



Sussex County Council Public/Media Packet

**MEETING:
May 13, 2014**

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**Sussex County Council
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MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
GEORGE B. COLE
JOAN R. DEEVER
VANCE PHILLIPS



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Sussex County Council

AGENDA

MAY 13, 2014

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

American Legion Post 28 Auxiliary – Presentation of Memorial Poppy

Todd Lawson, County Administrator

1. Proclamation – Community Action Month
2. Administrator's Report

J. Everett Moore, County Attorney

1. Update and discussion on the U.S. Supreme Court's decision in the case of *Town of Greece, New York v. Galloway*

Hal Godwin, Deputy County Administrator

1. Legislative and Committee Action Update

Old Business

Change of Zone No. 1744 filed on behalf of Phillips Cross and Prentice Watkins

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 4.85 ACRES, MORE OR LESS” (Tax Map I.D. 235-30.00-55.00)



Grant Request

1. Children of the Delaware National Guard for youth camp expenses.
2. Delaware Community Foundation for *Heart in the Game* community access programs.
3. Delaware Police Chiefs Foundation for seminar expenses.
4. Eastern Shore AFRAM Festival to sponsor the 2014 festival.
5. West Rehoboth Community Land Trust for their housing initiative.
6. NAACP for expenses for activities, i.e. workshop, convention.
7. Mid-Atlantic Symphony Orchestra Society for concert expenses.
8. Historic Georgetown Association for restoration expenses to the old firehouse and train station.

Introduction of Proposed Zoning Ordinances

Any Additional Business Brought Before Council

Executive Session – Job Applicants’ Qualifications and Personnel pursuant to 29 Del. C. §10004(b)

Possible Action on Executive Session Items

Sussex County Council meetings can be monitored on the internet at www.sussexcountyde.gov.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 6, 2014 at 5:27 p.m., and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

###

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 6, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 6, 2014, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation was led by Mr. Vincent.

The Pledge of Allegiance was led by Representative Ron Gray.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 201 14
Approve
Agenda**

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to approve the Agenda, as posted.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of February 28 and April 29, 2014 were approved by consent.

**Corre-
spondence**

Under *Reading of Correspondence*, Mrs. Deaver referenced emails that she has received regarding school board elections.

**Sussex
Senior
Transportation
Cooperative**

Dr. Nancy Feichtl, President, Sussex Senior Transportation Cooperative, discussed the establishment of the Cooperative, how it works, and how they plan to become an affiliate of iTNAmerica.

Dr. Feichtl explained that seniors who join the Cooperative will pay a \$25 lifelong membership fee. Services would be billed at a fee of \$1.00 per mile. Volunteer drivers would receive credit miles (one mile driven equals one mile credited) to be used when drivers themselves need the services.

Dr. Feichtl stated that this service is a much needed solution to the problem of inadequate senior transportation and that Sussex County has a slightly larger population than the rest of the country.

(continued) Dr. Feichtl asked the Council for a grant of \$35,000 to obtain the franchise from iTNAmerica. She noted that once the pilot program is up and running, it will be totally self-sufficient.

Public Hearing/
Valliant Expansion of the DFSSD

At 10:30 a.m., a Public Hearing was held to consider the expansion of the Dagsboro Frankford Sanitary Sewer District to include a parcel of land, situated along Honolulu Road, east of the Town of Frankford (Valliant Expansion).

John Ashman, Director of Utility Planning, explained that the parcel being proposed to be annexed into the Dagsboro Frankford Sanitary Sewer District is a single parcel located on Honolulu Road containing 15.66 acres. The County received a letter requesting that the single parcel be included in the sewer district. The owner of the property wishes to begin the development planning process for single family homes on the parcel. The developer will be responsible for system connection charges in the amount of \$6,800.00 per EDU based on current rates.

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

M 202 14
Adopt
R 004 14

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Resolution No. R 004 14 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE DAGSBORO-FRANKFORD SANITARY SEWER DISTRICT (DFSSD) TO INCLUDE A PARCEL OF LAND, SITUATED ALONG COUNTY ROAD 356 (HONOLULU ROAD), EAST OF THE TOWN OF FRANKFORD, BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, DELAWARE” (Valliant Expansion).

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea

Adminis-
trator’s
Report

Mr. Lawson read the following information in his Administrator’s Report:

1. Jimtown Community Meeting

As reported on April 8th, the County and First State Community Action are facilitating the outreach efforts involving the Coastal Club development and the Jimtown community. The efforts focus on ensuring the Jimtown residents are aware of the improvements required by Ordinance No. 1770, including sidewalks, streetlights, as well as sewer and water lines.

Notifications are being mailed to all residents and/or property owners of the Jimtown community. The mailing also includes a detailed fact sheet and ballot for residents to vote to determine if they choose to have sidewalks and/or streetlights.

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

First State Community Action has scheduled a community meeting for the residents on Tuesday, May 20th, at 6:00 p.m. at the Bell Town United Methodist Church at Five Points. The meeting is open to the public and any interested citizen as well as the residents are encouraged to attend.

2. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Millville by the Sea – Sub-Phase 2B-2 North – Model Homes – 4 Lot Expansion and Seagrass Plantation – Revision 2 – Phase 5 received Substantial Completion effective April 29 and May 1, respectively.

[Attachments to the Administrator's Report are not attachments to the minutes.]

**M&T
Treasury
Manage-
ment
Resolution**

Mrs. Jennings presented a proposed M&T Treasury Management Resolution. She noted that this is a housekeeping item. The Finance Department wishes to close deposit accounts that have no activity and M&T Bank requires an up-to-date form of authorized County officers. The previous Resolution on file listed Susan Webb as Finance Director; the proposed Resolution lists Gina Jennings as Finance Director.

**M 203 14
Approve
M&T
Treasury
Manage-
ment
Resolution**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves the M&T Treasury Management Resolution to allow Michael H. Vincent, President, or Samuel R. Wilson, Jr., Vice President, or Gina A. Jennings, Finance Director, to act on Sussex County's behalf when conducting business with M&T.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Pension
Committee
Appoint-
ment**

Mrs. Jennings reported that Lynda Messick from Community Bank has resigned from the Pension Committee due to other commitments. Ms. Messick's term was set to expire January 2016. Mrs. Jennings recommended that Kathleen Ryan complete Ms. Messick's term. The Pension Committee consists of the County Administrator, Finance Director, Human Resources Director, one employee, one pensioner, and two community members. Mrs. Jennings reported that Kathleen Ryan is a Certified Financial Planner and is the President of KMR Financial Network in Georgetown. She has non-profit committee experience by previously serving on Nanticoke Hospital's Finance Committee. She comes highly recommended by Ms. Messick.

M 204 14 **A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council approves Ms. Kathleen Ryan to serve on the Sussex County Pension Committee with a term ending January 2016.**

Approve Appointment to Pension Committee

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Absent; Mr. Wilson, Yea; Mr. Vincent, Yea

[Ms. Ryan was in attendance and introduced herself to the Council.]

Third Quarter Financial Report **Mrs. Jennings presented the Financial Report for the quarter ending March 31, 2014. Total revenues are 8.64% over budget; total expenditures are 1.51% under budget; the County is currently seeing revenues over expenditures of \$3.8 million. Mrs. Jennings also reviewed Capital Improvement Fund activity and building related revenue.**

Investment Policy Statement Revision **Mrs. Jennings reported that, in February 2013, the Council approved Federal Home Loan Board letters of credit to be used as collateral to secure the County's deposits. She stated that, typically, when letters of credit are used as collateral, they are valued at 100 percent of deposits; that letters of credit are not marginalized securities - this means they are valued at their face value and are not subject to fluctuations; that when this agreement was signed, M&T thought that the County's investment policy would allow for the letters of credit to be at 100 percent of our deposits; that since it does not, M&T has been manually adjusting the letter of credits to be 102 percent; and that letters of credit are face value so there is no need to have them valued higher than deposits.**

Mrs. Jennings reported that she has reviewed State and County codes, spoke to the County's independent auditors, and reviewed GFOA best practices and found that it is acceptable to value all marginal securities at 102 percent and letters of credits at 100 percent.

Mrs. Jennings noted that the purpose for this change is to continue to allow the County's deposits to be secured by Federal Home Loan Board letters of credit. Using this type of collateral provides the County a liquid and non-volatile type of security.

M 205 14 **A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, that the Sussex County Council approves the acceptance of the Federal Home Loan Board letters of credit that are valued at 100 percent of County value assets.**

Approve Investment Policy Statement Revision

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Absent; Mr. Wilson, Yea; Mr. Vincent, Yea

**Introduction
of Proposed
Ordinances**

Mr. Vincent introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SMALL ENGINE AND LAWN MOWER REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 42,961 SQUARE FEET, MORE OR LESS: (Tax Map I.D. 133-16.00-73.03) (Conditional Use No. 1989) filed on behalf of Bruce Sentman, Jr.

Mr. Vincent introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A NURSERY AND LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 5.436 ACRES, MORE OR LESS: (Tax Map I.D. 133-5.00-26.00) (Conditional Use No. 1990) filed on behalf of Olsen Enterprises, Inc.

**Public
Hearing/
Kohout
Expansion
of the
Bayview
SSD**

At 10:45 a.m., a Public Hearing was held to consider an expansion to the Bayview Estates Sanitary Sewer District to include a parcel of land, situated on the west side of County Road 395, Williamsville Road, in Baltimore Hundred (Kohout Expansion).

John Ashman, Director of Utility Planning, reported that a letter of request was received from the property owner, David Kohout, requesting to be annexed into the sewer district. The parcel, containing .82 acres±, is located on Williamsville Road and is adjacent to the sewer district. The owner would like to place a single family home on the parcel in the near future; the parcel is currently vacant. The property owner will be responsible for system connection charges in the amount of \$6,489.00 per EDU based on current rates.

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

**M 206 14
Adopt
R 005 14**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Resolution No. R 005 14 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE BAYVIEW ESTATES SANITARY SEWER DISTRICT (BVSSD) TO INCLUDE CERTAIN LOTS, PIECES OR PARCELS OF LAND SITUATED ON THE WEST SIDE OF COUNTY ROAD 395, WILLIAMSVILLE ROAD, BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE”.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Legislative
Update**

Hal Godwin, Deputy County Administrator, presented a legislative update.

Mr. Godwin reported that there are four bills that, collectively, suggest one mission:

Senate Bill No. 207 - “AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE REQUIRED COVERAGE FOR VOLUNTEER AMBULANCE COMPANY SERVICES”

Synopsis:

In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency medical services. In order to meet the new standards, volunteer ambulance companies needed to hire paid EMTs and ambulance attendants to ensure the availability of sufficient numbers of trained, certified staff on a 24 hour, 7 days a week basis to meet the new response time goals. The author of House Bill 332 recognized that compliance with the new goals and standards would impose additional expense on the volunteer ambulance companies; however, neither House Bill 332 nor any subsequent legislation has addressed the funding sources for basic life support ambulance service in Delaware. Increased costs, without corresponding increases in revenue, have eroded the financial stability of volunteer ambulance companies. In 2012, 40 of Delaware’s 55 volunteer ambulance companies reported they are now conducting ambulance/EMS operations at a loss.

In 2013, House Bill 215 established the Ambulance and EMS Task Force (“Task Force”). In February 2014, the Task Force issued its report on the state of funding of ambulance and EMS services in Delaware and noted, “By some accounts, the public may begin to see diminished ambulance service in as little as 8 to 12 months, if steps are not taken promptly to meet the funding need.” The Task Force made 9 findings and 13 recommendations aimed at addressing this issue.

This bill would implement one of the Task Force’s recommendations to improve the funding of basic life support ambulance services in Delaware by ensuring that health insurers, health service corporations, health maintenance organizations, or managed care organizations do not set their allowable charges below the costs incurred by the volunteer ambulance companies in providing an ambulance run and basic life support services.

House Bill No. 315 - “AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES, AND FORFEITURES”

Synopsis:

In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency

**Legislative
Update
(continued)**

medical services. In order to meet the new standards, volunteer ambulance companies needed to hire paid EMTs and ambulance attendants to ensure the availability of sufficient numbers of trained, certified staff on a 24 hour, 7 days a week basis to meet the new response time goals. The authors of House Bill 332 recognized that compliance with the new goals and standards would impose additional expense on the volunteer ambulance companies; however, neither House Bill 332 nor any subsequent legislation has addressed the funding sources for basic life support ambulance service in Delaware. Increased costs, without corresponding increases in revenue, have eroded the financial stability of volunteer ambulance companies. In 2012, 40 of Delaware's 55 volunteer ambulance companies reported they are now conducting ambulance/EMS operations at a loss.

In 2013, House Bill 215 established the Ambulance and EMS Task Force ("Task Force"). In February 2014, the Task Force issued its report on the state of funding of ambulance and EMS services in Delaware and noted, "By some accounts, the public may begin to see diminished ambulance service in as little as 8 to 12 months, if steps are not taken promptly to meet the funding need." The Task Force made 9 findings and 13 recommendations aimed at addressing this issue.

This bill would implement one of the Task Force's recommendations to improve the funding of basic life support ambulance services in Delaware by establishing a \$10 assessment on all violations of Title 21 and creating a Volunteer Ambulance Company Fund. The moneys collected would be earmarked for volunteer ambulance companies and distributed on a pro rata basis by the State Fire Prevention Commission.

House Bill No. 316 – "AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE RESPONSIBILITIES AND GENERAL POWERS OF THE COUNTY GOVERNMENTS"

Synopsis:

In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency medical services. In order to meet the new standards, volunteer ambulance companies needed to hire paid EMTs and ambulance attendants to ensure the availability of sufficient numbers of trained, certified staff on a 24 hour, 7 days a week basis to meet the new response time goals. The authors of House Bill 332 recognized that compliance with the new goals and standards would impose additional expense on the volunteer ambulance companies; however, neither House Bill 332 nor any subsequent legislation has addressed the funding sources for basic life support ambulance service in Delaware. Increased costs, without corresponding increases in revenue, have eroded the financial stability of volunteer ambulance companies. In 2012, 40 of Delaware's 55 volunteer ambulance companies reported they are now conducting ambulance/EMS operations at a loss.

**Legislative
Update
(continued)**

In 2013, House Bill 215 established the Ambulance and EMS Task Force (“Task Force”). In February 2014, the Task Force issued its report on the state of funding of ambulance and EMS services in Delaware and noted, “By some accounts, the public may begin to see diminished ambulance service in as little as 8 to 12 months, if steps are not taken promptly to meet the funding need.” The Task Force made 9 findings and 13 recommendations aimed at addressing this issue.

This bill would implement one of the Task Force’s recommendations to improve the funding of basic life support ambulance services in Delaware by requiring each county to contribute a minimum of 15% of the total countywide cost of basic life support services provided by volunteer ambulance companies within each county. The bill allows the counties the leeway to determine the best way to provide these funds; however, the bill grants a county the power to support its volunteer ambulance companies through additional funding mechanisms designed solely for the support of volunteer ambulance companies, should it choose to do so. These additional powers are (1) to assess an additional tax rate, assessment, or fee on real property or (2) to adopt a user fee.

House Bill No. 317 – “AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO GROSS PREMIUMS RECEIVED BY LIFE AND HEALTH INSURERS AND THE SPECIAL FUND FOR PAYMENTS TO ALL VOLUNTEER AMBULANCE COMPANIES”

Synopsis: In 1999, House Bill 332 established new response time goals and certification standards for the delivery of basic life support and emergency medical services. In order to meet the new standards, volunteer ambulance companies needed to hire paid EMTs and ambulance attendants to ensure the availability of sufficient numbers of trained, certified staff on a 24 hour, 7 days a week basis to meet the new response time goals. The authors of House Bill 332 recognized that compliance with the new goals and standards would impose additional expense on the volunteer ambulance companies; however, neither House Bill 332 nor any subsequent legislation has addressed the funding sources for basic life support ambulance service in Delaware. Increased costs, without corresponding increases in revenue, have eroded the financial stability of volunteer ambulance companies. In 2012, 40 of Delaware’s 55 volunteer ambulance companies reported they are now conducting ambulance/EMS operations at a loss.

In 2013, House Bill 215 established the Ambulance and EMS Task Force (“Task Force”). In February 2014, the Task Force issued its report on the state of funding of ambulance and EMS services in Delaware and noted, “By some accounts, the public may begin to see diminished ambulance service in as little as 8 to 12 months, if steps are not taken promptly to meet the funding need.” The Task Force made 9 findings and 13 recommendations aimed at addressing this issue.

**Legislative
Update
(continued)**

This bill would implement two of the Task Force’s recommendations to improve the funding of basic life support ambulance services in Delaware by (1) specifying that certain types of health insurers are subject to the insurance premium tax assessment for ambulance service and (2) increasing the amount of the moneys placed in the fund to forty five one hundredths of 1 percent.

The bill also adds definitions for volunteer ambulance companies and other related terms. While the bill adds the new definition for volunteer ambulance companies, it retains the prior reference to volunteer rescue services to ensure those entities continue to receive funding from the special fund.

Mr. Godwin reported that these four bills are designed to guarantee adequate funding to volunteer ambulance companies in the State. These bills were introduced on April 30th and will be considered in Committee on May 7, 2014.

Mr. Godwin and Mr. Lawson asked for Council’s direction on this legislation.

Mr. Lawson stated that a mandated 15 percent with little oversight from the County is a concern to County Administration. He noted that the County has historically supported the fire service and BLS service in this County; annually, the County provides over \$3 million to the fire service and BLS service. Mr. Lawson stated that, as the legislation is written, the County would have very little input as to where the money is spent.

Mr. Vincent stated that he is a 44 year member of the Seaford Volunteer Fire Department and he has 35+ years in the ambulance service. He noted that, over the last seven years, the County has provided \$1.5 million for wages for Basic Life Support services and that the County voluntarily does this. Mr. Vincent stated that the County Council is not opposed to the idea of assisting the BLS service; however, there is concern when (1) legislation provides for a mandated 15 percent contribution of the total cost of BLS, regardless of the County’s revenues (2) there would be no input from the County as to what numbers make up the total cost and how the numbers are generated; and (3) that the County would have no input on the oversight of the money. Mr. Vincent stated that he believes Mr. Lawson should attend the hearing in Dover with Mr. Godwin and express the County’s concerns.

Mr. Vincent emphasized that the County is very supportive of the Volunteer Fire Service, EMS and BLS in this County.

The Council discussed the legislation and there was a consensus that the Council does not support House Bill No. 316, as written.

**Update
(continued)**

Mr. Lawson and Mr. Godwin were directed by Council to attend the hearing on May 7th and to speak at the hearing, raising the Council's issues and concerns.

**Delaware
Wetlands
Advisory
Committee**

Mr. Godwin noted that, included in the Council's packets was the Delaware Wetlands Advisory Committee's Interim Report, which was scheduled to be turned into the General Assembly on April 30th. The next meeting of the Committee is scheduled for Wednesday, May 14th.

**Old
Business/
Proposed
Ordinance
Relating
to Height
Regulations**

The Council discussed the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SUBSECTION 115-179B OF THE CODE OF SUSSEX COUNTY, ENTITLED "HEIGHT REGULATIONS" IN REGARD TO THE HEIGHT OF CERTAIN BUILDINGS".

This Ordinance would modify Section 115-179B of the Sussex County Zoning Code to only allow government buildings, hospitals, institutions and schools to be built to a maximum height of 60 feet when those structures are permitted in the underlying zoning district. Churches and Temples are unaffected by this amendment. It applies to any new building not currently approved with a valid Sussex County Building Permit.

Lawrence Lank, Director of Planning and Zoning, reported that the Planning and Zoning Commission held a Public Hearing on this Proposed Ordinance on November 14, 2013 at which time the Commission deferred action. On December 12, 2013 the Commission recommended that the Proposed Ordinance be approved; however, in making this recommendation of approval, it was recommended that the County Council schedule a workshop to have a more comprehensive discussion of height regulations in the County, to determine if there are appropriate locations for taller structures, and how taller structures may relate to existing and future infrastructure needs such as traffic, sewer, water, parking, open space, and other issues; and that the Board of Adjustment and the County Engineering Department should be included in the workshop. (See the minutes of the meeting dated November 14 and December 12, 2013.)

The County Council held a Public Hearing on this Proposed Ordinance on November 19, 2013 at which time action was deferred.

A workshop was held by the County Council on April 1, 2014; at that workshop, members of the Planning and Zoning Commission, members of the Board of Adjustment, representatives of the Engineering Department, a representative from DelDOT, and a representative from the Office of the State Fire Marshal were in attendance.

Mr. Lank reported that the ordinance presently states, in Section 115-179B: "Except within an area defined as an airport approach zone by the

**Old
Business/
Proposed
Ordinance
Relating
to Height
Regulations
(continued)**

Federal Aviation Administration, public and semipublic or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding 60 feet and churches and temples may be erected to a height not exceeding 75 feet when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulations for the district in which the building is located.”

Mr. Lank reported that the amendment to Section 115-179B of the Code, if adopted, would read as follows: “Except within an area defined as an airport approach zone by the Federal Aviation Administration, buildings owned by a political subdivision of the State of Delaware, the Federal Government or any agency thereof, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding 60 feet and churches and temples may be erected to a height not exceeding 75 feet when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulations for the district in which the building is located.”

In response to questions, Mr. Lank stated that applicants wishing to building higher than 42 feet can make application to the Board of Adjustment for a variance.

**M 207 14
Adopt
Ordinance
No. 2347**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2347 entitled “AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SUBSECTION 115-179B OF THE CODE OF SUSSEX COUNTY, ENTITLED “HEIGHT REGULATIONS” IN REGARD TO THE HEIGHT OF CERTAIN BUILDINGS”.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Grant
Requests**

Mrs. Jennings presented grant requests for the Council’s consideration.

**M 208 14
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$200.00 (\$100.00 each from Mr. Cole’s and Mr. Phillips’ Councilmanic Grant Accounts) to the American Legion Auxiliary for Unit 28’s Poppy Fund.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

M 209 14 Councilmanic Grant **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$2,000.00 from the County-wide Youth Grant Account to the Boy Scouts of America Del-Mar-Va Council for summer camp expenses.**

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

M 210 14 Councilmanic Grant **A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to give \$539.22 from Mr. Vincent's Councilmanic Grant Account to the Boy Scouts of America Del-Mar-Va Council, Troop 182, for a Troop 174 Eagle Scout Project.**

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

M 211 14 Councilmanic Grant **A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$250.00 from Mrs. Deaver's Councilmanic Grant Account to the Milton Chamber of Commerce to sponsor the Annual Horseshoe Crab and Shorebird Festival.**

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

M 212 14 Councilmanic Grant **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to First State Community Action Agency to sponsor the Annual Miniature Golf Tournament fundraiser.**

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

M 213 14 Councilmanic Grant **A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$250.00 from Mr. Cole's Councilmanic Grant Account to NAIFA DE (National Association of Insurance and Financial Advisors Delaware) to sponsor the Annual Career Conference in Dewey Beach.**

Motion Adopted: 4 Yeas, 1 Absent.

**M 213 14
(continued)** **Vote by Roll Call:** **Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 214 14
Council-
manic
Grant** **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$200.00 (\$100.00 each from Mr. Cole’s and Mrs. Deaver’s Councilmanic Grant Accounts) to NARFE (National Active & Retired Federal Employees) to sponsor the Annual Golf Tournament fundraiser for Alzheimer’s Research.**

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

Vote by Roll Call: **Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 215 14
Council-
manic
Grant** **A Motion was made by Mr. Wilson, seconded by Mr. Cole, to give \$1,000.00 from Mr. Wilson’s Councilmanic Grant Account to the American Legion Post 8 Sussex for the purchase of ballistic vests for Georgetown Ambulance Station 93.**

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

Vote by Roll Call: **Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Additional
Business** **Under Additional Business, Lou Rixham stated that he was representing 24 homeowners in Mallard Lakes who were flooded out during Superstorm Sandy. He stated that he was in attendance for the purpose seeking an appeal or to request an exemption/exception to the previous ruling of the Council which limits national flood mitigation grants to 50 percent of the cost as opposed to 75 percent. He stated that the homeowners could be in dire financial situations and could lose their homes. The Council directed Mr. Moore to determine if there is an appeal process, to determine what the Council would have to do to change the percentage (if the Council chooses to do so), and to report back to Council with his findings. Mr. Lawson stated that he is familiar with this issue and that he would meet with Mr. Rixham following the meeting.**

Under Additional Business, Paul Reiger discussed his complaints against activities on his neighbor’s property, i.e. animals, barbed wire, tires. He questioned if the County can provide grant funding or waive fees for the removal of tires.

Under Additional Business, Greer Firestone told his daughter’s story of surviving Sudden Cardiac Arrest and his efforts to create legislation to provide training for coaches, referees, etc. on Sudden Cardiac Arrest

**Additional
Business
(continued)**

symptoms. Mr. Firestone stated that, this year, Senate Bill No. 205 entitled “AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ATHLETES” was introduced; this legislation will be known as the Grace Firestone Act. The bill outlines procedures for dealing with Sudden Cardiac Arrest in student athletes. Mr. Firestone shared that he started a foundation called “*Heart in the Game*”, a not-for-profit organization through the Delaware Community Foundation, to raise awareness of Sudden Cardiac Arrest in children and young adults through the formation of community access programs. Mr. Firestone stated that their mission is to screen every middle school and high school student in Delaware at no cost and that he has submitted a letter of request for grant funding to the County Council.

Under Additional Business, Dan Kramer commented on the vehicles the County owns and the fact that only some of the vehicles have GPS which enable the County to know where its employees are.

Under Additional Business, Mrs. Deaver referenced comments she made at the April 29th Council meeting regarding houses in disrepair. She clarified that she is not saying that she wants the County to go out and take down abandoned buildings but that she wants it known that she is questioning if it is something the County should look at.

**Request to
Revisit
Grant
Requests**

Mr. Vincent asked if the Council would agree to revisit grant requests as he had forgot to mention that Mr. Phillips wished to donate \$500.00 to NARFE to sponsor the Annual Golf Tournament fundraiser for Alzheimer’s Research.

**M 216 14
Revisit
Grant
Requests**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to revisit grant requests.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 217 14
Council-
manic
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to add \$500.00 from Mr. Phillips’ Councilmanic Grant Account to the grant to NARFE (National Active & Retired Federal Employees) to sponsor the Annual Golf Tournament fundraiser for Alzheimer’s Research.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Additional
Business**

Under Additional Business, Mr. Wilson questioned the impact of the ruling of the Supreme Court on *Town of Greece, New York v. Galloway*. Mr. Moore stated that this is something that would be best to place on an agenda for a future meeting to discuss in detail. However; he provided a brief summary, stating that the Supreme Court did say that it is okay to open legislative/governmental meetings with prayer. He noted, however; that the Sussex County Council needs to remember that it is under a Consent Order with the Court and there are certain parameters within that Consent Order that the Council needs to look at in more detail to find out what the Council can and cannot do. Mr. Moore stated that he would research the matter and report back to Council. Mr. Wilson stated that Council needs to find out right away and that he thinks the Council can act on the Supreme Court's ruling.

**M 218 14
Recess**

At 11:51 a.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to recess to the luncheon at The Brick Restaurant in Georgetown with the Sussex County Firefighters Association.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Luncheon

At 12:00 p.m., the Council attended a luncheon at The Brick Restaurant in Georgetown with the Sussex County Firefighters Association.

**M 219 14
Adjourn**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 1:23 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

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



Sussex County Council

Delaware General Assembly Legislative Report

Prepared by:

Hal Godwin, Deputy County Administrator
May 13, 2014

Bill No.	Description and Purpose	Action
2013-2014 BILLS		
HB 14	This bill provides that any income and/or capital gain received from easements preserving agricultural land shall not be taxed for purposes of Delaware personal income taxes.	Assigned to the House Appropriations Committee 1/24/13, no further action. Tabled in Committee
HB 27	This bill allows school taxes and property taxes to be collected by tax intercept. The current law specifically prohibits school taxes from being collected by tax intercept. Currently millions of dollars of property taxes are owed to school districts and local governments and such taxes are difficult to collect. Tax intercept programs have been successful in collecting child support and other obligations owed the State and will help collections for education and other taxes.	6/11/13 passed the House Assigned to Senate Finance Committee 6/13/13 I have contacted Senator McDowell the Committee Chair explaining our support. I am assembling a group to apply pressure on Committee Chair McDowell
HB No. 63	This bill is the first leg of a constitutional amendment that forever guarantees the right of farmers to engage in modern farming and ranching practices.	On House Ready List
SB No. 58	This Bill allows Delaware residents 65 years of age and older to qualify for the "Senior School Property Tax Credit Program" upon entering into a payment plan for the taxes due.	We are currently compliant with this proposed Bill. On Senate Ready List

<p>HB No. 74</p>	<p>This Delaware Health Security Act will provide a cost effective single payer health care system for the State of Delaware. The Act will provide comprehensive health care coverage to all Delawareans without any extra health insurance or out-of-pocket-expense. The system will save money currently wasted on administrative/overhead costs and will provide a stable funding structure.</p> <p>This Act creates the Delaware Health Security Authority. The authority will be governed by a 15-member Delaware Health Security Board comprised as follows: the Secretary of Health and Social Services, two members from both the State House of Representatives and State Senate Committees concerned with health care issues, five members from state health professional organizations, and five members from eligible consumer organizations in our state.</p> <p>Funding for the new health care system will be as follows:</p> <ol style="list-style-type: none"> 1. All state and federal funds available for health and health care costs in Delaware. 2. Employer and employee graduated payroll tax from 4 percent for employers with less than ten employees to 9 percent for employers with 50 or more employees. 3. A Health Security tax of 2.5 percent on net taxable income (after deductions) for all heads of households and persons subject to Delaware's income tax; and 4. An additional Health Security income surtax on net taxable income of 2.5 percent for persons filing a Delaware income tax return in excess of \$250,000. Married couples filing a joint Delaware income tax return shall pay an additional income surtax of 2.5 percent on net taxable income in excess of \$500,000. 	<p>This bill has been assigned to the House Health & Human Development Committee</p> <p>This bill has not yet been scheduled for a Committee hearing.</p> <p>I will be certain to alert you of this date and time.</p> <p>Committee Members:</p> <p>Chairman: Michael a. Barbieri (302) 368-7257 Michael.barbieri@state.de.us</p> <p>Vice-Chairman: Rebecca Walker (302) 293-2356 Rebecca.walker@state.de.us</p> <p>Members:</p> <table border="0"> <tr> <td>Donald A. Blakey (302) 697-6723 Donald.Blakey@state.de.us</td> <td>Ruth Briggs-King (302) 856-2772 ruth.briggsking@state.de.us</td> </tr> <tr> <td>Timothy D. Dukes (302) 280-6344 Timothy.Dukes@state.de.us</td> <td>Earl G. Jaques, Jr. (302) 834-9231 earl.jaques@state.de.us</td> </tr> <tr> <td>S. Quinton Johnson (302) 378-2681 Quinton.johnson@state.de.us</td> <td>John A. Kowalko, Jr. (302) 737-2396 john.kowalko@state.de.us</td> </tr> </table>	Donald A. Blakey (302) 697-6723 Donald.Blakey@state.de.us	Ruth Briggs-King (302) 856-2772 ruth.briggsking@state.de.us	Timothy D. Dukes (302) 280-6344 Timothy.Dukes@state.de.us	Earl G. Jaques, Jr. (302) 834-9231 earl.jaques@state.de.us	S. Quinton Johnson (302) 378-2681 Quinton.johnson@state.de.us	John A. Kowalko, Jr. (302) 737-2396 john.kowalko@state.de.us
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<p>HB No. 74 (continued)</p>		<p>Joseph E. Miro (302) 454-1840 Joseph.miro@state.de.us Edward.osiensi@state.de.us</p> <p>Edward S. Osienski (302) 292-8903</p> <p>Charles Potter, Jr. (302) 762-8322 Charles.Potter@state.de.us</p> <p>Darryl M. Scott (302) 735-1781 Darryl.Scott@state.de.us</p> <p>Kimberly Williams (302) 577-8476 kimberly.williams@state.de.us</p> <p>* Federal Health Care Legislation requires all citizens be covered – the new tax will fund</p> <p>* Delaware is currently establishing exchanges to provide coverage for all residents to comply with Federal requirements</p> <p>* HB74 is introduced to cover all Delawareans – doesn't appear to be part of the State or Federal exchange plan</p>
<p>HB No. 135</p>	<p>This Act seeks to create jobs and new sources of revenue for the State of Delaware by, among other means, authorizing the addition of two new video lottery agents, one in Sussex County and one in New Castle County, through an application process conducted by a Lottery Economic Development Committee. This Act creates a nine member, politically-balanced Committee with financial, accounting, or banking experience to select the sites and licensees. This Act also increases the number of required racing days to reflect the current amount of racing, and prevents the addition of video lottery agents from triggering a reduction in the minimum number of days that existing harness tracks must offer harness racing. Finally, this Act also expresses the intent of the General Assembly that the new video lottery casinos will be subject to a one-time license fee and ongoing license fees, as well as such fees as are necessary to create a level playing field for competition with video lottery</p>	<p>Introduced 5/9/13 - This Bill intends to add a casino in Sussex County.</p> <p>Assigned to House Gaming and Parimutuels Committee</p> <p>6/12/13 Tabled in Committee</p> <p>6/11/13 County Council voted to oppose this Bill.</p> <p>I have notified all Committee Members of our opposition.</p>

HB No. 135 (continued)	agents who operate horse racing or harness racing, and directs the Department of Finance to prepare legislation implementing that intent.	
HB No. 137	This Bill expands and promotes unity in the options for survivor pension payout choices for retired participants in the State pension programs, the State Employees' Pension Plan, the County and Municipal Employees' Pension Plan, the County and Municipal Police/Firefighter Pension Plan, the State Judiciary Pension Plan, and the State Police Pension Plan. There is no reduction for the 50% survivor benefit, a 2% reduction for a 66.67% survivor benefit, 3% reduction for a 75% survivor benefit, and 6% reduction for a 100% survivor benefit.	Introduced 5/14/13 - This Bill may cause changes in our pension calculations. 6/6/13 Passed the House Assigned to Senate Finance Committee
HA No. 1 to HB No. 137	This technical amendment changes the term "employer" to "employee" and corrects a cross-reference.	
HA No. 2 To HB No. 137	This amendment makes the following technical changes: 1) the term "employer" is corrected to "employee"; a cross-reference is added for a newly added paragraph; internal cross-references are corrected; and the judiciary's option of a 6% reduction in exchange for 100% survivor benefit is added.	
HA No. 1 To HA No. 2 To HB No. 137	This amendment to House Amendment No. 2 makes the provisions of this legislation effective for those retiring with an effective date of retirement of July 1, 2014, in order to allow for necessary administrative and systems changes.	
SB No. 78 + SA-1	This legislation establishes a Wetlands Advisory Committee to develop comprehensive recommendations for conserving and restoring non-tidal wetlands in Delaware, including evaluating national best practices and standards, evaluating incentive-based programs, and reviewing state and federal wetland permitting processes to identify opportunities to improve efficiency and eliminate redundancy. The Secretary will provide a final report of recommendations to the General Assembly no	Signed into Law 7/31/13

<p>SB No. 78 + SA-1</p>	<p>later than December 31, 2014.</p> <p>The bill also amends Title 7 Del C. Chapter 66, §6607 and §6617 and Title 7 Del C. Chapter 72, §7205 and §7214 to expedite resolution of violations by allowing the use of administrative procedures and penalties to resolve wetland and subaqueous lands violations and by minimizing the use of civil or criminal prosecution to resolve violations. The bill also allows the Secretary to issue after-the-fact permits and assess administrative penalties as appropriate.</p>	
<p>SR No. 8</p>	<p>The Resolution urges the United States Congress to support efforts to reinstate the separation of commercial and investment banking functions in effect under the Glass-Steagall Act and supporting H.R. No. 129. <i>(See attached documentation)</i></p>	<p>This is a Resolution only; to demonstrate Delaware State support for Federal Legislation.</p> <p>State Senator Venables is requesting our endorsement.</p> <p>SR No. 8 demonstrates Delaware support for US House of Representative Resolution No. 129 which would support re-enacting Glass-Steagall Act adopted by Congress in 1933 to protect the public interest regarding banking regulations.</p> <p>Congress repealed this law in 1999 which many believe led to the 2nd Great Depression in America. Some members of Congress would like to reinstate the Glass-Steagall Act.</p>
<p>HB No. 167</p>	<p>This bill would prohibit a public employer from inquiring into or considering the criminal record, criminal history or credit history or score of an applicant before it makes a conditional offer to the applicant. It would permit inquiry and consideration of criminal background after the conditional offer has been made. The bill specifies that once a background check is conducted an employer shall only consider felonies for 10 years from the completion of sentence, and misdemeanors for 5 years from the completion of sentence. Further, employers are required to consider several enumerated factors when deciding whether to revoke a conditional offer based on the results of a background check. Police forces, the Department of Corrections and other positions with a statutory mandate for background checks are</p>	<p>Amended by Amendments No. 1, Amendment 1 to No. 1 which were grammatical & House Amendment No. 2 which aligns with County Council's request to eliminate the 5 & 10 year look back limitations.</p> <p>See Synopsis on Attachment House Amendment No. 2 To House Bill No. 167</p> <p>Passed the House 1/28/14</p> <p>Passed the Senate 5/1/14</p> <p>Signed into law by the Governor 5/8/14</p>

HB No. 167 (continued)	excluded from these provisions. The bill also requires contractors with State agencies to employ similar policies where not in conflict with other State or federal requirements.	Assigned to the Senate Labor and Industrial Relations Committee 1/29/14 Released from Committee 3/26/14
SB No. 159	This legislation provides clarification with respect to the placement, installation and maintenance of gateway signs to boundaries of political subdivisions and established non-incorporated areas of the State.	Passed the Senate 1/30/14
HB No. 243	Currently possession actions involving rental of residential or commercial property fall within the exclusive jurisdiction of the Justice of the Peace Court. There is no clear statement of jurisdiction for agricultural leases, though the possession issues are similar. This legislation provides that the Justice of the Peace Court has exclusive jurisdiction over agricultural lease matters and requires that service of process for any such action shall be provided by either personal service or certified mail, return receipt requested.	Introduced in the House 1/30/14 Passed the House 3/25/14 Assigned to the Senate Judiciary Committee 3/27/14
HB No. 159	This bill prohibits a person from running as a candidate for more than one state, county or municipal office in the same election.	County Council supports this legislation. Passed the House & passed the Senate 3/26/14
SB No. 160	The bill would increase the weight limit for live-haul poultry trucks operating on Delaware highways within 100 miles of the plant in order to accommodate the poultry industry and ensure public safety. In addition, the bill would provide for a weight variance of 3 percent to account for variations in bird weight. Live-haul poultry trucks are granted the increased weight limit and associated variance provided that these trucks are in compliance with several conditions aimed at ensuring public safety. Provided these conditions are met, this bill would allow a live-haul poultry truck to weigh up to 92,700 pounds before any penalty is assessed for exceeding weight restrictions. This weight variance provided for in this bill is the same weight variance granted to vehicles used for farm operations by § 4502(c)(9) of Title 21.	Passed the Senate 3/18/14 Assigned to the House Ag Committee which will meet and consider this Bill 4/2/14
SB No. 166	This bill defines "industrial landfill" in conformity with the Department of Natural Resources and Environmental Control's <i>Regulations Governing Solid Waste</i> . This bill also establishes a	Introduced in the Senate 1/29/14

SB No. 166 (continued)	height restriction, or vertical limit, for an industrial landfill at 130 feet above the mean sea level of the area.	Assigned to Senate Natural Resources and Environmental Committee
HB No. 272	This Bill, modeled after similar legislation enacted in Pennsylvania and West Virginia, clarifies paramedic immunity when consent to render care is unable to be obtained.	Our EMS Department is currently reviewing
SB No. 157	The bill adds sales and leases to the current language regarding publicly capital improvement.	This Bill allows public bodies to meet in Executive Session when considering sales or leases of real property
SB No. 191	This Act establishes "Downtown Development Districts". Under the Act, investors (both non-profit and for-profit) who make qualified real estate improvements in a District would be entitled to receive Downtown Development District (DDD) Grants of up to 20 percent of their "hard costs".	This is a Governor's initiative. Governor Markell explained this bill Wednesday evening, April 2, 2014 in Bridgeville at the SCAT meeting as a fund to help Delaware Municipalities grow.
HB No. 289	This bill creates equity among users of telecommunications services by extending the 911 fee to prepaid wireless retail transactions.	The State shall create a special fund designated as the Enhanced 911 Emergency Reporting System Fund, which shall be used to reimburse the State, counties, local governments and providers of telecommunications services in this State for costs associated with the E-911 Emergency Reporting System.
SB No. 201	This bill clarifies the roles and authority of the Delaware Division of Public Health Office of Animal Welfare and Delaware Department of Agriculture. The Office of Animal Welfare was established to consolidate and coordinate companion animal programs and address the treatment of companion animals in Delaware by reviewing and determining emerging issues needing attention for the protection of both animals and members of the public. This bill not only authorizes the Department of Health and Social Services to enforce existing shelter standards, the animal population control program and spay/neuter fund, and companion animal welfare license plate funds, all programs previously overseen by the Department of Agriculture, it also establishes an enforcement mechanism to do so. The bill also updates and clarifies the authority of the Department of Agriculture over poultry and livestock species and zoonotic disease prevention, eradication and mitigation.	Introduced April 2, 2014 assigned to Senate Health and Social Services Committee

SB No. 196	This bill restores language to the Delaware Code that was inadvertently repealed in 2010 when SB 240 and HB 419 were enacted concurrently. This bill adds cats to the list of domestic animals that are protected under the dangerous dog law. Cats are domestic animals and dogs that viciously attack a cat on the property of its owner or under the immediate control of its owner should be evaluated according to dangerous dog provision.	Introduced April 10, 2014 assigned Senate Health and Social Services Committee. Released from Committee April 30, 2014.
HB No. 311	During hearing of the Animal Welfare Task Force, established by Senate Concurrent Resolution 44 in the 146 th General Assembly, members of the public expressed serious concern about the lack in standardized training and certification of Animal Control Officers (ACOs) and Animal Cruelty Agents (ACAs). ACOs and ACAs in the State of Delaware carry out law enforcements duties, such as issuing warrants, citations, and seizing evidence, yet they are not currently required to have any uniform training and certification. The Animal Welfare Task Force recommended that the Delaware Division of Public Health Office of Animal Welfare develop and implement statewide training and certification of ACOs and ACAs. This will promote safety of the public, officers and animals, reduce the possibility of having inadequately trained officers carrying out law enforcement duties, and enhance consistency in service among agencies. This Act is based upon those recommendations. This Act does not change the animal cruelty standards or investigative authority currently in the Delaware Code. This Act becomes effective upon final publication of the regulations by the Department of Health and Social Services.	Introduced April 29, 2014 assigned to House Health and Human Development Committee.
SB No. 207	This bill would implement one of the Task Force's recommendations to improve the funding of basic life support ambulance services in Delaware by ensuring that health insurers, health service corporations, health maintenance organizations, or managed care organizations do not set their allowable charges below the costs incurred by the volunteer ambulance companies in providing an ambulance run and basic life support services.	Introduced April 30, 2014 assigned to Senate Insurance Committee. Released from Committee 5/7/14

HB No. 315	<p>This bill would implement one of the Task Force's recommendations to improve the funding of basic life support ambulance services in Delaware by establishing a \$10 assessment on all violations of Title 21 and creating a Volunteer Ambulance Company Fund. The moneys collected would be earmarked for volunteer ambulance companies and distributed on a pro rata basis by the State Fire Prevention Commission.</p>	<p>Introduced April 30, 2014 assigned to the House Public Safety & Homeland Security Committee.</p> <p>Released from Committee 5/7/14</p>
HB No. 316	<p>This bill would implement one of the Task Force's recommendations to improve the funding of basic life support ambulance services in Delaware by requiring each county to contribute a minimum of 15% of the total countywide cost of basic life support services provided by volunteer ambulance companies within each county. The bill allows the counties the leeway to determine the best way to provide these funds; however the bill grants a county the power to support its volunteer ambulance companies through additional funding mechanisms designed solely for the support of volunteer ambulance companies, should it choose to do so. These additional powers are (1) to assess an additional tax rate, assessment, or fee on real property or (2) to adopt a user fee.</p>	<p>Introduced April 30, 2014 assigned to the House Public Safety & Homeland Security Committee.</p> <p>This bill was reviewed Wednesday, May 7, by the House Public Safety & Homeland Security Committee. The committee tabled this bill to allow time for all three counties to join with the sponsors of the bill in order to amend or rewrite it to better serve all parties involved.</p> <p>Todd, Gina, and I will provide this process with Sussex County's interests.</p>
HB No. 317	<p>This bill would implement two of the Task Force's recommendations to improve the funding of basic life support ambulance services in Delaware by (1) specifying that certain types of health insurers are subject to the insurance premium tax assessment for ambulance service and (2) increasing the amount of the moneys placed in the fund to forty five one hundredths of 1 percent.</p> <p>This bill also adds definitions for volunteer ambulance companies and other related terms. While the bill adds the new definition for volunteer ambulance companies, it retains the prior reference to volunteer rescue services to ensure those entities continue to receive funding from the special fund.</p>	<p>Introduced April 30, 2014 assigned to the House Public Safety & Homeland Security Committee.</p> <p>Released from Committee 5/7/14</p>

OLD BUSINESS
May 13, 2014

This is to certify that on February 27, 2014 the Sussex County Planning and Zoning Commission conducted a public hearing on the below listed application for Conditional Use. At the conclusion of the public hearing, the Commission moved and passed that this application be forwarded to the Sussex County Council with the recommendations as stated.

Respectfully submitted:

COUNTY PLANNING AND ZONING
COMMISSION OF SUSSEX COUNTY

Lawrence B. Lank
Director of Planning and Zoning

The attached comments relating to the public hearing are findings of the Planning and Zoning Commission based on a summary of comments read into the record, and comments stated by interested parties during the public hearing.

Change of Zone #1744 – Phillip Cross and Prentice Watkins

Application of **PHILLIP CROSS AND PRENTICE WATKINS** to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a CR-1 Commercial Residential District for a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 4.85 acres, more or less, land lying south of Route 18 (Lewes Georgetown Highway) 1,500 feet west of Road 258 (Hudson Road) (Tax Map I.D. 2-35-30.00-55.00).

The Commission found that the site was originally approved on June 19, 2006 by the Sussex County Board of Adjustment for a Special Use Exception for commercial greenhouse and nursery on less than five (5) acres; that DeIDOT granted approval for the existing commercial entrance on January 5, 2007; and that the Office of Planning and Zoning approved the site plan for the produce stand and greenhouses on March 2, 2007.

The Commission found that on February 26, 2014 the County Engineering Department Utility Planning Division provided comments in the form of a memorandum referencing that the site is not in a proposed or current County operated and maintained sanitary sewer and/or water district; that the site is located in the North Coastal Planning Area; that an on-site septic system is proposed; that conformity to the North Coastal Planning Study will be required; that the proposed use is not in an area where the County has a schedule to provide sewer service at this time; and that a concept plan is not required.

Mr. Lank advised the Commission that the site is located in a Development Area according to the Sussex County Comprehensive Plan Update.

The Commission found that Phillip Cross and Prentice Watkins were present and stated in their presentation and in response to questions raised by the Commission that they operated the Veggie Shack on the site since 2007; that the property is for sale, and that they have had a lot of inquiries; that the Realtor suggested that they apply for rezoning; that other commercial uses and zoning (B-1 Neighborhood Business, C-1 General Commercial, CR-1 Commercial Residential, and Conditional Uses) exist in the immediate area; that some of those commercial type uses include Peachtree Acres Rehab., Donut Connection, an automotive repair, and a retail bird and supply store; that large commercial areas exist to the east and west of the site; and that the property runs back to the railroad.

The Commission found that there were no parties present in support of or in opposition to this application.

At the conclusion of the public hearings, the Commission discussed this application.

Mr. Johnson stated that he would move that the Commission recommend approval of C/Z #1744 for Phillip Cross and Prentice Watkins for a change of zone from AR-1 to CR-1 based upon the record made during the public hearing and for the following reasons:

- 1) The parcel has nearby and adjacent commercial properties; the parcel has been used in the past as commercial property for a vegetable stand; and the property has an existing commercial entrance.
- 2) The location along Route 9 (Route 18) is appropriate for CR-1 zoning.
- 3) The rezoning will not adversely affect the adjacent properties, the neighborhood, or area roadways.
- 4) No parties appeared in opposition to the application.
- 5) Any change in the site will require site plan approval from the Sussex County Planning and Zoning Commission.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to forward this application to the Sussex County Council with the recommendation that this application be approved for the reasons stated. Motion carried 5 – 0.

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 4.85 ACRES, MORE OR LESS (Tax Map I.D. 235-30.00-55.00)

WHEREAS, on the 20th day of December 2013, a zoning application denominated Change of Zone No. 1744 was filed on behalf of Phillip Cross and Prentice Watkins; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1744 be _____; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE,

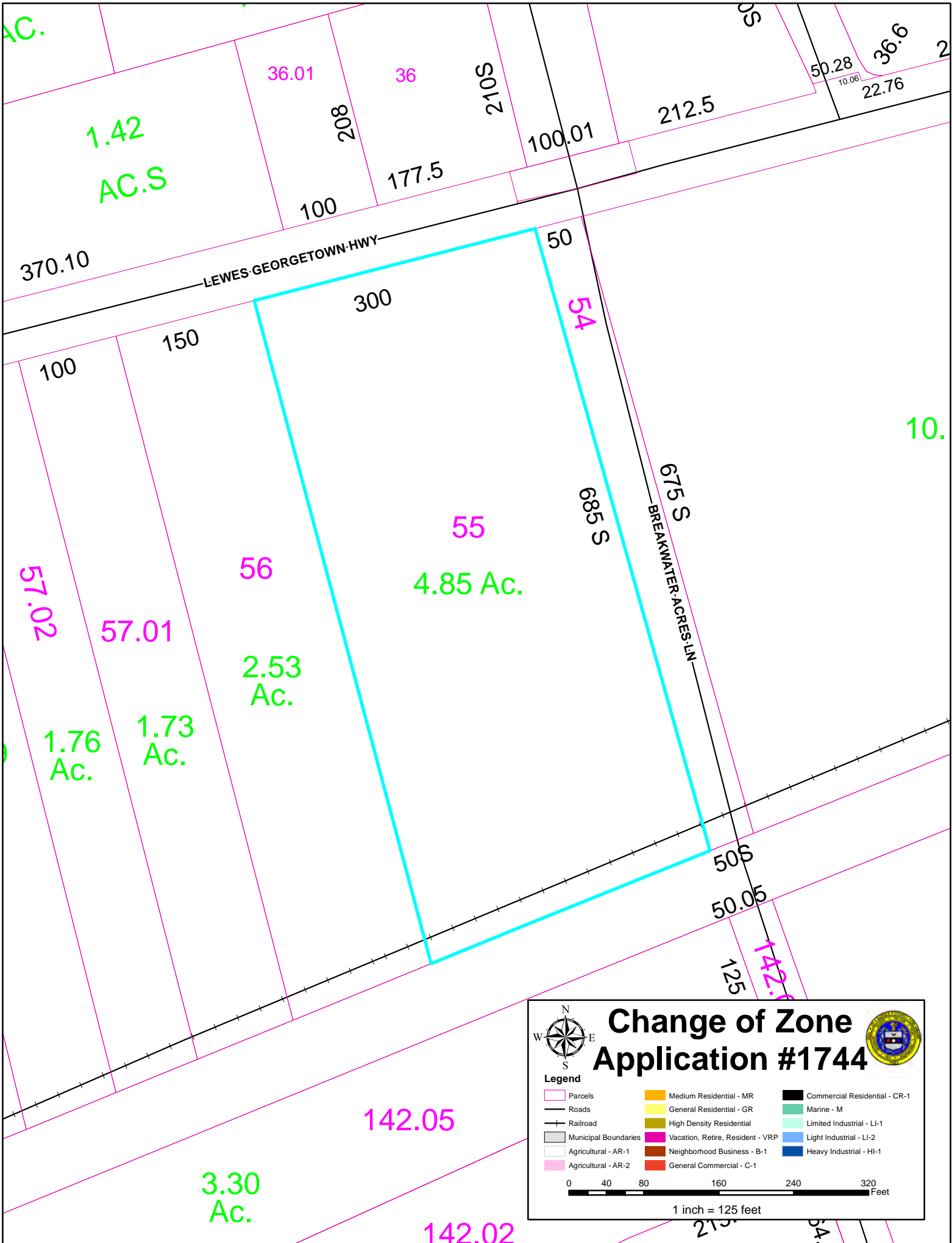
THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation CR-1 Commercial Residential District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying south of Route 18 (Lewes Georgetown Highway) 1,500 feet west of Road 258 (Hudson Road) and being more particularly described in Deed Book 2777, Page 234, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 4.85 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

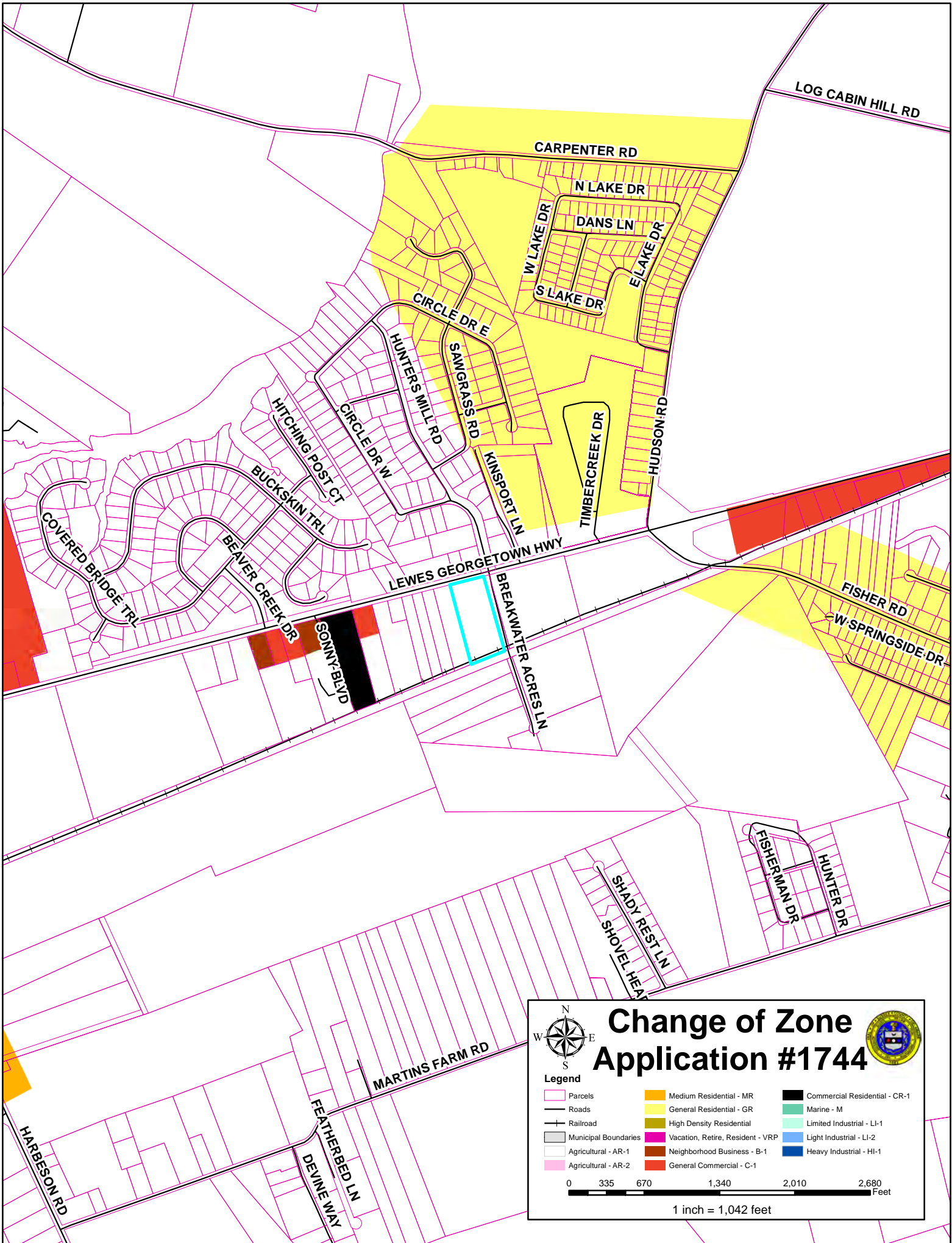


Change of Zone Application #1744


Legend

Parcels	Medium Residential - MR	Commercial Residential - CR-1
Roads	General Residential - GR	Marine - M
Railroad	High Density Residential	Limited Industrial - LI-1
Municipal Boundaries	Vacation, Retire, Resident - VRP	Light Industrial - LI-2
Agricultural - AR-1	Neighborhood Business - B-1	Heavy Industrial - HI-1
Agricultural - AR-2	General Commercial - C-1	

1 inch = 125 feet




Change of Zone Application #1744



Legend

- Parcels
- Roads
- Railroad
- Municipal Boundaries
- Agricultural - AR-1
- Agricultural - AR-2

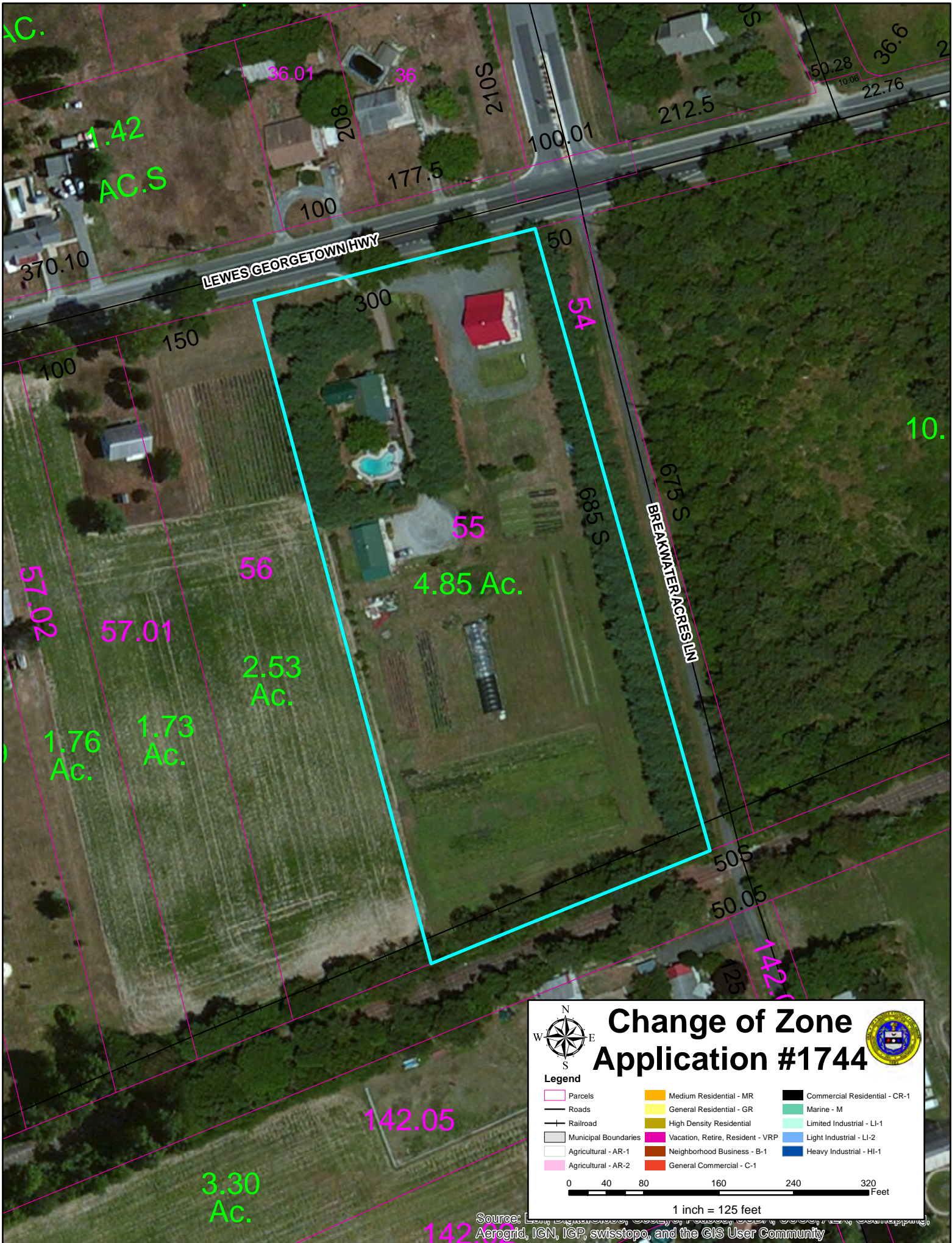
- Medium Residential - MR
- General Residential - GR
- High Density Residential
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- Commercial Residential - CR-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1




0 335 670 1,340 2,010 2,680

Feet


1 inch = 1,042 feet



Change of Zone Application #1744

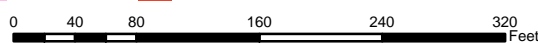


W N E
S



Legend

Parcels	Medium Residential - MR	Commercial Residential - CR-1
Roads	General Residential - GR	Marine - M
Railroad	High Density Residential	Limited Industrial - LI-1
Municipal Boundaries	Vacation, Retire, Resident - VRP	Light Industrial - LI-2
Agricultural - AR-1	Neighborhood Business - B-1	Heavy Industrial - HI-1
Agricultural - AR-2	General Commercial - C-1	



0 40 80 160 240 320 Feet

1 inch = 125 feet

Source: Esri, DeLorme, GeoEye, IGN, IGP, swisstopo, and the GIS User Community

Children of the Delaware National Guard Youth Camp

A 503(c)3 non-profit organization EIN # 27-1126085

Ernie Colwell
Camp Director

Veronica Rich
Chief Administrator

Gerry WillemssendeBock
Asst. to Camp
Administrator

Chris Slicer
Chief Counselor

Kim King
Secretary

Shirley Shellton
Treasurer

2014 Annual Fund Drive

In this era of shrinking budgets and belt tightening we are asking for your support to ensure the Children of the Delaware National Guard Youth Camp continues to provide our children the best summer camp experience and adventure that "Camp Colwell" is famous for. The Mission statement of Camp Colwell is to provide an opportunity for Delaware National Guard youth to experience a quality summer camp. To foster a sense of well - being, while forming bonds with fellow National Guard youths of different ages, communities and backgrounds. To better understand the roles of the Guard in the State and Federal missions and to better understand why parents serve in the Delaware National Guard.

In order to achieve this goal, Camp Colwell provides a positive experience for the youth of the National Guard Family in a safe and caring environment. The Camp is located at the Delaware National Guard Training Site, Bethany Beach, DE. The seven-day residential Camp accommodates approximately 130 youth and 60 volunteers. Campers are 9-12 year olds and the Junior Counselor Corps are 13-16 years old. The campers participate in classes, excursions, arts and craft activities, recreational events and team building activities. It's important to note that the Executive Council and all 60 staff volunteers are unpaid.

The Junior Counselor Corps goes through leadership training that could ultimately enable them to become Senior Counselors and Administrators. They participate in leadership learning seminars, interpersonal skill development and health and safety courses, which equip them to become leaders in their communities, schools, home and camp. They also participate in excursions, recreational events and other fun learning activities.

The Senior Counselor volunteer staff is divided into several sections - Administration, Counselors, Arts & Crafts, Medical and Food Service. The Camp is open to dependent children of the Delaware Army and Air National Guard at the cost of \$50.00 per Camper and \$75.00 per Junior Counselor. There is no cost for children of deployed parent(s). Funding is provided by monetary and material donations of businesses, organizations and individuals as well as grants. The total cost for the week per camper/junior counselor is approximately 300.00.

Funding is provided by monetary and material donations of businesses, organizations and individuals. The children of our Delaware Air and Army National Guard appreciate any contribution you are able to provide. Checks should be made payable to: Camp Colwell and mailed to Children of the DNG Youth Camp c/o Ernie Colwell, Camp Director 7 Weatherford Court New Castle, DE 19720. Our Tax ID# is 27-1126085.

Thank you for your support,



Ernie Colwell

Executive Director



209 Jackson Blvd Wilmington DE 19803 302.494.3133

Not-for-profit - DE Community Foundation 22-2804785

Greer Firestone, Director Greer@HeartInTheGame.org

www.HeartInTheGame.org

OUR MISSION

To create awareness of Sudden Cardiac Arrest (SCA) in children and young adults through the formation of community access programs in 1) EKG Screening 2) CPR Training and 3) AED (Automated External Defibrillator) Training.

Our goal is to screen EVERY middle school and high school student in Delaware....for FREE. Each child should have one screening in both middle and high school. During each event, we will train in both Hands Only CPR and use of AED.

WHAT IS SCA

SCA is the condition in which the heart unexpectedly ceases to function. When this occurs blood stops flowing to the brain and other vital organs causing loss of consciousness or seizure-like activity in seconds.

If not treated in minutes, SCA results in death. The normal rhythm of the heart can only be restored through defibrillation, an electrical shock that is safely delivered to the chest by an AED. SCA is indiscriminate to age, race or gender and kills over 300,000 Americans each year. Victims may never experience warning signs.

SCA FACTS

- The # 1 medical cause of death in student athletes
- 1 in 100 students screened have a heart abnormality or concern
- SCA kills 2000 students a year, the risk being 2-3 times greater in student athletes
- EKG Screening will detect approximately 85% of the heart conditions leading to SCA
- When Cardiac Arrest strikes, you have 5 minutes before brain damage, and then death occurs. Think about how quickly 5 minutes passes. Survival decreases by 10% with every minute after SCA without treatment

Donation Request to Sussex County Council: \$6,000.00



DELAWARE POLICE CHIEFS' COUNCIL, INC.

400 SOUTH QUEEN STREET, DOVER, DELAWARE 19904



Telephone: (302) 739-5411 Fax: (302) 736-7146

May 1, 2014

OFFICERS 2014-2015

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Georgetown

1st Vice Chairman

Chief William Bryson
Camden

2nd Vice Chairman

Chief Jeffrey Horvath
Lewes

Secretary

Chief W. Scott Collins
Selbyville

Treasurer

Chief Wayne Kline
DNREC, Parks & Recreation

DIRECTORS

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Delaware State Police

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Capitol Police

Chief Brian Hill
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Chief James F. Deloach
South Bethany

Chief Patrick Ogden
University of Delaware

PAST CHAIRMAN

Chief Jeffrey Horvath
Lewes

Chief Michael Capriglione
Newport

STAFF

Martin W. Johnson, III
Coordinator

Donna M. Mills
Executive Assistant

John F. Brady, Esq.
Legal Advisor

*Mr. Michael Vincent, President
Sussex County Council
2 The Circle
PO Box 589
Georgetown, DE 19946*

Dear Mr. Vincent:

The Delaware Police Chiefs' Council, Inc. will be conducting its annual Staff Development Seminar from May 19-22, 2014, at the Atlantic Sands Hotel, Rehoboth Beach.

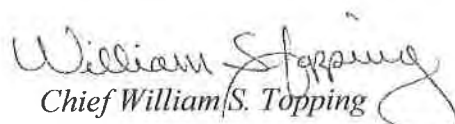
As in the past years, the seminar will be highly productive, providing up to date training on key issues. This annual training program is the primary means of providing administrative training to the State's 42 police chiefs, 19 of which are from Sussex County agencies.

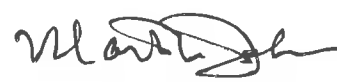
This year's training will be conducted by the FBI who will be presenting their three (3) day "Executive Leadership Institute" training program which has received rave reviews from law enforcement across the country.

For the past several years, the Sussex County Council has provided financial assistance in the amount of \$500.00 to the program, which has been a great help, allowing us to provide meaningful training at no cost to the Delaware chiefs. We respectfully request your financial assistance once again in the same amount to help defray the administrative costs of the program.

Your continued assistance for the seminar would be greatly appreciated.

Sincerely,


*Chief William S. Topping
Chairman*


*Martin W. Johnson, III
Coordinator*

*cc: Todd Lawson
County Administrator*



May 2014

The Eastern Shore AFRAM Festival Committee is grateful for the faithful support of our sponsors each year.

Visitors from Delmarva, neighboring states, and as far away as San Diego, CA have enjoyed this exceptional event. Each year our festival provides an opportunity for people to come together for a positive cultural experience, in a family-friendly setting. Here, traditional African and African American arts, history, and culture can be enjoyed and explored within in a "village" atmosphere.

This year's theme moves forward to the fifth Kwanzaa principle of "NIA" (Purpose).

The Eastern Shore community is strengthened by your support, which enables cultural exchange, and enhances the sharing of information from community service agencies, institutions of health and education, benevolent organizations, and government/military services. Your contribution also makes it possible for us to annually honor the local people and organizations who work to improve the quality of life in this community.

We invite you to join us this year on August 8th and 9th as an honored Sponsor and guest of the festival – at the Seaford Sports Complex, near the Seaford Library and Cultural Center.

Please visit our web-site: www.easternshoreafam.org for details and updated information about this event.

A tax deductible 2014 contribution (Platinum, Gold, Silver or Bronze) entitles your business or organization to the benefits outlined on Page 2.

Please circle your preferred level of sponsorship and make all checks payable to:

AFRAM, P. O. Box 687, Seaford, DE 19973

Sincerely,

Pat A. Jones
AFRAM Executive Director

The Eastern Shore AFRAM Festival is incorporated as a Delaware non-profit to promote the diverse cultural arts of African Americans. The IRS granted this event a 501C3 tax exempt organization; an ID number can be provided upon request.

2014 AFRAM Sponsor Benefits

PLATINUM: \$1,000.00

~ MAIN STAGE SPONSOR ~

[Festival Stage; Featured Bands/Vocalists]

BENEFIT:

- Individual CORPORATE BANNER
- Free Promotional Booth
- Free "Live Commercial" on stage (between performances)
- Active link on AFRAM's website: www.easternshoreafam.org (12 months)
- Logo on the Sponsors' Banner (stage-side)

GOLD: \$500.00

~ EXHIBITION SPONSOR ~

[Cultural & Historical Exhibits/Performances/Presentations]

BENEFIT:

- Free Promotional Booth
- Free "Live Commercial" on stage (between performances)
- Active link on AFRAM's website: www.easternshoreafam.org (12 months)
- Logo on the Sponsors' Banner (stage-side)

SILVER: \$250.00

~ CHILDREN'S EVENT SPONSOR ~

[Pageant, Pony Rides, Face Painting, Bounce house(s),
Capoeira Demonstration, Mascot Mania/Breakfast, Games,]

BENEFIT:

- Free Information Booth
- Corporate ID on AFRAM's website: www.easternshoreafam.org (12 months)
- Listed on the Sponsors' Banner (stage-side)

BRONZE: \$100.00

[Additional Support]

BENEFIT:

- Listed on the Sponsors' Banner (stage-side)

West Rehoboth Community Land Trust, Inc.
Post Office Box 633
Rehoboth Beach, Delaware 19971

Councilman George Cole
Sussex County Council
2 The Circle
PO Box 589
Georgetown, DE 19947

April 29, 2014

Dear Mr. Cole,

The West Rehoboth Community Land Trust Inc., a (501 C 3), is embarking on phase III of our housing initiative. With a grant of \$5,000 from the Sussex County Council and contributions from foundations, businesses, individuals, and churches in our community, we plan to purchase another lot and partner with Sussex Habitat for Humanity to build another house for home ownership.

Phase I began in September 2012 and was completed in February 2013 when we received our certificate of occupancy for two rental units. We now have two West Rehoboth families who had been living in substandard housing conditions in new energy efficient units with a rent of \$400 and \$500 per month. This project was part of a housing preservation and community improvement initiative. We were able to reach this goal with assistance from Sussex County Council and from others committed to seeing housing conditions improve within this low to moderate income community of West Rehoboth. This project is now self sustaining.

In Phase II WRCLT purchased a property on November 7, 2013 on Norwood Street in West Rehoboth at a cost of \$70,000. Sussex Habitat and West Rehoboth Community Land Trust are working out a partnership whereby the land trust will retain the property in the WRCLT and Habitat will work with a family in the community on a homeownership opportunity. As you know a community land trust is essential to keeping housing in West Rehoboth affordable for generations to come.

We would like the county to be a partner with us as we move forward in 2014 with Phase III of our revitalization efforts in the West Rehoboth neighborhood. We are now negotiating a contract on another piece of property for \$75,000 in order to partner with Sussex Habitat, so that another house can be built and another West Rehoboth family can have an opportunity for home ownership. Time is of the essence in purchasing lots before the land cost becomes prohibitive.

The Land Trust is an all volunteer board so that all monies raised for our projects go towards the mission of the organization.

Thank you for your interest and past support. If you have any questions you can reach me at 302-260-9519 or visit our web site at <http://www.westrebothlandtrust.org>.

Sincerely,



Beth Doty, President
West Rehoboth Community Land Trust



Lower Sussex NAACP
Youth Council #2719
P.O. Box 78
Harbeson, DE 19951
302-684-8567
delnaacpyouth@yahoo.com

April 28, 2014

To Members of the Sussex County Council:

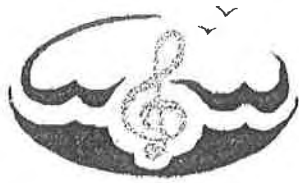
This year marks the 105th anniversary of the NAACP, an organization that was founded in 1909 by a multiracial group of concerned citizens who were determined to confront the issues of racism and injustice. Today, the mission of the NAACP remains the same: "... to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination. From the classroom to the voting booths, we continue to educate and advocate. Young people play a crucial role in these efforts. Our organization is non-partisan, seeking to help make the American Dream a reality for all citizens. We believe in civic engagement through grass roots activism. 2013 was a productive year as our economic empowerment, health, environmental & climate justice, and education committees did a fine job pursuing various campaigns. 2014 promises to be just as exciting and challenging. In May we plan on hosting a Financial Freedom Workshop to educate young people about economic opportunities and pitfalls. In June we will host another Family Physical Fitness Challenge for our Project H.E.L.P. Campaign. And in July, we plan to travel to Las Vegas, Nevada to attend our annual national convention. Each of these activities cost money. So we are asking the generous leaders of the Sussex County Council to again assist us with the expenses it takes to carry out programs. The Lower Sussex NAACP Youth Council is a 501(c)(4) entity operating exclusively for the promotion of social welfare and contributions are generally not tax deductible. Please review the photo page outlining some of our past activities. Thanks for serving our communities in Sussex County, and know that you are appreciated.

Respectfully yours,

Manuel R. Davis, Youth Advisor

Lower Sussex NAACP Youth Council #2719

- ☉ EIN=06-1830537
- ☉ Bank: M & T
- ☉ Checking Account #=2956-8537



The Mid-Atlantic Symphony Orchestra

P.O. Box 3687 / Ocean City, MD 21843-3687
Phone: 410-289-3440, Toll Free: 888-846-8600
www.midatlanticsymphony.org

"Enriching Life Throughout the Mid-Atlantic Region Through the Power of Classical Music"

January 31, 2014

Councilmember George Cole
Sussex County Council
P. O. Box 589
Georgetown, DE 19947

Dear Councilmember Cole,

The Mid-Atlantic Symphony Orchestra Society, Inc. (MSO) is a regional company of professional musicians of the highest caliber dedicated to keeping the orchestral art form alive and active in the Mid-Atlantic region. We perform a repertoire of classical and modern compositions in venues across the area and we have become an integral part of the cultural life on the Eastern Shore. Currently the MSO is the only professional orchestra presenting a full subscription season each year, and we view our concerts as an opportunity to serve the people of the Maryland and Delaware regions.

The MSO season includes four concerts, with each concert performed in Easton, MD, Ocean Pines/Ocean City, MD, and Ocean View, DE. We serve a diverse group of people from youth through senior citizens, and regularly have over 1,000 attendees at our three venues. MSO audiences are most appreciative of the fact that they have a quality orchestra available locally, at a reasonable cost, and do not have to travel to a major city to hear quality classical music. The upcoming concerts to close out the 2013-14 season will feature the premiere of MSO Music Director Julien Benichou's *Three Seasons of Chicago* in March, trumpet soloist Tine Thing Helseth performing works from Hummel and Bach-Vivaldi in April, and organist Felix Hell performing Francis Poulenc's *Organ Concerto in G minor* at our season finale in May.

The MSO is funded through grants from local Arts councils, ads in our program book, local corporations, and of course the purchase of tickets and seasonal subscriptions. To keep costs affordable, the MSO has set a ticket price of \$35 per concert, a very reasonable cost for area residents to enjoy an outstanding performance. However, it is always a challenge to raise enough money to support these concerts, as travel and performance costs for the musicians and staff grows each year. Accordingly, the MSO would like to request a \$1,500 grant from your discretionary council funds to help us meet our budget this fiscal year. As residents and volunteers who reside in this community, we want to have the highest caliber arts available to all those who reside here, and ask that you would consider once again supporting our mission.

Thank you so much for considering the Mid-Atlantic Symphony Orchestra for your sponsorship. I look forward to hearing from you. If you have any questions, please do not hesitate to call me at (302) 539-0793 or email me at maryloutictz@yahoo.com. Thank you again.

Sincerely,

The Seat of Sussex County Government

Historic Georgetown Association The Georgetown Train Station

28448 DuPont Blvd., Millsboro, DE 19966
Tel: 302-934-8818

May 2nd 2014
The Honorable Samuel Wilson
Sussex County Council
2 The Circle
Georgetown, De. 19947

Re: Status report (update)

Dear Councilman Wilson,

The Georgetown Train Station will be open to the public Friday May 16th at 4:30 P.M. for the first time since "the fire" occurred on May 7, 2011. As the result of having no choice other than to work with a reluctant carrier the reconstruct which should have been completed within twelve to fifteen months has consumed over three years.

Smoke and water damage to most of our collection of R.R. relics from the past has been a problem not easily resolved. Though most lacked any great monetary value they are impossible to replace. Three flagging lanterns, a Morse code (telegraph), several local calendars (one from the Brick Hotel) and an assortment of tools, bills of lading, work records, ledgers and R. R. artifacts were found under the floors when we did our first restoration. They quickly became a part of our showcase displays. Most were damaged or lost during the fire. Though much work and cleanup yet remain it's time to move on.

Our immediate priority is on raising the necessary funds to install a rest room in Georgetown's First Firehouse, complete the parking area sitework and fencing. Inasmuch as the town has offered to waive their impact fees we anticipate the costs on each as \$14,900, \$19, 656 and about \$5,000 for the sitework for a total requirement of \$40,000.

We noted the train station will be open to the public on Friday May 16th at 4:30. Please accept this as an invitation to all the Council Members and staff. As noted above much yet remains to be done but we believe you'll be pleased with our progress. Also please take this as an opportunity to visit the "Old Firehouse" which our use of the side walls as display area for murals depicting the Fire Company's history since 1903 is unique.

The County has always been a strong supporter of HGA's efforts to make the County Seat a better place to live and work. We have worked hard to earn that trust. A continuance of that trust and support will not only be appreciated but put to work immediately. Again, thank you for your support.

Historic Georgetown Association

Carlton R. Moore

911 Address: 23430 Hollyville Road, Harbeson, DE

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FACILITY FOR OUTDOOR ENTERTAINMENT EVENTS WITH TEMPORARY CAMPING FACILITIES DURING EVENTS ONLY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING APPROXIMATELY 500 ACRES, MORE OR LESS, OF TWO PARCELS CONTAINING 1,057.6 ACRES (Tax Map I.D. 234-15.00-22.00 and 234-9.00-34.00)

WHEREAS, on the 24th day of April 2014, a conditional use application, denominated Conditional Use No. 1991 was filed on behalf of Cool Spring, LLC / Highway One; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 1991 be _____; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1991 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying north of Road 302A (Avalon Road), west of Road 48 (Hollyville Road), south of Road 47 (Johnson Road), and east of Road 296 (Lawson Road) with the acreage being more particularly described in Plot Book 48, Page 254 and Plot Book 63, Page 96, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing approximately 500 acres of the described 1,057.6 acres referenced in the referenced Plot Books.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.