

SUSSEX COUNTY COUNCIL, GEORGETOWN, DELAWARE, MARCH 13, 2001

Call to
Order

The regular meeting of the Sussex County Council was held Tuesday, March 13, 2001, 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
Vance Phillips	Member
Lynn J. Rogers	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney

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

M 129 01
Approve
Agenda

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to amend the Agenda by striking "Dagsboro – Frankford Sanitary Sewer District, Church of God – Annexation Request" under Russell Archut, Assistant County Engineer, and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

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

M 130 01
Approve
Minutes

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the minutes of the February 20, 2001, meeting, as distributed.

Motion Adopted: 5 Yea.

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

M 131 01
Approve
Minutes

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to approve the minutes of the February 27, 2001, meeting, as distributed.

Motion Adopted: 5 Yea.

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

Corre-
spondence

Mr. Bayard read the following correspondence:

CLAIRE M. DEMATTEIS, ESQUIRE, WILMINGTON, DELAWARE.
RE: Letter in appreciation of “Women’s History Month” Proclamation.

THOMAS R. CARPER, UNITED STATES SENATOR,
WASHINGTON, D.C.

RE: Letter responding to Mr. Stickels’ letter regarding Senator Voinovich’s Clean Water Infrastructure Financing Act of 2001 and S.252.

LAUREL CHAMBER OF COMMERCE, LAUREL, DELAWARE.

RE: Letter in appreciation of Council’s support of Laurel’s Independence Day Celebration and request for funding in sponsorship of the event this year.

SUSSEX LEAGUE OF WOMEN VOTERS, GREENWOOD,
DELAWARE.

RE: Letter in appreciation of Council’s funding for the publication of the booklet entitled “They Represent You”.

CATHY KANEFKY, EXECUTIVE DIRECTOR, MARCH OF
DIMES, NEWPORT, DELAWARE.

RE: Letter requesting funding for WalkAmerica 2001.

REMSEN HAYNES, SECRETARY, TOWN OF BETHEL, BETHEL,
DELAWARE.

RE: Letter commending Brian Page, Sussex County’s Historic Preservation Planner.

Manu-
factured
Home
Demolition
Program

Ms. Phyllis McKinley, Executive Director, and Mr. Andy Strine, President, First State Manufactured Housing Association (FSMHA), were in attendance to discuss a project that would address the identification and demolition of abandoned mobile homes in Sussex County. Ms. McKinley and Mr. Strine previously met with the County Council to express their commitment to this project at which time they advised that the Association would contribute \$8,000 on an annual basis – with the funds to be matched annually by the County – to create a dedicated monetary “seed fund” which would help pay for the administration of the program.

Mr. Ray Moore of the County Constables Office distributed to Council the “2001 Sussex County Abandoned Mobile Home Project” which explains the procedure the County will follow to (1) identify properties that have abandoned mobile homes and (2) expedite the removal of the abandoned mobile homes. Mr. Moore advised that 20 properties with abandoned mobile homes have already been identified. The County will proceed with each property owner under the assumption that the owner

Demolition
Program
(continued)

will incur all costs associated with the removal of the mobile home. If the property owner is unable to pay for the removal of the mobile home, application can be made for funding. Applications for funding will be considered based on the same criteria the County uses in determining recipients for Community Development Block Grants.

Mr. Strine presented to Council a check in the amount of \$8,000 for the Abandoned Mobile Home Project.

American
Farmland
Trust

Ms. Mary Heinrich, Mid-Atlantic Regional Director of American Farmland Trust, was in attendance to discuss farmland protection and land use issues. She advised Council that American Farmland Trust is a non-profit organization working to stop the loss of productive farmland. She further advised that their goal is to help prepare Delmarva communities for growth and development, armed with the understanding, technical tools, and political will to keep the working landscape and its resource lands as a substantial part of their future.. Ms. Heinrich explained that American Farmland Trust would like to conduct three studies to determine threats to and opportunities for the County's agricultural community: Cost of Community Services, Build-Out Analysis, and Agricultural Sector Analysis. She asked Council to consider the effectiveness of current policies - to consider lower densities in its Agricultural Residential Districts to help preserve those districts for agriculture rather than encouraging development.

Mr. Cole remarked that the farm community is not interested in a program to protect farmland – that they want to be able to sell their land if they choose to do so. Mr. Cole noted that the agricultural community needs to be educated on the benefits of lowering densities.

Mr. Stickels referred to the workshop that was scheduled to be held in Sussex County by American Farmland Trust and later cancelled. Ms. Heinrich and Mr. Stickels will plan the rescheduling of this workshop.

Adminis-
trator's
Report

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

1. Cabinet Committee on State Planning

Included with this report is a copy of the Cabinet Committee on State Planning Issues meeting schedule for calendar year 2001. The next meeting will be held on March 16, 2001, at the Sussex County West Complex located on North DuPont Highway, Georgetown, Delaware, starting at 10:00 a.m. The meetings will be rotated on a three-month basis between the three counties. This is a welcome change, as there were many times Sussex County issues were placed on the agenda and everyone had to travel to downtown Wilmington to attend the meetings.

Adminis-
trator's
Report
(continued)

2. Delaware Department of Transportation

Included with this report is a copy of the agenda for the April 2 workshop to be held with the Delaware Department of Transportation and the Sussex County Council. Please note that the starting time will be 8:30 a.m. The public may attend this workshop. Also, please note the topics that will be discussed. Time will be allotted at the end of the workshop for the public to give input or to inquire on specific concerns that they may have regarding transportation.

Group
Hospital
Program

Mr. Baker, Finance Director, discussed the County's Group Hospital Insurance Plan for the period May 1, 2001 through May 1, 2002. Currently, Integra is the County's Group Hospital Administrator. Mr. Baker reviewed an analysis of the plan which outlined nine different options for the upcoming year. The options pertained to different reinsurance companies and different deductible amounts. Mr. Baker explained that the County's plan is a self-funded plan with reinsurance over \$35,000 per year per person deductible and a \$3 million lifetime maximum. Currently, the County has its reinsurance policy with Peoples Benefit Insurance Company.

Mr. Baker explained that the County pays Integra a fee of \$13.50 a month per coverage. Integra is recommending an increase in this fee to \$16.00 per month to cover additional costs resulting from new federal regulations. Based on their analysis, Integra is recommending the \$50,000 deductible option with Peoples Benefit Insurance Company.

Mr. Baker recommended the continuance of Integra as the County's Group Hospital Administrator; the approval of People's Benefit Insurance Company as the provider of the County's Group Hospital Reinsurance; and an increase in the County's Group Hospital Reinsurance from \$35,000 to \$50,000.

Benefits and costs to the employees will remain the same.

M 132 01
Authorize
County's
Group
Hospital
Program

A Motion was made by :Mr. Jones, seconded by Mr. Cole, that the Sussex County Council authorizes the following for the year May 1, 2001 to May 1, 2002:

- (1) The continuance of Integra as the County's Group Hospital Administrator;
- (2) The increase of Group Hospital Reinsurance from \$35,000 to \$50,000; and

M 132 01
(continued)

(3) The approval of People's Benefit Insurance Company as the provider of the Group Hospital Reinsurance.

Motion Adopted: 5 Yea.

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

C/U
No. 1383

Conditional Use No. 1383 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR OFFICES, WAREHOUSE, AND STORAGE FOR A HEATING/AIR CONDITIONING/PLUMBING/ELECTRICAL BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.1033 ACRES, MORE OR LESS" filed on behalf of Gregory P. Allen and Christopher P. Allen was discussed. The Planning and Zoning Commission held a Public Hearing on this application on January 25, 2001, at which time they recommended approval with the use to be limited to Parcel "B". The County Council held a Public Hearing on this application on February 13, 2001, at which time they deferred action.

Mr. Dukes advised that, although he was not present at the Public Hearing, he has listened to the taped proceedings of the meeting.

Mr. Cole expressed concern with approving a warehouse in this area; that several years ago County Council set a precedent by denying an application for a warehouse in this same area. Mr. Cole stated that should this application be approved, he would like to see the warehouse limited to Parcel "B" as recommended by the Planning and Zoning Commission.

Council reviewed the following stipulations recommended by the Planning and Zoning Commission:

1. The conditional shall be limited to the use of Parcel "B", containing 2.0519 acres.
2. The use of the property shall be limited to offices, warehouse and storage for heating/air-conditioning/plumbing/electrical business.
3. Business hours shall be from 7:00 a.m. to 7:00 p.m., Monday through Saturday with no Sunday hours.
4. One lighted sign, not exceeding 32 square feet per side or facing shall be permitted.

C/U
No. 1383
(continued)

5. All outside storage shall be contained within a solid fence.
6. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals.

M 133 01
Strike
Condition/
C/U
No. 1383

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to strike Condition No. 1 that was recommended by the Planning and Zoning Commission to be placed on Conditional Use No. 1383.

Motion Adopted: 4 Yea, 1 Nay.

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

M 134 01
Adopt
Ordinance
No. 1436
(C/U
No. 1383)

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to Adopt Ordinance No. 1436 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR OFFICES, WAREHOUSE, AND STORAGE FOR A HEATING/AIR CONDITIONING/PLUMBING/ELECTRICAL BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.1033 ACRES, MORE OR LESS" (Conditional Use No. 1383) filed on behalf of Gregory P. Allen and Christopher P. Allen, with the following conditions:

1. The use of the property shall be limited to offices, warehouse and storage for heating/air-conditioning/plumbing/electrical business.
2. Business hours shall be from 7:00 a.m. to 7:00 p.m., Monday through Saturday with no Sunday hours.
3. One lighted sign, not exceeding 32 square feet per side or facing shall be permitted.
4. All outside storage shall be contained within a solid fence.
5. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals.

Motion Adopted: 4 Yea, 1 Nay.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Nay;
Mr. Rogers, Yea; Mr. Jones, 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 applicants established by substantial evidence that the proposed use will enable an existing, growing local business which serves a multitude of residential, business, commercial and other customers to expand to a permanent location without adverse impact of any sort, consistent with the purposes and goals of the Comprehensive Land Use Plan.
2. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein (with the deletion of Stipulation No. 1).

C/Z
No. 1420

Change of Zone No. 1420 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR CERTAIN PARCELS OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 52.7027 ACRES, MORE OR LESS" filed on behalf of Rehoboth Golf Properties, L.L.C. The Planning and Zoning Commission held a Public Hearing on this application on January 25, 2001; on March 1, 2001, the Commission recommended approval of the application with the stipulation that the project be limited to single-family residential dwellings only. The County Council held a Public Hearing on this application on February 13, 2001, at which time no action was taken and the Public Hearing and record remained open. On February 20, 2001, the County Council reopened the Public Hearing; on this date, the Public Hearing was closed and the record was left open for receipt of information from the Delaware Nutrient Management Commission.

Mr. Lank, Director of Planning and Zoning, reviewed the comments received from the Nutrient Management Commission. The comments described the Nutrient Management Program's legal authority; who is required to obtain a certification; that the program will address urban nutrient management by means of outreach and education to better conserve nutrients utilized for lawn growth; that the primary conveyance of nutrients from urban areas to waterways is by stormwater runoff; listed activities that are typical nutrient management practices; and that for site specific recommendations, he recommends that a certified nutrient management consultant or a sediment control specialist be contacted to better assess the environmental factors.

The Public Hearing record was closed and action was deferred. Mr. Stickels and Mr. Lank will develop proposed stipulations for Council's consideration at the April 3, 2001, Council meeting.

DelDOT
SR 54
Agreement

Mr. Izzo, County Engineer, discussed a Proposed Agreement with the State of Delaware Department of Transportation (DelDOT) for the SR 54 Corridor Project. DelDOT is working on a project to raise and realign a portion of Route 54; this project will impact a portion of the County's sanitary sewer line that serves the Fenwick Island Sanitary Sewer District. Mr. Izzo advised that the County Engineering Department has determined that it would be in everyone's best interest to realign the sewer lines prior to DelDOT beginning their work. Mr. Izzo further advised that DelDOT will pay the expense of relocating and/or adjusting the County's sewer lines to conform to the new construction.

M 135 01
Approve
DelDOT
SR 54
Agreement

A Motion was made by Mr. Cole, seconded by Mr. Jones, based upon the recommendation of the Sussex County Engineering Department, that the Agreement with the State of Delaware Department of Transportation be approved to allow the sewer lines of the Fenwick Island Sanitary Sewer District to be modified to accommodate the SR 54 Corridor Project.

Motion Adopted: 5 Yea.

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

South
Coastal
Planning
Area/
Amendment
No. 7/
SR 54
Project

Mr. Izzo, County Engineer, advised Council that, for the work to proceed on the realignment of the sewer lines along SR 54, it requires that the County approve an amendment to a contract agreement with Whitman, Requardt & Associates, LLP. Whitman, Requardt & Associates, LLP, is performing the design of the project for DelDOT and is also the County's selected consultant for the area serviced by the South Coastal Regional Wastewater Facility. Mr. Izzo advised that the amount of the amendment is \$32,000; DelDOT will reimburse this amount to the County.

M 136 01
Execute
Amendment
No. 7/
DelDOT
SR 54
Corridor
Project

A Motion was made by Mr. Phillips, seconded by Mr. Jones, based upon the recommendation of the County Engineering Department, that the Sussex County Council authorizes its President to execute Amendment No. 7 to its contract with Whitman, Requardt and Associates, LLP to complete a design for the modification of existing sewer lines in the Fenwick Island Sanitary Sewer District to accommodate DelDOT's SR 54 corridor project.

Motion Adopted: 5 Yea.

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

Change
Order/
SR 26
Paving/
Change
Order

Mr. Izzo, County Engineer, discussed a paving change order for SR 26. Mr. Izzo explained that when the County initiated the Ocean View Sanitary Sewer District Project several years ago, DelDOT had plans to overlay Route 26. DelDOT agreed to hold off on this project until the sewer lines were constructed and suggested that the County include the paving overlay in the sewer project. DelDOT agreed to pay the County the sum of \$195,200 for the paving overlay. Mr. Izzo advised that the agreement with DelDOT called for the installation of approximately 7,000 feet of paving; that the County would only impact 5,800 feet of paving; and that 1,200 feet of paving that was not being impacted by sewer lines needed to be overlaid. For this reason, the contractor has submitted a request for a change order in the amount of \$25,454.10 to complete the paving of SR 26.

M 137 01
Approve
Change
Order/
SR 26
Paving

A Motion was made by Mr. Phillips, seconded by Mr. Jones, based on the recommendation of the Consulting Engineers, Whitman, Requardt & Associates, LLP and the County Engineering Department, that the Sussex County Council approves Change Order No. 1 for Contract 99-09, Ocean View Expansion of the Bethany Beach Sanitary Sewer District, for additional paving on SR 26 at a cost of \$25,454.10, increasing the contract amount to \$7,818,973.10.

Motion Adopted: 5 Yea.

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

Regional
Pumping
Station/
Hopkins
Construction/
Time
Extension

Mr. Izzo, County Engineer, discussed the Regional Pumping Station in the Town of Ocean View. The contract for this project (with Hopkins Construction) was scheduled to be completed on November 9, 2000; however, Substantial Completion could not be issued until December 11, 2000, a difference of 32 days. Mr. Izzo stated that there was a myriad of reasons why this contract was extended, at no fault to the contractor. Mr. Izzo recommended granting the time extension of 32 days with no penalties attached.

M 138 01
Approve
Change
Order/
Regional
Pumping
Station/
Hopkins
Construction

A Motion was made by Mr. Jones, seconded by Mr. Rogers, based on the recommendation of the Consulting Engineer, Whitman, Requardt & Associates, LLP, and the County Engineering Department, that the Sussex County Council approves Change Order No. 9 for Contract 99-08, Regional Pump Station at Ocean View, extending the contract time by 32 days to provide a Substantial Completion date of December 11, 2000.

Motion Adopted: 5 Yea.

M 138 01
(continued)

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

Engineering
Proposal/
Proposed
Miller
Creek and
South
Ocean
View SSD

Mr. Archut, Assistant County Engineer, discussed a proposal whereby Whitman, Requardt & Associates, LLP would perform a Preliminary Engineering Report and Environmental Assessment for the Proposed Miller Creek and South Ocean View Sanitary Sewer Districts. Mr. Archut advised that the County is in the early stages of looking at sewer for these two areas and it is necessary to perform studies for funding purposes and to determine estimated sewer charges. The cost of the contract is \$52,943.00.

M 139 01
Execute
Amendment/
Engineering
Report /
Miller
Creek

A Motion was made by Mr. Rogers, seconded by Mr. Jones, based upon the recommendation of the County Engineering Department, that the Sussex County Council authorizes its President to execute Amendment No. 9, dated February 13, 2001, to its contract with Whitman, Requardt & Associates, LLP, to prepare a Preliminary Engineering Report and Environmental Assessment for the Proposed Miller Creek and South Ocean View Sanitary Sewer Districts.

Motion Adopted: 5 Yea.

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

Bear Trap
Dunes

Mr. Baker, Utility Construction Department, discussed wastewater facilities to be constructed in The Village of Bear Trap Dunes, Phase IIA.

M 140 01
Execute
Agreements/
Village of
Bear Trap
Dunes

A Motion was made by Mr. Cole, seconded by Mr. Jones, based upon the recommendation of the County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 223, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Freeman Communities for wastewater facilities to be constructed in The Village at Bear Trap Dunes, Phase IIA, located in the South Bethany Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Proposed
Ordinance

Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR LAND

Ordinance
(continued)

APPLICATION OF LAUREL, DELAWARE, WASTEWATER TREATMENT PLANT BIOSOLIDS AS AN AMENDMENT TO CONDITIONAL USE NO. 1373 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 88.0 ACRES, MORE OR LESS” (Conditional Use No. 1399) filed on behalf of SYNAGRO-WWT, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance

Mr. Phillips introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR LAND APPLICATION OF LAUREL, DELAWARE, WASTEWATER TREATMENT PLANT BIOSOLIDS AS AN AMENDMENT TO CONDITIONAL USE NO. 1372 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 220 ACRES, MORE OR LESS” (Conditional Use No. 1400) filed on behalf of SYNAGRO-WWT, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.61 ACRES, MORE OR LESS” (Conditional Use No. 1401) filed on behalf of Randy Burton. The Proposed Ordinance will be advertised for Public Hearing.

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 AN ELEMENTARY CHARTER SCHOOL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 14.88 ACRES, MORE OR LESS” (Conditional Use No. 1402) filed on behalf of Georgetown Charter School. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance

Mr. Phillips introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PLUMBING AND HEATING BUSINESS WITH WAREHOUSE SPACE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 2.47 ACRES, MORE OR LESS”

Proposed Ordinance (continued)

(Conditional Use No. 1403) filed on behalf of Richard W. Shaubach, Sr. and Marianne Shaubach. The Proposed Ordinance will be advertised for Public Hearing.

M 141 01 Councilmanic Grant

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$800.00, \$400.00 each from Mr. Phillips' and Mr. Dukes' Councilmanic Accounts, to the Laurel Chamber of Commerce for the Town of Laurel's Independence Day Celebration.

Motion Adopted: 5 Yea.

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

Committee Appointment

Mr. Cole reported that a vacancy exists on the Long Range Transportation Committee. Mr. Phillip Tarpley has advised Mr. Stickels that he will no longer be able to serve on the Committee due to the fact that he is relocating. Mr. Tarpley has recommended that Mr. Gerald Hocker or Mr. Chris Frey fill the vacancy.

M 142 01 Councilmanic Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$360.00 from Mr. Jones' Councilmanic Account to Read-Aloud Delaware for a dinner honoring the Sussex Central Library Club.

Motion Adopted: 5 Yea.

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

M 143 01 Youth Activity Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$500.00, \$250.00 each from Mr. Jones' and Mr. Dukes' Youth Activity Grant Accounts, to the Sussex Stingers Girls Fastpitch Softball Team for operating expenses.

Motion Adopted: 5 Yea.

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

Correspondence

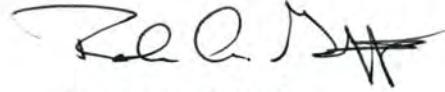
Mr. Dukes read the following correspondence

NATHAN HAYWARD III, SECRETARY, STATE OF DELAWARE,
DEPARTMENT OF TRANSPORTATION, DOVER, DELAWARE.
RE: SR 1 Grid Land Use Transportation Study – Proposed Memorandum of Agreement between the County and Department.

M 144 01
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Jones, to adjourn at 11:50 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. A. Griffith", with a stylized flourish at the end.

Robin A. Griffith
Clerk of the Council