



*Town of Milton*

115 Federal Street, Milton, Delaware 19968

[www.milton.delaware.gov](http://www.milton.delaware.gov)

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**RESOLUTION 2024-005**

**TO RATIFY THE RESULTS OF THE FEBRUARY 3, 2024, ANNEXATION REFERENDUM**

**WHEREAS**, the Mayor and Town Council may enlarge its existing limits and territory pursuant to Town Charter Section 3, entitled *Annexation of Territory*; and

**WHEREAS**, on September 17, 2021, the Town received an Annexation Petition for tax map and parcel 235-20.00-63.02, also known as Scarlet Oaks, located on the east side of Shingle Point Road and south side of Harbeson Road; and

**WHEREAS**, the Annexation Petition was heard before the Town Council, Special Review Committee, and Planning and Zoning Commission; and

**WHEREAS**, on December 4, 2023, the Mayor and Town Council voted unanimously to approve the Annexation Petition for Scarlet Oaks; and

**WHEREAS**, on December 21, 2023, the Town Manager received a citizen's petition to hold a referendum on the Town Council's decision to annex.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Town Council of the Town of Milton hereby ratifies the following actions that were completed in accordance with Section 3 of the Town Charter:

- a) In compliance with Section 3(j)(5), the Town Manager verified that the citizens petition included over 10% of Milton's registered voters and scheduled the referendum to be held on Saturday, February 3, 2024;
- b) In compliance with Section 3(m), the Town posted the special referendum notice on the Town's website, bulletin board, Town Hall, Kiosk in Memorial Park, and Milton Library on January 2, 2024; and advertised special referendum notice in the Cape Gazette on January 2, 2024, and January 19, 2024;
- c) On January 8, 2024, the Board of Special Election was appointed; the referendum ballot was prepared by the State of Delaware, Department of Elections on January 4, 2024; and the referendum was conducted using voting machines.

**BE IT FURTHER RESOLVED** that said Annexation Referendum took place on Saturday, February 3, 2024, at Milton Fire Department, from 8 a.m. to 6 p.m., with the Board of Special Elections then counting the absentee votes and certifying the voting totals between the machine votes and absentee votes. The

Annexation Referendum passed with a total vote of 397 approved and 86 disapproved. Receipt of said certificate is hereby acknowledged and the results are hereby ratified.

**AND BE IT FURTHER RESOLVED** that the conditions set forth in Town Charter Section 3 have been met including the 30-day hold period. Therefore, tax map and parcel 235-20.00-63.02 is hereby annexed into the Town of Milton's boundary. Herein incorporates that Ordinance 2024-001, amending the comprehensive plan and official zoning map, is approved. The description and plot of territory shall be recorded in the Office of the Recorder of Deeds in and for Sussex County, within 120 days of February 3, 2024.

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I, **Scotty Le Edler**, Secretary of the Town Council of the Town of Milton do hereby certify that the above resolution was passed at the meeting of the Town Council, duly called and convened, held on the 5th day of February 2024, at which a quorum was present and voting throughout and that same is still in full force and effect.

**TOWN OF MILTON**

BY: 

**SECRETARY OF TOWN COUNCIL**

DATE: 02/06/2024