall be shown on the Final Site Plan.

- E. No automobile repairs shall be performed on the site. No automobile parts shall be stored outside. Automobile detailing shall be permitted on the site.**
- F. No junked, unregistered or permanently inoperable vehicles or trailers shall be stored on the facility.**
- G. No more than 10 cars shall be displayed for sale on the site at any one time.**
- H. All display areas, parking and storage areas shall be clearly depicted on the Final Site Plan.**
- I. The site shall be subject to all DelDOT entrance and roadway requirements.**
- J. 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. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
C/U
No. 1981**

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 AN OFFICE FOR A CLEANING SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 24,205 SQUARE FEET, MORE OR LESS” (Tax Map I.D. 334-12.00-Parcel 25 & 26) (Conditional Use No. 1981) filed on behalf of Robert and Julie Norwood.

The Planning and Zoning Commission held a Public Hearing on this application on March 13, 2014 at which time action was deferred. On March 27, 2014, the Commission recommended that the application be approved subject to eight conditions.

(See the minutes of the Planning and Zoning Commission dated March 13 and 27, 2014.)

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

The Council found that Robert Norwood was present and he stated that he proposes an office and a meeting spot for employees for his cleaning business; that no more than 4 or 5 vehicles will be parked on the site at any given time; that they do not work later than 7:00 p.m.; that he agrees to the conditions recommended by the Planning and Zoning Commission; and that there will be no parking along the highway.

(continued) There were no public comments. The Public Hearing and public record were closed.

**M 180 14
Adopt
Ordinance
No. 2344
(C/U
No. 1981)**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to adopt Ordinance No. 2344 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE FOR A CLEANING SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 24,205 SQUARE FEET, MORE OR LESS” (Conditional Use No. 1981) filed on behalf of Robert and Julie Norwood, with the following conditions:

- A. The use shall be limited to a cleaning service business and the offices for such a business.
- B. The hours of operation shall be 8:00 a.m. through 7:00 p.m.
- C. The entrance, subject to any DelDOT requirements and/or approvals, shall be from Retz Lane as it currently exists.
- D. One lighted sign shall be permitted. The sign shall not exceed 32 square feet in size per side.
- E. All parking areas for company vehicles and employee vehicles shall be shown on the Final Site Plan and clearly marked on the site.
- F. No mechanical work on any vehicles shall occur on site.
- G. Any storage of equipment, cleaning supplies, chemicals and other items associated with the business shall be located inside of buildings.
- H. 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. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
C/Z
No. 1745**

A Public Hearing was held 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 CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.912 ACRES, MORE OR LESS” (Tax Map I.D. 230-26.00-102.00 (Part of) (Change of Zone No. 1745) filed on behalf of Capital Development Partners, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on March 13, 2014 at which time action was deferred. On March 27, 2014, the Commission recommended that that the application be approved.

**Public
Hearing/
C/Z**

**No. 1745
(continued)**

(See the minutes of the Planning and Zoning Commission dated March 13 and 27, 2014.)

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

Mr. Lank distributed Exhibit Books that were previously provided by the Applicant.

The Council found that Jamie Stechler of Davis, Bowen & Friedel was present on behalf of the application. Mr. Stechler stated that the Applicant is applying for a rezoning of 2.91 acres; that a Dollar General store is proposed to be built on the site; that the site is located in a Level 2 Area according to State Spending Strategies; and that the site is a good location for a commercial property.

There were no public comments and the Public Hearing and public record were closed.

**M 181 14
Adopt
Ordinance
No. 2345
(C/Z
No. 1745)**

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to Adopt Ordinance No. 2345 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 CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.912 ACRES, MORE OR LESS” (Change of Zone No. 1745) filed on behalf of Capital Development Partners, LLC.

Motion Adopted: 5 Yeas.

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

**M 182 14
Adjourn**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to adjourn at 2:00 p.m.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

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