

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 10, 1998

Ceremony At 9:45 a.m., a ceremony was held at the County Administrative Office Building regarding the acceptance of six new County vehicles. The purchase of these vehicles was made possible by the Revenue Sharing the County received in 1997 from the State of Delaware in the amount of \$708,000.

Call to Order The regular meeting of the Sussex County Council was held Tuesday, March 10, 1998, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
Finley B. Jones, Jr.	Vice President
George B. Cole	Member
George J. Collins	Member
Lynn J. Rogers	Member

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

M 103 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to Approve Agenda approve the Agenda, with an amendment to the sequence of Public Hearings scheduled in the afternoon, as follows:

Change of Zone No. 1332  
Elton Ray Beauchamp

Conditional Use No. 1228  
Diana F. Tunis

Conditional Use No. 1226  
Douglas H. Hitchens

Conditional Use No. 1225  
David L. Wilson

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 104 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to Approve Minutes approve the minutes of the previous meeting, dated February 24, 1998.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Corre-  
spondence

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

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.  
RE: Public Notice to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the following projects: Assawoman Canal, Phillips Ditch, Robbins Tax Ditch, and Whartons Branch.

DELAWARE DEPARTMENT OF TRANSPORTATION, DOVER, DELAWARE.  
RE: Notice of Public Hearing for the review of two separate aviation regulations: Delaware Airport Licensing Regulation and Delaware Airport Obstruction Regulation.

DELAWARE DEPARTMENT OF TRANSPORTATION, DOVER, DELAWARE.  
RE: Notice of Public Workshop for the proposed replacement of Bridge 305 over Little Creek and Bridge 306 over Collins and Culver Ditch, in Laurel.

THOMAS HOUSKA II, DELAWARE SOLID WASTE AUTHORITY (DSWA), DOVER, DELAWARE.  
RE: Notice of public meeting regarding the current and future activities at DSWA facilities.

CATHY HUDSON GORMAN, EXECUTIVE DIRECTOR, MISS GEORGETOWN SCHOLARSHIP PAGEANT, GEORGETOWN, DELAWARE.  
RE: Request for councilmanic funds.

JAMES J. DEVERY, SF INTERNATIONAL ASSOCIATES, INC., FEASTERVILLE, PENNSYLVANIA.  
RE: Letter regarding dignitaries visit from the Kingdom of Saudi Arabia.

JOSEPH MCHUGH, MAYOR, TOWN OF BETHANY BEACH, BETHANY BEACH, DELAWARE.  
RE: Letter commending Mr. Stickels for his efforts during the recent storms.

Camp  
Barnes

Major Forrester of the Delaware State Police was in attendance to request financial assistance for children in Sussex County to attend Camp Barnes. Camp Barnes is a summer youth camp where children between the ages of 10 and 14 can attend at no cost.

M 105 98  
Human  
Service  
Grant

A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$1,500 from Human Service Grants to Camp Barnes.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Auto-  
mobile  
Purchase  
Proposal

Mr. Stickels, County Administrator, discussed the advantages of purchasing vehicles versus reimbursing County employees for mileage expenses. Since 1994, the County has provided the Sheriff's Department with County vehicles. In FY `91, the County paid \$106,614 in mileage expenses for the Sheriff's Department; 51% of their total budget. Following ongoing cost cutting measures; in FY `92, the cost went down to \$88,893 or 48% of their total budget; in FY `93 the cost went down to \$60,071 or 71% of their budget. In FY `98, after which the Department had been provided with five vehicles, the cost is \$22,220 annually or 8.5% of their budget. In FY `97, \$100,943 was paid in mileage for nineteen drivers in various departments. In view of the savings realized in the Sheriff's Department, Mr. Stickels recommended that vehicles be purchased for other departments. The County recently purchased five vehicles; Mr. Stickels recommended that fourteen additional vehicles be purchased. Each vehicle, if purchased through State Contract, costs \$11,994; the total cost of purchasing nineteen vehicles would be \$227,886. For budgetary purposes, vehicle costs would be approximately \$4,444 per vehicle annually; this estimate includes fuel, maintenance, insurance, and depreciation. With nineteen vehicles, at \$4,444 per year, the cost per year would be \$84,436 compared to \$100,943 in mileage costs. A savings of \$16,507 per year would be realized; a total savings of \$82,535 over a five year period. After five years, the salvage value of the nineteen vehicles would be \$28,500, \$1,500 per vehicle. Total savings after five years would be \$111,035.

Mr. Stickels advised that the recent purchase of the five vehicles and the future purchase of an additional fourteen vehicles, if approved, would be funded by the State Revenue Sharing Program (\$71,596), the Sheriff's Department budget (\$30,000), and the Capital Expenditure budget (\$126,290).

M 106 98 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to Authorize authorize the purchase of fourteen vehicles and to accept the Vehicle Automobile Purchase Proposal, as presented.

Purchase  
and  
Auto-  
mobile  
Purchase  
Program

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Draft  
Legis-  
lation  
Relating  
to  
Lotteries

Mr. Stickels, County Administrator, discussed draft legis-  
lation entitled "AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE  
RELATING TO LOTTERIES". This Act institutes a Gaming Tax com-  
prised of 12% of the net proceeds from both traditional and  
video lottery sales heretofore designated as General Fund  
revenue. Further, the Act creates a special fund into which  
the Gaming Tax portion of lottery proceeds are to be deposited  
and from which monthly distributions to the State's munici-

Draft  
Legis-  
lation  
(con't)

palties and counties are made in proportion to both population and miles of useable streets not maintained by the State. The funding distributed to the counties and municipalities pursuant to this law may be used for the purposes broadly construed as (1) public safety, (2) economic development, (3) capital improvements, and (4) infrastructure. The State collects \$117,300,000 in General Fund from the lottery, slot machines, and horse racing; the gaming tax proportion for local governments would be 12 percent or \$14,100,000 for local governments. The funding formula would be based on population; figures used would be the same as those used for municipal street aid for the towns and the counties and would be the most recent figures provided by the Delaware Population Consortium; there would be a minimum of \$10,000 for any town. This legislation would provide local governments with a perpetual source of funding. It was the consensus of Council that lobbying efforts on this draft legislation continue.

Adminis-  
trator's  
Report

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

1. Small Business Administration (SBA) Disaster Loan Program

Two Sussex County families received disaster loan checks totaling \$19,800 at a public ceremony in Millsboro on Friday, March 6, 1998. George and Linda Draper of Laurel Road in Millsboro received a check for \$9,800 to help them repair damage to their home and personal property. Michael and Pattiann Kauffman of Oyster Road in Millsboro received a check for \$10,000, which represents the initial disbursement of their \$46,000 loan to help them recover from their disaster losses. As of March 5, the Small Business Administration issued 96 applications and approved a total of \$131,900 in disaster loans.

As a result of the damage caused by the nor'easter, SBA Administrator Aida Alvarez declared Sussex County and surrounding counties a disaster area. This declaration makes low interest federal disaster loans available to homeowners, renters, and businesses that suffered losses as a result of the storm. SBA representatives have been available since February 27 at Mariners Cove to assist residents with the loan application process. The Mariners Cove center was closed on Saturday, March 7, 1998. However, assistance is still available by calling SBA at 1-800-659-2955.

SBA offers loans up to \$200,000 to repair disaster damaged primary residences. Homeowners and renters are eligible for up to \$40,000 to replace personal property such as furniture and clothing. Loans to businesses and nonprofit organizations of up to \$1.5 million are also available to repair

Adminis-  
trator's  
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(con't)

damage to real estate, machinery, equipment, and inventory. Economic Injury Disaster Loans are also available to small businesses unable to pay bills or to meet operating expenses because of the disaster. Interest rates on SBA disaster loans can be as low as 3.625 percent, with terms extending up to 30 years.

Sussex County residents interested in SBA disaster loan assistance for losses caused by the nor'easter have until April 27, 1998, to apply. Business owners interested in applying for Economic Injury Disaster Loans may do so until November 24, 1998.

2. Federal Aviation Administration (FAA) Conference

Sussex County Director of Economic Development Frank Calio, Sussex County Engineer Michael Izzo, Derek Sapp, and Oscar Perez attended the 21st Annual Airport Conference in Hershey, Pennsylvania, March 3 through March 5, 1998. The conference was sponsored by Penn State University and the FAA. County employees attended workshops on airport construction, airport facilities, airport safety, airport engineering, and airport finance. Staff also attended meetings with members of the Harrisburg FAA District Office to discuss future plans and possible grant funding for the airport.

With approval of the State's Aeronautics Office, the FAA has agreed to grant the County \$200,000 for a preliminary study of the Sussex County Airport on Runway 10-28 for a geotechnical investigation, environmental overview, and Phase I hazardous material survey. Funding will also be used for an on-airport land use plan for economic development.

3. Holts Landing Sanitary Sewer District Referendum

The Planning and Permits Division of the County Engineering Department conducted a referendum for the proposed Holts Landing Sanitary Sewer District between the hours of 9:00 a.m. and 2:00 p.m. on Saturday, March 7, 1998. One hundred eighteen (118) people voted in person and 53 people voted by absentee ballot. The final results of the referendum were 166 votes for the sanitary sewer district and five votes against the district. A resolution creating the sanitary sewer district will be presented to the Sussex County Council within 30 days for Council's consideration in creating the district, as required by State law.

I would like to thank Mr. Russell Archut, Assistant County Engineer, and his staff for their work in the successful passing of this referendum.

Pur-  
chasing/  
Procure-  
Policy

Mr. Baker, Finance Director, summarized the County's Purchasing/Procurement Policy including the areas of Purchase Orders, Bidding Requirements, and Purchasing Code of Conduct. The ment Purchasing/Procurement Policy is a guideline for use. Sections of Delaware Code, especially Title 29, Chapters 69 and 58, provide more details regarding various requirements.

M 107 98  
Amend  
Pur-  
chasing/  
Procure-  
ment  
Policy

A Motion was made by Mr. Cole, seconded by Mr. Collins, to amend the Purchasing Code of Conduct section of the Purchasing/Procurement Policy to specify that Councilmen cannot enter into contracts with the County in excess of \$2,000 per year.

Motion Denied: 3 Nay, 2 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Nay;  
Mr. Jones, Nay; Mr. Collins, Yea;  
Mr. Dukes, Nay

Proposed  
Resolu-  
tion/  
Code of  
Ethics

Mr. Stickels, County Administrator, presented for Council's consideration a Proposed Resolution entitled "ESTABLISHING A CODE OF ETHICS FOR SUSSEX COUNTY OFFICIALS". The principles contained in this Code of Ethics provide guidance in reaching decisions which are governed, ultimately, by the dictates of the individual conscience of the public official and his or her commitment to the public good. Council will review the Proposed Resolution for discussion at the next Council meeting.

1999  
Suburban  
Bid

Mr. Torbert, Paramedic Director, reviewed bids received for a 1999 Suburban, as follows:

Diver Chevrolet	\$30,534.28
Sansomo Chevrolet	\$30,948.00
Pete Hondru Group	\$31,600.00
First State Chevrolet	\$34,187.00
Townsend Brothers	\$34,497.00

M 108 98  
Award  
1999  
Suburban  
Bid

A Motion was made by Mr. Jones, seconded by Mr. Collins, to accept the bid of Diver Chevrolet for a 1999 Suburban in the amount of \$30,534.28.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Sale of Stock-piled Topsoil Mr. Green, Director of Utility Construction, presented a recommendation to Council on the award of Sussex County Project No. 97-03, Sussex County Wolfe Neck Treatment Facility, Sale of Stockpiled Topsoil. Bid results were reported at the February 24, 1998 Council meeting.

M 109 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, Authorize based on the recommendation of the Sussex County Engineering Department, that Sussex County Council authorizes the President and Clerk of the Sussex County Council to execute the Sale of Stock-piled Topsoil contract for Sussex County Project No. 97-03, Sale of Stock-piled Topsoil, to George Howard & Sons, Inc., in the amount of \$51,285.00.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Greenwood Library Addition Mr. McCabe, Project Engineer, presented Change Order No. 2, a balancing change order and project close-out, to Sussex County Project No. 94-14, Greenwood Library Addition.

M 110 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, Authorize based upon the recommendation of the Sussex County Engineering Department, authorizing Change Order No. 2 for \$125.00 and a Project Closeout/contract term adjustment of 44 days, to balance Sussex County Greenwood Project No. 94-14, Greenwood Library Addition, which increases Library the contract price from \$109,990.86 to \$110,115.86. Addition

Motion Adopted: 4 Yea, 1 Abstention.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Abstained

Vote Mr. Dukes abstained due to a possible conflict of interest.

Backhoe Tractor Bid Mr. Hawkes, Director of Maintenance, South Coastal Regional Wastewater Facility, presented a recommendation to Council on the award of Sussex County Project No. 97-11, Backhoe Tractor with Front End Loader. Bid results were reported at the February 24, 1998 Council meeting.

M 111 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, based Award upon the recommendation of the Sussex County Engineering Department, that Sussex County Project No. 97-11, Backhoe Tractor with Front End Loader, be awarded to B. A. Equipment and Bid Supplies at a cost of \$56,985.

Motion Adopted: 5 Yea.

M 111 98 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
(con't) Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Proposed Mr. Jones introduced the Proposed Ordinance entitled "AN  
Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGH-  
BORHOOD BUSINESS DISTRICT FOR FOUR MINI-STORAGE BUILDINGS TO  
BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN  
GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.09 ACRES,  
MORE OR LESS (Conditional Use No. 1241) filed on behalf of  
Carlton R. Moore. The Proposed Ordinance will be advertised  
for Public Hearing.

M 112 98 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to  
Council- give \$390.00 from Mr. Rogers' Councilmanic Account to the  
manic Milford School District for Angela Sammons to attend the  
Grant Washington Journalism Conference.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 113 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to  
Council- give \$400.00 from Mr. Collins' Councilmanic Account to  
manic Mammography of Delaware for the Pink Ribbon Golf Classic.  
Grant

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 114 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to  
Council- give \$250.00 from Mr. Jones' Councilmanic Account to the  
manic Woodbridge Middle School for Mary Beth Tribbett to travel to  
Grant Europe as a People to People Student Ambassador.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 115 98 A Motion was made by Mr. Cole, seconded by Mr. Collins, to  
Council- give \$1,000.00 from Mr. Cole's Councilmanic Account to the  
manic Lower Sussex Little League, Inc. for expansion projects.  
Grant

Motion Adopted: 5 Yea.

M 115 98 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
(cont') Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 116 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to  
Council- give \$100.00 from Mr. Jones' Councilmanic Account to the  
manic Miss Georgetown Scholarship Pageant for the scholarship fund.  
Grant

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 117 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to  
Council- give \$250.00 from Mr. Dukes' Councilmanic Account to the  
manic Town of Laurel for the annual Fourth of July fireworks display.  
Grant

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Citizen's Mr. Wolfgang von Baumgart addressed Council and reiterated  
Comments his request that a Citizens Ethics Committee be established.

M 118 98 At 11:53 a.m., a Motion was made by Mr. Collins, seconded  
Recess by Mr. Jones, to recess until 1:30 p.m. Motion Adopted by  
Voice Vote.

Reconvene Mr. Dukes called Council back into session at 1:30 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  
No. 1332) C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND  
LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CON-  
TAINING 32,825.67 SQUARE FEET, MORE OR LESS" (Change of Zone  
No. 1332) filed on behalf of Elton Ray Beauchamp. There  
were no public comments and the Public Hearing was closed.

M 119 98 A Motion was made by Mr. Collins, seconded by Mr. Cole, to  
Approve approve Ordinance No. 1217 entitled "AN ORDINANCE TO AMEND  
Ordinance THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1  
No. 1217 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMER-  
(C/Z CIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING  
No. 1332) IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 32,825.67  
SQUARE FEET, MORE OR LESS" (Change of Zone No. 1332) filed on  
behalf of Elton Ray Beauchamp.

Motion Adopted: 5 Yea.

M 119 98 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
(con't) Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

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

1. The applicant established by substantial evidence that the change of zone is in keeping with the character and trend of development along U.S. Route 13 and will enable the applicant to expand an existing business.
2. The applicant established by substantial evidence that the change of zone will have no adverse impact on the character of the neighborhood, property values therein or the environment in the area. With the controls imposed by DelDOT, there will be no impact on traffic.
3. Since the change of zone is an expansion of an existing C-1 zone in a commercially developed and developing area, the purposes and goals of the Comprehensive Land Use Plan are served by adoption of this ordinance.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing A Public Hearing was held on the Proposed Ordinance entitled  
(C/U "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1  
No. 1228) AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO  
BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN  
GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.0 ACRES, MORE  
OR LESS" (Conditional Use No. 1228) filed on behalf of Diana  
F. Tunis. There were no public comments and the Public  
Hearing was closed.

M 120 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to  
Adopt Ordinance No. 1218 entitled "AN ORDINANCE TO GRANT A  
ORDINANCE No. 1218 CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL  
(C/U DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN  
No. 1228) PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX  
COUNTY, CONTAINING 2.0 ACRES, MORE OR LESS" (Conditional Use  
No. 1228) filed on behalf of Diana F. Tunis, with the following  
conditions:

1. No welding shall be permitted.
2. No painting shall be permitted.
3. Business hours shall be from 8:00 a.m. to 10:00 p.m.
4. One sign shall be permitted to be placed on the shop building.

M 120 98  
(con't)

5. A 6' fencing shall be provided for storage of vehicles behind the shop building. The fencing shall be solid or chain-link with slats or webbing.
6. No more than 15 vehicles shall be stored within the fenced area behind the shop.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
Mr. Jones, Yea; Mr. Collins, 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 applicant established by substantial evidence that the proposed use will enable the applicant to open a new business with the endorsement and approval of his immediate neighbors.
2. The proposed use will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
3. The proposed use 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.

Public  
Hearing  
(C/U  
No. 1226)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-2 AGRICULTURAL RESIDENTIAL DISTRICT FOR USED CARS AND PARTS SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.76 ACRES, MORE OR LESS" (Conditional Use No. 1226) filed on behalf of Douglas H. Hitchens. Public comments were heard in opposition to the application. The Public Hearing was closed and action was deferred.

Public  
Hearing  
(C/U  
No. 1225)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUCTION (INDOOR/ OUTDOOR) WITH ADDITIONAL USES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 35.99 ACRES, MORE OR LESS" (Conditional Use No. 1225) filed on behalf of David L. Wilson. Mr. Cole advised that he had a possible conflict of interest and therefore, did not participate in the Public Hearing. Numerous public comments were heard in opposition to the application. The Public Hearing

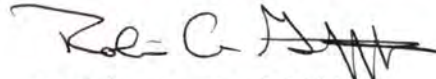
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Public  
Hearing  
(con't)

was continued and the record left open for additional information on two issues: (1) Board of Adjustment record and (2) status of the Division of Highways' approval of the commercial entrance plan.

M 121 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to  
Adjourn adjourn at 3:50 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council