

**League of Women Voters, Sussex County**

**Report to County Council**

**Sunshine Day- March 19, 2013**

As part of the League of Women Voters' support for openness in government, its Observer Corps monitors governmental bodies for issues of importance to the League and to the county. The Observer Corps of the League of Women Voters of Sussex County was organized in January of 2009. We have now completed our fourth year of activity. Observers attend County Council, Planning and Zoning Commission, and Board of Adjustment meetings. Reports from the Observers are compiled into monthly reports and submitted to the Board of the League of Women Voters of Sussex County.

Between February, 2012, and January, 2013, League of Women Voters' Observers attended 81% of County Council meetings, 20% of the meetings of the Planning and Zoning Commission and 17% of the meetings of the Board of Adjustments. This report is a compilation of the major reported issues and concerns from the past year as viewed by the Observers and that relate to positions of the League of Women Voters.

As stated, the issues reported here are those for which the League of Women Voters' has a policy position. Therefore, I will briefly refer to the relevant position or positions of either the League of Women Voters of the United States or the League of Women Voters of Delaware for each of the topics. In the interest of time, I may not recount the whole policy position.

**Highlights:**

**1. Storm Water Drainage Problems.**

- Problems experienced by communities and individuals were reported at County Council meetings last spring and there was discussion about where the responsibility lies for addressing these concerns and their causes. Options presented included ordinances, standards, disclosure requirements and incorporating the Conservation District into the certification of completion process. To date, there has been no apparent clarification of responsibility or actions taken to prevent or ameliorate these conditions.

*LWVUS supports comprehensive long-range planning and believes that wise decision-making requires...consideration of environmental, public-health, social and economic impacts of proposed plans and actions; protection of private property rights commensurate with overall consideration of public health and environmental protection; ...procedures for mitigation of adverse impacts*  
*LWVDE supports a comprehensive planning policy which includes necessary implementing ordinances and their enforcement. Strict control of development in flood plain areas.*

*LWVDE supports plans for extensive adaptation measures at all levels of government for climate change impacts that cannot be avoided, including sea level rise.*

## **2. Housing**

- Observers attended the Fair Housing workshop in June. The County's involvement in a law suit in a federal court and a complaint to the U.S. Department of Housing and Urban Development relating to Fair Housing resulted in a \$750,000 settlement that was covered by insurance and made public. Other legal expenses related to the case were not so apparent. We found that, in a two year period ending on June 30, 2012, over \$266,000 was paid from county funds and a news report indicated that the total was over \$400,000 in related legal fees. New guidelines have been implemented and a fair housing compliance officer designated; we applaud the actions that have been taken and trust that other requirements of the voluntary settlement will be implemented.
- Home repairs - A long waiting list remains for those in need of assistance, but use of some budget surplus to provide additional aid should make some impact.

*LWVUS - Secure equal rights and equal opportunity for all. Promote social and economic justice and the health and safety of all Americans including programs that would inform individuals of their civil rights in ... housing, and of the opportunities open to them.*

## **3. Wetland Buffers**

- The League of Women Voters of Sussex County supports the Inland Bay Foundation in urging the County to establish new buffer regulations to increase the buffers from the current 50 foot requirement.

*LWVDE- Support for preservation and/or protection of certain critical areas (ecologically fragile estuaries and coastal areas, farmland, aquifers, floodplain, and natural areas).*

*LWVUS- Environmental Protection and Pollution Control: Preserve the physical, chemical and biological integrity of the ecosystem, with maximum protection of public health and the environment.*

## **4. Planning**

- Last year, we spoke in opposition to granting time extensions to developers having uncompleted projects. Now they have been approved through 2015.
- We are concerned that decisions are made without consideration of the huge number of developments that have already been approved and the infrastructure demands they will create.
- A workshop on a Public Facilities Ordinance, supposed to occur in early 2012, has never been held.
- The need for a certified County Planner is urgent. This position has been vacant for more than three years.

- Sea level rise is happening and will continue to get worse. This factor must be addressed with short and long term planning.
- Computerization of planning and zoning records is overdue.

*LWVUS Supports comprehensive long-range planning and believes that wise decision-making requires adequate data and a framework within which alternatives may be weighed and intelligent decisions made; consideration of environmental, public-health, social and economic impacts of proposed plans and actions; protection of private property rights commensurate with overall consideration of public health and environmental protection....*

*LWVDE- Support of the regulation of growth and optimum use of land through comprehensive planning policy. Monitoring of land use policies and their relationship to human needs, population trends, transportation planning, and ecological and socioeconomic factors. Encouragement of continuing cooperation among governmental agencies.*

## **5. Citizen's Right to Know/ Citizen Participation**

- Freedom of Information Act- New FOIA policies and procedures have been put into place and are effective. Response to our FOIA request was prompt, courteous and helpful.
- Website information- The improvements in the County website have been impressive and helpful, making vital information more easily available both to Sussex County residents and businesses considering moving to the County.
- Information packet availability- Access to the information packets, formerly distributed only to the County Council and the press has been an outstanding improvement for enabling the public to see and understand issues being discussed. We recommend that such information also be available for Planning and Zoning Commission and Board of Adjustment meetings, especially since the information on their agendas is scanty.
- Although biographical information is now required for new appointees to Boards and Commissions, such information is not available for incumbent appointees nor is there any specific requirement to reveal employment and other financial interests of incumbents or new appointees. Such information should be publicly available.
- There are devices available to assist persons with hearing impairments. However, a written notice about how to obtain this assistance is needed.
- The public has been treated with courtesy and dignity at governmental meetings.

*LWVUS- Protect the citizen's right to know and facilitate citizen participation in government decision making.*

*LWVDE- Certain governmental officials should disclose their financial interests and abide by guidelines for lessening the possibility of conflict of interest. Restrictions to eliminate conflict of interest should be mandated by law or local ordinance to include prohibitions against...regulating a business with which the official is associated or has a substantial financial interest. However, the law or*

*ordinance should not be too restrictive thereby discouraging governmental services.*

**Additional Observations: Regarding issues where the LWV does not have specific positions.**

1. Although we continue to be favorably impressed by the fiscal management of the County, the practice of Council Members having individual accounts for granting monetary requests raises questions of appropriateness.
2. County employees are consistently polite and helpful.
3. The emergency management services and communication in response to Hurricane Sandy was admirable.

**Conclusion:**

The League of Women Voters Observer Corps will be continuing its activities this year, as we share with you the goal of ensuring good government for the citizens of Sussex County. Thank you.

Carole Somers  
Coordinator of the Observer Corps  
League of Women Voters of Sussex County