

**RESOLUTION NO. R 014 05**

**A RESOLUTION ESTABLISHING THE DATE, TIME, PLACE, ABSENTEE BALLOT PROVISION, AND JUDGE FOR AN ELECTION TO BE HELD TO CONSIDER THE QUESTION OF ESTABLISHING THE PROPOSED LOCHWOOD STREETLIGHTING DISTRICT**

**WHEREAS, Chapter 95 of the Sussex County Code provides for the establishment, maintenance, and modification of a Streetlighting district; and**

**WHEREAS, on November 30, 2004, the Sussex County Council approved the circulation of petitions to the property owners of Lochwood, which seek to obtain estimates of costs and charges for the purpose of establishing a District; and**

**WHEREAS, twenty-eight (28) valid petitions were received from improvement owners on January 28, 2005, which request that the formation of a Streetlighting District be put to an election vote; and**

**NOW, THEREFORE, BE IT RESOLVED that the estimated annual billing rate for the proposed Streetlighting District is \$ 11.57 for each property having a residential or commercial improvement located within the boundaries of the Lochwood Proposed Streetlighting District; and**

**BE IT FURTHER RESOLVED that the Sussex County Council does establish Friday, May 6, 2005, from 3 p.m. – 7 p.m., at the home of Mary and William R. Slawter, Sr., Lochwood Subdivision, 2 Lakeshore Drive, Lewes, Delaware 19958, as the date, time, and place for an election to consider the formation of the Lochwood Streetlighting District. Eligible voters, who are unable to attend the election in person, may obtain an absentee ballot from the Sussex County Engineering Department by contacting Mrs. Bonnie Pride at (302)-855-7703. All absentee ballots must be executed, notarized, and delivered to the Sussex County Engineering Department before 12:00 noon on Thursday, May 5, 2005 to be counted; and**

**BE IT FURTHER RESOLVED that the judge of the election shall be Mrs. Patricia L. Deptula, Assistant Director of Public Works, or her designee; and**

**BE IT FURTHER RESOLVED that the Sussex County Engineering Department be directed to provide appropriate notice to the voters of the date, time, and place of the election, including estimated costs and charges, as required by Chapter 95 of the Sussex County Code.**

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 014 05 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF JUNE 2005.**

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

**LOCHWOOD  
PROPOSED STREETLIGHTING DISTRICT  
FINAL COST ESTIMATE**

**Delaware Electric Cooperative (DEC) Charges:**

15 Colonial Streetlights\* and

1 -100-watt Security Streetlight on Wooden Pole on Rt. 24 \*

@ \$8.44 per streetlight per month

<b>TOTAL DEC MONTHLY CHARGES (for 16 existing lights)</b>	<b>\$ 135.04</b>
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**TOTAL DEC ANNUAL CHARGES (for 16 existing lights)**

\$ 135.04 per month x 12 months	<b>\$1620.48</b>
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**Sussex County Annual Administrative & Contingency Charge**

15% of DEC Annual Charges of \$1620.48	<b>\$ 243.07</b>
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**GRAND TOTAL ANNUAL CHARGES**

\$1620.48 (DEC) + 243.07 (Sussex County)	<b>\$1863.55</b>
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**Number of Improvements in Proposed District**

**161**

**Estimated Annual Assessment per Improvement**

**\$ 11.57**

\$1863.55 divided by 161 improvements\*\*

\* Existing Streetlights

\*\* # of Improvements per Association field check on 3-29-05

4-12-05 PLD



**LOCHWOOD**  
**PROPOSED STREETLIGHTING DISTRICT**

1. Lochwood Subdivision is located on Dorman Road, County Road No. 288-A, northwest of Angola, Delaware. The streets are approximately 2.5 miles in length, are privately owned and maintained by the Lochwood Property Owner's Association, Inc. The contact person for the Association is: William Slawter, Secretary 945-6239, P.O. Box 212, Nassau, DE 19969.
2. The subdivision was recorded in 1973, in the Recorder of Deeds, on Book 8, Pages 773- 777, and on Book 58, Page 135. The proposed district is located on Sussex County Tax Map Number 2-34-11- and includes Parcels 155 - 278, 310 - 336 and 338 - 412. The remainder of the Parcels 118 - 151, 283 - 309, 279 - 282, and 337 are under construction and not included as part of the proposed District at this time. They will be included at a later date.
3. Number of improvements in proposed district: 161  
Total number of parcels in proposed district: 225
4. Delaware Electric Cooperative (DEC) provides electric service to the area. The Association currently pays for 15 existing colonial streetlights, within the subdivision, one area streetlight at the intersection of Dorman Road and Route 24 and a metered lighting service at their entrance way.
5. Sussex County Engineering Department received a request from the Lochwood Association to initiate the process of forming a streetlighting district in their subdivision, as allowed by Chapter 95 of the Sussex County Code. They requested Patricia Deptula (PLD) to attend their annual the Property Owners' Association (POA) meeting. She attended this meeting, held on Saturday, July 24, 2004, and discussed the County's streetlighting program with the residents. Some different options were discussed and those in attendance asked several questions. PLD requested that a letter from the Association be sent to her, to inform her how they would like to proceed with the request.
6. On November 9, 2004, the Engineering Department received a letter from the Lochwood Property Owner's Association, Inc. asking that the proposed Streetlighting district boundaries include all but the final section of the development, currently under construction.
7. A petition form was prepared by Sussex County Engineering Department and then approved by Vincent Robertson, Assistant County Attorney. Sussex County Council approved the petition form, and the attachment included with the Proposed District boundaries, for circulation on November 30, 2004.
8. PLD scheduled an informal "public meeting", as a courtesy, for the residents of the Lochwood Proposed Streetlighting District, for January 22, 2005 in conjunction with their already schedule POA meeting. However, the meeting had to be cancelled due to inclement weather. The POA will be notifying PLD of the re-schedule date for their meeting. PLD will hold the Streetlighting "public meeting" on the same date.
9. On January 28, 2005, 30 executed petitions were hand-delivered from Bill Slawter, of Lochwood Association.
10. PLD held an informal public meeting with the Lochwood POA on Saturday, March 19, 2005 to discuss the proposed Streetlighting layout. It was voted on at the meeting, by the POA, to accept the proposal, with the exception that the streetlight located on Route 24 & Dorman Road intersection be included in the proposed layout. This streetlight was requested to not be included in the original layout of the district. A new cost estimate including this light was devised. The annual amount per improvement for the 16 streetlights is estimated to be \$11.57. A motion accepting this cost estimate will be taken to Sussex County Council for approval, along with the acceptance of petitions requesting to form the district. After acceptance, a Resolution will be presented to Council for approval that establishes a date, time, place, and judge for an election to make a final determination as to whether or not the Lochwood Streetlighting District will be formed. Vincent Robertson, Assistant County Attorney, approved the Resolution form.

4-12-05 PLD