

RESOLUTION NO. R 015 23

A RESOLUTION ESTABLISHING A DATE, TIME, PLACE AND JUDGE FOR AN ELECTION
TO BE HELD TO CONSIDER THE STARLIGHT MEADOWS CHAPTER 96
SUSSEX COMMUNITY IMPROVEMENT PROJECT

WHEREAS, Chapter 96 of the Sussex County Code, Sussex Community Improvements, provides for a Sussex County Program to facilitate the improvements of streets, roadways, and other community amenities designated by the County Engineer that will, upon completion, benefit or serve the entire community and which are controlled by a private subdivision Property Owners Association, to be implemented by the Sussex County Engineering Department; and

WHEREAS, the subdivision known as Starlight Meadows, as represented on Sussex County Tax Map 235 - 7.00 Parcels 204-237, and on Recorder of Deeds Plot Book 71 - Page 131; located off Williams Farm Road (#235A), north of Milton, DE, within the Broadkill Hundred, requested petition forms be provided from the Sussex County Engineering Department to determine if there was adequate interest in their community to obtain an estimate of costs and charges for proposed improvements, and if so, to submit the question of establishing a Chapter 96 Sussex Community Improvement project for the community of Starlight Meadows to an election, in accordance with the provisions of Sussex County Code, Chapter 96, Sussex Community Improvements; and

WHEREAS, it was determined by the Sussex County Engineering Department that Starlight Meadows meets all criteria as defined by Sussex County Code Chapter 96 and thereby provided by direct mail the requested petition form to each property owner of record within Starlight Meadows on February 10, 2023 in accordance with the Sussex County Code, along with a project boundary map and project preliminary cost estimate, with estimated charges to each property owner; and

WHEREAS, nineteen (19) valid petition forms were returned to Sussex County Engineering Department and verified to represent approximately fifty-six percent (56%) of the thirty-four (34) assessable properties in the proposed project, thereby exceeding the fifty percent (50%) or more representation requirement in § 96-5 of the Sussex County Code; and

WHEREAS, on May 26, 2023, the Sussex County Engineering Department mailed to all Starlight Meadows property owners of record within the proposed project area a Notice of a Public Meeting to be held at the Sussex County Public Library in Milton on June 27, 2023; as required by §96-5 of the Sussex County Code; and

WHEREAS, Sussex County Engineering Department held the Public Meeting on June 27, 2023 to discuss the Chapter 96 community improvements proposal and receive comments, at the Sussex County Public Library in Milton with Starlight Meadows property owners, affirming the project boundary and estimated charges to each property owner in accordance with Sussex County Code.

NOW, THEREFORE, BE IT RESOLVED, Sussex County Council hereby formally accepts the community of Starlight Meadows into the Sussex County Chapter 96 Sussex Community Improvement Program; and

BE IT FURTHER RESOLVED, that Sussex County Council approves for Starlight Meadows proposed Chapter 96 Sussex Community Improvement project, an estimated annual billing rate of \$730.00 for a ten (10) year time period, or an estimated lump sum payment cost of \$5,505.00 for each assessable property located within the boundary of the Starlight Meadows proposed Chapter 96 project, as determined by the Sussex County Engineering and Finance Departments; and

BE IT FURTHER RESOLVED, that Sussex County Council does establish Tuesday September 19, 2023 from 10 am to 4 pm., on the third floor of the Sussex County Administration Building located at 2 The Circle, Georgetown, DE 19947, as the date, time, and place for the Election to determine whether the property owners of Starlight Meadows are in favor of proceeding with improvements under the proposed Chapter 96 Project, as presented at the June 27, 2023 Public Meeting. A provision for Absentee Ballots shall also be provided as part of the Election process; and

BE IT FURTHER RESOLVED, that Sussex County Council appoints J. Mark Parker, P.E., of the Sussex County Engineering Department, or his designee, to be the judge of said official Election; and

BE IT FURTHER RESOLVED, that Sussex County Council directs the Sussex County Engineering Department to provide notice to all assessable property owners of record in the Starlight Meadows proposed Chapter 96 Project, of the date, time, and place of the Election, including estimated costs and charges to property owners, as required by §96-5 of the Sussex County Code, and to provide proper notification of any necessary changes to date, time and location of the Election.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 015 23 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 15TH DAY OF AUGUST 2023.



Tracy N. Torbert
Clerk of the Council