



*Sussex County Council
Agendas & Minutes*

SUSSEX COUNTY COUNCIL
GEORGETOWN, DELAWARE, FEBRUARY 3, 2004

**Call to
Order**

The regular meeting of the Sussex County Council was held Tuesday, February 3, 2004, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
Lynn J. Rogers	Member
George B. Cole	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
James D. Griffin	County Attorney

**M 090 04
Approve
Agenda**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the Agenda of February 3, 2004.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

**M 091 04
Approve
Minutes**

Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the minutes of January 27, 2004.

**Corre-
spondence**

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea

**Corre-
spondence
(continued)**

Mr. Griffin read the following correspondence:

PRIMEROS PASOS, INC., GEORGETOWN, DELAWARE.

RE: Letter in appreciation of Human Service Grant.

BOYS & GIRLS CLUB OF DELAWARE, WILMINGTON, DELAWARE.

RE: Letter in appreciation of Human Service Grant.

**SUSSEX COMMUNITY CRISIS HOUSING SERVICES, INC., GEORGETOWN,
DELAWARE.**

RE: Letter in appreciation of Human Service Grant.

**M 092 04
Adopt
Tribute**

**THE PIONEER CLUB OF SUSSEX COUNTY/VISUALLY IMPAIRED,
GEORGETOWN, DELAWARE.**

RE: Letter in appreciation of Human Service Grant.

M 093 04 Reappoint- ment to Board of Assessment Review	DELAWARE AGRICULTURAL MUSEUM AND VILLAGE, DOVER, DELAWARE. RE: Letter in appreciation of Human Service Grant. CAPE HENLOPEN FOOD BASKET, INC., LEWES, DELAWARE.
M 094 04 Appoint- ment to Board of Assessment Review	RE: Letter in appreciation of Human Service Grant. WILDLIFE HABITAT, INC., FRANKFORD, DELAWARE. RE: Letter in appreciation of Human Service Grant.
Request to Withdraw Zoning Application/ Percy, Inc.	DELAWARE ASSOCIATION FOR CHILDREN OF ALCOHOLICS, WILMINGTON, DELAWARE. RE: Letter in appreciation of Human Service Grant.
M 095 04 Approve Withdrawal of Zoning Application of Percy, Inc.	LAUREL LIONS CLUB, LAUREL, DELAWARE. RE: Letter in appreciation of Councilmanic Grant. CLIFTON C. MURRAY, MAYOR, THE TOWN OF SELBYVILLE, SELBYVILLE, DELAWARE.
Request for Reassign- ment of 2003 Bond Volume Cap	RE: Letter in appreciation of the County Council's support for the increase in Ocean Outfall for the Town of Selbyville.

**M 096 04
Approve
Reassign-
ment of
2003 Bond
Volume
Cap**

NATIONAL ASSOCIATION OF COUNTIES, WASHINGTON, D.C.

**RE: Certificate of Special Recognition for the County's participation in the 2003 Research
Survey Group.**

**A Motion was made Mr. Rogers, seconded by Mr. Phillips, to Adopt the Tribute
commending G. Robert Quillen for his outstanding leadership as a State Legislator
representing Kent and Sussex Counties.**

**Adminis-
trator's
Report
Report
(continued)**

Motion Adopted: 4 Yea, 1 Absent.

**Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea**

**A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to reappoint George Couch
to the Board of Assessment Review for a five -year term.**

Motion Adopted: 4 Yea, 1 Absent.

**Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea**

**Draft
Ordinance**

**for the
Issuance
of General
Obligation
Bonds for
Inland
Bays
Wastewater
Treatment
Facilities
Expansion**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to appoint Gloria Mae Workman to the Board of Assessment Review for a five -year term.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

**Introduction
of Proposed
Ordinance**

Mr. Dukes, Yea

**Proposed
Ordinance
(continued)**

Mr. Stickels reported that a letter has been received from John Sergovic, Attorney, on behalf of Percy, Inc. Percy, Inc. filed a Change of Zone application on the 12th day of February, 2003. Mr. Stickels noted that Public Hearings on this application were held before the Planning and Zoning Commission and the County Council and that the County Council has not taken any action as of this date. Mr. Sergovic stated in his letter that, due to the passage of time since the presentation before the County Council, the applicant is requesting permission to withdraw the application.

**Compre-
hensive
Annual
Financial
Report for
Fiscal Year
Ended
6/30/03**

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to approve the withdrawal of Change of Zone No. 1512, filed on behalf of Percy, Inc.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea

Mr. Stickels reported that a letter has been received from David W. Singleton, Secretary of Finance, State of Delaware, requesting that any portion of the 2003 Bond Volume Cap assigned to Sussex County which will not be identified as eligible for carry forward be reassigned to the State for reallocation. This request is made annually to allow the State to maximize its usage of the Private Activity Bond Volume Cap.

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, that the Sussex County Council reallocates \$22,850,000 of the unused Private Activity Bond Volume Cap for 2003 to the State of Delaware in accordance with 29 Del. Code §5091(f).

**Compre-
hensive
Annual
Financial
Report for
Fiscal Year
Ended
6/30/03
(continued)**

Motion Adopted: 4 Yea, 1 Absent.

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

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

1. Delaware Department of Transportation Public Workshop

The Delaware Department of Transportation (DelDOT) is holding public workshops to share information and receive input on the preparation of a Statewide Bicycle Facility Master Plan. DelDOT will hold a workshop on February 11, 2004, at the DelDOT Administration Building, South District Conference Room, DuPont Highway, Georgetown, Delaware. Interested parties are encouraged

to attend between the hours of 4:00 and 7:00 p.m.

The purpose of the plan is to define a statewide network of bike facilities that will include core routes, collector routes, and feeder routes. As part of this project, DelDOT will identify facility needs and deficiencies. The project will lead to the identification of the top propriety routes for implementation throughout Delaware, as well as the establishment of design guidelines for bicycle facilities.

2. Beneficial Acceptance

Please be advised that the Engineering Department, on January 23, 2004, gave Beneficial Acceptance to The Village at Bear Trap Dunes, Phase 5A, Sussex County Project No. 81-04, Agreement No. 315. Included with this report is a fact sheet for the project.

3. Council Meeting

A reminder that the Council meeting for Tuesday, February 10, 2004, will start at 6:30 p.m. in the Council Chambers, with five zoning hearings scheduled for 7:45 p.m.

**Compre-
hensive
Annual
Financial
Report
(continued)**

**M 097 04
Accept
Audit for
Year
Ended
6/30/03**

**Public
Hearing/
Dagsboro-
Frankford
SSD/
Jim Lee,**

Mr. Baker presented a draft ordinance authorizing the issuance of up to \$16,000,000 of General Obligation Bonds for financing the expansion of the Inland Bays Wastewater Treatment Facilities to provide wastewater disposal service for the Oak Orchard, Angola, West Rehoboth Expansion of the Dewey Beach and Long Neck Sanitary Sewer Districts. Previously, the County Council authorized the purchase of 2,116 acres of land for spray irrigation for an estimated total cost of \$29 million. Mr. Baker stated that the financing plan for this purchase includes up to \$16 million of bond funding from the State Revolving Fund Loan Program and the United States Department of Agriculture Rural Development Loan Program. The State of Delaware has approved the Revolving Fund Loan for \$10 million at 1 ½ percent for twenty years; they have also approved a \$3 million State grant for the project. The USDA is still in the process of determining the amount of their bond allocation.

**Inc.
Expansion
Request**

Mr. Rogers introduced the Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$16,000,000 GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR THE EXPANSION OF THE INLAND BAYS REGIONAL WASTEWATER TREATMENT FACILITIES AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH”. The Proposed Ordinance will be advertised for Public Hearing on March 9, 2004.

**M 098 04
Adopt
R 012 04**

Mr. Baker and the accounting firm of Jefferson, Urian, Doane & Sterner, P. A., Certified Public Accountants, presented the Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2003.

**Building
Code
Update**

Mr. Baker advised that the report includes information in addition to the audit information; it includes statistics and general information about the County. He noted that the CAFR report is divided into four sections: Introductory, Financial, Statistical and Single Audit.

**Building
Code
Update
(continued)**

Mr. Baker reported that the Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to Sussex County for its Comprehensive Annual Financial Report for the fiscal year ended June 30, 2002. He noted that in order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. The report must satisfy both generally accepted accounting principles and applicable legal requirements.

Mr. Baker advised that the County has applied to the Government Finance Officers Association for an award for this year's report.

Mr. Baker highlighted the major points in the report.

**Old
Business/
Land Use
Plan
Ordinances
Relating to
C-1 and
C-2
Districts**

- County bond rating upgraded two categories to AA by Standard & Poor's, "reflecting strong residential tax base growth and increasingly strong fund balances".
- County non-sewer and water debt maintained at zero level – capital improvements funded on a pay-as-you-go basis.
- Bond Refinancing – refunding of Bond Issue 1993 resulting in a savings of \$4,286,000 to County sewer and water districts.
- New airport terminal building operational at the Sussex County Airport in Georgetown.
- West Rehoboth Sewer – 12 percent rate reduction, from \$5.31 to \$4.65 per front foot, from Fiscal 2000 to Fiscal 2003.
- Sewer Projects
 - Ellendale Sewer – major construction completed, operational July 2003.
 - Cedar Neck Sewer – under construction, completion goal June 2004.
 - Oak Orchard Sewer – construction began.
 - Bay View Estates, Sea Country Estates, Millville, South Ocean View, Miller Creek, and Pinetown – in planning and design phases.
 - \$4,080,000 in developer infrastructure contributions received.
 - Sewer and water district property plant and equipment investments increased \$7.6 million.
 - General Fund revenue exceeded expenditures by \$12,531,663.

During Fiscal Year 2003, Sussex County's General Fund experienced an excess of revenues

**Old
Business/
Land Use
Plan
Ordinances
Relating to
C-1 and
C-2
Districts
(continued)**

over expenditures and other financing uses of \$12,531,663. It was noted that this is mainly due to the fact that the Realty Transfer Tax was considerably over-budget. This is the thirteenth consecutive year that the County's General Fund has had a positive financial result. The undesignated fund balance represents a healthy level of 25 percent of General Fund Fiscal 2004 budgeted expenditures.

Mr. Stickels stated that he believes the \$12.6 million will be beneficial in allowing the County Council to invest in programs to benefit Sussex County taxpayers. On behalf of the Budget Committee, he recommended that all property owners in Sussex County whose taxes are current as of July 1, 2004, be given a 25 percent tax credit on the County portion

of the property tax bill for FY '05. In addition the Budget Committee is recommending 16 programs to receive funding from the FY '04 excess revenue as follows:

Oak Orchard SSD/ Contract A/ Substantial Completion	<ul style="list-style-type: none">➤ Inland Bays Land Acquisition (\$3,000,000)➤ Sussex County Tax Rebate (\$2,500,000)➤ Sewer Projects (\$1,500,000)➤ Sussex Land Trust Funding (\$1,253,166)➤ Piney Neck Land Acquisition (\$1,000,000)➤ Emergency Operations Center Capital Costs (\$1,000,000)➤ Capital Improvement Fund (\$878,497)➤ Sussex County Veterans' Home (\$500,000)➤ South Coastal Library Expansion (\$250,000)➤ Community Improvements (\$200,000)➤ Milton Library Expansion (\$150,000)➤ Community Development Funding (\$100,000)➤ Delaware Community Foundation (\$100,000)➤ Easter Seals (\$50,000)➤ First State Community Action (\$25,000)➤ Cedar Neck CHEER Center (\$25,000)
M 099 04 Grant Substantial Completion for Contract A/ Oak Orchard SSD	<p>Mr. Cole commented that he believes the tax rebate should only be given to permanent residents of Sussex County. He expressed concern that funds would be returned to homeowners who do not live in Sussex County full-time and he recommended that the money that would go to them under the rebate scenario be put toward sewer projects, since they create demand for County sewer service.</p>
West Rehoboth SSD/ Extension Requests	<p>Mr. Dukes responded that he is not sure that the County can legally do that since there is no Homestead Exemption in place.</p>
M 100 04 Authorize Preparation and Posting	<p>Mr. Cole also commented that many programs and projects need additional funding in lieu of giving a tax rebate. He stated that additional funding should be provided to Community Development since there is a three-year waiting list. He also stated that if the Veterans' Home is not established in Sussex County, the funding allocated for the Veterans Home should be given to the Red Cross.</p>

**of Notices/
Beebe
Medical
Center**

Mr. Dukes responded that the rebate proposal is only a recommendation from the Budget Committee and that many budget discussions will take place prior to any decisions being made.

**West
Rehoboth
SSD/
Extension
Requests
(continued)**

Mr. Phillips commented that he feels it is appropriate that the County should give its citizens some of their money back.

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, that the Sussex County Council accepts the Audit for the Year Ended June 30, 2003, as presented by Jefferson, Urian, Doane & Sterner, P.A.

**M 101 04
Authorize
Preparation
and Posting
of Notices/
Route 24
Expansion**

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea

**Wastewater
Facilities**

A Public Hearing was held to consider extending the Dagsboro-Frankford Sanitary Sewer District (DFSSD) to include the lands of Jim Lee, Inc. and Delmar Homes Inc., situate, lying north of Honolulu Road, and being located in Dagsboro Hundred. Mr. Archut, Assistant County Engineer, reported that the proposed extension includes two parcels. One parcel consists of 1.16 acres and has eight mobile homes on it and the second parcel consists of 1/2 acre and has one single family dwelling and two mobile homes on it. Both parcels are adjacent to the existing Dagsboro-Frankford Sanitary Sewer District and both parcels have numerous septic problems. Mr. Archut noted that a letter was received by

**M 102 04
Execute
Agreements/
The Village
at Bear
Trap Dunes**

the County from the property owners requesting the extension of sewer service.

M 103 04
Execute
Agreements/
Lord
Baltimore
Landing

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

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to Adopt Resolution No. R 012 04 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE THE LANDS OF JIM LEE, INC. AND DELMAR HOMES, INC. SITUATE, LYING NORTH OF HONOLULU ROAD, AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE".

M 104 04
Council-
manic
Grant

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;

Mr. Rogers, Yea; Mr. Jones, Absent;

M 105 04
Council-
manic
Grant

Mr. Dukes, Yea

Mr. Milligan, Building Code Supervisor, stated that he has been having discussions with the International Code Council regarding instructors holding workshops in Sussex County.

Mr. Milligan reported that the following three dates have been suggested: Tuesday,

M 106 04
Youth
Activity
Grant

February 24th (during County Council meeting); Saturday, February 28th (for the public, contractors, architects, etc.); and Tuesday, March 2nd (during County Council meeting).

Mr. Stickels advised that there is no scheduled Council meeting on February 24th and on February 28th and March 2nd, the County Council will be in Washington, D.C. for the NACo Conference. Mr. Milligan stated that he would reschedule the workshops for

different dates.

**Proposed
Ordinance**

Mr. Milligan noted that the County still has the 1992 CABO Code in effect. He distributed a list outlining the changes between the 1992 CABO and the 2003 IRC. He stated that he believes the changes are minimal. Changes relate to illumination of stairways, protected openings, stairways below handrails, steel roof, floor and wall framing, etc.

**M 107 04
Adjourn**

Mr. Stickels noted that the main thing to determine is where the hurricane line is going to be established. He noted that he believes this line should be established prior to any workshops being held. Mr. Dukes recommended that the line be delineated as east of Route One. Mr. Cole disagreed with Mr. Dukes' recommendation.

In response to questions raised by Council, Mr. Milligan stated that the County does not have a Mechanical Code. Mr. Cole asked what it would take for the County to inspect mechanical work, such as heat pumps. Mr. Milligan stated that if the County Council decides to enforce that part of the Code, County inspectors would have to be educated on that aspect. Mr. Cole asked Mr. Milligan to do some research on this matter.

Mr. Milligan stated that he would report back to Council on new proposed dates for Building Code Workshops.

The County Council discussed two pending Proposed Ordinances, which relate to the Land Use Plan Update.

Mr. Lank, Director of Planning and Zoning, reported that the Planning and Zoning

Commission recommended denial of the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ADD A NEW SECTION CREATING A C-2 LARGE SCALE COMMERCIAL DISTRICT” since they were not in favor of creating another zoning classification for commercial and since larger buildings are already referenced in the C-1 General Commercial District regulations.

Mr. Lank noted that, previously, Thomas Shafer of Shafer Consulting, stated that the Proposed Ordinance was prepared in response to the 2002 Comprehensive Plan Update and that the Update recommended the creation of a zoning category for large-scale buildings.

Mr. Lank also noted that Mr. Kautz, the County’s Land Use Planner, previously submitted copies of some suggested revisions and advised that the revisions were in wording and in format to comply with the Delaware Code, and that the revisions were dated October 21, 2003. (Mr. Lank submitted a copy of the original Proposed Ordinance, which was introduced on July 29, 2003, and a copy of the Proposed Ordinance, as revised.)

Mr. Lank reported that the Planning and Zoning Commission recommended approval of the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY TO AMEND THE PROVISIONS RELATING TO RESIDENTIAL USES IN THE B-1 AND C-1 COMMERCIAL ZONING DISTRICTS BY LIMITING SUCH USES TO 4 DWELLING UNITS PER ACRE, TO ELIMINATE SECTION 115-77.1 LARGE SCALE USES, AND TO MAKE OTHER TECHNICAL CHANGES TO ARTICLE X, B-1 NEIGHBORHOOD BUSINESS DISTRICT AND ARTICLE XI, C-1 GENERAL COMMERCIAL DISTRICT”.

Mr. Lank noted that Mr. Kautz, the County's Land Use Planner, previously submitted copies of some suggested revisions on this Proposed Ordinance also. He advised that the revisions were in wording and in format to comply with the Delaware Code and that the revisions were dated October 21, 2003. (Mr. Lank submitted a copy of the original Proposed Ordinance, which was introduced on July 29, 2003, and a copy of the Proposed Ordinance, as revised.)

Mr. Stickels reported that the Land Use Plan Update states that the C-1 District "will" be revised and a new C-2 District "will" be adopted for 75,000 square foot.

No action was taken on the Proposed Ordinances since they were placed on the Agenda for discussion only.

Mr. Izzo, County Engineer, discussed Contract A for the Oak Orchard Sanitary Sewer District. Contract A provided for the construction of the wastewater force main, which will be served by a future regional pump station. The contract, which was with Hopkins Construction, was completed on October 7, 2003. Mr. Izzo recommended that the County Council grant Substantial Completion for the project.

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, based upon the recommendation of the Engineering Consultants, CAGE Associates, Inc. and the Engineering Department, that Substantial Completion be granted to Hopkins Construction, Inc. of Bridgeville, Delaware, effective October 7, 2003 for Sussex County Project No. 99-19-A, Oak Orchard Sanitary Sewer District: Wastewater Force Main, and any held retainage be released.

Motion Adopted: 4 Yea, 1 Absent.

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

Mr. Archut, Assistant County Engineer, presented two requests for annexation into the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. One request is from the Beebe Medical Center to provide sewer service for the new Oncology Center. (A conditional use application is pending for the Oncology Center.) As part of the annexation procedure, Beebe Medical Center will be asked to sign a Memorandum of Understanding obligating them to pay front footage charges and system connection charges. Mr. Archut reported that sewer capacity is available for the request.

A Motion was made by Mr. Rogers, seconded by Mr. Cole, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District boundary to include the Beebe Medical Center.

Motion Adopted: 4 Yea, 1 Absent.

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

Mr. Archut reported that the second annexation request includes two parcels of land (Route 24 Expansion). One parcel, consisting of 6.94 acres, is owned by Hudson Homes and it is proposed that 81 units will be constructed on the site. The other parcel, consisting of 32.79 acres, is owned by Anderson Homes and is approved for a MR-RPC for 101 units.

Mr. Archut acknowledged that the Engineering Department does not support high density; however, Hudson Homes has done a Planning Study which has indicated that if they build a separate pumping station and pump to the Route One Corridor, that capacity is available and does not create any additional problems.

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District boundary to include the Route 24 Expansion.

Motion Adopted: 4 Yea, 1 Absent.

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

Mr. Stickels reported on wastewater facilities to be constructed in the South Bethany Sanitary Sewer District.

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 317, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Freeman Communities for wastewater facilities to be constructed in The Village at Bear Trap Dunes, Phase 6, located in the South Bethany Sanitary Sewer District.

Motion Adopted: 4 Yea, 1 Absent.

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

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 313, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Central Avenue LLC, for wastewater facilities to be constructed in Lord Baltimore Landing, located in the South Bethany Sanitary Sewer District.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: **Mr. Phillips, Yea; Mr. Cole, Yea;**

 Mr. Rogers, Yea; Mr. Jones, Absent;

 Mr. Dukes, Yea

A Motion was made by Mr. Rogers, seconded by Mr. Cole, to give \$700.00 (\$350.00 each from Mr. Cole's and Mr. Rogers' Councilmanic Accounts) to Cape Henlopen High School for field trip expenses.

Motion Adopted: **4 Yea, 1 Absent.**

Vote by Roll Call: **Mr. Phillips, Yea; Mr. Cole, Yea;**

 Mr. Rogers, Yea; Mr. Jones, Absent;

 Mr. Dukes, Yea

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$250.00 from Mr. Phillips' Councilmanic Account to the Christian Storehouse for a buffet dinner fundraiser.

Motion Adopted: **4 Yea, 1 Absent.**

Vote by Roll Call: **Mr. Phillips, Yea; Mr. Cole, Yea;**

 Mr. Rogers, Yea; Mr. Jones, Absent;

Mr. Dukes, Yea

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to give \$200.00 (\$100.00 from Mr. Dukes' Youth Activity Grant Account, \$50.00 from Mr. Jones' Youth Activity Grant Account, and \$50.00 from Mr. Phillips' Youth Activity Grant Account) to the Sussex Chix Softball Team for operating expenses.

Motion Adopted: 4 Yea, 1 Absent.

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

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR PROPANE TANKS (EXPANSION OF CONDITIONAL USE NO. 1194) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.97 ACRES, MORE OR LESS OF A 16.56 ACRE TRACT" (Conditional Use No. 1561) filed on behalf of Pep-Up, Inc. The Proposed Ordinance will be advertised for Public Hearing.

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to adjourn at 11:54 a.m.
Motion Adopted by Voice Vote.

Respectfully submitted,

Robin A. Griffith

Clerk of Council