

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 16, 2026

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, June 16, 2026, at 10:00 a.m., in Council Chambers, with the following present:

Douglas B. Hudson	President
John L. Rieley	Vice President
Jane Gruenebaum	Councilwoman
Matt Lloyd	Councilman
Steve C. McCarron	Councilman
Todd F. Lawson	County Administrator
Gina Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

Call to Order	The Invocation and Pledge of Allegiance were led by Mr. Hudson. Mr. Hudson called the meeting to order.
M 262 26 Approve Agenda	A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, 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 June 9, 2026, were approved by consensus.
Correspondence	There was no correspondence. There were no public comments.
Comments	
Appointments	Mr. Lawson reported that reappointments were needed for one member of the Board of Adjustment and three Planning & Zoning Commissioners.
M 263 26 Approve Reappointment/BOA	A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it moved that Sussex County Council approves the reappointment of Mr. John Williamson to the Sussex County Board of Adjustment effective immediately until such time the term expires in June 2029. Motion Adopted: 5 Yeas Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Yea; Mr. Hudson, Yea

**M 264 26
Approve
Reappoint-
ment/PZ/
Collins**

A Motion was made by Ms. Gruenebaum, seconded by Mr. McCarron, be it moved that Sussex County Council approves the reappointment of Mr. Scott Collins to the Sussex County Planning & Zoning Commission effective immediately until such time the term expires in June 2029.

Motion Adopted: 5 Yeas

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

**M 265 26
Approve
Reappoint-
ment/PZ/
Passwaters**

A Motion was made by Mr. McCarron, seconded by Mr. Lloyd, be it moved that Sussex County Council approves the reappointment of Mr. John Passwaters to the Sussex County Planning & Zoning Commission effective immediately until such time the term expires in June 2029.

Motion Adopted: 5 Yeas

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

**M 266 26
Approve
Reappoint-
ment/PZ/
Pettyjohn**

A Motion was made by Mr. Rieley, seconded by Mr. McCarron, be it moved that Sussex County Council approves the reappointment of Mr. David Pettyjohn to the Sussex County Planning & Zoning Commission effective immediately until such time the term expires in June 2029.

Motion Adopted: 5 Yeas

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

**Adminis-
trator's
Report**

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

1. Holiday Schedule

County offices will be closed on Friday, June 19th, in observance of the Juneteenth holiday. Offices will reopen on Monday, June 22nd.

2. Van Milligan

It is with great sadness that we inform you that pensioner, Van Milligan, passed away on Thursday, June 11, 2026. Mr. Milligan began his career with Sussex County in May 1979 where he worked until July 2009 for a total of 30 years of service. His last

position with the County was Chief of Building Code. We would like to extend our condolences to the Milligan family.

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

2nd Quarter Employee Recognition Karen Brewington, Human Resources Director, presented the second quarter shining star employee recognition award. She reported that there were 22 submissions received for this quarter. This quarter's selection was Marcia Elliott from Human Resources.

Inland Bays CO No. 4 Mike Harmer, County Engineer, presented change order no. 4 for Inland Bays loop project for Council's consideration.

M 267 26 Approve CO No. 4/Inland Bays A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, be it moved based upon the recommendation of the Sussex County Engineering Department that change order no. 4 for contract S24-01, Inland Bays Loop project be approve, increasing the contract by \$227,215.40.

Motion Adopted: 5 Yeas

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

SC Library HVAC Project Mike Harmer, County Engineer, presented a final balancing change order and substantial completion for the South Coastal Library HVAC replacements for Council's consideration.

M 268 26 Approve CO No 1 & Substantial Completion/ SC Library A Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum, be it moved based upon the recommendation of the Sussex County Engineering Department, that final balancing change order no. 1 for contract G23-24, South Coastal Library HVAC replacements, be approved, decreasing the contract amount by \$45,000.00, and that substantial completion be granted on June 16, 2026, with any held retainage released in accordance with the contract documents.

Motion Adopted: 5 Yeas

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

Ord Intro There were no Proposed Ordinances for Introduction.

Mr. Moore reviewed the procedures for Public Hearings.

Public A Public Hearing was held for the Assessment Rolls for Sewer and Water

**Hearing/
Assessment
Rolls**

Districts. Mrs. Jennings reported that the Assessment Rolls reflect the County's records for equivalent dwelling units (EDUs) and billable front footage for each sewer and water district. These records have been made available in the billing office for public inspection and review. These records are subject to individual appeal via the Board of Assessment Review. Mrs. Jennings noted that this Public Hearing is on the list of properties and their applicable front footage and EDU's that will be billable by the rates established in the rate ordinance.

There were no public comments.

The Public Hearing and public record were closed.

**M 269 26
Adopt
Assessment
Rolls**

A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum, that be it moved that the Sussex County Council adopts the Assessment Rolls for the Sussex County Unified Sanitary Sewer and Water District for the period July 1, 2026 through June 30, 2027.

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/
Annual
Service
Charges**

A Public Hearing was held on an Ordinance entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS"

Mrs. Jennings reviewed highlights of the sewer and water budget. (A comprehensive presentation was given at the May 19, 2026 meeting.)

There were no public comments.

The Public Hearing and public record were closed.

**M 270 26
Adopt
Ordinance
No. 4064/
Annual
Services
Charges**

A Motion was made by Ms. Gruenebaum, seconded by Mr. Lloyd to Adopt Ordinance No. 4064 entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS".

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/
School
Surcharge/
Building
Permits**

A Public Hearing was held on an Ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 62, ARTICLE III, § 62-7, ENTITLED, “FEES FOR PERMITS AND APPLICATIONS,” TO ADD A NEW § 62-7J., WHICH SHALL ESTABLISH A SCHOOL SURCHARGE ON BUILDING PERMIT APPLICATIONS TO GENERATE REVENUE FOR CAPITAL IMPROVEMENTS FOR LOCAL SCHOOL DISTRICTS AND SUSSEX TECHNICAL HIGH SCHOOL”.

Mrs. Jennings reviewed highlights of the Proposed Ordinance. (A comprehensive presentation was given at the May 19, 2026 meeting.)

Public comments were heard.

Mr. Jason Hale spoke regarding the Proposed Ordinance.

Mr. Johannes Sayre spoke regarding the Proposed Ordinance.

The Public Hearing and public record were closed.

**M 271 26
Adopt
Ordinance
No. 4065/
School
Surcharge/
Building
Permits**

A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum to Adopt Ordinance No. 4065 entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 62, ARTICLE III, § 62-7, ENTITLED, “FEES FOR PERMITS AND APPLICATIONS,” TO ADD A NEW § 62-7J., WHICH SHALL ESTABLISH A SCHOOL SURCHARGE ON BUILDING PERMIT APPLICATIONS TO GENERATE REVENUE FOR CAPITAL IMPROVEMENTS FOR LOCAL SCHOOL DISTRICTS AND SUSSEX TECHNICAL HIGH SCHOOL”.

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/
FY27
Annual
Budget**

A Public Hearing was held on an Ordinance entitled “AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2027”.

Mrs. Jennings reviewed highlights of the Proposed Ordinance. (A comprehensive presentation was given at the May 19, 2026 meeting.)

Public comments were heard.

Mr. Bryan Pepper spoke regarding the Proposed Ordinance.

Mr. Michael Suit spoke regarding the Proposed Ordinance.

Mr. Greg Kordell spoke regarding the Proposed Ordinance.

The Public Hearing and public record were closed.

M 272 26
Adopt
Ordinance
No. 4066/
FY27
Annual
Budget

A Motion was made by Mr. Lloyd, seconded by Mr. Rieley to Adopt Ordinance No. 4066 entitled “AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2027”.

Motion Adopted: 5 Yeas

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

Old
Business/
CU2631

Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR STORAGE/WAREHOUSE/OFFICE BUILDINGS AND A CAR WASH (TO AMEND CONDITION “D” AND CONDITION “N” OF THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE NO. 2581 (ORDINANCE NO. 4009) TO ALLOW FOR OFFICE SPACES WITHIN THE WAREHOUSE UNITS AND TO REMOVE THE REQUIREMENT THAT AN ON-SITE MANAGEMENT OFFICE BE ESTABLISHED FOR THE MAINTENANCE AND OPERATION OF THE WAREHOUSE UNITS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 29.55 ACRES, MORE OR LESS” filed on behalf of Zion Church Ventures, LLC.

Mr. Whitehouse reported that the applicant was not present during the public hearing and a petition has been received from the applicant requesting reconsideration through a new public hearing.

M 273 26
Allow
Reschedule

A Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum to accept the applicant’s request to reschedule the public hearing.

Motion Adopted: 5 Yeas

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

Old
Business/
CU2614

Under Old Business, Mr. Whitehouse presented 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”.

The County Council held a Public Hearing on the application at the meeting on April 14, 2026. At the conclusion of the Public Hearing, the Council deferred action for further consideration.

**M 274 26
Adopt
Ordinance
No. 4067/
CU2614**

A Motion was made by Mr. Rieley, seconded by Mr. McCarron to Adopt Ordinance No. 4067 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” for the reasons and conditions given by the Planning & Zoning Commission as follows:

- 1. The proposed facility is a public utility use under the Sussex County Zoning Code, and it meets the purposes 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.**
- 2. The solar array will be located on approximately 10.5 acres of a larger 25-acre tract.**
- 3. The proposed facility promotes Goal 7.3 of the Sussex County Comprehensive Plan which encourages the use of renewable energy options such as solar arrays. There was testimony that this solar array will benefit residential, business, and municipal subscribers with lower power costs.**
- 4. The proposed solar array is located on a parcel of land that is bordered by agricultural land including poultry houses as well as wooded tracts.**
- 5. The land is designated as being within the “Coastal Area” according to Sussex County’s Future Land Use Map. The Coastal Area is considered a “Growth Area” and this is an appropriate location for a solar array with a minimal need for infrastructure or other governmental-related services.**
- 6. This Application generally complies with Ordinance No. 2920 regarding solar arrays.**
- 7. The proposed solar generation facility will not result in any noticeable increase in traffic on area roadways, and DelDOT has stated that the traffic impact will be “Diminutive.” There are no regular employees at the site, only periodic visits for inspections, maintenance, or repair of the solar panels.**
- 8. The proposed use provides a renewable energy source that is a benefit to the residents and businesses of Sussex County.**
- 9. There is no evidence in the record in opposition to this Application.**
- 10. This recommendation is subject to the conditions set forth in Ordinance No. 2920 and the following additional conditions:**
 - a. The use shall be for a ground-mounted solar array. No other types of electric generation shall be permitted at the site.**

**M 274 26
Adopt
Ordinance
No. 4067/
CU2614
(continued)**

- b. The Final Site Plan shall clearly show the limits of the Conditional Use area for this solar array as well as the remaining acreage that is not part of this Conditional Use.**
- c. The entire area of the solar array shall be surrounded by a seven-foot-tall fence to comply with the height requirement of the National Electric Code. The fencing shall include interwoven screening. The fence location and type of screening shall be shown on the Final Site Plan. In addition, the existing vegetation outside of the solar array area shall be preserved to comply with the buffer requirements of Section 115-172I(1) of the Sussex County Zoning Code. These areas of non-disturbance shall be included on the Final Site Plan and clearly marked on the site itself.**
- d. Any lighting on the facility shall only consist of perimeter lighting needed for security purposes. Any lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- e. One unlit sign, not to exceed 32 square feet in size, shall be permitted. The sign shall identify the operator of the solar farm and shall provide contact information in case of emergency.**
- f. All transformers or similar equipment or structures shall be centrally located within the solar array, and they shall be shown on the Final Site Plan.**
- g. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be operated using Best Management Practices.**
- h. The Final Site Plan shall include a Decommissioning Plan that includes a financial security to ensure that funds are available for decommissioning and removal of the solar farm in its entirety throughout the life of the Conditional Use.**
- i. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.**

Motion Adopted: 5 Yeas

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

**Old
Business/
CZ2053**

Under Old Business, Mr. Whitehouse 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-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 at Lewes, LLC & Derrickson Properties, LLC.

The County Council held a Public Hearing on the application at the meeting on June 9, 2026. At the conclusion of the Public Hearing, the Council left the Public Record open until 4:30 pm on Monday June 15, 2026 for receipt of additional comments. No further comments were received.

**Old
Business/
CU2540**

Under Old Business, Mr. Whitehouse presented 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 County Council held a Public Hearing on the application at the meeting on June 9, 2026. At the conclusion of the Public Hearing, the Council left the Public Record open until 4:30 pm on Monday June 15, 2026 for receipt of additional comments. No further comments were received.

**Old
Business/
CU2604**

Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS WITH OUTDOOR STORAGE AND PARKING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS” filed on behalf of Alvaro E. Perez Roblero.

The County Council held a Public Hearing on the application at the meeting on June 9, 2026. At the conclusion of the Public Hearing, the Council left the Public Record open until 4:30 pm on Monday June 15, 2026 for receipt of additional comments. No further comments were received.

**Grant
Requests**

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

**M 275 26
Town of
Laurel**

A Motion was made by Mr. Lloyd, seconded by Mr. Rieley to give \$1,400 (\$1,200 from Mr. Lloyd’s Councilmanic Grant Account and \$200 from Mr. Rieley’s Councilmanic Grant Account) to the Town of Laurel for their 4th of July fireworks.

Motion Adopted: 5 Yeas

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

**M 276 26
True Blue
Jazz, Inc.**

A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum to give \$9,200 (\$3,875 from Countywide Youth Grant Account and \$1,775 from Mr. Hudson’s Councilmanic Grant Account, \$2,500 from Mr. Rieley’s Councilmanic Grant Account, \$850 from Ms. Gruenebaum’s Councilmanic

Grant Account and \$200 from Mr. McCarron's Councilmanic Grant Account) to True Blue Jazz, Inc. for their 14th Anniversary True Blue 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**

**Council
Member
Comments**

Mr. Rieley commented about the trending politics in the State.

Mr. McCarron commented about local control.

**M 277 26
Go Into
Executive
Session**

At 11:07 a.m., a Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum to go into Executive Session for the purpose of discussing matters relating 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**

An Executive Session was held in the Basement Caucus Room to discuss matters relating to land acquisition & pending & potential litigation. The Executive Session ended at 11:24 a.m.

**M 278 26
Reconvene**

At 11:26 a.m., a Motion was made by Mr. McCarron, seconded by Mr. Lloyd to come out of Executive Session 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**

E/S Action

There was no action related to Executive Session matters.

**M 279 26
Adjourn**

A Motion was made by Mr. Lloyd, seconded by Mr. Rieley to adjourn at 11:27 a.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.}