

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 19, 2025

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, August 19, 2025, 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 A. 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 368 25 Approve Agenda	A Motion was made by Mr. Rieley, seconded by Mr. McCarron, 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 August 12, 2025, were approved by consensus.
Correspondence	Mr. Moore reported that a letter was received from Joshua M. Freeman Foundation thanking Council for their support.
Public Comments	Public comments were heard. Mr. Anthony Scarpa spoke about a change of zone application for the Reed Farm property. Ms. Judy Rose Siebert spoke about facts that need to be considered when hearing applications.
Retirement	Donald J. Weber was recognized for his upcoming retirement.
PZ/Public Interview	A public interview was held for Planning & Zoning Commission nominee John Passwaters.
M 369 25 Approve PZ	A Motion was made by Mr. McCarron, seconded by Mr. Lloyd, that be it moved that the Sussex County Council approves the appointment of Mr.

Commission Nominee **John Passwaters to the Sussex County Planning & Zoning Commission effective September 1, 2025 until such time the term expires in June of 2026.**

Motion Adopted: 5 Yeas

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

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

**trator's
Report**

1. Delaware State Police Activity Report

The Delaware State police year-to-date activity report for July 2025 is attached listing the number of violent crime and property crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 194 troopers assigned to Sussex County for the month of July.

2. Council Meeting and Holiday Schedule

Council will not meet on Tuesday, August 26th or Tuesday, September 2nd. In addition, County offices will be closed on Monday, September 1st, to observe the Labor Day holiday. The next regularly scheduled Council meeting will be held on Tuesday, September 9th.

3. Chris Harrington

It is with great sadness that we note the passing of County Employee Chris Harrington on Saturday, August 16th. Mr. Harrington started his career with Sussex County in 2017 as an Assessor I. His last position held was Assessor II. We would like to extend our condolences to the Harrington family.

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

**Reasses- Gina Jennings, Finance Director, provided an update on reassessment
sment
Legislation legislation. Ms. Jennings reviewed the six legislative bills that were passed during a Special Session last week and how they impact the County.**

**M 370 25 A Motion was made by Mr. Rieley, seconded by Mr. McCarron, that it be
Approve
Payment moved that the Sussex County Council authorizes the Finance Department as required by HB241 to enter into payment plans as presented with owners**

Plans of primary residential properties whose property tax bill increased more than \$300.00.

Motion Adopted: 5 Yeas

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

Lease Renewal Robbie Murray, Public Safety Director presented a lease renewal for Milton Medic Station 111 for Council's consideration.

M 371 25 A Motion was made by Mr. McCarron, seconded by Mr. Rieley, that it be
Approve moved that the Sussex County Council renews the lease with Cheer,
Lease Incorporated for Medic 111 in Milton for a period of one year with two one-
Renewal year extensions.

Motion Adopted: 5 Yeas

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

DE Bus Andrew Harton, Economic Development Director presented leases for
Park Leases KTM 2 LLC d/b/a Arrow Safety Device and Delaware Coast Line Railroad Company for Council's consideration.

M 372 25 A Motion was made by Ms. Gruenebaum, seconded by Mr. Rieley, that it be
Approve moved that the Sussex County Council approve the lease agreement with
KTM 2 LLC KTM 2 LLC d/b/a Arrow Safety Device in the Delaware Coastal Business
Lease Park to be located at 21646 Baltimore Ave, Georgetown for the purpose of
safety device manufacturing and distribution.

Motion Adopted: 5 Yeas

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

M 373 25 A Motion was made by Mr. Rieley, seconded by Mr. McCarron, that it be
Approve DE moved that the Sussex County Council approve the lease agreement with
Coast Line Delaware Coast Railroad Company in the Delaware Coastal Business Park
RR Lease to be located at 21673 Nanticoke Ave, Georgetown for the purpose of
railroad construction and repair and boat rehabilitation and repair.

Motion Adopted: 5 Yeas

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

Lease Agreement Andrew Harton, Economic Development Director presented a lease for Atlantic Contracting and Material Company, Inc. for Council's consideration.

M 374 25 Approve Lease Agreement/ Atlantic Contracting A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, that it be moved that the Sussex County Council approve the lease agreement with Atlantic Contracting and Material Co., Inc. for office space located at 8 Mulberry Street Suite B, Georgetown.

Motion Adopted: 5 Yeas

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

Valve Exercising Mike Harmer, County Engineer presented Amendment No. 3 for infrastructure evaluation – valve exercising for Council's consideration.

M 375 25 Approve Valve Exercising Amendment 3 A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, that it be moved based upon the recommendation of the Sussex County Engineering Department, that Amendment No. 3 to the EJCDC 2024 miscellaneous engineering base contract with Johnson, Mirmiran & Thompson, Inc., be approved in the amount not to exceed \$613,880.00 for an infrastructure evaluation and valve exercising program.

Motion Adopted: 5 Yeas

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

Emission Inventory Study Bob Bryant, Airport Manager presented an emissions inventory study for construct new taxilanes and tie downs for Council's consideration.

M 376 25 Approve Emission Inventory Study A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, that it be moved based upon the recommendation of Sussex County Engineering Department on behalf of the Delaware Coastal Airport that the Sussex County Council approve Delta Airport Consultant Taskorder No. 7 in the amount not to exceed \$21,000.00.

Motion Adopted: 5 Yeas

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

**Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Lochwood Sanitary Sewer **Hans Medlarz, Project Manager, presented a balancing change order and substantial completion request for Lochwood Community Area for Council’s consideration.**

<p>M 377 25 Approve Lochwood CO & Substantial Completion</p>	<p>A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, that it be moved based on the recommendation of the Sussex County Engineering Department that final balancing change order no. 5 for contract S22-07, Lochwood Community area sewer expansion, be approved, decreasing the contract amount by \$380,049.50, and that project closeout be granted with substantial completion occurring on June 10, 2025 with any held retainage released in accordance with the contract documents.</p>
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Motion Adopted: 5 Years

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

Sediment & Erosion Update	Hans Medlarz, Project Manager presented an update on sediment and erosion control. Mr. Medlarz reviewed proposed County Code revisions relating to resource protection, enhanced sediment capture, preliminary conference, maximum limit of disturbance, regulating stormwater discharges at property lines, and enforcement.
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<p>Old Business/ CU2584</p>	<p>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 AN OUTDOOR ATHLETIC FIELD AND CONCESSION TRAILER/FOOD TRUCK TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 8.07 ACRES, MORE OR LESS” filed on behalf of Martin Pacheco & Agustin Lee Pacheco-Quillen.</p>
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The County Council held a Public Hearing on the application at its meeting on July 29, 2025. At the conclusion of the Public Hearing, action on the application was deferred for further consideration.

<p>M 378 25 Amend Condition 7B/CU2584</p>	<p>A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum to amend Condition 7B by deleting the last sentence and in its place add “In addition, the driveway should be made of a gravel or crushed stone sized to a minimal of half inch stone and a minimal depth of six inches and a minimal width of 10 feet or paved to control dust. The design of materials to be used shall be on the final site plan.”</p>
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Motion Adopted: 5 Yeas

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

M 379 25 **A Motion was made by Mr. McCarron, seconded by Mr. Lloyd to delete**
Amend **Condition 7G and replace it to read “All activities including but not limited**
Condition **to parking, soccer field, concession trailer and lighting be located on Lot**
7G/CU2584 **10B and be shown on the final site plan.”**

Motion Adopted: 4 Yeas, 1 Absent

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

M 380 25 **A Motion was made by Mr. McCarron, seconded by Mr. Lloyd to Adopt**
Adopt **Ordinance No. 4013 entitled “AN ORDINANCE TO GRANT A**
Ordinance **CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL**
No. 4013/ **RESIDENTIAL DISTRICT FOR AN OUTDOOR ATHLETIC FIELD**
CU2584 **AND CONCESSION TRAILER/FOOD TRUCK TO BE LOCATED ON**
 CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX
 COUNTY, CONTAINING 8.07 ACRES, MORE OR LESS” for the reasons
 and conditions given by the Planning & Zoning Commissions as follows and
 as amended by this Council:

- 1. The use will be an outdoor field used for athletic activities like soccer games. The concession trailer or food truck will be limited to providing food and beverages to the participants in the games on the field.**
- 2. The property is 8.07 acres in size. The outdoor soccer field will be located several hundred feet from Camp Road and the backs of the residential lots located on that road. It is also in an area of the property that is adjacent to land that is commercially zoned, and it is adjacent to the commercial corridor of Route 13.**
- 3. The Applicants stated that they only desire one outdoor field. With this limitation, the property will not become a large-scale sports facility.**
- 4. The Applicants have stated that there is a need in this area of Sussex County for soccer fields for use by residents of Sussex County.**
- 5. While there were concerns expressed by residents of the area, these concerns can largely be resolved through appropriate conditions imposed on the use, including hours of operation, signage, limitations on lighting, and other factors.**
- 6. With the conditions imposed as part of this recommendation, the use will not have an adverse impact upon traffic, area roadways, or the**

M 380 25
Adopt
Ordinance
No. 4013/
CU2584
(continued)

community.

7. This recommendation is subject to the following conditions:

- a. The use shall be limited to a single outdoor athletic field. One food truck or concession trailer shall also be permitted exclusively for people using the field or watching the games there. The food truck or trailer shall not be used when the field is not in use.**
- b. The Final Site Plan clearly show the location of the outdoor field, and all parking areas shall be clearly marked on the site. In addition, the driveway should be made of a gravel or crushed stone sized to a minimal of half inch stone and a minimal depth of six inches and a minimal width of 10 feet or paved to control dust. The design of materials to be used shall be on the final site plan.**
- c. The Applicants shall comply with all DelDOT entrance and roadway improvement requirements.**
- d. One unlighted sign shall be permitted to clearly designate the entrance to the field from Camp Road. It shall not exceed 32 square feet in size. The location of the sign shall take into account how it may affect neighboring properties. The location and details of the sign shall be shown on the Final Site Plan.**
- e. The hours of operation shall be limited to 8:00 a.m. through 10:00 p.m., 7 days per week. The entrance to the site shall be gated to prevent access when the field is not in use.**
- f. The outdoor field may be lighted for nighttime use. The lights shall not be mounted higher than 12 feet, and they shall not shine on neighboring properties. The lights must be turned off no later than 10:00 p.m. The location of the lights shall be shown on the Final Site Plan.**
- g. All activities including but not limited to parking, soccer field, concession trailer and lighting be located on Lot 10B and be shown on the final site plan.**
- h. Any violation of these conditions may be grounds for termination of the conditional use.**
- i. Because this case is the result of a zoning violation investigation, the Final Site Plan must be submitted to the Office of Planning & Zoning within 6 months of the date that this Conditional Use is approved by Sussex County Council. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.**

Motion Adopted: 4 Yeas, 1 Absent

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

Grant Requests	Mrs. Jennings presented grant requests for Council’s consideration.
M 381 25 Western Sussex Chamber of Commerce	<p>A Motion was made by Mr. Lloyd, seconded by Mr. McCarron to give \$1,000 (\$1,000 from Mr. Lloyd’s Councilmanic Grant Account) to the Western Sussex Chamber of Commerce Inc for their Broad Creek Bash.</p> <p>Motion Adopted: 4 Yeas, 1 Absent</p> <p>Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Absent; Mr. Hudson, Yea</p>
M 382 25 American Cancer Society	<p>A Motion was made by Mr. Hudson seconded by Mr. Rieley to give \$1,500 (\$300 from each Member’s Councilmanic Grant Account) to the American Cancer Society, Inc. for their Relay for Life event.</p> <p>Motion Adopted: 5 Yeas</p> <p>Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Yea; Mr. Hudson, Yea</p>
Proposed Ordinances Introductions	<p>Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A DISTRIBUTION WAREHOUSE TO BE LOCATED ON A 10.896 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 71.127 ACRES, MORE OR LESS” filed on behalf of Breeze-A-Bella Land Group, LLC.</p> <p>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 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” on behalf of Marlin Cove, LLC.</p> <p>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-4 PLANNED COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 73.5 ACRES, MORE OR LESS” filed on behalf of Mulberry Knoll Associates, LLC.</p>

Proposed Ordinances Introductions (continued)	<p>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 GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.75 ACRES, MORE OR LESS” filed on behalf of David Roe.</p> <p>Mr. McCarron introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITIONAL USE NO. 705 TO ALLOW FOR AN EXPANSION OF AN EXISTING CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY CONTAINING 21.93 ACRES, MORE OR LESS” filed on behalf of Preston & Mason Dyer.</p> <p>The Proposed Ordinances will be advertised for a Public Hearing.</p>
CM Comments	<p>Mr. Rieley commented that it appears that crime is down based on the report provided in the Administrator’s Report.</p>
M 383 25 Go Into Executive Session	<p>At 11:50 a.m., a Motion was made by Mr. Lloyd, seconded by Mr. McCarron to enter into an Executive Session for the purpose of discussing matters related to land acquisition and pending & potential litigation.</p> <p>Motion Adopted: 5 Yeas</p> <p>Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Yea; Mr. Hudson, Yea</p>
Executive Session	<p>At 11:55 a.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 concluded at 12:23 p.m.</p>
M 384 25 Reconvene	<p>At 12:25 p.m., a Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum to come out of the Executive Session and go back into the Regular Session.</p> <p>Motion Adopted: 4 Yeas, 1 Absent</p> <p>Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Absent; Mr. Hudson, Yea</p>
E/S Action	<p>There was no action related to Executive Session matters.</p>

M 385 25 **A Motion was made by Mr. Lloyd, seconded by Mr. McCarron to adjourn**
Adjourn **at 12:26 p.m.**

Motion Adopted: 4 Yeas, 1 Absent

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