

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 29, 1996

Call to Order The regular meeting of the Sussex County Council was held Tuesday, October 29, 1996, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
George J. Collins	Vice President
Ralph E. Benson	Member
George B. Cole	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 462 96 A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Agenda Adopt the Agenda with the following changes:

1. Delete the agenda item entitled "Jones Boys Aviation, Inc. - Lease Transfer".
2. Add the agenda item entitled "Procedure for Handling State Prisoners".
3. Add the agenda item entitled "Introduction of Proposed Zoning Ordinances".
4. Amend the agenda item entitled "Sussex County Administrative Office Building - Change Order No. 14" to "Sussex County Administrative Office Building - Change Order No. 13".

Motion Adopted: 5 Yea.

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

M 463 96 A Motion was made by Mr. Collins, seconded by Mr. Cole, to Approve Minutes approve the minutes of the previous meeting dated October 22, 1996. Motion Adopted by Voice Vote.

Corre- Mr. Bayard, County Attorney, read the following correspondence: spondence

BARBARA C. GLOVER, GERIATRIC SERVICES OF DELAWARE, GEORGETOWN, DELAWARE.

RE: Letter thanking Council for an enjoyable and informative day on October 23rd, Senior Citizens County Government Day.

ARLENE S. LITTLETON, EXECUTIVE DIRECTOR, CHEER, SUSSEX COUNTY SENIOR SERVICES, INC., GEORGETOWN, DELAWARE.

RE: Letter to Mr. Stickels in appreciation of his help in resolving the recent transportation budget issue.

Corre- MICHAEL A. DENNIS, PRESIDENT, LOCAL UNION 1307, DELMAR, MARYLAND.
spondence RE: Letter advising Council of Delmarva Power's plans to close
(con't) all of it's walk-in payment centers in lower Delaware and to
relocate all lower Delaware phone centers to its corporate head-
quarters in Wilmington.

PATRICIA FLEETWOOD, NANTICOKE SENIOR CENTER, INC., SEAFORD,
DELAWARE.

RE: Letter thanking Mr. Stickels for including the Nanticoke
Senior Center in Senior Citizens County Government Day.

Environ- Council was advised that Governor Thomas R. Carper presented
mental an Environmental Achievement Award to Mr. Dukes, President of
Achieve- Sussex County Council, and Mr. Stickels, County Administrator,
ment on Thursday, October 24, 1996. Governor Carper cited the County
Award for its work in the West Rehoboth Expansion of the Dewey Beach
Sanitary Sewer District. The Sussex County Council was specifi-
cally commended for taking initiatives to evaluate numerous
wastewater treatment options before choosing a state of the art
wastewater reclamation treatment. This is the highest environ-
mental award presented by the State; Sussex County was the only
government agency recognized.

Emer- Mr. Stickels, County Administrator, reported that on Thursday,
gency October 24th, an exercise was held at Beebe Medical Center.
Pre- The purpose of this exercise was to test the hospital's emer-
paredness gency plan for evacuating patients in a Category 3 hurricane.
Drill This also tested the Volunteer Fire Service's ability to set up
and coordinate the movement of patients. This exercise is
part of an ongoing process of planning, preparing and practicing
what to do in the event of a disaster or emergency that would
effect Sussex County.

Fiscal Mr. Stickels, County Administrator, discussed the listing of
1997 recommendations for the Fiscal 1997 Human Service Grants. Mr.
Human Dukes recommended that the Human Service Grant for the Good
Service Samaritan Aid Organization be increased from \$500.00, as pre-
Grants sented, to \$1,000.00.

M 464 96 A Motion was made by Cole, seconded by Mr. Benson, that the
Authorize Sussex County Council authorizes the distribution of \$95,000
Fiscal in Fiscal 1997 Human Service Grants, as follows:

Human	AHEDD	\$	500.00
Service	ANKH, INC.		500.00
Grants	American Cancer Society		2,500.00
	American Diabetes Association		1,000.00
	American Heart Association of Delaware, Inc.		1,000.00

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M 464 96
(con't)

American Red Cross	\$ 3,000.00
Arthritis Foundation - Delaware Chapter	1,000.00
Big Brothers/Big Sisters of Delaware, Inc.	1,000.00
Boy Scouts of America - Delmarva Council, Inc.	1,000.00
Boys & Girls Clubs of Delaware	1,500.00
Casa San Francisco	2,000.00
CHEER Centers	
Georgetown	500.00
Greenwood	500.00
Huling Cove (Lewes)	500.00
Oak Orchard	500.00
Roxana	500.00
Slaughter Neck	500.00
Church of God & Saints of Christ	1,000.00
Colonel David Hall	500.00
Community Legal Aid Society	1,000.00
Contact Delaware	1,000.00
Delaware Agricultural Museum and Village	1,000.00
Delaware Hospice, Inc.	2,000.00
Delaware Music School	500.00
Delaware Nature Society	1,250.00
Delaware Police Chiefs' Council, Inc.	2,750.00
Delaware Society for the Prevention of Cruelty to Animals (SPCA)	1,000.00
Dry Dock, Inc.	1,000.00
Easter Seal Rehabilitation Center	1,000.00
Families in Crisis	1,000.00
Family & Children Services of Delaware	1,000.00
Geriatric Services of Delaware, Inc.	2,000.00
Good Samaritan Aid Organization	1,000.00

M 464 96 (con't)	Homebound Elderly Rehabilitation Opportunities, Inc. (HERO)	1,000.00
	Interfaith Housing	500.00
	Junior Achievement of Delaware, Inc.	1,000.00
	Kent-Sussex Industries, Inc.	1,250.00
	Kiwanis Foundation of Rehoboth Beach, DE, Inc.	1,000.00
	Laurel Lions Club	1,000.00
	Laurel Youth Sports, Inc.	750.00
	Storybook House (Jack Lewis)	500.00
	Martin Luther King, Jr. Celebration Committee	1,500.00
	Meals on Wheels of Lewes & Rehoboth, Inc.	6,000.00
	Nanticoke Indian Elder Center	500.00
	National Multiple Sclerosis Society	1,000.00
	Ocean View Leisure & Resource Center	500.00
	People's Place II, Inc.	2,500.00
	Pioneer Club of Sussex County/Visually Impaired	500.00
	Possum Point Players	500.00
	Prison Arts Program	1,000.00
	Read-Aloud Delaware	1,500.00
	Rehoboth Day Care Center, Inc.	1,000.00
	Seaford Historical Society, Inc.	1,000.00
	Slaughter Neck Community Action Agency, Inc.	2,500.00
	Second Street Players	500.00
	Sussex County Senior Centers	
	Bridgeville	3,000.00
	Cape Henlopen	3,000.00
	Indian River	3,000.00
	Laurel	3,000.00
	Lewes	3,000.00
	Milford	3,000.00
	Nanticoke	3,000.00

M 464 96 (con't)	Sussex Community Crisis Housing Services, Inc.	1,500.00
	Sussex Community Swim Team AKA Sussex County Swim Team	1,000.00
	Sussex County Arts Council	1,000.00
	Sussex Pregnancy Care Center	1,000.00
	United Cerebral Palsy of Delaware, Inc.	1,500.00
	West Side New Beginnings, Inc.	1,000.00
	Women in Transition Program	500.00
	YMCA of Delaware	2,000.00
	<u>TOTAL</u>	<u>\$95,000.00</u>

Motion Adopted: 5 Yea.

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

M 465 96
Increase Human Service Grant Distribution
A Motion was made by Mr. Cole, seconded by Mr. Collins, to increase the Human Service Grant distribution to Ocean View Leisure & Resource Center from \$500.00 to \$1,000.00 bringing the total Fiscal 1997 Human Service Grants distribution to \$95,500.00.

Motion Adopted: 5 Yea.

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

Sussex County Sheriff's Department/Transportation of Prisoners
Mr. Stickels, County Administrator, advised Council of a Court Order of the Family Court of the State of Delaware in and for Sussex County that was issued to the Sheriff of Sussex County regarding the transportation of criminal offenders from Family Court. The Order declares that "the sheriff of each county, in person or by his deputy, shall attend the several courts of law and equity during every term thereof in his county". An opinion of the Attorney General, dated August 29, 1996, states that, pursuant to common law, "the sheriff of each respective county has a duty to transport prisoners from the courthouse to designated facilities pursuant to an appropriate order of the court". Council expressed concerns regarding this Court Order, i.e. (1) the office of the Sheriff lacks the financial and human resources to provide the transportation and (2) there are no standard measures or procedures for the transportation of the criminal offenders. Mr. Stickels reviewed the following proposed procedures for handling state prisoners:

Sussex
County
Sheriff's
Depart-
ment
(con't)

1. No prisoners will be received by the Sussex County Sheriff's Department at the Sheriff's Office.
2. State prisoners to be turned over to the Sussex County Sheriff's Department from the Court of Common Pleas and Superior Court will be received at the holding cells located in the Courthouse in Georgetown.
3. State prisoners from Family Court will be received by the Sussex County Sheriff's Department at the holding cell in the Family Court Building located in Georgetown.
4. The Sheriff's Department requests to be notified in advance when it will be necessary for the Sheriff's Department to receive State prisoners.
5. State prisoners from the Court of Common Pleas and Superior Court that cannot be seen by a judge in their Court when they are in the custody of the Sussex County Sheriff's Department will be transported to Justice of the Peace Court No. 3 in Georgetown for commitment to Sussex Correctional Institute.
6. When the Sheriff's Department receives notification of a request to transport State prisoners, the Court requesting the assistance will identify if the prisoner is male or female.
7. Female State prisoners will be transported by a male Sheriff or Deputy Sheriff with the assistance of a female Deputy Sheriff. At no time will a female State prisoner be transported solely by a male Sheriff or Deputy Sheriff.
8. When the Sussex County Sheriff's Department is required to transport minors for the State Family Court, all prisoners will be accompanied by two Deputies. At no time will the Sheriff's Department transport minors without two Deputies being present.
9. The Sussex County Sheriff's Department will be reimbursed at a rate of \$21.50 an hour per Deputy Sheriff. Additional costs will be reimbursed at a rate of 31 cents per mile for vehicle use, and all out-of-pocket expenses will be reimbursable.

M 466 96 A Motion was made by Mr. Collins, seconded by Mr. Cole, that
Adopt the Sussex County Council, having met in Public Session,
Proce- adopts the procedures for handling State prisoners, as pre-
dure- sented, effective upon adoption.
Handling
Prisoners Motion Adopted: 5 Yea.

M 466 96 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Draft Mr. Bayard, County Attorney, noted that it will be necessary
Ordinance to draft an Ordinance and hold a Public Hearing regarding the
fees for handling State prisoners.

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

1. Milton Library Special Events

The Milton Library will be open on Sunday, December 1, 1996, from 12:00 noon to 4:00 p.m. for the annual Milton Main Street Open House. The Friends will be selling various items, as well as host a book signing by author Joseph Bernstein (The Legend of the Ghost Pony). The Friends will also be serving refreshments.

The Friends of the Milton Library will also be having their annual Christmas House Tour on Saturday, December 14, 1996, from 5:00 to 9:00 p.m. The library will be open for the tour this year. The Friends will decorate the library in a Christmas theme.

2. County Government Closings

Sussex County offices will be closed Tuesday, November 5, 1996, to allow the Courthouse to be used for election. County offices will also be closed Thursday, November 7, for Return Day festivities and Monday, November 11, 1996, to allow the employees to observe Veterans' Day.

There will not be a regularly scheduled Council meeting on Tuesday, November 5, 1996. The next regularly scheduled Council meeting will be Tuesday, November 12, 1996.

Adminis- Mr. Archut, Director of Planning and Permits, discussed Change
trative Order No. 13 to the Sussex County Administrative Office Building
Building Contract. Change Order No. 13, in an amount not to exceed
Change \$7,976.10, is for the installation of additional data lines,
Order one additional 110V circuit, and the relocation of floor outlets.

M 467 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, based
Approve on the recommendation of the Architect, R. Calvin Clendaniel
Change Associates, and the County Engineering Department, that the
Order/ Sussex County Council approves Change Order No. 13, in an
Adminis- amount not to exceed \$7,976.10, to the County Administrative
trative Office Building Contract, with no additional time required,
Building and with the approval being subject to Rural Development.

M 467 96 Motion Adopted: 5 Yea.
(con't)

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

Hook-up Status Report/ West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

Mr. Archut, Director of Planning and Permits, provided Council with a hook-up status report on the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. Hook-ups began on December 29, 1995; all connections must be completed by December 29, 1996. The amount of time that has expired as of October 28, 1996, is 83.3%. Three thousand seven hundred and ten hook-ups were completed as of October 28, 1996, this represented 62%. Four thousand eight hundred and twenty six EDU's were hooked up as of October 28, 1996, this represents 61%. Those not connected by December 29, 1996 will begin receiving service charge bills effective that date and will be subject to Court action to compel connection.

Public Hearing Summary/ Proposed Ocean View Sanitary Sewer District

Mr. Archut, Director of Planning and Permits, provided Council with a Public Hearing summary on the Proposed Ocean View Sanitary Sewer District. The Sussex County Engineering Department conducted a public hearing on the proposed district on October 26, 1996 at the Bethany Beach Fire Hall. The information presented at the meeting included a discussion of the proposed boundaries and the estimated user costs. Property owners and residents were told that the County favors the extension of the Bethany Beach Sanitary Sewer District boundaries to include the Town of Ocean View, however, the construction of a sanitary sewer system requires the support and approval of the Town Council. Mr. Robert Orem, President of the Town Council, advised those in attendance that the Town would consider a referendum as a means for reaching a decision. He further stated that if they decide a referendum is necessary, they will try to hold it before the end of the year. Mr. Archut advised that the record will remain open for written comments until November 15, 1996.

Rehoboth Shores

Mr. Green, Director of Utility Construction, discussed Conditional Acceptance for the wastewater facilities constructed in Rehoboth Shores, Phase IIA.

M 468 96 Grant Conditional Acceptance/ Rehoboth Shores/ Phase IIA

A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Conditional Acceptance for the wastewater facilities including Pump Station #86, constructed in Rehoboth Shores - Phase IIA, for Lots 1-13, 55-65, 88-98, 66-76, 36-54, for a total of 66 lots being in Area One of Phase II, located in the Long Neck Sanitary Sewer District.

Motion Adopted: 5 Yea.

M 468 96 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Ocean Mr. Izzo, Acting County Engineer, discussed granting Sub-
Way stantial Completion for Sussex County Project No. 94-08,
Estates Ocean Way Estates, Sections I and II.

M 469 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, based
Grant on the recommendation of the Sussex County Engineering Depart-
Substan- tment, that effective October 15, 1996, the Sussex County Council
tial grants Substantial Completion to A.P. Croll & Son, Inc., for
Comple- Sussex County Project No. 94-08, Ocean Way Estates, Sections
tion/ I and II; Sussex County's approval is contingent upon receipt
Ocean of approval from Rural Economic and Community Development.

Way Motion Adopted: 5 Yea.
Estates/
Sections

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

Proposed Mr. Cole introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1
AGRICULTURAL RESIDENTIAL DISTRICT FOR A 39 LOT EXPANSION
TO A MANUFACTURED HOME PARK TO BE LOCATED ON A CERTAIN PAR-
CEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED,
SUSSEX COUNTY, CONTAINING 9.29 ACRES, MORE OR LESS" (Condi-
tional Use No. 1174) filed on behalf of Thetavest, Inc.
The Proposed Ordinance will be advertised for Public Hearing.

M 470 96 At 11:45 a.m., a Motion was made by Mr. Collins, seconded by
Recess Mr. Cole, to recess until 1:30 p.m. Motion Adopted by Voice
Vote.

Reconvene Mr. Dukes called Council back into session at 1:30 p.m.

Absence Mr. Benson was absent for the afternoon session.

Public A Public Hearing was held on the Proposed Ordinance entitled
Hearing "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
(C/Z COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A
No. 1287) C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND
LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CON-
TAINING 40,569 SQUARE FEET, MORE OR LESS" (Change of Zone No.
1287) filed on behalf of Alan and Karen Bradley. There were
no public comments and the Public Hearing was closed.

M 471 96 A Motion was made by Mr. Collins, seconded by Mr. Cole, to
Adopt Adopt Ordinance No. 1111 entitled "AN ORDINANCE TO AMEND THE
Ordinance COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICUL-
No. 1111 TURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT

M 471 97 FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK
(con't) HUNDRED, SUSSEX COUNTY, CONTAINING 40,569 SQUARE FEET, MORE
OR LESS" (Change of Zone No. 1287) filed on behalf of Alan
and Karen Bradley.

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

Findings of Fact The Council found that the change of zone is appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the change of zone will enable their pre-school and nursery school to grow to serve the growing demands of its increasing student population. The change of zone will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
2. The change of zone is consistent with the purposes and goals of the Western Sussex Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public Hearing A Public Hearing was held on the Proposed Ordinance entitled
(C/Z "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
No. 1288) 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
10,857 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1288)
filed on behalf of Alan and Karen Bradley. There were no
public comments and the Public Hearing was closed.

M 472 96 A Motion was made by Mr. Collins, seconded by Mr. Stevenson,
Adopt to Adopt Ordinance No. 1112 entitled "AN ORDINANCE TO AMEND
Ordinance THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1
No. 1112 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL
(C/Z No. DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN
1288) BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 10,857 SQUARE
FEET, MORE OR LESS" (Change of Zone No. 1288) filed on behalf
of Alan and Karen Bradley.

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

Findings of Fact The Council found that the change of zone is appropriate legislative action based on the following findings of fact:

Findings
of Fact
(con't)

1. The applicant established by substantial evidence that the change of zone will serve the needs and convenience of their students and school families. The change of zone will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
2. The change of zone is consistent with the purposes and goals of the Western Sussex Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
(C/U
No. 1167)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR EXPANSION OF AN EXISTING ELECTRICAL SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.00 ACRES, MORE OR LESS" (Conditional Use No. 1167) filed on behalf of Delaware Electric Cooperative. There were no public comments and the Public Hearing was closed.

M 473 96
Adopt
Ordinance
No. 1113
(C/U
No. 1167)

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 1113 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR EXPANSION OF AN EXISTING ELECTRICAL SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.00 ACRES, MORE OR LESS" (Conditional Use No. 1167) filed on behalf of Delaware Electric Cooperative, with the following stipulations:

1. The site plan shall have a landscaped buffer along Road 30, Road 38, and along the adjoining farmland.
2. The site plan shall be subject to the review and approval of the Planning and Zoning Commission.

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

Findings
of Fact

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

1. The applicant established by substantial evidence that the proposed use will enable the applicant to better solve its demand energy consumers in a rapidly developing area. The relocation of the existing and new facility will better serve the applicant and the immediate neighborhood.

Findings
of Fact
(con't)

2. The proposed use will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public
Hearing
(C/U
No. 1168)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRICAL SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.55 ACRES, MORE OR LESS" (Conditional Use No. 1168) filed on behalf of Delaware Electric Cooperative. Public comments were heard in opposition to the application and the Public Hearing was closed.

M 474 96
Adopt
Proposed
Ordinance
(C/U
No. 1168)
(DENIED)

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRICAL SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.55 ACRES, MORE OR LESS" (Conditional Use No. 1168) filed on behalf of Delaware Electric Cooperative.

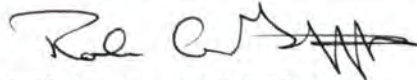
Motion Denied: 1 Yea, 3 Nay, 1 Absent.

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

M 475 96
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Collins, to adjourn at 3:36 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council