

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-MARCH 5, 1991

Call to  
Order

The regular meeting of the Sussex County Council was held on Tuesday, March 5, 1991 at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George B. Cole	Member
George J. Collins	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 107 91  
Approve  
Minutes

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-  
spondence

Mr. Bayard, County Attorney, read the following correspondence:

MS. MONA D. WRIGHT, SCHOOL BOARD PRESIDENT, LAUREL SCHOOL DISTRICT, LAUREL

RE: A letter of appreciation for the donation, from Mr. Dukes' Councilmanic Account, supporting their Academic Achievement Dinner.

MS. RACHEL WOOD, DELMAR JUNIOR-SENIOR HIGH SCHOOL, DELMAR

RE: Thanking Council for the Proclamation presented to the three (3) students who participated and were national winners in the Seiko Youth Challenge held in New York. Thanking Council also for the recognition and warm reception extended to the students at the Council Meeting on February 19th.

RICHARD S. CORDREY, STATE SENATOR-20TH DISTRICT, MILLSBORO

RE: Supporting DNREC's request to allow septic haulers the privilege of dumping into the County sewer system.

ALICE BRUCE, ASSISTANT SECRETARY, SUSSEX COUNTY FIREMEN'S ASSOCIATION

RE: Thanks for \$800.00 to support sending the President of the Sussex County Volunteer Firemen's Association to the International Fire Instructors Conference in Cincinnati, Ohio.

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Corre-  
spondence  
(Con't.)

In past years, Council has donated \$1,600.00, \$800.00 to the Firemen's Association and \$800.00 to the Fire Chief's Association for attendance at this Conference. Was their initial request misunderstood, or does the Council feel they cannot continue to assist in sending the President of the Fire Chief's Association to the Conference?

ALFRED CANNON, PRESIDENT, NATIONAL FEDERATION OF THE BLIND OF DELAWARE, SUSSEX COUNTY CHAPTER

RE: Requesting financial assistance for delegates to attend the National Federation of the Blind Convention being held in Dallas, Texas.

COLBY WILLAM, CENTRAL ELEMENTARY SCHOOL, SEAFORD

RE: A student's letter concerning the Anti-Drug Abuse Management Program.

JOSEPH T. CONAWAY, CONSULTANTS UNLIMITED, MILLSBORO

RE: Requesting approval of the recommendations of the Planning and Zoning Commission and approval of Conditional Use No. 955, filed on behalf of M. J. Webb Farms, Inc., for a borrow pit. The applicants are willing to accept phasing of the development and conditions as proposed by Council.

Proposed  
Resolu-  
tion

Mr. Stickels, County Administrator, read a Proposed Resolution entitled "RESOLUTION FOR CONSTITUTIONAL AMENDMENT". The Proposed Resolution formally requests the Congress of the United States to propose an amendment for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States. Mr. Ed Phillips, Sr., Seaford American Legion, spoke briefly concerning the thoughts of his organization regarding certain actions, although arguably related to one person's free expression, that allow desecration and dishonor to the American Flag.

M 108 91  
Adopt  
Resolu-  
tion No.  
R 010 91

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to Adopt Resolution No. R 010 91 entitled "RESOLUTION FOR CONSTITUTIONAL AMENDMENT". Motion Adopted: 5 Yea.

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

Proposed  
Proclama-  
tion

Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation entitled "PROCLAIMING MARCH 13, 1991 AS A DAY TO HONOR AND SUPPORT SUSSEX COUNTY RESIDENTS SERVING IN OPERATION DESERT STORM".

March 5, 1991

M 109 91  
Adopt  
Proclama-  
tion

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt the Proclamation entitled "PROCLAIMING MARCH 13, 1991 AS A DAY TO HONOR AND SUPPORT SUSSEX COUNTY RESIDENTS SERVING IN OPERATION DESERT STORM". Motion Adopted: 5 Yea.

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

Proposed  
Proclama-  
tion

Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation entitled "PROCLAIMING THURSDAY, MARCH 15, 1991 AS A DAY IN SUSSEX COUNTY, DELAWARE TO HONOR THE INDIAN RIVER HIGH SCHOOL BAND".

M 110 91  
Adopt  
Proclama-  
tion

A Motion was made by Mr. Collins, seconded by Mr. Cole, to Adopt the Proclamation entitled "PROCLAIMING THURSDAY, MARCH 15, 1991 AS A DAY IN SUSSEX COUNTY, DELAWARE TO HONOR THE INDIAN RIVER HIGH SCHOOL BAND". Motion Adopted: 5 Yea.

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

State  
Lease  
Amend-  
ment

Mr. Stickels, County Administrator, reported that a Lease Amendment had been received from Mr. George Hale, Secretary, Department of Administrative Services, State of Delaware, for the lease of approximately 21,953 square feet in the Courthouse. Mr. Stickels reviewed the Proposed Lease highlighting the following points:

1. The County shall design and construct for the use of the State of Delaware Court System an addition to the Courthouse not to exceed 4,000 gross square feet.
2. Plans and specifications for the addition shall be subject to the review and approval of the State Department of Administrative Services and the County Council.
3. The State shall have the right to periodically monitor the design and construction of the addition and the renovations and shall provide review and comment to the architect.
4. The addition and renovations are to be completed to the satisfaction of the State and ready for occupancy on or before October 1, 1992.

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State  
Lease  
Amendment  
(Con't.)

5. The State shall reimburse the County for all costs associated with the financing, design, and construction of the addition and renovations. Payments by the State shall represent the principal and interest due on an estimated \$1,000,000 Courthouse Addition Bond Issue biannually as they fall due according to an estimated twenty (20) year debt service amortization schedule. The first debt service payment will not be required prior to October 15, 1992.
6. The State shall reimburse the direct cost of labor, maintenance, utilities, and services provided to the additional premises as outlined in the original lease dated June 6, 1989.
7. The State shall be required to install carpeting, window coverings, and furnishings in the additional premises at its sole cost and expense.
8. The State shall not be liable for injury or damages to any person or property occurring within the premises unless the same is directly caused by or the result of negligence of the State or its agents, servants, or employees.

M 111 91  
Execute  
State  
Lease  
Amendment

A Motion was made by Mr. Cole, seconded by Mr. Benson, authorizing the Council President to execute a Lease Amendment Agreement between the Sussex County Council and the State of Delaware Department of Administrative Services for renovations and an addition to the Sussex County Courthouse not to exceed 4,000 square feet in gross area and \$1,000,000 in cost. Motion Adopted: 5 Yea.

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

Courthouse  
Expansion  
Sub-  
committee

On December 20, 1990 the Courthouse Expansion subcommittee met and interviewed architectural firms who had submitted letters of interest for the design and preparation of bid documents and contract administration necessary for the construction of an approximately four thousand square foot (4,000 sq. ft.) addition and related interior renovations to the Courthouse. Based upon the selection criteria, it was the consensus of the subcommittee that R. Calvin Clendaniel Associates be recommended.

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M 112 91  
Negotiate  
Design  
Contract

A Motion was made by Mr. Benson, seconded by Mr. Collins, that the Sussex County Council authorizes the Sussex County Administrator to negotiate a design contract with R. Calvin Clendaniel Associates for expansion and renovation of the Sussex County Courthouse. Motion Adopted: 5 Yea.

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

Delaware  
Solid  
Waste  
Authority  
Proposed  
Rate  
Increases

Mr. Stickels, County Administrator, attended the Delaware Solid Waste Authority Public Hearing held in Dover, February 21, 1991 on the proposed tipping fees for FY '92. After reviewing the Authority's audited financial statements for FY '90, past budgets, and the proposed budget, Mr. Stickels asked the Authority to consider making adjustments to their proposed budget. He also suggested that a portion of the retained year-end earnings be used to help offset the rates for FY '92. Mr. Stickels read into the record the line items in the Authority's budget that he questioned for reconsideration and also his reasons justifying the requests. Tipping fees have increased seventy-three percent (73%) between FY '85 and FY '91. R. W. Beck and Associates' independent review of the Proposed Bi-County Recycling Project for the Delaware Solid Waste Authority projects that rates for FY '94 will be \$127.75 per ton when the Authority completes the construction of an incinerator at Jones Crossroads near Millsboro.

Transfer  
Station  
Options

In view of these proposed rates by the Delaware Solid Waste Authority, Mr. Stickels recommended that Council look very closely at our current policies and consider our options regarding the County's Transfer Stations. Options were presented by Mr. Stickels for Council's consideration in view of the proposed rates as follows:

1. Close the County Transfer Stations. We are the only County within the State that provides this service for their residents.
2. Ask the Delaware Solid Waste Authority to take over the operation of the Transfer Stations.
3. Create a fee for users.

If Council wished to impose a fee for users, it was the County Administrator's recommendation that no money be handled at the Transfer Stations. He suggested a system whereby the user would purchase a stamp from the County Treasury Division for an annual fee of approximately \$20.00.

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M 113 91  
Transfer  
Stations  
(DIED)

A Motion was made by Mr. Cole to ask the Delaware Solid Waste Authority to take over the operation of the Sussex County Transfer Stations. Motion Died for lack of a second.

Transfer  
Station  
Options  
(Con't.)

The pros and cons of the options to be considered concerning the County Transfer Stations were discussed. There was a consensus that the County Administrator should contact Mr. Vasuki, General Manager, Delaware Solid Waste Authority, via letter, for the Authority's reaction to the possibility of the County turning the operation of the Transfer Stations over to them.

Adminis-  
trative  
Report

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

1. Delmarva Safety Seminar and Exposition - The 14th Annual Delmarva Safety Seminar and Exposition will be held Tuesday, March 26, 1991 from 8:00 a.m. to 3:30 p.m. at the Wicomico Youth and Civic Center in Salisbury, Maryland. The event is sponsored by the Cooperative Extension Systems of Delaware and Maryland, the Delmarva Safety Association, and the Delmarva Poultry Industry.
2. Business Seminar - The University of Delaware Small Business Development Center and the U. S. Small Business Administration will be conducting a seminar entitled "Keeping Your Corporation Alive and Well". The seminar will be held on Tuesday, March 19th, 6:30 to 9:30 p.m., Room 130, Smith Hall, University of Delaware, Newark.
3. Recycling Program - Sean Lasher of Millsboro and Robert Henderson of Seaford will be the recipients of \$50.00 U. S. Savings Bonds for participating in the County's Recycling Program for February. Participation decreased during February with only 1,058 participants, opposed to 1,572 participants during January. It is believed that the reduction in participation at the Transfer Stations is due to the placement of other recycling centers throughout the County.
4. Council Meeting - Week of March 18, 1991 - The Sussex County Council meeting for the week of March 18, 1991 will be held on Thursday, March 21, 1991 at 10:00 a.m. Council members will be attending the National Association of Counties (NACo) Legislative Conference in Washington, D. C. from March 16 through March 19, 1991.

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Recycle  
Delaware  
Lease  
with  
DSWA

Mr. Izzo, Assistant County Engineer, discussed a proposed Recycle Delaware Lease with Delaware Solid Waste Authority. The purpose of the proposed Lease Agreement is to enable the Authority to establish, maintain and operate recycling centers at the County Transfer Stations. The Authority will maintain the appearance of the centers. The Lease Agreement shall be for a one year term, renewable annually unless notice of termination is given by one party to the other. After the first year, the Lease Agreement will be terminable at the will of either party on sixty (60) days written notice.

M 114 91  
Execute  
Lease  
Agreement  
with  
DSWA

A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon the recommendation of the Sussex County Engineering Department, that the Council President be authorized to execute the Lease Agreement with the Delaware Solid Waste Authority to provide recycling centers at the Sussex County Transfer Stations. Motion Adopted: 5 Yea.

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

C/U #954

Conditional Use No. 954, filed on behalf of Edward J. Kaye was discussed. Public Hearing was held on November 27, 1990 and action was deferred.

M 115 91  
Adopt  
Ordinance  
No. 747  
C/U #954

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Ordinance No. 747 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A 102.87 ACRE EXPANSION TO AN EXISTING BORROW PIT, AND PLACEMENT AND OPERATION OF A STUMP SHREDDING DEVICE AND A CONCRETE CRUSHING DEVICE, TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 102.87 ACRES, MORE OR LESS" (C/U #954) filed on behalf of Edward J. Kaye with the following conditions:

1. The five hundred (500) foot strip shall be maintained as a setback to the edge of the buffer slope from Route 525 per the original site plan.
2. No wooded areas or wetlands shall be disturbed.
3. A minimum of one hundred (100) feet shall be maintained from the Gravelly Branch.

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M 115 91  
Ordinance  
No. 747  
(Con't.)

4. A minimum of four hundred (400) feet shall be maintained from any dwelling not on the premises.
5. No material shall be stored on any access roads or buffer areas within the project area.
6. No dewatering shall be permitted.
7. No fuel shall be stored on site.
8. A water truck shall be on site at all times of any use of the site for dust control.
9. The water table shall be established and the applicant cannot dig within five (5) feet of the water table.
10. The area where disturbance has already taken place shall be a part of the first phase.
11. Reclamation shall be a continuous process as a phase is dug, slopes and reclamation shall proceed.
12. An appropriate setback shall be maintained from all wooded areas, in order to insure the continuance of all wooded areas, as required by the State Forester.
13. The tree buffer shall meet the specifications of the State Forester.
14. Concrete monuments shall be placed at all pit boundaries as phases are developed. The monuments should be placed by a licensed Delaware land surveyor.
15. The access road (entrance) shall be required to be reevaluated by the Division of Highways and the applicant shall be required to comply with all requirements imposed by the Division of Highways.
16. Hours of operation shall not exceed 6:00 a.m. to 6:00 p.m. during the months March 1 to October 1; 7:00 a.m. to 5:00 p.m. the remaining months; and Saturdays, 7:00 a.m. to noon. No Sunday hours.
17. Bonding shall be required at 125% of the reclamation costs, in such amount and upon such terms as approved by the Planning and Zoning Commission.
18. Final approval of the site plan shall be required by the Planning and Zoning Commission and shall include receipt of all agency approvals or permits.

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M 115 91  
Ordinance  
No. 747  
(Con't.)

19. The location of machinery and any storage of materials shall be in the pit areas, not the buffers. Stockpiling of materials shall not exceed ground level of the undisturbed areas.
20. All activities shall require watering to help eliminate dust.
21. Only natural materials should be shredded (trees, stumps, brush, branches, etc. -- not building materials).

Motion Adopted: 3 Yea; 1 Nay; 1 Abstention.

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

Findings  
of Facts  
C/U #954

The findings of fact and the recommendations of the Planning and Zoning Commission were incorporated into the record and into the findings of facts of the County Council. The Council found that the conditional uses contained within the application are generally of a public or semi-public character and are essential and desirable for the general convenience and welfare, but, because of the nature of the use, the importance of the relationship to the Comprehensive Plan and possible impact not only on neighboring properties but on a large section of the County, require the exercise of planning judgment on location and site plan. The County Council found that the evidence submitted indicated a need for expansion of an existing borrow pit, for placement and operation of a stump shredding device, and for placement and operation of a concrete crushing device. The County Council found that the conditions imposed on the conditional uses addressed many of the issues raised at the public hearing, and are designed to protect the environment and the surrounding community.

M 116 91  
Council-  
manic  
Grant

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$800.00, \$160.00 from each of the five (5) Councilmanic Accounts, to the Sussex County Fire Chief's Association to assist in sending their President to the International Fire Instructors Conference being held in Cincinnati, Ohio. Motion Adopted: 5 Yea.

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

March 5, 1991

Sussex  
County  
Firemen's  
Association  
Report  
and  
Request

Representatives from the Sussex County Firemen's Association presented an oral and written report on the Fire and Ambulance service in Sussex County. Bar graphs were included in the report showing the amount of increase in fire and ambulance alarms since 1983. The graph also showed a dramatic increase in man-hours. On fire response there was a 38% increase since 1983 and they predict that figure will be approximately 85,467 man-hours by 1997. On the ambulance side the increase is 194% since 1983 and is expected to reach 191,000 man-hours by 1997. These numbers are putting a severe strain on the financial needs of fire companies and volunteers.

Operating costs and financial needs since 1983 have also increased, such as fuel and equipment. In 1983 the average cost to outfit a man with protective gear and a home alert system was \$500.00; today, this same gear and equipment cost \$1,500.00.

A letter has been submitted by the Resource Committee for the Sussex County Firemen's Association requesting the County to provide \$115,000 this year to hire manpower to supplement the Basic Life Support of the volunteers. They are also asking for a 15% increase in grant-in-aid monies given to the individual Sussex County Fire Companies.

A proposal accepted by the membership of the Firemen's Association was read requesting the Council to authorize the Sussex County Paramedic Office to immediately develop, in cooperation with the Sussex County Volunteer Firemen's Association, the mechanisms necessary to implement the collection and collation of basic life support data. This collection of data will allow the County to develop a countywide quality assurance program which will be controlled by Sussex County and which will meet or exceed state standards. This information and data could also be used in recruiting and retention, education and training, and also provide information needed for evaluating additional funding requests for basic life support services in Sussex County provided by volunteers. The County Administrator advised that the word "immediately" in the proposal concerning the collection and collation of basic life support data would create some problems. However, it was agreed that this program would be considered for implementation as soon as possible.

The representatives took the opportunity to thank Council for their support of the Sussex County Firemen's Association in the past and their hope for a continued working relationship that would be beneficial to all residents of the County.

March 5, 1991

M 117 91  
Recess

A Motion was made at 12:20 p.m. by Mr. Stevenson, seconded by Mr. Cole, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Reconvene

President Dukes called the Council back into session at 1:30 p.m.

Public  
Hearing  
C/U #958

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A THREE HUNDRED TWENTY-FIVE FOOT (325') RADIO TOWER ANTENNA TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.23 ACRES, MORE OR LESS" (C/U #958) filed on behalf of Dennis N. O'Neal. The Public Hearing was closed.

M 118 91  
Adopt  
Ordinance  
No. 748  
C/U #958

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 748 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A THREE HUNDRED TWENTY-FIVE FOOT (325') RADIO TOWER ANTENNA TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.23 ACRES, MORE OR LESS" (C/U #958) filed on behalf of Dennis N. O'Neal with the following conditions:

1. This approval takes effect only after a true copy of the applicant's FM Broadcast Station Construction Permit issued by the F.C.C. has been filed with the Planning and Zoning Commission.
2. Six (6) foot fencing shall be required around all guy wires and any building, as approved by the Planning and Zoning Commission in its site plan review process.
3. Tower space may be leased by the applicant.
4. The applicant shall file all fee site inspection reports, as received, with the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

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

March 5, 1991

Findings  
of Facts  
C/U #958

The Council found that the conditional use was appropriate legislative action based upon the following findings of facts:

1. Applicant proposes to operate a F.M. radio station to serve the Laurel area, for which he has received a change of zone for the station site from Sussex County Council in 1990.
2. Necessary to the operation of the proposed radio station is a three hundred and twenty five foot (325') radio tower, to be located on a remote, rural tract not near any residence possibly affected thereby.
3. The tower site and the tower itself serve the general purposes of the Comprehensive Zoning Ordinance and serve a public need in the Laurel area.
4. There is no adverse impact on traffic or the immediate neighborhood or on neighborhood property values.

Public  
Hearing  
C/Z #1109

A Public Hearing was held on 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 LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 28,769 SQUARE FEET, MORE OR LESS" (C/Z #1109) filed on behalf of Robert W. Shipe. The Public Hearing was closed and action was deferred.

Public  
Hearing  
C/Z #1111

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 39,763 SQUARE FEET, MORE OR LESS" (C/Z #1111) filed on behalf of Jessie Armwood, Jr. The Public Hearing was closed.

M 119 91  
Adopt  
Ordinance  
No. 749  
C/Z #1111

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 749 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 39,763 SQUARE FEET, MORE OR LESS" (C/Z #1111) filed on behalf of Jessie Armwood, Jr. Motion Adopted: 5 Yea.

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M 119 91  
Ordinance  
No. 749  
(Con't.)

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

Findings  
of Facts  
C/Z #1111

The Council found that the change of zone was appropriate legislative action based upon the following findings of facts:

1. The applicant demonstrated that the proposed activity was an appropriate neighborhood business use, which would serve the convenience of the area.
2. The proposed activity has no adverse impact on property values, the character of the neighborhood or the traffic.
3. The proposed activity is in conformity with the Western Sussex Land Use Plan and with the general purposes of the Comprehensive Zoning Ordinance.

Recess

A five (5) minute recess was declared by President Dukes at 2:55 p.m.

Reconvene

President Dukes called the Council back into session at 3:00 p.m.

Public  
Hearing  
C/Z #1110

A Public Hearing was held on 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 INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 2.37 ACRES, MORE OR LESS" (C/Z #1110) filed on behalf of Millard F. Murray. The Public Hearing was closed and action was deferred.

Public  
Hearing  
C/Z #1112

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 6.5 ACRES, MORE OR LESS" (C/Z #1112) filed on behalf of Curtis Alston Harmon. The Public Hearing was closed and action was deferred.

Public  
Hearing  
Amend  
Chapter  
115

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF SUSSEX

March 5, 1991

Public  
Hearing  
(Con't.)

COUNTY, TO AMEND ZONING PROVISIONS REGARDING MOBILE HOME USE AND SETBACKS IN TRAILER PARKS OR MOBILE HOME PARKS". The Public Hearing was closed.

M 120 91  
Adopt  
Ordinance  
No. 750  
Trailer  
& Mobile  
Home  
Parks

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to Adopt Ordinance No. 750 entitled "AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO AMEND ZONING PROVISIONS REGARDING MOBILE HOME USE AND SETBACKS IN TRAILER PARKS OR MOBILE HOME PARKS". Motion Adopted: 5 Yea.

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

M 121 91  
Council-  
manic  
Grant

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to give \$1,000.00, from Mr. Cole's Councilmanic Account, to Rehoboth Beach's 100 Year Celebration to support their Nostalgia Days Festival. Motion Adopted: 5 Yea.

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

Prayer  
Breakfast

A tentative date of April 30, 1991 was set for the Annual Sussex County Prayer Breakfast. Arrangements for the speaker and other plans will be worked out at a later time.

M 122 91  
Council-  
manic  
Grant

A Motion was made by Mr. Benson, seconded by Mr. Cole, to give \$200.00, from Mr. Benson's Councilmanic Account, to the Milford Middle School Awards Program sponsored by the Milford Rotary Club. Motion Adopted: 5 Yea.

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

M 123 91  
Council-  
manic  
Grant

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to give \$600.00, from Mr. Dukes' Councilmanic Account, to Seaford High Student Government; giving \$150.00 each to four (4) students to attend the NASC National Conference in Myrtle Beach, South Carolina. Motion Adopted: 5 Yea.

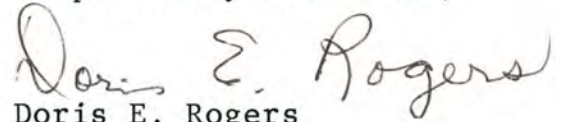
Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

March 5, 1991

M 124 91  
Adjourn

A Motion was made by Mr. Benson, seconded by Mr. Stevenson,  
to adjourn at 4:40 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers  
Clerk of the County Council