

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 28, 1995

Call to Order The regular meeting of the Sussex County Council was held Tuesday, February 28, 1995, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

| | |
|---------------------------|----------------|
| Dale R. Dukes | President |
| George J. Collins | Vice President |
| Ralph E. Benson | Member |
| George B. Cole | Member |
| William D. Stevenson, Sr. | Member |

The meeting was opened by repeating the Lord's Prayer and the Pledge of Allegiance to the Flag.

M 093 95 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve approve the minutes of the previous meeting dated February 21, Minutes 1995. Motion Adopted by Voice Vote.

Corre- Mr. Bayard, County Attorney, read the following correspondence: spondence

NANCY DEWEESE, BETHANY BEACH, DELAWARE.

RE: Letter in support of Sussex County libraries becoming a part of DELNET.

CLAUDIA MELSON, PRESIDENT, SEAFORD HISTORICAL SOCIETY, SEAFORD, DELAWARE.

RE: Letter in appreciation of Council's continued support.

CITY OF SEAFORD, SEAFORD, DELAWARE.

RE: Invitation to participate in an Open House Tour of City facilities on Saturday, March 25, 1995.

JOHN B. AND MARY PATRICIA HENDRICKSON, BETHANY BEACH, DELAWARE.

RE: Letter in support of the automation project for Sussex County libraries.

KENT COUNTY ARCHAEOLOGICAL SOCIETY, DOVER, DELAWARE.

RE: Letter inviting Mr. Dukes to attend a monthly Kent County Archaeological Society meeting.

KATHARINE EVANS, DIRECTOR, SELBYVILLE PUBLIC LIBRARY, SELBYVILLE, DELAWARE.

RE: Letter to Mr. Cole in appreciation of his Councilmanic Grant.

M 094 95 A Motion was made by Mr. Cole, seconded by Mr. Stevenson, that Amend the Agenda for this meeting be amended by adding an item entitled Agenda "Board of Assessment Review Appointment".

Motion Adopted: 5 Yea.

M 094 95 Vote by Roll Call: Mr. Benson, Yea; Mr. Collins, Yea;
(con't) Mr. Cole, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

FY '94 Mr. Baker, Finance Director, presented to Council the County
Audit of Sussex, Delaware, Audited Financial Statements together
Report with Independent Auditors' Report and Additional Information
for the Year Ended June 30, 1994. In attendance to discuss
the Audit Report and to answer questions raised by Council
were Robert Bedwell and John D'Agostino of Santora, Starr &
Baffone, Certified Public Accountants and Consultants, the
County's auditors. Mr. Baker reviewed and highlighted areas
of the report for Council's information. The Audit report
expresses the unqualified opinion of Santora, Starr & Baffone
that "the general purpose financial statements referred to
above present fairly, in all material respects, the financial
position of the County of Sussex, Delaware, as of June 30,
1994, and the results of its operations and the cash flows
of its proprietary and similar trust funds for the year then
ended in conformity with generally accepted accounting
principles."

Proposed Mr. Stickels, County Administrator, read a Proposed Procla-
Procla- mation entitled "PROCLAIMING MARCH, 1995, AS 'WOMEN'S HISTORY
mation MONTH'."

M 095 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,
Adopt to Adopt the Proclamation entitled "PROCLAIMING MARCH, 1995,
Procla- AS 'WOMEN'S HISTORY MONTH'."
mation

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Present On behalf of the Council, Mr. Cole presented the Proclamation
Procla- to Ms. Anita Smith and Ms. Rhonda Tuman of Business & Profes-
mation sional Women of Sussex County.

Personnel Mr. Stickels, County Administrator, advised Council that
Board Mr. Richard Whaley has resigned from his appointment to the
Sussex County Personnel Board. Mr. Whaley's resignation is
due to his appointment to the Board of Assessment Review.

M 096 95 A Motion was made by Mr. Collins, seconded by Mr. Benson,
Personnel that Mr. Bernard Lynch be appointed to the Personnel Board
Board to serve the remainder of the unexpired term of Mr. Richard
Appoint- Whaley.
ment

Motion Adopted: 5 Yea.

M 096 95 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Board of Mr. Stickels, County Administrator, discussed the appoint-
Assess- ment of Mr. Leonard Rayne to the Board of Assessment Review
ment on February 14, 1995. Mr. Rayne was appointed to serve the
Review remainder of the unexpired term of Mr. A. Tyson Cannon.
Mr. Rayne has advised that he will be unable to serve on
the Board of Assessment Review and therefore a vacancy on
the Board still exists.

M 097 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,
Board that Mr. Conrad Boisvert be appointed to the Board of Assess-
of ment Review to serve the unexpired term of Mr. A. Tyson Cannon.

Assess- Motion Adopted: 5 Yea.
ment
Review

Appoint- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
ment Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Library Mr. Stickels, County Administrator, and Ms. Fitzgerald,
Auto- Director of County Libraries, discussed library automation.
mation At the County Council meeting on February 7, 1995, Ms.
Fitzgerald was authorized to submit an application for State
and Federal funding for library automation. At that time,
Council asked that costs for Library Automation be reviewed
further and that local libraries be contacted regarding the
amount of money they would be willing to contribute towards
the program. Mr. Stickels reviewed the following estimated
costs:

ESTIMATED COST PER LIBRARY - FY '96

| Library | Number of Terminals | Cost |
|------------------|---------------------|------------------|
| Bridgeville | 6 | \$ 8,616 |
| Delmar | 6 | 8,616 |
| Frankford | 6 | 8,616 |
| Georgetown | 6 | 8,616 |
| Laurel | 8 | 11,488 |
| Lewes | 8 | 11,488 |
| Millsboro | 8 | 11,488 |
| Rehoboth | 8 | 11,488 |
| Seaford | 8 | 11,488 |
| Selbyville | 6 | 8,616 |
| Allowance | | |
| Site Preparation | | |
| and Conversion | | <u>\$102,000</u> |
| | | <u>\$202,520</u> |

Library
Auto-
mation
(con't)

Mr. Stickels advised Council that he has received written pledges from the libraries in an amount totalling \$58,532, as follows:

| <u>Library</u> | <u>Amount</u> |
|----------------|------------------|
| Bridgeville | \$ 8,616 |
| Delmar | 10,000 |
| Frankford | 5,000 |
| Georgetown | 4,000 |
| Laurel | 2,500 |
| Lewes | 3,346 |
| Millsboro | 7,500 |
| Rehoboth | 3,000 |
| Seaford | 8,500 |
| Selbyville | 2,070 |
| Milford | 4,000 |
| | <u>\$ 58,532</u> |

Mr. Stickels, County Administrator, noted that the Friends of the South Coastal Library have pledged to fund the cost of automation for the South Coastal Library.

Proposed Ordinance Mr. Stickels, County Administrator, discussed a Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 29 OF THE CODE OF SUSSEX COUNTY TO INCREASE THE COMPENSATION OF THE PERSONNEL BOARD".

Proposed Ordinance Mr. Benson introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 29 OF THE CODE OF SUSSEX COUNTY TO INCREASE THE COMPENSATION OF THE PERSONNEL BOARD". The Proposed Ordinance will be advertised for Public Hearing. The Public Hearing will be held on March 21, 1995, at 10:45 a.m.

Manu-
factured
Homes
Permit
and
Place-
ment
Fees Mr. Stickels, County Administrator, discussed two proposals that would increase permit and placement fees for manufactured/mobile homes:

1. A Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF SUSSEX COUNTY TO AMEND THE FEE CHARGED FOR MANUFACTURED HOME PLACEMENT PERMITS".
2. A Proposed Amendment to State Legislation entitled "AN ACT TO AMEND TITLE 9, CHAPTERS 3 AND 81 OF THE DELAWARE CODE RELATING TO THE POWER OF COUNTY GOVERNMENTS TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME".

The two proposals are a result of the discrepancy that exists between fees associated with site-built homes versus

Manufactured Homes (con't) manufactured homes. Mr. Stickels advised that the ratio of site-built homes to manufactured homes in Sussex County is about 50-50. Residents of both types of homes receive the same County services; however, residents of manufactured homes contribute considerably less to the funding of these services.

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF SUSSEX COUNTY TO AMEND THE FEE CHARGED FOR MANUFACTURED HOME PLACEMENT PERMITS". The Proposed Ordinance will be advertised for Public Hearing. The Public Hearing will be held on March 21, 1995, at 11:00 a.m.

Proposed Amendment to State Legislation It was the consensus of Council that Mr. Stickels, County Administrator, lobby for a Proposed Amendment to State Legislation entitled "AN ACT TO AMEND TITLE 9, CHAPTERS 3 AND 81 OF THE DELAWARE CODE RELATING TO THE POWER OF COUNTY GOVERNMENTS TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME".

Administrator's Report Mr. Stickels, County Administrator, discussed the following information in his County Administrator's Report:

1. Subdivision Approvals

Please be advised that on February 23, 1995, the Sussex County Planning and Zoning Commission granted final approval for the following:

(a) Admiral's Point - Medium Density Residential Planned Community (RPC) in Baltimore Hundred, located on the east side of Route 1, across from Route 360; the RPC consisted of 33 lots in the North Bethany Sanitary Sewer District, with central water and sewer, developed on 11.5± acres.

(b) Pleasant Acres - General Residential District in Nanticoke Hundred, west side of Route 516, across the intersection of Route 525, consisting of ten lots on individual well and septic systems; this subdivision consisted of 8.6± acres and will be utilized for manufactured homes.

2. Status Report, Second Quarter - Delaware State Police

Included with this report was a copy of the Second Quarter Status Report, October 1 to December 31, 1994, for Delaware State Police troops in Sussex County. The report indicates, again, the amount of activity coming out of the Georgetown Troop. During the second quarter, 75 drivers were arrested for DUI and 365 criminal arrests were made.

Report
(con't)

3. Shaping Delaware's Future

A reminder that on Wednesday, March 8, 1995, from 4:00 to 8:30 p.m. the County Council will co-host with the Governor's Cabinet Committee on Planning an Interactive Open House at Delaware Technical & Community College, Georgetown, Delaware, Room 320. The Cabinet Committee's draft of ten goals for Delaware's future include:

- o Promote economic efficiency.
- o Promote livability.
- o Direct growth to existing communities.
- o Encourage redevelopment in existing communities.
- o Protect farmland and open space.
- o Create and retain quality jobs.
- o Encourage water and wastewater systems.
- o Provide educational opportunities, and health and social services.
- o Preserve the capacity of transportation systems.
- o Provide flexible regulatory processes.

It is important that the residents of Sussex County take this opportunity to provide input on the shaping of Delaware in the future.

4. National Association of Counties (NACo) Legislative Conference

There will not be a County Council meeting on Tuesday, March 7, 1995. Cancellation of the meeting will allow the County Council and staff to attend the NACo Conference in Washington, D.C. President Clinton will address the conference on Tuesday, March 7, 1995. Following his address, office visits have been confirmed with Senators Roth and Biden and Congressman Castle.

The next regularly scheduled Council meeting will be Tuesday, March 14, 1995.

5. Road Naming

A public meeting will be held on Thursday, March 9, 1995, at 7:00 p.m. at the Ellendale Fire Hall, Ellendale,

Report (con't) Delaware, for the unincorporated areas of the Ellendale Fire District. Residents of the Ellendale Fire District are encouraged to attend.

Phase III Archaeological Study West Rehoboth Project Construction Contract D Mr. Wood, County Engineer, and Mr. Bozick of George, Miles & Buhr, discussed a Phase III Archaeological Investigation for an area known as Bay Vista in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (Collection Contract D). This matter was previously discussed at the February 21, 1995, Council meeting at which time it was the consensus of Council to reject MARR's proposal that Lisbon Contractors perform the work due to the high rates quoted and that a contractor with lower rates be selected to perform the work. Mr. Wood advised that bids were solicited for the proposed work and three proposals have been received. Mr. Wood further advised that following a preliminary review of the bids submitted, it appears that there will not be a significant savings by selecting a different contractor. It was recommended that the Phase III Archaeological Study be awarded to MARR Associates and that the four bids (Lisbon's bid and the three new bids) be reviewed in detail to determine which contractor should be selected.

M 098 95 Award Phase III Archaeological Study West Rehoboth Project Construction Contract D A Motion was made by Mr. Collins, seconded by Mr. Cole, that based on the recommendation of the Consulting Engineers, George, Miles & Buhr, the Sussex County Engineering Department, and the Sussex County Legal Department that the Sussex County Council authorizes the award of the Phase III Archaeological Study for selected portions of Collection Contract D in Bay Vista in an amount not to exceed \$180,000.00 to MARR Associates of Newark, Delaware, to be added to the George, Miles & Buhr Construction Administration Contract as a "Pass-Through" increasing their Contract D total to \$462,251.92 contingent on the approval of the reviewing agencies, Department of Natural Resources and Environmental Control, Rural Economic and Community Development, and the County Finance Department.

Motion Adopted: 4 Yea, 1 Nay.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Nay

Agreement Regarding Draper Property Mr. Green, Director of Utility Construction, discussed an Agreement between T. William Lingo, developer for the Irene Carpenter Draper property, and Sussex County Council for Construction Administration and Construction Inspection Services for water and wastewater facilities.

M 099 95 A Motion was made by Mr. Collins, seconded by Mr. Cole, that
Execute the President of the Sussex County Council execute an Agree-
Agree- ment between Sussex County Council and T. William Lingo,
ment Developer, representing the owner, for Construction Adminis-
with T. tration and Construction Inspection Services for water and
William wastewater facilities to be constructed for the Irene Carpenter
Lingo Draper Property, located in the Dewey Beach Sanitary Sewer and
for Water District.
Draper Motion Adopted: 5 Yea.
Property

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Long Mr. Archut, Director of Planning and Permits, distributed to
Neck Council for their review information regarding the Long Neck
CPCN Water Company's request for a Certificate of Public Convenience
Report and Necessity.

Ocean Mr. Archut, Director of Planning and Permits, requested
Way Council's approval to prepare a pre-application to Rural
Estates Economic and Community Development for low interest loan
Bethany assistance for the project to extend the Bethany Beach
Beach Sanitary Sewer District to include Ocean Way Estates,
SSD Sections I and II.

M 100 95 A Motion was made by Mr. Cole, seconded by Mr. Benson, that
Prepare the Sussex County Engineering Department is hereby directed
Pre- to prepare a pre-application to the Rural Economic and
Applica- Community Development (RECD/USDA) to finance the extension
tion to of the Bethany Beach Sanitary Sewer District to serve Ocean
RECD for Way Estates, Sections 1 and II.
Ocean Motion Adopted: 5 Yea.
Way Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Estates Mr. Collins, Yea; Mr. Stevenson, Yea;
Bethany Mr. Dukes, Yea
Beach SSD

Old Conditional Use No. 1101 entitled "AN ORDINANCE TO GRANT A
Business CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL
C/U DISTRICT FOR TONING BOOTHS AND BEAUTY SALON TO BE LOCATED
No. 1101 ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER
HUNDRED, SUSSEX COUNTY, CONTAINING 13,300 SQUARE FEET, MORE
OR LESS", filed on behalf of Melvin A. Fox and Gloria M.
Fox, was discussed. A Public Hearing was held on this
application on February 14, 1995, at which time the Public
Hearing was closed and action was deferred. The record was
left open for the receipt of additional information regarding
the question of ownership of Fisherman's Road. Mr. Bayard,
County Attorney, reviewed the information received.

M 101 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to
Adopt Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT
Proposed A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL
Ordinance DISTRICT FOR TONING BOOTHS AND BEAUTY SALON TO BE LOCATED ON
(C/U A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUN-
No. 1101) DRED, SUSSEX COUNTY, CONTAINING 13,300 SQUARE FEET, MORE OR
DENIED LESS" (Conditional Use No. 1101) filed on behalf of Melvin
A. Fox and Gloria M. Fox.

Motion Denied: 5 Nay.

Vote by Roll Call: Mr. Benson, Nay; Mr. Cole, Nay;
Mr. Collins, Nay; Mr. Stevenson, Nay;
Mr. Dukes, Nay

Findings The Council found that the Conditional Use was not appropriate
of Fact legislative action based on the following findings of fact:

1. The proposed use would adversely affect traffic in the area.
2. The proposed use is incompatible with the existing use of properties in the neighborhood.

M 102 95 At 12:25 p.m., a Motion was made by Mr. Cole, seconded by Mr.
Recess Collins, to recess until 1:30 p.m. Motion Adopted by Voice
Vote.

Reconvene Mr. Dukes called Council back into session at 1:35 p.m.

Public A Public Hearing was held on the Proposed Ordinance entitled
Hearing "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
C/Z COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR
No. 1251 MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF
and LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY,
C/U CONTAINING 26.446 ACRES, MORE OR LESS" (Change of Zone No.
No. 1103 1251) and the Proposed Ordinance entitled "AN ORDINANCE TO
GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESI-
DENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES (23
UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND
BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING
26.446 ACRES, MORE OR LESS" (Conditional Use No. 1103).
Both applications were filed on behalf of Pine Acres, Inc.
The Public Hearing was closed.

M 103 95 A Motion was made by Mr. Cole, seconded by Mr. Benson, to
Adopt Adopt Ordinance No. 1012 entitled "AN ORDINANCE TO AMEND
Ordinance THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1
No. 1012 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY
(C/Z RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND
No. 1251) BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING
26.446 ACRES, MORE OR LESS" (Change of Zone No. 1251) filed
on behalf of Pine Acres, Inc.

Motion Adopted: 5 Yea.

M 103 95 (con't) Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Findings of Fact The Council found that the Change of Zone was appropriate legislative action based upon the following findings of fact:

1. The applicant established by substantial evidence that a clear need exists for additional MR lots in the Long Neck area and that the Change of Zone will have no adverse impact on the character of the neighborhood, property values, the environment or traffic in the area.
2. The area is adequately served by a public sewer facility. Franchised public water supply will be available soon.
3. The Change of Zone meets the purposes and goals of the Comprehensive Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

M 104 95 Adopt Ordinance No. 1013 (C/U No. 1103) A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Ordinance No. 1013 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES (23 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 26.446 ACRES, MORE OR LESS" (Conditional Use No. 1103) filed on behalf of Pine Acres, Inc., with the following conditions:

1. The site plan shall be required to be reviewed and approved by the Planning and Zoning Commission.
2. Final site plan approval shall be subject to receipt of all agency approvals and/or permits.
3. A forested buffer shall be maintained along Guinea Creek.
4. Density shall not exceed 63 lots and 25 multi-family units.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Findings of Fact The Council found that the Conditional Use was appropriate legislative action based upon the following findings of fact:

1. The findings of fact and recommendations made in Change of Zone No. 1251 are incorporated herein.

- Findings of Fact (con't) 2. The applicant established by substantial evidence a compelling need for MR housing in the Long Neck area, consistent with the goals of the Comprehensive Land Use Plan.
- Public Hearing C/U No. 1102 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 BY AMENDING CONDITIONAL USE NO. 978 FOR A USED CAR SALES FACILITY BY DELETION OF THE STIPULATION THAT "THE MAXIMUM NUMBER OF VEHICLES TO BE DISPLAYED SHALL BE TEN", TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.37 ACRES, MORE OR LESS" (Conditional Use No. 1102) filed on behalf of Charles Daisey. The Public Hearing was closed.
- M 105 95 Adopt Ordinance No. 1014 (C/U No. 1102) A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt Ordinance No. 1014 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT BY AMENDING CONDITIONAL USE NO. 978 FOR A USED CAR SALES FACILITY BY DELETION OF THE STIPULATION THAT "THE MAXIMUM NUMBER OF VEHICLES TO BE DISPLAYED SHALL BE TEN", TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.37 ACRES, MORE OR LESS" (Conditional Use No. 1102) filed on behalf of Charles Daisey.
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Yea
- Findings of Fact The Council found that the Conditional Use was appropriate legislative action based on the following findings of fact:
1. The findings of fact and recommendations made in Conditional Use No. 978 are incorporated herein.
 2. The applicant established by substantial evidence that the business has grown beyond present permitted capacity. With the remaining conditions attached to Conditional Use No. 978, the character of the neighborhood will be preserved and no impact on the area, in terms of traffic or the environment, will occur.
 3. All other conditions and stipulations attached to Conditional Use No. 978 remain in full force and effect.
- Public Hearing C/U No. 1104 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 EXPANSION TO AN EXISTING MANUFACTURED HOME AND RECREATIONAL PARK BY ADDING 81 RECREA-

Public
Hearing
(con't)

TIONAL SITES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.27 ACRES, MORE OR LESS" (Conditional Use No. 1104) filed on behalf of Eileen P. McCafferty. The Public Hearing was closed and action was deferred.

Public
Hearing
(C/U
No. 1105)

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 A TRUCKING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.42 ACRES, MORE OR LESS" (Conditional Use No. 1105) filed on behalf of Donald W. O'Neal. The Public Hearing was closed and action was deferred.

M 106 95
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$1,000.00 (\$300.00 from Mr. Collins' Councilmanic Account and \$700.00 from Mr. Cole's Councilmanic Account) to the Lower Sussex Little League, Inc. for the construction of a new concession stand and four new fields.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 107 95
Council-
manic
Grant

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to give \$600.00 from Mr. Benson's Councilmanic Account to the Milton Fire Department, Inc. for the purchase of fire hose.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 108 95
Council-
manic
Grant

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to give \$200.00 from Mr. Collins' Councilmanic Account to the Delmar Junior-Senior High School for two drug awareness activities; \$100.00 for the Super Slumber Party and \$100.00 for the After The Prom Party.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Court-
house
Balcony

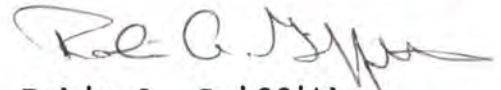
Mr. Stickels, County Administrator, advised Council that the Sussex Central High School will be utilizing the balcony of the Courthouse on May 20, 1995, for their Grand March ceremonies.

Proposed Ordinance Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRIVATE GRASS AIRSTRIP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.59 ACRES OF A 222.87 ACRE TRACT, MORE OR LESS" (Conditional Use No. 1110) filed on behalf of John E. Wagenhoffer. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.28 ACRES, MORE OR LESS (Change of Zone No. 1256) filed on behalf of Mary O. Rizk. The Proposed Ordinance will be advertised for Public Hearing.

M 109 95 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to adjourn at 4:00 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council