



CIVIC LEAGUE For New Castle County

Informed Citizens for Sound County Growth

P.O. Box 11523 - Wilmington, DE 19850

PLEASE ADVISE ADDRESS CORRECTIONS
WWW.CivicLeagueforNCC.Org

PRSRT STD
U.S. POSTAGE PAID
NEWARK, DE
PERMIT NO. 208



**February
2011**

STATEMENT OF PRINCIPLE

Monitor and selectively evaluate government actions including laws, regulations and policy.

Provide appropriate forums for informing as well as soliciting input from the public.

Establish positions based on responsible studies and consistent with the aims and purpose of the organization.

Advocate these positions.

Founded in 1962, the Civic League is non-profit volunteer organization, which studies and illuminates County and State government actions concerning comprehensive developments and the quality of life and is a vocal advocate of relevant positions.

County Comments is the official publication of the Civic League for New Castle County.

Chuck Mulholland,
President

WWW.
CivicLeagueforNCC.Org

PO Box 11523
Wilmington, DE 19850
302-529-1529

Content may be reproduced.

COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY

Informed Citizens for Sound County Growth

MEETING

Tuesday, February 15, 2011

7:00 PM at the Delaware State Police Troop 2 Building
100 La Grange Avenue
(Rte 40 East of Route 896)

AGENDA

Guest Speaker: Lt. Governor Matt Denn

ETHICS WORKING GROUP HAS ANOTHER IDEA TO PREVENT STACKING OF THE COUNTY ETHICS COMMISSION

The unusual situation of having the County Council President move up to fill a vacancy in the Office of County Executive has brought on a lot of thinking about how the Ethics problems are handled by the County. Our Ethics Working Group has a suggestion for preventing the stacking of the Commission with the appointments of one person. Let us have your feedback on this idea.

Section 1. Division 2.04.100 of the New Castle County Code is hereby amended by adding thereto the portions of Section 101 that are underlined and deleting the material that is stricken as set forth below.

Sec. 2.04.101. - Established; terms; prohibited acts; officers; quorum; compensation; staff.

A. There is established an Ethics Commission composed of seven (7) residents of the County.

County Council shall appoint four (4) members with the advice and consent of the County Executive. Three (3) members shall be appointed by the County Executive with the advice and consent of County Council

unless the County Executive was formerly the Council President and filled a vacancy to attain the Executive position. When the President of Council selected or appointed members of the Ethics Commission while serving in that capacity, any vacancies on the Commission requiring appointments by him as the County Executive shall become the privilege and duty of the new Council President to appoint with the advice and consent of Council upon his or her assuming office following the special election. No more than two (2) of the members appointed by the County Executive or County Council shall be of the same political party. The majority of the membership of the Commission shall not be composed of members of one political party and the full membership shall not be composed of members of only the two major political parties. At any given time, at least one independent or member of a third party shall be a member.

Submitted by: Christine Whitehead

Postmaster: Please deliver to
Current Resident or

CLNCC Legislative Agenda adopted January 18, 2011

1. That all real estate sales agents in Delaware be licensed and required to meet the same standards for buyer notification, including those who sell new homes as well as those who sell existing ones;
2. That redistricting be completed in open hearings, with arrangements for public input during them;
3. Amend 9 DE Code 1111 to provide for the election of the New Castle County Executive in the case of a vacancy opening in the office even if it is filled temporarily by ascension to office as now provided if the remaining term is longer than 4 months prior to a general election;
4. Revision of the New Castle County Unified Development Code to enable members of Council to override the General Manager of the Land Use Department on approval of a Final Record Plan (major site development) when there is major objection from the public to serious adverse impacts threatening the health and safety of neighbors or a large diminution in property values of neighbors.
(1 abstention on this item)
5. Revise New Castle County Code to bring it in line with the requirements in State law that County regulations require planners to consider the adverse impacts and weight them against the public interest when approving plans including considering the necessity of downsizing projects. This would require a repeal of the By Right section of the UDC.
6. Revise the New Castle County redevelopment ordinance to insure that no effective rezonings occur without the public having the opportunity to oppose them if they so desire.

Civic League for New Castle County Proposed Resolution

Community Bill of Rights

Whereas. Communities and residents often find that the Comprehensive Development Plans and codes seem to ignore existing character and quality of life issues.

Whereas. Interpretations of protective codes are insufficient.

Whereas. Individuals and communities have a reasonable expectation of what can be built or used surrounding them.

Now Therefore be it Resolved by the Civic League for New Castle County that current and future residents are acknowledged to have a bill of rights to the basic services and to a decent quality of life including, but not limited to community character, basic services such as listed below but not necessarily in this order.

- 1) Potable water of quality, quantity, pressure and reliability based on appropriate standards.
- 2) Emergency medical services as appropriate to meet national standards with periodic public report of attainment.
- 3) Police and fire protection services to maintain adequate response time to insure safety, order and preservation of life and property.
- 4) Open space to be a combination of neighborhood, local and regional with facilities sufficient to preserve bio-diversity and provide recreation facilities to serve our population.
- 5) Traffic flow to be concurrent with new or redevelopment and other construction. Level of Service (LOS) shall be Level D above the canal and LOS C below the canal with no by right for redevelopment, workforce housing or other uses. Provision shall be made for safe use of mass transit, bicycles, motorcycles, and walking
- 6) Community character so that existing and future residents can feel secure and confident in what will occur next to them.
- 7) Drainage so that flooding will be eliminated on adjacent and downstream properties based on minimum 100 year storm including quality of discharges.
- 8) Sewer capacity shall prevent overflows or backups anywhere in the system and the county shall not grant waivers for development due to infiltration or lack of capacity by using back flow preventers or discharge into waterways.
- 9) Transparency and ability of residents to have ample opportunity to comment in a timely and meaningful way on rezonings and various stages of development plans. Reinstate 3.319 hearings and reduce the number of waivers and interpretations the general manager of land use may grant.
- 10) Preserve quality of life and community fabric as listed above but not limited to specific combinations.
- 11) Air shall be free of dust, dirt, particulates and smog generating materials and enforce the rule that construction dust must be kept on the property.
- 12) Toxic sites shall be isolated to avoid threats to communities, individuals and water supplies.

Therefore be it further resolved: that the above items shall be listed prominently in an opening appropriate agenda/preamble section of the 2012 Comprehensive Development Plan.

Submitted by:
Fritz Griesinger
Christine Whitehead

OPEN REDISTRICTING THE ONLY FAIR PROCESS

Once again we face the need to redraw legislative district lines because the Census has shown changes in population centers and growth in new areas of Delaware. In spite of numerous federal court rulings for 4 decades the goal of fair and equitable redistricting in the public interest has been elusive. The political party that controls one or both houses of the General Assembly controls the drawing of a redistricting plan. This year, power over both houses rests in one party--the Democrats.

Nine years ago we watched helplessly as the leader of the House Republicans made a mockery of the process. Districts were drawn to favor individuals and political parties in both houses, but he also retaliated against minority Democrats who opposed him and unfairly deprived the City of one of its minority legislators. Our 1897 State Constitution mandates fair and equal elections. That means when the plan is finished, not only should districts be of roughly the same size, but all candidates running in each district should have an equal opportunity to be elected.

This time, the drawing process should be open. The public is entitled to participate in the process. Computers can move around census tracts and redo a plan at the speed of light. There is no reason, with this kind of technology plans can not be created in the open--in public hearings. New Castle County did it that way last time and it worked just fine. Legislators have been politely asked to pass a resolution committing each house to open redistricting. Only a few have responded positively. Now they need to be told by their constituents that you will not be satisfied with a backroom redistricting process closed to the public. Tell them you want to see fairness, decisions made in the public interest and adherence to the Constitution!

Your future is at stake. Anytime either party believes it can control our government for the foreseeable future, it becomes arrogant with power. This process is about the ability of a minority party to challenge the majority when it becomes corrupted or desensitized by power.

A fair redistricting is essential to effective democracy.

Let us fight for it.

Call your legislators office. All you need to do is leave a message about this.

| | |
|--------------------|--------------|
| House Democrats | 302-744-4351 |
| Senate Democrats | 302-744-4286 |
| House Republicans | 302-744-4171 |
| Senate Republicans | 302-744-4048 |

Submitted by:
Frank Sims