

RESOLUTION NO. R 019 10

A RESOLUTION PROVIDING FOR MODIFICATION OF THE LOCHWOOD STREETLIGHTING DISTRICT

WHEREAS, Chapter 95 of the Sussex County Code provides for the establishment, maintenance, and modification of a streetlighting district, and Sussex County currently operates the Lochwood Streetlighting District; and

WHEREAS, thirty-seven (37) signed and notarized petitions were received from Lochwood improvement owners requesting Modification of the Lochwood Streetlighting District by extending the boundaries of the existing Streetlighting District to include all tax parcels within the Lochwood subdivision, as shown on Sussex County Tax Map 2-34-11-Parcels 118-419; and the installation of 20 additional streetlights; and the Relocation of one existing streetlight in accordance with Chapter 95 of the Sussex County Code; and

WHEREAS, on December 15, 2010 Sussex County Council approved by motion the estimated annual billing rate for the installation of twenty additional streetlights of \$ 33.83 for the first year, and \$ 23.97 after the first year, for each property having a residential or commercial improvement located within the boundaries of the Lochwood Streetlighting District, and

WHEREAS, on December 15, 2010 Sussex County Council approved by Resolution the establishment of Tuesday, January 12, 2010 at 11:00 a.m., at the Sussex County Council Chambers in the Sussex County Administrative Office Building, 2 The Circle, Georgetown, Delaware, as the date, time, and place, for the Public Hearing to consider the modification requests; and

WHEREAS, the Sussex County Engineering Department did provide appropriate notice to the property owners within The Lochwood Streetlighting District, of the date, time, and place of the Public Hearing, and of the estimated costs and charges for the solicited Modifications, as required by Chapter 95 of the Sussex County Code. A Notice of Public Hearing was sent by mail to all property owners; the Notice was advertised for two weeks in the local newspaper; and the Notice was posted in four places within the community; and

WHEREAS, on January 12, 2010, after considering all Public Hearing comments given, concerning the request, it was the consensus of the Sussex County Council to defer their decision and have the Sussex County Engineering Department verify that there was sufficient support for the proposed Streetlighting District Modifications from the improvement owners of the Lochwood Streetlighting District; and

WHEREAS, on February 19, 2010, the Sussex County Engineering Department sent by mail an informational package, a voting ballot form to every improvement owner within the Streetlighting District, with instructions that all executed ballots be returned to the Sussex County Engineering Department by March 19, 2010; and

WHEREAS, all returned ballots were opened, verified and a final count of ballots was completed on March 25, 2010. There were 54 ballots voting Yes and 50 ballots voting No. The vote was in favor of proceeding with the Streetlighting District modification; and

WHEREAS, a letter from the Lochwood Property Owners Association was received on March 30, 2010 requesting that if Sussex County Council approved the requested Streetlighting District Modifications the one streetlight Relocation portion of the request not be included; and

NOW, THEREFORE, BE IT RESOLVED, after consideration of the above, the Sussex County Council on March 30, 2010, directed the Sussex County Engineer to proceed with the requested Lochwood Streetlighting District Modifications as shown on the layout dated December 15, 2010, and to not include the one streetlight Relocation at the entrance with the Modifications.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 019 10 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 15TH DAY OF JUNE 2010.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL