



Sussex County Council Agendas & Minutes

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 14, 2006

Call to Order The regular meeting of the Sussex County Council was held Tuesday, March 14, 2006 at 6:30 p.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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|-----------------------------|-----------------------------|
| Lynn J. Rogers | President |
| George B. Cole | Member |
| Finley B. Jones, Jr. | Member |
| Vance Phillips | Member |
| Robert L. Stickels | County Administrator |
| David Baker | Finance Director |
| James D. Griffin | County Attorney |

M 178 06 A Motion was made by Mr. Jones, seconded by Mr. Phillips to approve the
Approve Agenda, as distributed.
Agenda

Motion Adopted: 4 Yea, 1 Absent.

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

M 179 06 A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to approve the
Approve minutes of February 14, 2006.
Minutes

Motion Adopted: 4 Yea, 1 Absent.

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

Georgetown Carol Smith, Helen Kruger, Lit Dryden, and Charlene Hubert were in
-Millsboro attendance representing the Georgetown – Millsboro Rotary Club to
Rotary express their gratitude for the Sussex County Council's sponsorship of their
Club Winter Wine Fest fundraiser. Ms. Smith told the Council that the Rotary
 Club, as a result of their fundraising efforts, gave the American Red Cross a
 donation in the amount of \$20,000. She noted that they have also made

donations to many charitable organizations in Sussex County.

Wastewater Agreement **Mr. Stickels presented a Wastewater Agreement for Bay View Landing, Phase IV.**

M 180 06 **A Motion was made by Mr. Jones, seconded by Mr. Phillips, based upon the**
Wastewater **recommendation of the Sussex County Engineering Department, for Sussex**
Agreement **County Project No. 81-04, Agreement No. 368, that the Sussex County**
M 180 06 **Council execute a Construction Administration and Construction**
Wastewater **Inspection Agreement between Sussex County Council and Bayview**
Agreement **Ventures I, Inc., for wastewater facilities to be constructed in Bayview**
(continued) **Landing – Phase IV, located in the Fenwick Island Sanitary Sewer District.**

Motion Adopted: 4 Yea, 1 Absent.

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

Adminis- **Mr. Stickels read the following information in his Administrator's Report:**
trator's
Report **1. Sussex County Advisory Committee for the Aging and Adults with**
 Physical Disabilities

The next meeting of the Sussex County Advisory Committee for the Aging and Adults with Physical Disabilities will be held on Monday, March 20, 2006, at 10:00 a.m. at the Sussex County West Administrative Complex, North DuPont Highway, Georgetown, Delaware. The guest speaker will be Ken Bock, Deputy Director of Sussex County Senior Services, Inc./CHEER. For your convenience, I have included a copy of the agenda. The media as well as the general public is welcome to attend.

2. Airport Committee

The next regularly scheduled meeting of the Sussex County Airport Committee will be held on Wednesday, April 5, 2006, at the Sussex County West Administrative Complex, North DuPont Highway, Georgetown, Delaware, at 10:00 a.m. The media as well as the general public is welcome to attend.

3. Sussex County Emergency Operations Center

The Sussex County Council will be hosting the Emergency Operations Center groundbreaking on Tuesday, March 21, 2006, at 9:00 a.m. at 21518 Rudder Lane, Georgetown, Delaware. The location is at the entrance to the Sussex County Industrial Airpark. The new facility will be over 18,000 square feet and will house the County's fire and paramedic and ambulance dispatchers, as well as

the state police and local police dispatchers. The total project is estimated to be \$12 Million. Both local and State dignitaries have been invited.

4. **Beneficial Acceptance**

The Sussex County Engineering Department has granted Beneficial Acceptance to the following projects:

Adminis-
trator's
Report
(continued)

- Millville Town Center, Agreement No. 347, was granted Beneficial Acceptance on February 28, 2006. The developer is M.O.R. Acquisition, L.L.C., and the project is located on Route 26 and Cedar Drive in the Millville Sanitary Sewer District, consisting of 68 townhouses and a commercial site.
- Long Neck Back Bay Center, Agreement No. 299, was granted Beneficial Acceptance on March 6, 2006. The developer is Back Bay Park Center, L.L.C., and the project is located on Route 24 and Bay Farm Road in the Long Neck Sanitary Sewer District, consisting of a commercial site.
- Parallel Force Main, Agreement No. 360, was granted Beneficial Acceptance on March 6, 2006. The developer is Ruggiero Development Group, L.L.C., and the project is located on County Road 348 in the Holts Landing Sanitary Sewer District, consisting of a 10-inch force main to parallel the existing County force main along County Road 348.
- The Reserves at Lewes Landing (Phase 1), Agreement No. 361, was granted Beneficial Acceptance on March 7, 2006. The developer is Pen, L.L.C., and the project is located at the intersection of Route 9 and County Road 265 in the North Coastal Planning Area, consisting of 34 units. The total project is 97 single-family lots with a pump station of six total horsepower.

Included with this report is a fact sheet on each of the projects.

5. **Jim Cresson**

It is with sadness that I announce to the County Council that Jim Cresson, a longtime reporter for the Cape Gazette, passed away in a traffic crash Monday night in Maryland. Jim covered the Council for a few years and was well-known here and throughout the County, as well as around the State. Our thoughts and prayers are with the Cape Gazette's publisher, Dennis Forney, and his staff, as well as with Jim's family in this time of mourning.

Sewer
Line
Renovation

Julie Cooper, Project Engineer, presented the bid results for Sussex County Project No. 05-09, Sewer Line Renovation, Phase III (Bethany and South Bethany Sanitary Sewer Districts):

| | | |
|-------------------------------------|--|---------------------|
| Project/ Bid Results | Allstate Power Vac, Inc. | \$364,400.00 |
| | American Water Services Underground | \$427,490.20 |
| | AM-Liner East, Inc. | \$536,075.00 |
| | Insituform Technologies, Inc. | \$366,690.00 |
| | Intercounty Paving Associates, LLC | \$447,651.00 |
| | Tri-State Grouting | \$519,040.00 |

(continued) Ms. Cooper stated that the bids came in higher than the Engineer's estimate due to a major price increase in the 24-inch lining.

M 181 06 A Motion was made by Mr. Jones, seconded by Mr. Phillips, based upon the
Award recommendation of the Sussex County Engineering Department, that
Bid/ Sussex County Project No. 05-09, Sewer Line Renovation Phase III, be
Sewer awarded to Allstate Power Vac, Inc. of Rahway, New Jersey, at a cost of
Line \$364,400.00.
Renovation

Project Motion Adopted: 4 Yea, 1 Absent.

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

Old The Council discussed the Proposed Ordinance entitled "AN ORDINANCE
Business/ TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1
C/U AGRICULTURAL RESIDENTIAL DISTRICT FOR A BUSINESS USE
No. 1637 OFFICE PARK TO BE LOCATED ON A CERTAIN PARCEL OF LAND
LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX
COUNTY, CONTAINING 12.0388 ACRES, MORE OR LESS"
(Conditional Use No. 1637) filed on behalf of Redden Development Group,
LLC.

The Planning and Zoning Commission held a Public Hearing on the Proposed Ordinance on February 9, 2006 at which time they recommended that the Proposed Ordinance be denied.

(See the minutes of the meeting of the Planning and Zoning Commission dated February 9, 2006 for additional information on the application, correspondence received, the Public Hearing before the Commission, and the Commission's reasons for recommending that the application be denied.)

The County Council held a Public Hearing on this application on February 28th at which time they deferred action to allow time for the submission of suggested conditions and findings, to be prepared by Mr. Lank, Director of Planning and Zoning, and Mr. Griffin, Attorney.

Mr. Lank read the proposed findings and conditions into the record.

Mr. Phillips noted that there was discussion during the Public Hearing that the Applicant would have a percentage of their facilities dedicated to agri-business. Mr. Lank and Mr. Griffin responded that the Applicant did offer it; however, staff was unsure how it could be set up and how it could be enforced. He noted that the Applicant referred to the business, Atlantic Tractor; however, this would be inconsistent with their statement that there would be no retail sales.

(continued) It was noted that the site of the proposed business is located in a low density area and not in a Development District.

**M 182 07
Adopt
Proposed
Ordinance
(C/U
No. 1637)** **A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BUSINESS USE OFFICE PARK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 12.0388 ACRES, MORE OR LESS” (Conditional Use No. 1637) filed on behalf of Redden Development Group, LLC., with sixteen proposed conditions.**

Motion Denied: 3 Nay, 1 Yea, 1 Absent.

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

**Reasons
for Denial**

The Council denied the Proposed Ordinance for the following reasons:

- The application is not in compliance with the County’s Land Use Plan.**
- The site is located in the State’s Level 4 Area which means it would not receive funding for upgrading infrastructure.**
- Approval of the application would set a precedent for other similar applications in the area.**
- The Applicant’s plans are non-specific with respect to what uses are proposed and insufficient information was provided to justify the approval of a conditional use.**
- The purpose of this application is to allow a conditional use to operate small business offices with warehousing on an otherwise agricultural and residential property. While there is some limited business and commercial zoning or uses along Route 113, a majority of the area in the immediate area is agricultural or residential. This use would be out of character with the adjacent and surrounding properties and would promote a trend away from the agricultural and residential character of the area.**
- Although the Applicants stated that the intended uses are limited, there are other locations that are currently zoned for business and**

commercial uses that are available and better suited for the intended use.

- The application does not promote the health, safety, convenience and general welfare of the neighborhood or community.
- The proposed uses are not consistent with the purposes of the AR-1 District as set forth in the County Zoning Code.

**Old
Business/
Proposed
Ordinance
Relating
to Compact
Cars**

The Council discussed the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO REDUCE THE SIZE OF AN OFF-STREET PARKING SPACE AND TO ALLOW A REDUCTION OF SIZE FOR COMPACT CARS UNDER CERTAIN CIRCUMSTANCES”.

The Planning and Zoning Commission held a Public Hearing on the Proposed Ordinance on November 17, 2005 at which time they recommended that the ordinance amendment be approved.

The County Council held a Public Hearing on the Proposed Ordinance on December 13, 2005 at which time they deferred action. The Council discussed the Proposed Ordinance on February 14, 2006 at which time action was deferred again. At that time, Mr. Kautz was instructed to incorporate changes to the Proposed Ordinance. The following amendment was authorized: “A maximum of 20 (reduced from 30) percent of the required Off-Street Parking Spaces may have an area of eight by seventeen (8 x 17) feet for compact cars provided that... (with provisions)” (in Section 2-A-2). It was also the consensus of the Council that the 10 x 20 foot requirement for vertical parking would remain the same; that the 10 x 22 foot requirement for parallel parking would remain the same; and that an area not less than 9 x 18 feet for diagonal parking would be included.

**M 183 06
Adopt
Ordinance
No. 1831**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1831 entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO REDUCE THE SIZE OF AN OFF-STREET PARKING SPACE AND TO ALLOW A REDUCTION OF SIZE FOR COMPACT CARS UNDER CERTAIN CIRCUMSTANCES”, as amended.

Motion Adopted: 4 Yea, 1 Absent.

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

**Public
Hearing/
General
Obligation
Bonds for**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$16,000,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING OF THE MILLVILLE AREA EXPANSION OF THE BETHANY BEACH SANITARY SEWER

**Millville
Area
Expansion
Sewer
Project**

DISTRICT AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH”.

**Public
Hearing/
General
Obligation
Bonds for
Millville
Area
Expansion
Sewer
Project
(continued)**

Mr. Baker explained that the draft ordinance would authorize the issuance of up to \$16,000,000 of Sussex County General Obligation Bonds, without regard to any original issue discount, in order to finance a portion of the costs for the design, construction and equipping of the wastewater collection, treatment and transmission facilities for the Millville Area Expansion of the Bethany Beach Sanitary Sewer District. The estimated cost of the project is \$34.5 million; \$13.5 million in funding will be provided by developers, which will cover pump stations and transmission and collection lines to be built in the area. The County has negotiated with the State and USDA for a combination of grant and loan funds for the project. In addition, a \$500,000 grant was approved in the County's Fiscal 2006 Budget. A \$2 million grant from the USDA and a \$2.5 million grant from the State of Delaware have been given tentative approval. Also, the USDA has indicated that they would loan the County \$8 million at 4 1/2 percent for 40 years and the State has indicated that they would loan the County \$8 million at 1 1/2 percent for 30 years through the State Revolving Fund Loan Program.

Mr. Baker noted that while the Bonds are backed by the County's full faith and credit as General Obligation Bonds, it is expected that the debt will be paid by the revenues of the Millville Area Expansion of the Bethany Beach Sanitary Sewer District.

Mr. Cole noted that development is slowing and he questioned at what point the County would know if there would be enough funding from developers. He acknowledged that the County probably has commitments from the developers; however, he questioned if “up-front” money could be obtained to be put in escrow.

Mr. Baker responded that funding has already been received from developers for design work.

Public comments were heard.

Dan Kramer questioned what would happen if the developers' contributions are not received and he stated that the County would have to raise its fees or the County's taxpayers would have to subsidize the project.

The Public Hearing was closed.

**M 184 06
Adopt
Ordinance
No. 1832
(Bonds/
Millville**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1832 entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$16,000,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING OF THE MILLVILLE AREA EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT AND

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| Area Sewer Project) | <p>AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH’.</p> <p>Motion Adopted: 4 Yea, 1 Absent.</p> <p>Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Dukes, Absent; Mr. Jones, Yea; Mr. Rogers, Yea</p> |
| Public Hearing/ General Obligation Bonds/ South Ocean View Sewer Project | <p>A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,800,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING OF THE SOUTH OCEAN VIEW SANITARY SEWER DISTRICT AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH’. Mr. Baker explained that this Ordinance provides for the issuance of up to \$4,800,000 of Sussex County General Obligation Bonds in order to finance or refinance a portion of the costs for the design, construction and equipping of the wastewater collection, transmission and treatment facilities for the South Ocean View Sanitary Sewer District. This project would serve the Shady Dell Park and Quaint Acres subdivisions and would eliminate approximately 300 existing septic systems.</p> <p>The estimated cost of the project is \$8 million; funding has been arranged through the State of Delaware State Revolving Fund (SRF) loan program for bonds in the amount of \$4.8 million for thirty years at 1 1/2 percent. In addition, the State has approved a 21st Century Fund Grant in the amount of \$2,850,000.00 and the County has allocated a Realty Transfer Tax Grant in the amount of \$350,000.00, for a total of \$3.2 million in grant funding (approximately 40 percent of the total project cost).</p> <p>The design phase of the project has almost been completed; bidding is to occur in 2006 and construction is to begin in 2007.</p> <p>Mr. Baker noted that while the Bonds are backed by the County’s full faith and credit as General Obligation Bonds, it is expected that the debt will be paid by the revenues of the South Ocean View Sanitary Sewer District.</p> <p>Public comments were heard.</p> <p>Dan Kramer questioned what would happen if the developers’ contributions are not received and he stated that the County would have to raise its fees or the County’s taxpayers would have to subsidize the project.</p> <p>The Public Hearing was closed.</p> |
| M 185 06 Adopt Ordinance No. 1833 | <p>A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1833 entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$4,800,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING</p> |

**(Bonds/
South
Ocean
View SSD)**

**OF THE SOUTH OCEAN VIEW SANITARY SEWER DISTRICT AND
AUTHORIZING ALL NECESSARY ACTION IN CONNECTION
THEREWITH”.**

Motion Adopted: 4 Yea, 1 Absent.

**M 185 06
(continued)**

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

Requests

Mr. Stickels presented funding requests for the Council’s consideration.

**M 186 06
Community
Improve-
ment
Grant)**

**A Motion was made by Mr. Jones, seconded by Mr. Cole, to give \$2,000
from Mr. Jones’ Community Improvement Grant Account to the Town of
Bridgeville for costs associated with updating their Comprehensive Land
Use Plan.**

Motion Adopted: 4 Yea, 1 Absent.

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

**M 187 06
Community
Improve-
ment
Grant**

**A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$2,000
from Mr. Jones’ Community Improvement Grant Account to the Delaware
Greenwings for the 2006 Safety and Conservation Day.**

Motion Adopted: 4 Yea, 1 Absent.

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

**M 188 06
Council-
manic
Grant**

**A Motion was made by Mr. Jones, seconded by Mr. Cole, to give \$150.00
from Mr. Jones’ Councilmanic Grant Account to the Georgetown Historical
Society for a Small Museum Conference.**

Motion Adopted: 4 Yea, 1 Absent.

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

**M 189 06
Council-
manic
Grant**

**A Motion was made by Phillips, seconded by Mr. Jones, to give \$500.00
(\$250.00 each from Mr. Phillips’ and Mr. Dukes’ Councilmanic Grant
Accounts) to the Laurel Fireworks Celebration for the July 4th fireworks
display.**

Motion Adopted: 4 Yea, 1 Absent.

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

M 190 06 Youth Activity Grant **A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$375.00 (\$75.00 from each Youth Activity Grant Account) to the Sussex Chix Softball Team for operating expenses.**

Motion Adopted: 4 Yea, 1 Absent.

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

M 191 06 Councilmanic Grant **A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to Peninsula Bluegrass, Inc. for their annual festival.**

Motion Adopted: 4 Yea, 1 Absent.

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

M 192 06 Councilmanic Grant **A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to the Sussex County Animal Association for operating expenses.**

Motion Adopted: 4 Yea, 1 Absent.

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

M 193 06 Councilmanic Grant **A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500.00 from Mr. Rogers' Councilmanic Grant Account to the Cape Henlopen Music Boosters for the March Music Mayhem.**

Motion Adopted: 4 Yea, 1 Absent.

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

Funding **No action was taken on the request from the First State Resource**

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| Request | Conservation & Development Council since it will be considered for inclusion in the County's Fiscal 2007 Budget. |
| M 194 06 Council- manic Grant | A Motion was made by Mr. Jones, seconded by Mr. Cole, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to First State Community Action Agency for Benefit Scholarship Programs. |
| | Motion Adopted: 4 Yea, 1 Absent. |
| M 194 06 (continued) | Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Dukes, Absent; Mr. Jones, Yea; Mr. Rogers, Yea |
| M 195 06 Youth Activity Grant | A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$400.00 (\$80.00 from each Youth Activity Grant Account) to the Chesapeake Bay Girl Scout Organization for membership fees. |
| | Motion Adopted: 4 Yea, 1 Absent. |
| | Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Dukes, Absent; Mr. Jones, Yea; Mr. Rogers, Yea |
| M 196 06 Community Improve- ment Grant/ Council- manic Grant | A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$1,000.00 (\$500.00 from Mr. Cole's Community Improvement Grant Account and \$500.00 from Mr. Cole's Councilmanic Grant Account) to the City of Rehoboth Beach to provide beach wheels on the beach for the handicapped and elderly. |
| | Motion Adopted: 4 Yea, 1 Absent. |
| | Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Dukes, Absent; Mr. Jones, Yea; Mr. Rogers, Yea |
| M 197 06 Youth Activity Grant | A Motion was made by Mr. Phillips, seconded by Mr. Jones, to give \$1,000.00 from Mr. Rogers' Youth Activity Grant Account to the Milton Little League for operating expenses. |
| | Motion Adopted: 4 Yea, 1 Absent. |
| | Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Dukes, Absent; Mr. Jones, Yea; Mr. Rogers, Yea |
| M 198 06 Council- manic Grant | A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to The Auxiliary of Stockley Center for the 18th Annual Stockley Stride event. |
| | Motion Adopted: 4 Yea, 1 Absent. |

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

Funding Request No action was taken on the request from the Boys & Girls Club of Western Sussex since it will be considered for inclusion in the County's Fiscal 2007 Budget.

M 199 06 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500.00 (\$250.00 each from Mr. Cole's and Mr. Rogers's Councilmanic Grant Accounts) to the Sussex County Science Fair (Cape Henlopen School District) in support of the 2006 Fair.

Motion Adopted: 4 Yea, 1 Absent.

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

Funding Request No action was taken on the request from the Georgetown Boys & Girls Club since it will be considered for inclusion in the County's Fiscal 2007 Budget.

Funding Request No action was taken on the request from the Town of Greenwood since funding was previously approved in the FY 2006 Budget.

Introduction of 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 A PET GROOMING SERVICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.80 ACRES, MORE OR LESS" (Conditional Use No. 1682) filed on behalf of Tim Haines. The Proposed Ordinance will be advertised for Public Hearing.

Introduction of Proposed Ordinance Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 72.72 ACRES, MORE OR LESS" (Conditional Use No. 1683) filed on behalf of Wayne Baker. The Proposed Ordinance will be advertised for Public Hearing.

Introduction of 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 USED CAR SALES AND PRODUCE AND LANDSCAPING BUSINESS WITH SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.508

ACRES, MORE OR LESS” (Conditional Use No. 1684) filed on behalf of Francis B. Prekup, Jr. The Proposed Ordinance will be advertised for Public Hearing.

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| Introduction of Proposed Ordinance (continued) | Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR EXPANSION OF A CONCRETE BLOCK PLANT, CONCRETE PLANT, CONCRETE/ BLOCK CRUSHER, AND FUTURE ASPHALT PLANT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 10.00 ACRES, MORE OR LESS” (Conditional Use No. 1685) filed on behalf of Parker Block Co., Inc. The Proposed Ordinance will be advertised for Public Hearing. |
| Additional Business/ Public Comments | Mr. Dan Kramer questioned why there is no documentation in the Audit Report regarding the County’s Cap Tax revenues going to the libraries. Mr. Baker responded that the Cap Tax is shown as a revenue in the General Fund and it is shown as an expense in Library Grants. |
| Intro- duction | Mr. Stickels introduced Hal Godwin, who was recently hired by the County as Administrative Assistant. |
| Robert Stickels/ County Adminis- trator/ Retirement Announce- ment | Mr. Stickels read the following prepared statement: “As required by Employment Agreement dated February 11, 1997, Motion No. M 072 97, I would like to inform the Sussex County Council that I will be retiring from my position as Sussex County Administrator effective November 1, 2006. I would like to thank the present and past Sussex County Council members for their support and the opportunity to serve the residents of Sussex County. It has truly been a unique and pleasant experience.” |
| Job Posting | Mr. Phillips stated that the County should advertise for a new Administrator as soon as possible. |
| M 200 06 Adjourn | A Motion was made by Mr. Cole, seconded by Mr. Phillips, to adjourn at 8:00 p.m. Motion Adopted by Voice Vote. |

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**