

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 17, 2003

Call to Order The regular meeting of the Sussex County Council was held Tuesday, June 17, 2003, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Lynn J. Rogers	President
Dale R. Dukes	Vice President
Finley B. Jones, Jr.	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
James D. Griffin	County Attorney

Mr. Rogers announced that Mr. Cole was out of town on personal business.

Recommendation to Amend Agenda Mr. Stickels recommended that the Agenda be amended to include Senate Bill No. 66 and Introduction of Proposed Zoning Ordinances. He advised that it is necessary to place Senate Bill No. 66 on the Agenda on this date because it is on the Senate's Ready List. Mr. Baker has received additional information and it is imperative that Council is made aware of this information. In addition, he advised that it is necessary to place the Introduction of Proposed Ordinances on the Agenda to permit the uninterrupted scheduling of Public Hearings by the Planning and Zoning Department.

M 358 03 Amend and Approve Agenda A Motion was made by Mr. Dukes, seconded by Mr. Jones, to amend the Agenda by including Senate Bill No. 66 and Introduction of Proposed Zoning Ordinances under Additional Business and to approve the Agenda, as amended.

Motion Adopted: 4 Yea, 1 Absent.

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

M 359 03 Approve Minutes A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve the minutes of June 3, 2003, as distributed.

Motion Adopted: 4 Yea, 1 Absent.

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

**M 360 03
Approve
Minutes**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve the minutes of June 10, 2003, as distributed.

Motion Adopted: 4 Yea, 1 Absent.

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

**Corre-
spondence**

Mr. Griffin read the following correspondence:

**CONSTANCE HOLLAND, DIRECTOR, OFFICE OF STATE
PLANNING COORDINATION, DOVER, DELAWARE.**

**RE: Copy of a letter to Jim Cresson of the Cape Gazette to clarify a point
raised in a newspaper article of June 6, 2003 entitled "Sussex Approves
Love Creek Development".**

**GARY CUPPELS, VICE PRESIDENT OF OPERATIONS,
ENVIRONMENTAL CONSULTANTS INTERNATIONAL
CORPORATION, REHOBOTH BEACH, DELAWARE.**

**RE: Letter commending Sussex County Engineering staff for the excellent
job they did in presenting the Millville/Holts Landing Expansion Plan at
the Public Meeting held on June 2, 2003.**

**Adminis-
trator's
Report**

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

1. Greenwood Public Library Summer Program

The Greenwood Public Library eight-week summer reading program for children will begin on Wednesday, June 18, and run through August 6, 2003. The program is free to the public and open to preschool age children and older, with a special teen version for youth 12 and older. There will be a number of fun-related activities.

Summer programs for teens include the comedy film festival, jeans decorating, and talent night. For additional information, the library can be contacted at 302-349-5309.

2. Destruction of Bald Eagle Nesting Site

State and Federal investigators announced on Friday, June 13, 2003, that they are investigating the destruction of a bald eagle nesting site near Millsboro and are offering a \$1,000 reward for information leading to an arrest. A tree with a nest of two baby eagles was found cut down Wednesday in a 35-acre wooded area at Possum Point. Officials do not know if the fledglings flew away or were killed. The State Department of Natural Resources and Environmental Control and the U. S. Fish and Wildlife Service are investigating, collecting evidence, photographing the site, and estimating when someone used a chainsaw to bring down the tree.

**Administrator's
Report
(continued)**

The federally protected bird is a threatened species, and destroying a nesting site is a crime that carries State and Federal fines, as well as possible jail time. Anyone with information is asked to call 1-800-292-3030 or 1-800-523-3336.

3. Airport Committee Meeting

The Sussex County Airport Committee will meet on Wednesday, June 25, 2003, at 6:00 p.m. The meeting will take place at the Sussex County Administrative West Complex, DuPont Highway, Georgetown, Delaware.

Please note that the meeting is starting at 6:00 p.m. and not at its usual 10:00 a.m. time.

The media as well as the general public is invited to attend this meeting.

**Public
Hearing/
Proposed
Ordinance/
Fiscal
2004
Budget**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2004".

Mr. Stickels read the following correspondence relating to the Fiscal 2004 Budget:

COLONEL L. AARON CHAFFINCH, SUPERINTENDENT, DELAWARE STATE POLICE, DOVER, DELAWARE.

RE: Letter regarding the Delaware State Police/Sussex County partnership to provide supplemental police protection.

JOSEPH F. MCHUGH, MAYOR, TOWN OF BETHANY BEACH, BETHANY BEACH, DELAWARE.

RE: Letter requesting funding to help defray the cost of a barge for the July 4th fireworks display.

RICHARD STONE, PRESIDENT, LAUREL HISTORICAL SOCIETY, LAUREL, DELAWARE.

RE: Letter requesting funding for renovations to the "Studley House".

MICHAEL MCGRATH, CHIEF OF PLANNING, DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION, DOVER, DELAWARE.

RE: Letter asking the County to commit \$1M to the Farmland Preservation Program.

ED KEE, EXTENSION SPECIALIST, UNIVERSITY OF DELAWARE COOPERATIVE EXTENSION, RESEARCH AND EDUCATION CENTER, GEORGETOWN, DELAWARE.

RE: Letter thanking Council for the inclusion of \$20,000 in the County's FY 2004 Budget to support the establishment of the new pepper enterprise.

JOHN COLLIER, WORLD CHAMPIONSHIP PUNKIN CHUNKIN ASSOCIATION, REHOBOTH BEACH, DELAWARE.

**Public
Hearing/
Proposed
Ordinance/
Fiscal
2004
Budget
(continued)**

RE: Letter requesting funding in the amount of \$5,000 for promoting and operating the Punkin Chunkin event.

DR. SUSANNA LEE, JOBS FOR DELAWARE GRADUATES, DOVER, DELAWARE.

RE: Letter requesting funding for the summer youth employment program.

Mr. Stickels presented the Proposed Fiscal 2004 operating budget.

Mr. Stickels stated that the Proposed Fiscal 2004 Budget totals \$106,908,130 compared to last year's budget which totaled \$83.9 million. The \$106.9 million budget consists of \$38.9 million in General Fund operating expenditures. The Proposed General Fund FY 2004 budget will increase 19.81 percent over FY '03's General Fund expenditures. The primary reason for the proposed General Fund increase in expenditures for FY 2004 of 19.81 percent is because of this year's Appropriated Reserve. This year's Appropriated Reserve is in the amount of \$6.2 Million. This compares to FY 2003 expenditures for this account of \$2,516,306.

In addition to the increase in the Appropriated Reserve, the Budget Committee is recommending a new program entitled "Economic Development Stimulus Loan Program". There is \$1 Million being proposed for this program. Without the Appropriated Reserve and Economic Development Stimulus Loan Program expenditures, the proposed FY 2004 budget would have increased 5.65 percent. This 5.65 percent is comparable to increases in the General Fund from FY 1994 through FY 2003. During that ten-year period, County expenditures increased an average of 8.6 percent annually.

Mr. Stickels noted that other factors are contributing to increased spending:

- Public officials' liability insurance, airport liability insurance, Sheriff's liability insurance, and double-digit increases in health insurance, workers compensation liability insurance, general liability, and bonding.**
- Gasoline and propane costs.**
- A change in the funding for paramedic services.**
- Increased funding for State Police service.**

Mr. Stickels stated that all of these are contributing factors as to why the Budget Committee feels it is necessary to allow for this year's budget to have a 19.81 percent increase.

Highlights of the Proposed Fiscal 2004 Budget are as follows:

**Public
Hearing/
Proposed
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Fiscal
2004
Budget
(continued)**

- No tax increase.
- Rainy day fund 20.3%.
- Elimination of failing septic systems and holding tanks.
- Property tax, sewer service and septic system assistance for low-income residents.
- Revenue Sharing for local governments.
- Airport expansion.
- Aggressive Capital Improvement Program.
- Staffing of seventh paramedic unit.
- Continuation of Open Space Program.
- Expanded State Police Program.
- Community Investment Program.
- \$3 Million General Fund Wastewater Grant.
- Increased contribution to Paramedic Program.
- Economic Development Stimulus Loan Program.
- Ellendale and Phase I Cedar Neck Wastewater Sewer Districts On-Line.

Mr. Stickels reviewed the remaining General Fund Expenditures: \$3.6 million in Capital Improvements; \$1.4 million in Community Development Grants; \$23.4 million for the sewer and water districts; and \$39.5 million in Capital Project Program Funding.

Mr. Stickels reported that the Proposed Budget maintains the current tax rate of \$.4450 per 100 of taxable assessed valuation. FY 2004 will be the 14th straight consecutive year without a tax increase.

Public comments were heard.

Dr. Susanna Lee told Council that Jobs for Delaware Graduates is a statewide high school program that provides services to high school students. Jobs for Delaware Graduates (JDG) was organized to prepare highly at-risk students to transition from school to work. Their mission is to enable students to achieve academic, career, personal, and social success. Dr. Lee reported that there has been a funding cut in the amount of \$700,000, creating a shortfall for the Summer Subsidized Employment Program. Due to the decrease in funding, JDG will not be able to subsidize jobs for students this summer. There are 142 students in the program in Sussex County. Dr. Lee asked Council for funding, if any is available and also asked that they contact her office if they know of any businesses which have the funds to hire the students through an employer-paid program.

Richard Chapins, George Truitt, Brian Derby, Wolfgang von Baumgart, Mallory Derby, Al Gargano (Sussex FOP Lodge), Thomas Baker, and John Reed spoke in support of Sheriff Reed's budget proposal and stated that the Sheriff should be restored to his "constitutional role of office"; that although the State Police do a good job, they are spread too thin; that the Sheriff's Office could work in conjunction with the State Police to provide

**Public
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Proposed
Ordinance/
Fiscal
2004
Budget
(continued)**

increased coverage in the County; that the Sheriff would be able to get federal grants to help fund the proposed budget expansion; and that this is a safety issue and not a money issue. Mr. Gargano stated that 100 percent of the membership of the Sussex FOP Lodge supports the Sheriff.

Sheriff Reed asked that Council vote on his proposal to expand his budget and his department.

Shirley Fish spoke and congratulated Council on providing a 60 percent increase in State Police with a 16 percent budget.

John Brady, Recorder of Deeds, thanked Council for his department's budget appropriations and stated that he plans to use less than that which was appropriated.

Dan Kramer questioned how many cap tax bills were returned unpaid.

Dennis Forney thanked Council for their support of the libraries and asked them to consider his request made last year to allocate cap tax funds for the independent libraries. Mr. Forney also asked Council to consider increasing realty transfer taxes an additional ½ percent (to be taxed on transactions of \$150,000 or more) for the purpose of gaining a sustainable funding source for open space acquisition.

Councilmembers and Mr. Baker commented on the Sheriff's proposal stating that the County's current agreement with the State Police is more effective and cost-efficient.

The Public Hearing was closed.

**Request
to Defer
Action**

Mr. Phillips asked that Council defer action on the Proposed Fiscal 2004 Budget for one week until Mr. Cole returns. There was no consensus to Mr. Phillips' request.

**Public
Hearing/
West
Rehoboth
SSD
Extension/
Woods
Cove
Develop-
ment**

A Public Hearing was held to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (WRX) to include a single parcel of land on County Road 275 (Plantations Road) north of State Route 24 (John J. Williams Highway), located in Lewes and Rehoboth Hundred.

Mr. Archut, Assistant County Engineer, explained that the extension would provide service to the Woods Cove Development

There were no public comments and the Public Hearing was closed.

**M 361 03
Adopt
Resolution
No.
R 019 03**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Resolution No. R 019 03 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE WEST REHOBOTH EXPANSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT (WRX) TO ENCOMPASS A SINGLE PARCEL OF LAND ON COUNTY ROAD 275

**M 361 03
(continued)**

(PLANTATIONS ROAD) NORTH OF STATE ROUTE 24 (JOHN J. WILLIAMS HIGHWAY), BEING IN LEWES – REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE”.

Motion Adopted: 4 Yea, 1 Absent.

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

**Public
Hearing/
Long
Neck
SSD
Extension/
The
Peninsula
and Bay
Farm**

A Public Hearing was held to consider extending the Long Neck Sanitary Sewer District (LNSSD) to include parcels of land on both sides of County Road 299 (Bay Farm Road), both sides of County Road 299A (Trinity Road) and both sides of County Road 298 (Legion Road), located in Indian River Hundred.

Mr. Archut, Assistant County Engineer, explained that the extension would provide service to two projects, The Peninsula and Bay Farm. In addition, the extension would encompass some privately owned properties.

There were no public comments and the Public Hearing was closed.

**M 362 03
Adopt
Resolution
No.
R 020 03**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt Resolution No. R 020 03 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE LONG NECK SANITARY SEWER DISTRICT (LNSSD) TO INCLUDE PARCELS OF LAND ON BOTH SIDES OF COUNTY ROAD 299 (BAY FARM ROAD) AND BOTH SIDES OF COUNTY ROAD 299A (TRINITY ROAD) AND BOTH SIDES OF ROAD 298 (LEGION ROAD) BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE”.

Motion Adopted: 4 Yea, 1 Absent.

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

**Public
Hearing/
Assessment
Rolls for
Sanitary
Sewer
and
Water
Districts**

A Public Hearing was held on the Assessment Rolls for all Sussex County Sanitary Sewer and Water Districts. Mr. Baker noted that the records have been available for public inspection in the Utility Billing Department. The records include: (1) a summary of costs to be recovered through annual utility charges, (2) a summary of annual service charges and assessment charges, (3) a summary of proposed system connection charges, and (4) a one-time septic installation fee for the Holts Landing Sanitary Sewer District.

Mr. Baker explained that assessment rolls are a record of the front footage and Equivalent Dwelling Unit (EDU) for each individual property.

There were no public comments and the Public Hearing was closed.

**M 363 03
Adopt
Assessment
Rolls for
Sanitary
Sewer
and
Water
Districts**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, that the Sussex County Council hereby adopts the Assessment Rolls for all Sussex County Sanitary Sewer and Water Districts, as presented on June 17, 2003 for the period July 1, 2003 to June 30, 2004.

Motion Adopted: 4 Yea, 1 Absent.

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

**Public
Hearing/
Proposed
Ordinance/
Charges
for all
Water
and
Sewer
Districts**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS".

Mr. Baker distributed the following:

- Exhibit 1 – Shows operating expenses and capital costs to be recovered by service and assessment charges. The total is \$16,695,000.
- Exhibit 2 – Shows the rates for each individual district. The only change in Exhibit 2 is the inclusion of one new district – the Ellendale Sanitary Sewer District (including the New Market Villages sub-district). These rates of \$212.00 for service charge and \$1.97 per front foot reflect the referendum-approved rates. The district will go into operation on July 1st.
- Exhibit 3 and Exhibit 4 – Shows the existing connection fees for each district – the amounts that were advertised and the recommended connection fees, which are lower than those advertised. (This is the only area where increases are recommended.) Black and Veatch, the County's rate consultants, reviewed the rates and recommended a lesser increase in the connection fees than those proposed by the Budget Committee.

Mr. Baker reviewed the reasons for the increase in the connection fees:

1. Inflation and capital costs were considered.
2. The cost of the expansion of the South Coastal Wastewater Facility Treatment Plant.
3. The Blades connection fee includes charges by the City of Seaford that the County will incur when it accepts the new Agreement with the City of Seaford. The City of Seaford treats the waste for the Town of Blades.
4. Dagsboro-Frankford rates includes the original rate plus inflation.

Mr. Baker noted that the goal of the charges is to have the new users pay for the additional cost of growth. The increases will only affect new users.

**Public
Hearing
(continued)**

Mr. Baker distributed a letter from Larry Peart of Black & Veatch in which Mr. Peart states that the rates are equitable.

- **Exhibit 5** – Shows the one time septic installation fee, which only applies to the Holts Landing Sanitary Sewer District. The rate is the same as last year.

There were no public comments and the Public Hearing was closed.

**M 364 03
Adopt
Ordinance
No. 1617**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt Ordinance No. 1617 entitled “AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS”.

Motion Adopted: 4 Yea, 1 Absent.

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

**Proposed
Fiscal
2004
Budget**

Mr. Stickels referred back to the Proposed Fiscal 2004 Budget for Council’s consideration of the various requests received.

It was the consensus of Council that there is insufficient funding available for the Jobs for Delaware Graduates Summer Employment Program.

There was no consensus to give \$5,000 to the Town of Bethany Beach for the barge needed for the July 4th Fireworks Celebration.

**M 365 03
Appropriate
\$5,000/
Laurel
Historical
Society**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to appropriate \$5,000 in the Fiscal 2004 Budget for the Laurel Historical Society for renovations to the Studley House.

Motion Adopted: 4 Yea, 1 Absent.

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

**M 366 03
Appropriate
\$5,000/
Punkin
Chunkin
Association**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to appropriate \$5,000 in the Fiscal 2004 Budget for the World Championship Punkin Chunkin Association for promoting and operating expenses.

Motion Adopted: 4 Yea, 1 Absent.

**M 366 03
(continued)**

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

**M 367 03
Appropriate
\$5,000/
Delaware
Community
Foundation**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to appropriate an additional \$5,000 in the Fiscal 2004 Budget for the Delaware Community Foundation.

Motion Adopted: 4 Yea, 1 Absent.

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

**Proposed
Salary
Increase**

Mr. Jones referred to the Fiscal 2004 Budget and the proposed salary increase of 1 percent (with a minimum increase of \$520.00) in July 2003 and 1 percent increase in January 2004. Mr. Jones proposed that employees be given 2 percent in July 2003. Mr. Jones received no support for his proposal.

**Sheriff's
Budget
Proposal**

Council considered Sheriff Reed's recommended amendment to the budget, which will increase the Sheriff Department's Budget and expand the Department's services. Using the Sheriff's numbers, the total budget increase for the Sheriff's Department would be \$1.5 million. The Department would be expanded by 22 employees, 17 of which would be road deputies.

Mr. Baker advised that to adopt the Sheriff's recommended amendment, Council would have to opt out of the State Police Agreement and include that funding (\$906,000) in the Sheriff Department's budget. His proposal also includes \$513,000 in fines and \$200,000 in grants. Mr. Baker stated that a Budget Amendment would include increasing revenues for fines, grants, and expenditures.

**M 368 03
Include
Sheriff's
Proposal
in Budget
(Denied)**

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to allow the Sheriff's Proposal to be included in the Fiscal 2004 Budget.

Motion Denied: 4 Nay, 1 Absent.

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

**M 369 03
Proposed
Change to
Budget**

A Motion was made by Mr. Phillips to defer action on the Fiscal 2004 Budget to give the Budget Committee the opportunity to come up with an alternate budget that would only increase spending by 4 percent. The Motion failed for the lack of a Second.

**M 370 03
Adopt
Ordinance
No. 1618/
Adopt
Fiscal
2004
Budget**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt Ordinance No. 1618 entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2004, as Amended" by increasing funding in the amount of \$5,000 for the Laurel Historical Society; by increasing funding in the amount \$5,000 for the World Championship Punkin Chunkin Association; by increasing funding an additional \$5,000 for the Delaware Community Foundation; by reducing Reserve for Contingencies by \$15,000; and including a property tax rate of \$.4450 per \$100.00 of taxable assessed valuation, a capitation rate of \$3.00 per capita; and a Firemen's Enhancement Funding rate of one-quarter of one percent (.25%) of building costs; and requiring not less than a 4/5 vote of the members of the Sussex County Council to approve transfers from the Undesignated General Fund Balance.

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

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

**New
Castle
County
Council/
Senate
Bill
No. 66**

Sherry Freeberry, Assistant County Executive, New Castle County; Tom Gordon, County Executive, New Castle County; Ron Morris, Chief Financial Officer, New Castle County; and David Paul of Fiscal Strategies Group, Financial Consultant for New Castle County, were present to discuss Senate Bill No. 66. Senate Bill No. 66 would enable counties and municipalities to utilize Tax Increment Financing (TIF) and Special Development Districts to fund costs related to the impacts of development.

Representatives of New Castle County and their consultant were present to share information about the legislation so that the Sussex County Council can make an informed decision. New Castle County has asked for an exemption from the legislation due to concerns that the public would consider the special districts an entitlement program for developers and since the legislation could result in higher taxes in the poorer districts.

**Proposed
Ordinance**

Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (2 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 6,000 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1512) filed on behalf of Randall J. Pentoney and Diane M. Pentoney. The Proposed Ordinance will be advertised for Public Hearing.

**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 BAKERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 14.13

Proposed Ordinance (continued) **ACRES, MORE OR LESS” (Conditional Use No. 1513) filed on behalf of Linda Thurston and Karen Nash. The Proposed Ordinance will be advertised for Public Hearing.**

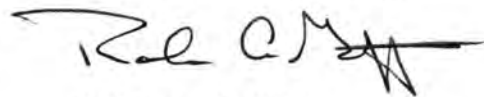
Proposed Ordinance **Mr. Rogers introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 19,500 SQUARE FEET, MORE OR LESS” (Change of Zone No. 1522) filed on behalf of Robert Sando. The Proposed Ordinance will be advertised for Public Hearing.**

Proposed Ordinance **Mr. Jones introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 115.3 ACRES, MORE OR LESS” (Change of Zone No. 1523) filed on behalf of CARD, LLC. The Proposed Ordinance will be advertised for Public Hearing.**

Proposed Ordinance **Mr. Phillips introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 19,256 SQUARE FEET MORE OR LESS (Change of Zone No. 1524) filed on behalf of Patrick Tell. The Proposed Ordinance will be advertised for Public Hearing.**

M 371 03 Adjourn **A Motion was made by Mr. Jones, seconded by Mr. Dukes, to adjourn at 1:27 p.m. Motion Adopted by Voice Vote.**

Respectfully submitted,



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