

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-AUGUST 13, 1991

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, August 13, 1991, 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 339 91
Amend
Minutes

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to amend the minutes of the previous meeting by striking the word [recess] in Motion No. M 338 91 and inserting in lieu thereof the word adjourn. Motion Adopted: 4 Yea; 1 Absent.

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

Approval
of Minutes

There being no further corrections or additions, President Dukes declared the minutes of the previous meeting approved as amended.

Corre-
spondence

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

CALVIN MEADOWS, REPRESENTATIVE, AND JOHN T. FISHER, REPRESENTATIVE, RESIDENTS OF SCHOOLVUE, REHOBOTH BEACH
RE: A petition, photos of traffic congestion, and objections to the proposed 18-suite, hotel/motel on Sussex road 272.

There will be no public hearing scheduled for this since the site is properly zoned for such a facility. Site plan approval will be necessary, however. The County Administrator has written to the developer concerning the residents complaints.

Legisla-
tive
Bills

Mr. Stickels, County Administrator, reviewed pending legislation introduced by members of the House of Representatives.

August 13, 1991

Legisla-
tive
Bills
(Con't.)

1. House Bill No. 3 - introduced by Representative Roy on January 10, 1991. If adopted by the General Assembly, it would require all changes in zoning that were denied by the Planning and Zoning Commission to have a two-thirds vote by members of the County Council for adoption. Hence, Sussex County Council would need four positive votes to overturn Planning and Zoning Commission's denial of a zoning change.

Mr. Bayard, County Attorney, recommended that the County Council go on record opposing House Bill No. 3; it takes away a part of the Council's authority granted by Home Rule on July 23, 1970.

Councilman Stevenson asked for a week to consider this recommendation. The matter will be placed on the Agenda next week.

2. House Bill No. 401 - introduced by Representative Fallon and Representative Venables on August 6, 1991. If adopted by the General Assembly, it would exempt from County taxation wharves, piers and docks which are maintained for private use and enjoyment, while leaving intact the property tax as it applies to wharves, piers and docks owned and operated for public use as a commercial enterprise. This County taxing power is authorized by Title 9, Delaware Code.

M 340 91
Opposition
to House
Bill No.
401

A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Council go on record opposing House Bill No. 401, relating to property subject to County taxation. Motion Adopted: 5 Yea.

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

Adminis-
trator's
Report

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

1. Sussex Conservation District Tour - The Sussex Conservation District Board of Supervisors will be conducting a tour of soil and water conservation measures on Thursday, September 5, 1991. The bus will leave from the Research and Education Center on Route 9, west of Georgetown, at 4:00 p.m. and return at 6:00 p.m. Councilmen wishing to participate in the tour were asked to let the County Administrator know by August 28th.

August 13, 1991

Adminis-
trator's
Report
(Con't.)

2. Annual Softball Game - The annual softball game between the County attorneys and the County employees will take place on Friday, September 6, 1991, at 5:00 p.m. at the South Bedford Street Extended softball complex.
3. Watermelon Queen Visits Courthouse - Angie Riggins of Laurel, Delaware, 1991 Mar-Del Watermelon Queen, will be at the Courthouse on Tuesday, August 20, 1991. Angie will be available following the Council meeting to give tips on the selection of watermelon and to inform the public about the nutritional and economic value of the product. The County Council wishes to challenge the media to a Watermelon Seed Spitting Contest. There will also be competition between each County department. Department heads will designate an employee to represent their department.

C/U #973

Conditional Use No. 973, filed on behalf of Harbor Properties, Inc., was discussed. Public Hearing was held on July 30, 1991, and action was deferred.

M 341 91
Proposed
Ordinance
C/U #973
(Denied)

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 15.79 ACRES, MORE OR LESS" (C/U #973) filed on behalf of Harbor Properties, Inc., with the following stipulations:

1. The use of the campground shall be limited to licensed recreational vehicles, including camper trailers, travel trailers, and motor homes. No tent camping or open air camping shall be permitted.
2. All campsites shall be vacated at the termination of each camping season, which shall run from March 15 to November 15.
3. The maximum number of campsites shall not exceed 94.
4. The maximum stay on a campsite shall be 14 days. Seasonal rental shall not be permitted.
5. Residential use of the site shall be limited to the on-site manager's residence.

August 13, 1991

M 341 91
(Con't.)
C/U #973

6. Roads shall be designed to provide adequate access for fire fighting vehicles per the specification of the Office of the State Fire Marshal.
7. Central fire protection in the form of at least one designated well for fire fighting shall be provided by the applicant per the specification of the Office of the State Fire Marshal.
8. All campsites, buildings, and user activity areas shall be at least 100 feet from Route 30.
9. All campsites shall be at least 400 feet from any dwelling of other ownership.
10. Landscaped buffers shall remain undisturbed. No streets, trails, walkways, or structures shall be located in buffer areas. An entrance street for ingress/egress to the site from Route 30 may cross the buffer.
11. Chain link fencing shall be provided around the perimeter of the site. The minimum fence height shall be four feet.
12. The existing streambed, which crosses the property, shall remain intact except for crossing with a road or roads for access to the rear of the property. A 25 foot wide buffer strip shall be provided along the existing streambed on both sides. The buffer strip shall be measured from the top of the banks of the streambed.
13. All perimeter corners of the site shall be monumented.
14. All corners of campsites shall be visibly marked and numbered.
15. No storage structures shall be permitted on individual campsites.
16. Recreational areas for users shall be centrally located in camping areas. Recreational equipment shall be provided for use by children.
17. Bathhouses shall be centrally located within camping areas to serve the needs of the users.
18. Open burning shall not be allowed at individual campsites.
19. No propane gas shall be sold on-site.

August 13, 1991

M 341 91
(Con't.)
C/U #973

20. No campsites shall be sold.
21. No commercial activities shall be permitted on individual campsites.
22. One on-site advertising sign shall be permitted. The sign shall not exceed 32 square feet per side or facing.
23. The final site plan shall designate any State and/or Federal wetlands. If none exist, the plat shall be so noted and signed by a soils expert.
24. The final site plan and campground restrictions shall be subject to review and approval of the Planning and Zoning Commission upon receipt of approvals and/or permits from all appropriate agencies.

Motion Denied: 5 Nay.

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

Findings
of Fact
C/U #973

The Council found that the conditional use was not appropriate legislative action based upon the following: it would be detrimental to the watershed that divides the sites; 94 campsites on 15.79 acres is excessive; it would be out of character with the residential neighborhood; increased traffic; and it could result in a loss of property values.

Long Neck
Sanitary
Sewer
District

Mr. Green, Utility Construction Division Director, reviewed a recapitulation to date for Contract No. 3 for the Long Neck Sanitary Sewer District, including Change Order No. 5 being recommended today.

M 342 91
Change
Order
Long Neck
Sanitary
Sewer
District

A Motion was made by Mr. Cole, seconded by Mr. Collins, based upon the recommendation of the Inspection Engineer, KCI Technologies, Inc., and the Sussex County Engineering Department, that the Sussex County Council President be authorized to issue Change Order No. 5 for the Long Neck Sanitary Sewer District, Contract No. 3, to Onshore Construction Co., Inc., for removal of unsuitable material from pipeline excavation area for an amount of \$1,886.30, increasing this contract amount to \$2,811,548.16. Motion Adopted: 5 Yea.

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

August 13, 1991

Pumping
Station
No. 100

Mr. Green, Utility Construction Division Director, discussed Sussex County Project No. 81-04, Pumping Station 100, that will service Oceanway Estates. Installation expenses will be borne by the developer in accordance with Chapter 110, Part 2, Sussex County Code [Ordinance No. 38].

Bids for Pumping Station No. 100 were opened December 4, 1990, and again on April 30, 1991. Both bids were rejected by the developer [Berzins Enterprises] due to excessive costs and a lack of financing. The developer has negotiated with a contractor and is now prepared to execute an escrow agreement to be used for construction coordination services of wastewater facilities to serve the project known as Pumping Station No. 100 in the Bethany Beach Sanitary Sewer District.

M 343 91
Agreement
Pumping
Station
No. 100

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, based upon the recommendation of the Engineering Department, that the President of the Sussex County Council execute an agreement between Sussex County Council and KCI Technologies, Inc. for the construction coordination services of wastewater facilities to serve Pumping Station No. 100 in the Bethany Beach Sanitary Sewer District. Motion Adopted: 5 Yea.

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

M 344 91
Adopt
Resolution
No. R 020 91
Escrow
Agreement
Pumping
Station
No. 100

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, based upon the recommendation of the Engineering Department, to Adopt Resolution No. R 020 91 as follows:

RESOLUTION NO. R 020 91

ESCROW AGREEMENT AUTHORIZED BETWEEN SUSSEX COUNTY AND BERZINS ENTERPRISES TO BE USED FOR CONSTRUCTION COORDINATION SERVICES OF WASTEWATER FACILITIES TO SERVE THE PROJECT KNOWN AS PUMPING STATION NO. 100 IN THE BETHANY BEACH SANITARY SEWER DISTRICT

BE IT RESOLVED, that the President and Clerk of the County Council of Sussex County be and are hereby authorized to execute an agreement between Sussex County and Berzins Enterprises for an escrow agreement in the amount of Twenty Six Thousand Six Hundred Dollars (\$26,600.00) to be used for construction coordination services of wastewater facilities to serve the project known as Pumping Station No. 100 in the Bethany Beach Sanitary Sewer District; and

August 13, 1991

M 344 91
(Con't.)
Resolution
No. R 020 91

BE IT FURTHER RESOLVED, that the County Attorney, the Assistant County Attorney, or their successors, be and are hereby authorized to participate in the joint escrow agreement provided for herein on behalf of Sussex County and that they be permitted to withdraw funds from such account and execute such other further documents as may be necessary to further the intents and purposes of this Resolution.

Motion Adopted: 5 Yea.

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

WESTON
Task
Order -
Landfills

Mr. Wood, County Engineer, discussed the Task Order for the scope of work and estimated costs for work to be completed by Roy F. Weston, Inc., [WESTON] for groundwater sampling and other related activities at the County landfills for FY 1991-1992. These activities include: semiannual groundwater sampling programs to be conducted in November 1991, and May 1992, at the six Sussex County landfills; assistance with the MOU implementation at the Bridgeville Landfill; and technical support for the alternate water supply systems to be installed at the landfills. In May 1991, WESTON began monitoring activities at the Bridgeville Landfill to assess the impact of existing irrigation wells on groundwater flow and contaminant migration. In accordance with terms and conditions of the Basic Ordering Agreement dated April 16, 1991, the estimated cost is \$150,000.

M 345 91
Task
Order
Agreement -
Landfills

A Motion was made by Mr. Benson, seconded by Mr. Cole, based upon the recommendation of the Engineering Department, that the President of the Sussex County Council be authorized to enter into a Task Order Agreement with Roy F. Weston, Inc. to perform groundwater sampling and technical support at the six County landfill sites for an estimated cost of \$150,000. Motion Adopted: 5 Yea.

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

Bids
Project
No. 91-07

Mr. Izzo, Public Works Division Director, opened the following bids for Sussex County Project No. 91-07 for one 1991 or 1992 4 x 4 Off-Road Wagon:

August 13, 1991

Bids
(Con't.)
Project
91-07

DALESSIO FORD LINCOLN-MERCURY
PENNSVILLE, NEW JERSEY

1992 Ford Explorer \$16,692.00

FREDERICK FORD/MERCURY, INC.
SEAFORD, DELAWARE

1992 Ford Bronco \$16,921.00

Bids will be reviewed and a recommendation brought back at a later time.

Bids
Project
No. 91-09

Mr. Stickels, County Administrator, opened the following bids for Contract No. 1, Sussex County Project No. 91-09, Contract No. 1, for one Communications Recording System:

DELAWARE OFFICE EQUIPMENT COMPANY, INC.
WILMINGTON, DELAWARE

RACAL

1	WS2002, Wordsafe Twenty Channel Dual Deck VHS Recorder	\$19,867.00
1	WS010S, Spoken Time Module	427.00
1	WS2011, Twenty Channel Reproducer	<u>9,863.00</u>
	Subtotal	\$30,157.00
	Less Allowance	<u>- 9,047.10</u>
	Total	\$21,109.90
	Installation	325.00
	First Year Maintenance (Includes Warranty)	850.00
	Estimated Freight	25.00
	65 VHS Cassettes @ \$7.00 each	<u>455.00</u>
	Grand Total (Excluding Option)	\$22,764.90

Option

1	WSA008, Remote Indicator Unit for use with up to four Recorders	\$ 350.00
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August 13, 1991

Bids
(Con't.)
Project
No. 91-09

DICTAPHONE CORPORATION
STRATFORD, CONNECTICUT

This company presented two bids as follows:

Bid One

- 1 5202, 20 Channel Dual Deck Recorder Reproducer with:
AGC, Cabinet and Clear Locking Door
- 1 5516, High Speed Time Date Generator/Reader and
Auto Search with: Crystal Oscillator and 8 Hour
Battery Backup, Day Month System
- 1 9200, 20 Channel Reproducer with: Time Code Reader,
Auto Search and Expanded Search Facilities,
FootControl, Headset and Central Video Control Console
- 1 427355, Two Channel Cassette Rerecord Panel for
the Model 9000 Recorder/Reproducer/Remote 110 Volt
- 1 427246, Time Code Converter for Two Channel Cassette
Rerecord Panel
- 65 421582, Recording Tape 1/2", 3600 Feet 1mil, 10.5"
NAB Reels

TOTAL EQUIPMENT INCLUDING INSTALLATION \$17,800.00

Option

- 1 426201, Remote Status Alarm Panel, Desktop
2 Transports \$ 325.00

Bid Two

- 1 9202, 20 Channel Dual Deck Recorder Reproducer with:
AGC, Telcom and Radio Interfaces, Time System
w/Expanded Search Features, Full Security System,
UPS Battery Backup and Video Control Center
- 1 9200, 20 Channel Reproducer with: Time Code Reader,
Auto Search and Expanded Search Facilities,
FootControl, Headset and Central Video Control Console
- 1 427355, Two Channel Cassette Rerecord Panel for
the Model 9000 Recorder/Reproducer/Remote 110 Volt
- 1 427246, Time Code Converter for Two Channel Cassette
Rerecord Panel

August 13, 1991

Bids
(Con't.)
Project
No. 91-09

65 421582, Recording Tape 1/2", 3600 Feet 1mil, 10.5"
NAB Reels
TOTAL EQUIPMENT INCLUDING INSTALLATION \$30,759.00

Option

1 426201, Remote Status and Alarm Panel, Desktop \$ 325.00
2 Transports

Bids will be reviewed by the Emergency Operations Director and the Paramedic Director and a recommendation brought back at a later date.

Public
Hearing
Boundaries
Bethany Beach
and North
Bethany Expan-
sion of the
Bethany Beach
Sanitary
Sewer
District

A Public Hearing was held to consider two matters of business as follows:

1. Extending the Bethany Beach Sanitary Sewer District to include three parcels of land situated at the intersection of State of Delaware Route 14 and Pennsylvania Avenue. The area is contiguous to the Bethany Beach Sanitary Sewer District.
2. Amending the boundaries of the North Bethany Expansion of the Bethany Beach Sanitary Sewer District to exclude three parcels of land situated at the intersection of State of Delaware Route 14 and Pennsylvania Avenue. The area being considered is contiguous to the Bethany Beach Sanitary Sewer District. This action is in conformity with 9 Delaware Code § 6502. The property is not being served by transmission and collection lines constructed for the North Bethany Sanitary Sewer District.

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

M 346 91
Adopt
Resolutions
No. R 021 91
and
No. R 022 91

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Companion Resolutions as follows:

1. Resolution No. R 021 91 entitled "REVISION OF THE BOUNDARIES OF THE BETHANY BEACH SANITARY SEWER DISTRICT TO ENCOMPASS THREE (3) PARCELS OF LAND LOCATED AT THE INTERSECTION OF STATE OF DELAWARE ROUTE 14 AND PENNSYLVANIA AVENUE, NORTH OF THE TOWN OF BETHANY BEACH;" and

August 13, 1991

M 346 91
(Con't.)
Resolutions
Adopted

2. Resolution No. R 022 91 entitled "REVISION OF THE BOUNDARIES OF THE NORTH BETHANY EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT TO EXCLUDE THREE (3) PARCELS OF LAND LOCATED AT THE INTERSECTION OF STATE OF DELAWARE ROUTE 14 AND PENNSYLVANIA AVENUE, NORTH OF THE TOWN OF BETHANY BEACH."

Motion Adopted: 5 Yea.

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

Proposed
Ordinance
C/U #981

Mr. Collins introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TRUCK AND AUTO SALVAGE YARD TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 41,335 SQUARE FEET, MORE OR LESS" (C/U #981) filed on behalf of Robert N. Bayly. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/U #982

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR DOCTOR'S OFFICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 25,000 SQUARE FEET, MORE OR LESS" (C/U #982) filed on behalf of Ronald G. Ritthaler. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/U #983

Mr. Stevenson introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL STORE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 4.91 ACRES, MORE OR LESS" (C/U #983) filed on behalf of Robert P. Short, Jr. and Virginia. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/Z #1137

Mr. Collins introduced 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 LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 41,335 SQUARE FEET, MORE OR LESS" (C/Z #1137) filed on behalf of Robert N. Bayly. The Proposed Ordinance will be advertised for Public Hearing.

August 13, 1991

Proposed
Ordinance
C/Z #1138

Mr. Dukes introduced 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 SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 2.41 ACRES, MORE OR LESS" (C/Z #1138) filed on behalf of D and D Investments. The Proposed Ordinance will be advertised for Public Hearing.

Permits
for Transfer
Stations
Required
After
Sept. 1st

Questions were raised concerning different types of vehicles being used for transporting trash to Transfer Stations. It was agreed that any vehicle, regardless of type, used for transporting trash must have a special permit evidencing payment of the \$25 annual fee for the deposit of garbage or rubbish at the Transfer Stations. Persons choosing to walk to the facility must also show evidence of the special permit to deposit trash.

M 347 91
Recess

At 11:30 a.m., a Motion was made by Mr. Collins, seconded by Mr. Stevenson, to recess until 1:30 p.m.

Reconvene

President Dukes called the Council back into session at 1:30 p.m.

Public
Hearing
C/U #976

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 A GOVERNMENTAL BUILDING-SCHOOL EXPANSION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 107.66 ACRES, MORE OR LESS" (C/U #976) filed on behalf of Sussex County Vocational Technical School. The Public Hearing was closed.

M 348 91
Adopt
Ordinance
No. 780
C/U #976

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to Adopt Ordinance No. 780 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GOVERNMENTAL BUILDING-SCHOOL EXPANSION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 107.66 ACRES, MORE OR LESS" (C/U #976) filed on behalf of Sussex County Vocational Technical School, with the following stipulations:

1. Site plan shall require review and approval by the Planning and Zoning Commission.

August 13, 1991

M 348 91
(Con't.)
Ordinance
No. 780
C/U #976

2. Any future expansions, on-site, shall require review and approval by the Planning and Zoning Commission; a public hearing will not be necessary.

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
C/U #976

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

1. The proposed land use promotes health, safety, morale, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County in that it is an expansion to an educational facility that is needed and worthwhile.
2. The conditional use is in compliance with the Comprehensive Land Use Plan for Western Sussex County.
3. Adequate protection and security from fire and other dangers is present.
4. The findings of fact and the recommendations of the Planning and Zoning Commission are incorporated into the record and the findings of fact of the Council.

Public
Hearing
C/Z #1130

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 BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.036 ACRES, MORE OR LESS" (C/Z #1130) filed on behalf of S. Layton and Star G. Ayers. The Public Hearing was closed.

M 349 91
Adopt
Ordinance
No. 781
C/Z #1130

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to Adopt Ordinance No. 781 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 BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.036 ACRES, MORE OR LESS" (C/Z #1130) filed on behalf of S. Layton and Star G. Ayers. Motion Adopted: 4 Yea; 1 Abstention.

August 13, 1991

M 349 91
(Con't.)
Ordinance
No. 781
C/Z #1130
Findings
of Fact
C/Z #1130

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

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

1. The proposed land use promotes health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County in that it provides for the extension of an existing business; and it is compatible with the neighborhood and the Comprehensive Land Use Plan for Western Sussex County.
2. The findings of fact and the recommendations of the Planning and Zoning Commission are hereby incorporated into the record and the findings of fact of the Council.

M 350 91
Council-
manic
Grant

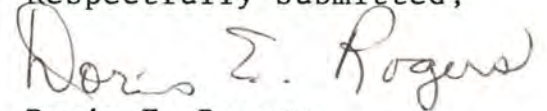
A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to give \$500, from Mr. Benson's Councilmanic Account, to Milford Community Parades, Inc., Committee, to assist with Milford's Halloween Parade. Motion Adopted: 5 Yea.

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

M 351 91
Adjourn

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to adjourn at 2:03 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council