

**RESOLUTION NO. R 009 16**

**RESOLUTION FOR THE CONSOLIDATION OF THE ANGOLA NECK, BETHANY BEACH, SOUTH BETHANY, FENWICK ISLAND, JOHNSON'S CORNER, GOLF VILLAGE, HENLOPEN ACRES, BLADES, ELLENDALE, WOODLANDS OF MILLSBORO, LONG NECK, HOLTS LANDING, DAGSBORO-FRANKFORD, MILLER CREEK, BAYVIEW ESTATES, SEA COUNTY ESTATES, SOUTH OCEAN VIEW, OAK ORCHARD, CEDAR NECK, MILLVILLE, NORTH BETHANY, OCEAN VIEW, DEWEY BEACH AND WEST REHOBOTH SANITARY SEWER DISTRICTS INTO A SINGLE "SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT"**

**WHEREAS**, there are currently existing in Sussex County twenty-four (24) Sanitary Sewer Districts identified as the Angola Neck Sanitary Sewer District, the Bethany Beach Sanitary Sewer District, the South Bethany Sanitary Sewer District, the Fenwick Island Sanitary Sewer District, the Johnson's Corner Sanitary Sewer District, the Golf Village Sanitary Sewer District, the Henlopen Acres Sanitary Sewer District, the Blades Sanitary Sewer District, the Ellendale Sanitary Sewer District, the Woodlands of Millsboro Sanitary Sewer District, the Long Neck Sanitary Sewer District, the Holt's Landing Sanitary Sewer District, the Dagsboro-Frankford Sanitary Sewer District, the Miller Creek Sanitary Sewer District, the Bayview Estates Sanitary Sewer District, the Sea Country Estates Sanitary Sewer District, the South Ocean View Sanitary Sewer District, the Oak Orchard Sanitary Sewer District, the Cedar Neck Sanitary Sewer District, the Millville Sanitary Sewer District, the North Bethany Sanitary Sewer District, the Ocean View Sanitary Sewer District, the Dewey Beach Sanitary Sewer District and the West Rehoboth Sanitary Sewer District consisting of 48,731 acres more or less (hereinafter identified as the "Existing Districts"); and

**WHEREAS**, the Existing Districts all have sewer mains that have been constructed to which fifty (50) or more houses have been connected; and

**WHEREAS**, Title 9, Section 6502 of the Delaware Code authorizes Sussex County to establish or revise a sanitary sewer district without election when it has already constructed sewer mains to which fifty (50) or more houses have been constructed; and

**WHEREAS**, the Existing Districts have expanded to the point where, in many cases, their boundaries are adjacent to one another making the continued division into separate Sewer Districts unnecessary; and

**WHEREAS**, all of the Existing Districts are currently served by wastewater treatment and disposal facilities and in many cases share these facilities making the division into separate Sewer Districts unnecessary; and

**WHEREAS**, in some instances it is necessary for one or more of the Existing Districts to utilize the same sewer mains and/or pump stations to direct the flow of wastewater to the existing treatment and disposal facilities making the continued division into separate Sewer Districts unnecessary; and

**WHEREAS**, this Resolution is not an expansion of the Existing Districts, nor will it create any new or additional sewer district areas or territories, but will instead consolidate existing districts into a single district under a single name; and

**WHEREAS**, by consolidating the Existing Districts into a single Sussex County Unified Sanitary Sewer District, Sussex County would be able to utilize greater efficiency and streamlined organization by maintaining a single district versus 19 separate sanitary sewer districts; and

**WHEREAS**, this consolidation and Resolution has been recommended and endorsed by Municipal & Financial Services Group, the Consultant retained by Sussex County with regard to sewer matters;

**NOW, THEREFORE, BE IT RESOLVED** that the County Council of Sussex County, Delaware hereby establishes the Sussex County Unified Sanitary Sewer District; and that the said District shall encompass the boundaries and include the area of all of the Existing Districts as they exist as of the date of this Resolution, as further described in Exhibit A, attached hereto and incorporated herein;

**BE IT FURTHER RESOLVED**, that as of the effective date of this Resolution, all of the Existing Districts shall be absorbed into, and replaced by, the Sussex County Unified Sanitary Sewer District;

**BE IT FURTHER RESOLVED**, that the County Engineer is hereby directed to prepare maps, plans, specifications and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any structures required to provide for the safe disposal of sewage in the Sussex County Unified Sanitary Sewer District;

**BE IT FURTHER RESOLVED**, that the Sussex County Council directs the Sussex County Finance Director and County Engineer to apply for, accept, and receive grants, loans, and other funding necessary to provide adequate financing for the planning, design, construction, and all other phases of the Sussex County Unified Sanitary Sewer District;

**BE IT FURTHER RESOLVED**, that the Sussex County Council directs the Sussex County Finance Director to undertake any and all acts necessary to transfer any accounts, accounts receivable, accounts payable, accounting measures, books, records, contracts, funds, tangible and intangible assets, financing, income, debts, liabilities, or any other items from the Existing Districts to the Sussex County Unified Sanitary Sewer District as he or she deems necessary, advisable and appropriate under the circumstances and in accordance with State Law, County Ordinance, Generally Accepted Accounting Principles, specific requirements affecting the Existing Districts or other applicable guidelines;

**BE IT FURTHER RESOLVED**, that the Sussex County Unified Sanitary Sewer District is hereby declared to be validly constituted under the provisions of Title 9, Chapter 65 of the Delaware Code.

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 009 16 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 17TH DAY OF MAY 2016.**

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**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**