

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-JANUARY 3, 1991

Call to
Order

The regular meeting of the Sussex County Council was held on Thursday, January 3, 1991 at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware with the following members present:

William D. Stevenson, Sr.	President
Ralph E. Benson	Member
George B. Cole	Member
George J. Collins	Member
Dale R. Dukes	Member

The meeting was opened by repeating the Lord's Prayer and the Pledge of Allegiance to the Flag.

M 001 91
Approval
of Minutes

A Motion was made by Mr. Dukes, seconded by Mr. Benson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

M 002 91
President
for 1991

A Motion was made by Mr. Benson, seconded by Mr. Cole, that Dale R. Dukes be elected to serve as President of the Sussex County Council for 1991. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Mr. Dukes, President, took the Chair.

M 003 91
Vice
President
for 1991

A Motion was made by Mr. Collins, seconded by Mr. Cole, that Ralph E. Benson be elected to serve as Vice President of the Sussex County Council for 1991. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

President's
State-
ment

President Dukes took the opportunity to express appreciation to Mr. Stevenson for the cooperation he had shown him in the past two years and expressed the hope that both Mr. Stevenson and Mr. Cole will enjoy the next two years as much as he had the past two.

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M 004 91
Legal
Counsel
for 1991

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, that the Sussex County Council appoint Eugene H. Bayard as County Attorney to serve at the pleasure of the Council. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Mr. Bayard, County Attorney, took his place at the Council Table.

M 005 91
Legal
Counsel
for 1991

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, that the Sussex County Council appoint Dennis L. Schrader as Assistant County Attorney to serve at the pleasure of the Council. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 006 91
Legal
Counsel
for 1991

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, that the Sussex County Council reappoint Peter B. Jones as Assistant County Attorney to serve at the pleasure of the Council. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Corre-
spondence

No correspondence was received for today's meeting.

Bank
Resolutions

Mr. Purpur, Finance Director, had Bank Resolutions listing the accounts of Sussex County to be read by the County Attorney.

M 007 91
Adopt
Resolutions
R 001 91,
R 002 91,
R 003 91,
R 004 91,
R 005 91,
and
R 006 91

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt the following Resolutions:

No. R 001 91 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE DELAWARE NATIONAL BANK BEARING THE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR G. F. PURPUR, JR., FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL";

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M 007 91
(Con't.)
Resolutions
Adopted

Resolution No. R 002 91 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE WILMINGTON TRUST COMPANY BEARING THE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR G. F. PURPUR, JR., FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL";

Resolution No. R 003 91 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE SUSSEX TRUST COMPANY BEARING THE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR G. F. PURPUR, JR., FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL";

Resolution No. R 004 91 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE MELLON BANK DELAWARE BEARING THE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR G. F. PURPUR, JR., FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL";

Resolution No. R 005 91 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE DELAWARE TRUST COMPANY BEARING THE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR G. F. PURPUR, JR., FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL"; and

Resolution No. R 006 91 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE WILMINGTON TRUST COMPANY BEARING THE FACSIMILE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR G. F. PURPUR, JR., FINANCE DIRECTOR".

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Town of
Millsboro
Request

Mr. Stickels, County Administrator, reviewed a request from the Town of Millsboro that the County make application for a Community Block Grant on their behalf. The Grant would be used for infrastructure and rehab projects for an area adjoining the Town Limits. A map of the area was provided showing the streets involved; namely, Old Landing Road and

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Town of
Millsboro
Request
(Con't.)

White Street. Councilman Cole questioned the area being considered; does it include an ongoing development? If so, should the County make an application on their behalf, when there are other impoverished areas with greater needs. The matter was tabled until such time as this could be explored.

Methodist
Manor
House
Revenue
Bonds

Mr. Stickels, County Administrator, reported that the Methodist Manor House Revenue Bonds had been sold and the County received a check in the amount of \$32,000 for sponsoring this sale. Another check covering fees and expenses incurred will be forthcoming. The Bonds were purchased by Legg, Mason, Wood, & Walker and PNC Security at the rate of 8.34%.

PGH
Representa-
tive

Mr. Stickels, County Administrator, reported that a representative for the Board of Directors of Peninsula General Hospital needed to be appointed.

M 008 91
Appoint-
ment
PGH Bd. of
Directors

A Motion was made by Mr. Collins, seconded by Mr. Cole, to reappoint George B. Cole to serve on the Peninsula General Hospital Board of Directors. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Paramedic
Program
Progress
Report

Mr. Stevenson, Paramedic Director, reviewed the progress of the Paramedic Program. Due to several factors beyond the control of the County program, the planned in-service date of January 3rd has been delayed until January 15, 1991. The January 15th start-up is still nine (9) months ahead of schedule. The County Paramedics will be using the twelve (12) day delay to visit as many of the fire and ambulance companies as possible; explaining the program and answering questions concerning the program. Additional information reviewed included: the paramedic personnel training and certification progress; contract status; budget for current year and 1992; vehicles being used and ordered; and, equipment received and approved by the State inspector. The Advisory Council continues to work on the billing process. They are working with insurance providers and exploring avenues for recapturing costs. Definite rates have not been established, however, consideration is being given to the following plan: Sussex County residents will receive the service for no charge; Kent and New Castle residents will be billed for the 40% that the State does not pay; and, out-of-state residents will bear 100% of the cost.

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Adminis-
trator's
Report

Mr. Stickels, County Administrator, reviewed the following information included in his Administrator's Report:

1. MacNamara v. Sussex County Council - The United States Third Circuit Court of Appeals has affirmed the previous decision of the United States District Court for Delaware which dismissed the complaint filed by the opponents to the Delaware Electric Cooperative rezoning. The Third Circuit Court opinion restates much of the rationale expressed in the earlier District Court's decision. The Third Circuit Court does not feel the County Council acted improperly in its decision. Any further appeals in this proceeding would be to the United States Supreme Court.

Question

Councilman Cole questioned the cost for the County in this case. He also questioned if the cost for the County's defense should be borne by the applicant. Mr. Bayard, County Attorney, advised that there exists no legal grounds for this action. He further advised that the Council must make the decision concerning what they are willing to spend to defend their decision and integrity.

Adminis-
trator's
Report
(Con't.)

2. Memorandum - Department of Natural Resources and Environmental Control - An outline of projects that have applied to DNREC, Wetlands and Aquatic Branch, for applications for subaqueous and/or wetland projects.
3. Assessment Office Positions - Mr. Eddy J. Parker has been named as Acting Director of the Assessment Office. He will assume his responsibilities as Acting Director on Wednesday, January 16, 1991. Mr. Parker has been employed with the County for ten (10) years. The past eight (8) years he has served as the Secretary to the Board of Adjustment. While working in the Planning and Zoning Office, he has worked with the Assessment Office on a daily basis.

Ms. Susanne J. Messick will be assuming the responsibilities as Assistant Assessment Director on Wednesday, January 16, 1991. Ms. Messick has been employed with the County for fourteen (14) years, currently in the position as Data Control Supervisor in the Assessment Division. Ms. Messick will assume the responsibilities of the Director's duties in his absence. She will also be responsible for coordinating activities from the Assessment Department to the Treasury Department, Data Processing Department, and the Utility Billing Department.

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Appointment Univ. of Del. Advisory Board President Dukes resigned as the County Representative on the University of Delaware Advisory Board and appointed George J. Collins to serve in his stead. Councilman Collins presently serves as a member of the Board.

Appointment Nanticoke River Advisory Committee Councilman Cole stated that he would like to resign from the Nanticoke River Advisory Committee. President Dukes appointed George J. Collins to serve as a member of the Nanticoke River Advisory Committee.

President's Request - Planning & Zoning President Dukes asked that a list of all the zoning applications that have been deferred be prepared for his use. He also requested that this list be updated on a monthly basis, thereby making it possible for old business to be cleared from the files.

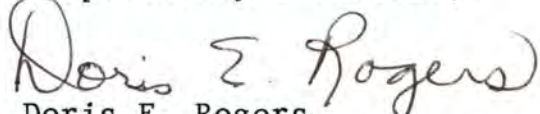
M 009 91 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Cole, to give \$1,000.00, from Mr. Dukes' Councilmanic Account, to The Town of Laurel to assist the Delaware Community Clusters Against Substance Abuse Program. Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

President's Statement President Dukes again thanked all the Councilmen for their unanimous decision on the reorganization of the Council for all positions. He also stated that he looks forward to working with the County staff and expects to work with all department heads to determine their needs and see how the Council can best serve the interests of the County.

M 010 91 Adjourn A Motion was made by Mr. Cole, seconded by Mr. Benson, to adjourn at 10:50 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,


Doris E. Rogers
Clerk of the County Council