

**COUNTY COUNCIL**

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**Sussex County**

DELAWARE  
sussexcountyde.gov  
(302) 855-7743

**SUSSEX COUNTY COUNCIL**

**AGENDA**

**January 23, 2024**

**10:00 AM**

**Call to Order**

**Approval of Agenda**

**Approval of Minutes - January 9, 2024**

**Reading of Correspondence**

**Public Comments**

**Consent Agenda**

1. **Use of Existing Wastewater Infrastructure Agreement – IUA-691  
Highlands of Pepper Creek, Dagsboro/Frankford Area**

**Todd Lawson, County Administrator**

1. **Administrator's Report**

**10:15 a.m. Public Hearing**

1. **South Greenwood Expansion of the Sussex County Unified Sanitary Sewer District (Western Sussex Area)**

**John Ashman, Director of Utility Planning & Design Review**

1. **Permission to Prepare and Post Notices for Leeward Chase Annexation into the Sussex County Unified Sanitary Sewer District (Airpark Area)**



## Hans Medlarz, County Engineer

1. **Discussion and Possible Introduction of a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$2,797,264 OF GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE WESTERN SUSSEX REGIONAL SANITARY SEWER DISTRICT PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”**
2. **Constructed Wetlands, Project S22-05**
  - A. **RK&K - 5-year Wetland data collection implementation**
3. **Herring Creek Project, Project S20-08**
  - A. **Teal Construction, Inc. – Change Order No. 3**
  - B. **WRA Amendment No. 7**
4. **Winding Creek Village Water District**
  - A. **Agreement with Tidewater Utilities, Inc.**

## Old Business

1. [Conditional Use No. 2388 filed on behalf of Rifle Range Road Solar, LLC](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR FARM ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 93.66 ACRES, MORE OR LESS” (property lying on the south side of Rifle Range Road [S.C.R. 545], approximately 1.14 mile east of Sussex Highway [Rt. 13]) (911 Address: N/A) (Tax Map Parcel: 131-15.00-51.00 [p/o])

## Grant Requests

1. **Misphillion Performance Series for their 2024 concert series**
2. **ReTemp Development Center for their Food Project for Seniors and Homeless**

## Introduction of Proposed Zoning Ordinances

## Council Members' Comments

## Executive Session - Land Acquisition, Pending & Potential Litigation, & Collective Bargaining pursuant to 29 Del.C.§10004(b)

## Possible action on Executive Session Items

## Todd Lawson, County Administrator

1. **Discussion and possible action related to the Collective Bargaining Agreement with AFSCME AFL-CIO and its Affiliated Local Union 1926**

**1:30 p.m. Public Hearings**

1. **[Conditional Use No. 2394 filed on behalf of Wayne Development, LLC](#)**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL STORAGE FACILITY WITH RV AND BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 14.34 ACRES, MORE OR LESS” (property lying on the southwest side of Gull Point Road [S.C.R. 313], approximately 591 ft. northeast of Downs Landing Road) (911 Address: N/A) (Tax Map Parcel: 234-34.00-4.01)**

2. **[Conditional Use No. 2477 filed on behalf of State of Delaware](#)**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A POLICE STATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 44 ACRES, MORE OR LESS” (property lying on the east side of Patriots Way [S.C.R. 318], approximately 0.3 mile north of Avenue of Honor [S.C.R. 86]) (911 Address: N/A) (Tax Map Parcel: 133-7.00-8.00 ([p/o])**

3. **[Conditional Use No. 2491 filed on behalf of St. Michael the Archangel Church](#)**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO ALLOW FOR AN ON-PREMISES ELECTRONIC MESSAGE CENTER SIGN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 10.94 ACRES, MORE OR LESS” (property lying on the north side of Mount Joy Road [S.C.R. 297] and the west side of John J. Williams Highway [Rt. 24], at the intersection of Mount Joy Road [S.C.R. 297] and John J. Williams Highway [Rt. 24]) (911 Address: 30839 Mount Joy Road, Millsboro) (Tax Map Parcel: 234-29.00-263.06)**

4. **[Change of Zone No. 1991 filed on behalf of Sycamore Chase Expansion](#)**

**“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC MEDIUM-DENSITY RESIDENTIAL – RESIDENTIAL PLANNED COMMUNITY DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 73.95 ACRES, MORE OR LESS” (property lying on the north side of Daisey Road [S.C.R. 370], approximately 0.6 mile west of Bayard Road [S.C.R. 384]) (911 Address: 34665, 34723 & 34771 Daisey Road, Frankford) (Tax Map Parcel: 134-18.00-45.00, 51.00 and P/O 53.00, 54.00 & 54.01)**

5. **[Change of Zone No. 1997 filed on behalf of Waste Management of Delaware, Inc.](#)**

**“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 5.219 ACRES, MORE OR LESS” property lying on the west side of Old Stage Road [S.C.R. 461], at the intersection of Old Stage Road [S.C.R. 461] and Trussum Pond Road [S.C.R. 462]) (911 Address: N/A) (Tax Map Parcel: 332-2.00-79.01)**

**Adjourn**

**-MEETING DETAILS-**

**In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on January 16, 2024 at 4:15 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 may be considered out of sequence.**

**The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.**

**The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.****

**Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.**

**To join the meeting via telephone, please dial:**

**Conference Number: 1-302-394-5036**

**Conference Code: 570176**

**Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.**

**The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/county-council>.**