

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 2, 1992

Call to Order The regular meeting of the Sussex County Council was held Tuesday, June 2, 1992, 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 230 92 A Motion was made by Mr. Collins, seconded by Mr. Benson, to
Approve approve the minutes of the previous meeting dated May 26, 1992.
Minutes Motion Adopted by Voice Vote.

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

JANET LEE, CHAIRMAN, LAUREL PARK & RECREATION COMMITTEE, LAUREL
RE: Appreciation for contribution to fireworks fund.

MARGO MORRIS AND JERRY SMITH, SUMMER RECREATION PROGRAM, LAUREL
SCHOOL DISTRICT, LAUREL
RE: Appreciation for contribution to Summer Recreation Program.

JUANITA J. QUINT, COORDINATOR, PAT/OM, CAPE HENLOPEN SCHOOL
DISTRICT, LEWES
RE: Appreciation for contribution to help fund attendance at the
Odyssey of the Mind World Finals.

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA
RE: Public Notice regarding an application from Tunnell Companies,
L.P. for a Department of the Army permit to improve navigation to
and from Indian Landing North and Rehoboth Bay.

JAMES D. MALLOY, TILCON DELAWARE, INC., DOVER
RE: Expression of praise and thanks to Sussex County Paramedics
for their efforts on May 19, 1992.

ELBRIDGE B. MURRAY, III, PRESIDENT OF COUNCIL, TOWN OF OCEAN VIEW,
OCEAN VIEW
RE: Appreciation for the contribution to purchase and install a
water fountain in the John West Memorial Park.

- Agenda Item Tabled Mr. Stickels, County Administrator, advised that the agenda item entitled "Weston RI/SS Contract" had been tabled until a later date.
- Bid Award TR2-92 TR3-92 Mr. Stickels, County Administrator, reported that the bids received May 26, 1992, for Contract TR2-92, Operation and Maintenance of Sussex County Transfer Station No. 2, near Millsboro, and TR3-92, Operation and Maintenance of Sussex County Transfer Station No. 3, near Angola, have been reviewed and all bids were found to be in order.
- M 231 92 Bid Award TR2-92 A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council authorizes the awarding of the contract for the operation and maintenance of Sussex County Transfer Station No. 2, near Millsboro, Delaware, to Browning-Ferris, Inc., of Salisbury, Maryland, from July 1, 1992, to June 30, 1993, in the amount of \$20,349.96.
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea
- M 232 92 Bid Award TR3-92 A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Council authorizes the awarding of the contract for the operation and maintenance of Sussex County Transfer Station No. 3, near Angola, Delaware, to White Line, Inc., of Georgetown, Delaware, from July 1, 1992, to June 30, 1993, in the amount of \$34,500.00.
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea
- Court-house Mr. Stickels, County Administrator, reviewed Change Order No. 4, for the Courthouse Expansion and Renovation Project.
- M 233 92 Court-house Expansion CO #4 A Motion was made by Mr. Collins, seconded by Mr. Cole, that the President of the Sussex County Council be authorized to execute Change Order No. 4 in an amount not to exceed \$14,775.65.
- Motion Adopted: 5 Yea.

M 233 92 (con't) Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Proposed Ordinance Mr. Cole introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY RELATING TO ZONING PROCEDURES, ADMINISTRATION AND ENFORCEMENT, CHANGES AND AMENDMENTS, AND PROHIBITING THE APPLICATION FOR CHANGES, AMENDMENTS, OR CONDITIONAL USES UNDER CERTAIN CIRCUMSTANCES. The Proposed Ordinance will be advertised for Public Hearing.

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

1. Certificate of Public Convenience and Necessity

The Department of Natural Resources and Environmental Control, Division of Water Resources, has issued a Certificate of Public Convenience and Necessity to the Town of Bethany Beach and the Town of Frankford to provide public water service. The Town of Frankford is limited to the service areas within town limits. The Town of Bethany Beach certificate allows Bethany Beach to provide public water service to the area currently being served by the town and, also, to the Salt Pond Project.

2. Land Acquisition

The County has been conveyed a gift of 148± acres. The property is located in Baltimore Hundred, divided between County Road 357, also known as Cedar Neck Road. The land is a gift from Mary A.S. Lighthipe. Restrictions for the land are that it shall be used for park and recreational purposes only to serve the present and future inhabitants of the County and visitors to the County. It shall be used to promote and foster wildlife habitat and plant life and to foster agricultural and environmental studies. Further, the property shall be prohibited to overnight camping; however, hiking trails, boat ramps, and similar recreational development is permitted. Mr. Stickels stated that he hopes future County budgets will allow consideration for creating a recreational use for this land.

3. Delaware Association of Counties

A meeting of the Delaware Association of Counties will be held on Thursday, June 11, 1992, beginning at 6:00 p.m. at the Iron Gate Inn in Dover. The President of the National Association of Counties, Kay Braaten, will be attending.

Adminis-
trator's
Report
(con't)

4. Septage Management Program - South Coastal Regional Waste-
water Facility

Effective June 1, 1992, the Engineering Department has implemented a Septage Receiving Program at the South Coastal Regional Wastewater Facility. The Microtox equipment has been used to successfully monitor septage quality at the plant for the past three months, during which time toxicity control ranges have been established. The new program is as follows:

HAULER PERMIT FEE: \$100/per year - This will entitle the hauler to dump both septage and holding tank waste at the plant.

RATES: Weekday minimum truckload \$45.00, with an additional cost of \$.045 per gallon for all trucks over 1,500 gallons.

Weekend minimum \$60.00 per truck, with a \$.06 per gallon charge for all trucks over 1,500 gallons.

Every load to be discharged will be tested at the plant by an Engineering Technician and fees collected at the conclusion of a ten minute test. Any load testing beyond the toxicity levels established will be refused. The range of toxicities which has been established includes enough variation to compensate for variations in septic and holding tank waste.

The acceptance of waste at the South Coastal Regional Wastewater Facility is limited to the South Coastal Planning Area and West Rehoboth. At this time, the Engineering Department is not prepared to accept waste on a Countywide basis. After the Long Neck Inland Bays Regional Wastewater Facility has been operational for a minimum of one year, this program will be reevaluated for expansion.

Proposed
Resolu-
tion
Cash
Mgmt.
Account

Mr. Baker, Finance Director, presented to Council a Proposed Resolution entitled "CASH MANAGEMENT ACCOUNT RESOLUTION". As a result of the merger of Sussex Trust Company with Wilmington Trust Company, Wilmington Trust Company has asked that the Sussex County Council execute Cash Management Agreements for the following Accounts:

1. Sussex County Council, Water and Sewer
2. Sussex County Council, Expansion Fees
3. Sussex County Council, Department of Finance, Treasury Division, Property Sales Account

M 234 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, to adopt
Adopt Resolution R 014 92 entitled "CASH MANAGEMENT ACCOUNT RESOLUTION"
Resolu- as presented by Mr. Baker.
tion

R 014 92 Motion Adopted: 5 Yea.

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

Proposed Mr. Baker, Finance Director, reviewed a Proposed Ordinance
Ordinance entitled "AN ORDINANCE OF THE COUNTY COUNCIL OF SUSSEX COUNTY
TO SUPPLEMENT AND AMEND ORDINANCE NO. 20, PASSED BY THE COUNTY
COUNCIL OF SUSSEX COUNTY ON AUGUST 12, 1975, AS AMENDED BY
ORDINANCE NO. 35, PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY
ON JUNE 26, 1979, FOR THE PURPOSE OF REALLOCATING CERTAIN
PROCEEDS OF THE COUNTY'S \$9,600,000 WATER AND SEWER BONDS - 1975,
DATED AS OF SEPTEMBER 1, 1975, AMONG WATER AND SANITARY SEWER
DISTRICTS". Mr. Baker explained that this is a housekeeping
amendment to correct amounts stated in the Ordinance to be spent
per project.

Proposed Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE
Ordinance OF THE COUNTY COUNCIL OF SUSSEX COUNTY TO SUPPLEMENT AND AMEND
ORDINANCE NO. 20, PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY
ON AUGUST 12, 1975, AS AMENDED BY ORDINANCE NO. 35, PASSED BY
THE COUNTY COUNCIL OF SUSSEX COUNTY ON JUNE 26, 1979, FOR THE
PURPOSE OF REALLOCATING CERTAIN PROCEEDS OF THE COUNTY'S
\$9,600,000 WATER AND SEWER BONDS - 1975, DATED AS OF SEPTEMBER
1, 1975, AMONG WATER AND SANITARY SEWER DISTRICTS."

FAA Mr. Calio, Director, Sussex County Industrial Airpark Operations,
Pre- appeared before Council to request permission to submit a Pre-
applica- application to the Federal Aviation Administration (FAA) in an
tion attempt to acquire \$900,000 in funding. Approximately \$80,000
of the \$900,000 would be used for a Master Plan Study of the
Airport to determine future use and runway repairs at the Airport.
The remaining moneys would be used to acquire land and air rights
to complete the Clear Zone Project. FAA allows 90 percent funding;
it is anticipated that the remaining 10 percent would be funded
equally by the State and the County.

M 235 92 A Motion was made by Mr. Collins, seconded by Mr. Benson, that the
FAA Sussex County Council authorizes Mr. Frank B. Calio, Director,
Pre- Sussex County Industrial Airpark Operations, to submit a Pre-
applica- application to the Federal Aviation Administration (FAA), in an
tion amount not to exceed \$900,000 for (1) preparation of an Airport
Master Plan; and (2) acquisition of land and/or easements to

M 235 92 establish control of the land below the runway protection zones
(con't) of Runway 4-22.

Motion Adopted: 4 Yea, 1 Nay.

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

Proposed Ordinance Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR POOL AND SPA SERVICE, SALES AND SUPPLIES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 1.01 ACRES, MORE OR LESS" (C/U #1011) filed on behalf of Steven C. Cannon. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS" (C/U #1012) filed on behalf of Margaret R. and Roy Z. Eby. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Collins introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR ASSEMBLY OF PUMPING SYSTEMS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 37,802 SQUARE FEET, MORE OR LESS" (C/U #1013) filed on behalf of Joseph J. Deutsch. The Proposed Ordinance will be advertised for Public Hearing.

Proclamations - Mr. Cole advised Council that Proclamations were recently issued to honor two Sussex County residents; namely, Mr. Hall Aldon D. Hall and Mr. Samuel Hilton. Both individuals Hilton were recognized for outstanding community service.

M 236 92 A Motion was made by Mr. Collins, seconded by Mr. Benson, to give Council- \$500.00, \$250.00 from Mr. Dukes' Councilmanic Account and \$250.00 manic from Mr. Collins' Councilmanic Account, to the Laurel Chamber of Grant Commerce to help sponsor the Annual Watermelon Festival.

Motion Adopted: 5 Yea.

M 236 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Meeting Mr. Dukes suggested that Council meet with the Conservation
Storm- District and DNREC to clarify the issue regarding recommendations
water of types of stormwater plans and from which agency the
Plans recommendation originates. No action was taken on this matter.

Recess At 11:35 a.m., a Motion was made by Mr. Stevenson, seconded by Mr.
Collins, 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 A Public Hearing was held on Proposed Ordinance entitled "AN
Hearing ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1
C/U AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRIVATE AIRSTRIP TO BE
#1000 LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE
CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 12.75 ACRES, MORE OR
LESS" (C/U #1000) filed on behalf of Kenneth Cordrey. The
Public Hearing was closed.

M 237 92 A Motion was made by Mr. Collins, seconded by Mr. Cole, to Adopt
Adopt Ordinance No. 833 entitled "AN ORDINANCE TO GRANT A CONDITIONAL
Ordinance USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A
No. 833 PRIVATE AIRSTRIP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING
(C/U AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING
#1000) 12.75 ACRES, MORE OR LESS" (C/U #1000) filed on behalf of Kenneth
Cordrey, with the following stipulations:

1. The use of the site shall be limited to the applicant's aerial crop-dusting business.
2. The airstrip may not be lighted, without prior written approval from the FAA and from the Director of the Planning and Zoning Commission.
3. Only east/west take-offs and landings are permitted.
4. No aircraft fuel shall be sold on site.
5. No building space shall be rented for aircraft storage for third persons.
6. No tie-down rentals are permitted.

- M 237 92 (con't)
7. Maximum number of applicant's aircraft on-site is three.
 8. The airstrip shall remain as a grass strip.

Motion Adopted: 5 Yea.

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

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

1. The applicant established by substantial evidence that the proposed use promotes the County's agricultural industry and serves a proven need in the farm community.
2. The applicant established by substantial evidence that no adverse impact on the character of the neighborhood, property values or the environment in the area will be created by the proposed use.
3. The proposed use conforms to the purposes and goals of the Western Sussex Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing C/U #1001 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 AN ACCESSORY USE TO A DWELLING FOR RETAIL SALES OF CRAFTS AND GENERAL GIFTS, TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 9.22 ACRES, MORE OR LESS" (C/U #1001) filed on behalf of Joan Lapp. The Public Hearing was closed.

M 238 92 Adopt Ordinance No. 834 (C/U #1001) A Motion was made by Mr. Collins, seconded by Mr. Benson, to Adopt Ordinance No. 834 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ACCESSORY USE TO A DWELLING FOR RETAIL SALES OF CRAFTS AND GENERAL GIFTS, TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 9.22 ACRES, MORE OR LESS" (C/U #1001) filed on behalf of Joan Lapp, with the following stipulations:

1. Retail area for the sale of crafts and general gifts shall be confined to the area of the existing porch and living room of the existing dwelling.

- M 238 92 (con't)
2. Only one unlighted sign, not to exceed 32 square feet per side or facing, is permitted on site.
 3. Final site plan review and approval from the Planning and Zoning Commission is required.

Motion Adopted: 5 Yea.

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

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

1. The applicant established by substantial evidence that the proposed use causes no adverse impact on the neighborhood, property values therein or the environment in the area.
2. The proposed use conforms to the goals of the Western Sussex Land Use Plan.
3. The findings of fact and recommendations of the Planning & Zoning Commission are incorporated herein.

Public Hearing C/Z #1161 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 BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 6.5 ACRES, MORE OR LESS" (C/Z #1161) filed on behalf of Anna Lee Gray. The Public Hearing was closed.

M 239 92 Adopt Ordinance No. 835 (C/Z #1161) A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt Ordinance No. 835 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 6.5 ACRES, MORE OR LESS" (C/Z #1161) filed on behalf of Anna Lee Gray.

Motion Adopted: 4 Yea, 1 Nay.

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

Findings
of Fact

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

1. The applicant established by substantial evidence that the site has been the subject of regular, consistent business and commercial activities since 1942 and that the immediate neighborhood has developed as a mix of neighborhood business, general commercial and residential uses.
2. The applicant established by substantial evidence that the change of zone will cause no adverse impact on the neighborhood, property values therein, or the environment in the area.
3. Traffic impact will be minimized by the applicant's completion of DelDOT's required improvements.
4. The change of zone complies with the purposes of the Coastal Land Use Plan.
5. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
(C/Z
#1162)

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 B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.00 ACRE, MORE OR LESS" (C/Z #1162) filed on behalf of Byron H. and Deborah D. Jefferson.

M 240 92
Adopt
Ordinance
No. 836
(C/Z
#1162)

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt Ordinance No. 836 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.00 ACRE, MORE OR LESS" (C/Z #1162) filed on behalf of Byron H. and Deborah D. Jefferson.

Motion Adopted: 5 Yea.

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

Findings
of Fact

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

Findings
of Fact
(con't)

1. The applicant established by substantial evidence that their expanding business requires additional land area.
2. The applicant established by substantial evidence that the change of zone will cause no adverse impact on the neighborhood, property values therein, or the environment in the area.
3. The change of zone complies with the purposes and goals of the Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
C/Z
#1163

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 GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 80.23 ACRES, MORE OR LESS" (C/Z #1163) filed on behalf of Wheatley Farms, Inc.

M 241 92
Motion
Died

A Motion was made by Mr. Cole to leave the record open for State Agencies for a period of thirty days. The Motion died for lack of a second.

The Public Hearing was closed and action was deferred.

Mr. Benson left the meeting at this time.

Policy
Change

Mr. Stickels, County Administrator, recommended that the policy pertaining to the advertisement for public hearings for zoning applications be amended to permit applications received on behalf of the State of Delaware to be advertised for public hearing at the earliest convenience, contingent upon the County Council approving such advertising.

M 242 92
State
of
Delaware
Zoning
Applica-
tions

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that the Sussex County Council, having met in public session, authorizes the Planning and Zoning Director to advertise for public hearing any rezoning or conditional use application at the earliest convenience for any applications received on behalf of the State of Delaware, contingent upon the County Council approving such advertising.

Motion Adopted: 4 Yea, 1 Absent.

M 242 92 (con't) Vote by Roll Call: Mr. Benson, Absent; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Milford School District Mr. Lank advised that the Milford Special School District is submitting an application for conditional use for the expansion of their school facilities at Lincoln.

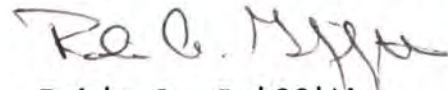
M 243 92 Advertise Public Hearing Milford School District A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to authorize the advertisement of the public hearing for the conditional use application of the Milford Special School District at the earliest convenience.

Motion Adopted: 4 Yea, 1 Absent.

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

M 244 92 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Cole, to adjourn at 4:12 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council