

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE, JANUARY 21, 1992

Call to Order The regular meeting of the Sussex County Council was held Tuesday, January 21, 1992, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

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

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

M 017 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, that Amend the minutes of January 14, 1992, page 5, under "Correspondence" Previous Minutes be amended by striking [letter] and inserting in lieu thereof comment. Motion Adopted by Voice Vote.

M 018 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Approval of Minutes approve the minutes of the previous meeting as amended. Motion Adopted by Voice Vote.

Correspondence Mr. Schrader, Assistant County Attorney, read the following correspondence:

SERIES OF CORRESPONDENCE FROM CONCERNED CITIZENS
RE: West Rehoboth Sewer Project

Proposed Proclamation Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation proclaiming the week of February 9, 1992, as a week of recognition for the Southern Campus of the Delaware Technical and Community College. A two-day celebration will be held on February 14th and 15th for the official Grand Opening of the Higher Education Facility. Jack F. Owens, Campus Director, was present to receive the Proclamation.

M 019 92 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt Proclamation Adopt the Proclamation entitled "PROCLAMATION PROCLAIMING THE WEEK OF FEBRUARY 9, 1992, AS A WEEK OF RECOGNITION FOR THE SOUTHERN CAMPUS OF THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE".

Motion Adopted: 5 Yea.

M 019 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Presen- Michael McGrath of the State of Delaware Department of Agriculture, gave a presentation on the comprehensive program for Agricultural Ag. Land Lands Preservation. The program will establish land preservation Preser- districts. Farmers approved for an agricultural district will be vation guaranteed certain incentives for preserving the land for the Program agriculture industry. Mr. McGrath invited the participation of the Sussex County Council to set up a Farming Advisory Board made up of four agri-business people and one councilman. Mr. McGrath asked that these appointments be made by April 1, 1992.

Sussex The request from the Sussex Shooters Club to lease a portion of the Shooters Roxana Transfer Station property for a shooting range was Club Request discussed. A Public Hearing was held on January 7, 1992, at which time the record was closed and action was deferred.

M 020 92 A Motion was made by Mr. Collins, seconded by Mr. Benson, that the Sussex Sussex County Council, after conducting a public hearing, have Shooters found that the Roxana Transfer Station property is not suitable for Club Request the proposed Sussex Shooters Club shooting range.
(Denied) Motion Adopted: 5 Yea.

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

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

1. Town of Selbyville Building Inspection

The Town Council of Selbyville has requested that Sussex County's Building Code Inspection Department perform inspection and plan review on industrial, commercial, and multi-family construction projects within the corporate limits of the Town of Selbyville. The Town Council had requested that the County relinquish this responsibility last October. However, the Town Council does not feel that they can be in the position, or have the capabilities on staff, to perform this service. Mr. Calvin O'Day has been informed that implementation of the program will begin in Selbyville effective January 15, 1992.

Adminis-
trator's
Report
(con't)

2. City and State Publication - January 13, 1992

Included in the County Administrator's report was a portion of an article published in City & State magazine. This article states that in the United States today, there are 22,313 governmental jurisdictions according to the United States Bureau of the Census -- a total of 50 states, 19,221 towns and cities, and 3,042 counties. Sussex County, Delaware is ranked in the top seven percent of government spending in the nation. The article states that the 2,000 jurisdictions that are listed in this publication keep many local economies afloat. Sussex County is ranked 1,560th, while Kent County is ranked 1,958th nationwide.

3. Delinquent Taxes

David Baker, Finance Director, will be mailing notices to approximately 300 property owners on January 31, 1992, notifying them that the County will be placing a lien on their property because of delinquent taxes. After the filing of the Notice of Lien, delinquent properties may be sold to satisfy amounts owed, including taxes, penalties, fees, and costs, by tax sale. It is unfortunate that the County has to place these liens at this time, however, it is unfair to those taxpayers who do pay their tax liabilities that others do not. The mailing of these notices are an ongoing effort by the Finance Department to collect any and all taxes that the County is entitled to. On May 3, 1991, 1,300 tax sale letters were mailed to delinquent properties. On July 8, 1991, approximately 800 property owners responded and brought their bills up to current levels. The Finance Department has done an admirable job in collecting delinquent taxes as, of this time, there is \$100,690.07 in delinquent taxes -- this covers from 1977 through 1991. The \$100,690.07 amount includes delinquencies for bankruptcies. Under bankruptcy laws, delinquent property taxes are protected until Courts order payments. By the County placing the lien on the property, this assures that at some time, the delinquent funds will be collected. By placing this lien, the statute of limitations will not expire. Anyone receiving notice of the lien placement should contact the Sussex County Treasury Division at 855-7760.

DSWA
Work-
shop

President Dukes reminded those present of the Delaware Solid Waste Authority workshop scheduled for Tuesday, January 21, 1992, at 7:30 p.m. to be held at the Department of Transportation building.

Ocean
Farm
Agree-
ment

Mr. Green, Utility Construction Division Director, and Mr. Ron Gray, KCI Technologies, Inc., discussed the agreement for the construction coordination services for wastewater facilities in Ocean Farm, located within the South Bethany Sanitary Sewer District.

M 021 92
Ocean
Farm
Agree-
ment

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that the President of the Sussex County Council execute an Agreement between Sussex County Council and KCI Technologies, Inc. for the construction coordination services for wastewater facilities in Ocean Farm, in the South Bethany Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Proposed
Resolu-
tion

Mr. Green, Utility Construction Division Director, read in its entirety a Proposed Resolution concerning authorizing an escrow agreement between Sussex County and Ocean Farm to be used for construction coordination services of wastewater facilities to serve the project known as Ocean Farm in the South Bethany Sanitary Sewer District.

M 022 92
Adopt
Resolu-
tion
R 007 92
Escrow
Agree-
ment
Ocean
Farm

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Resolution R 007 92 entitled "ESCROW AGREEMENT AUTHORIZED BETWEEN SUSSEX COUNTY AND OCEAN FARM LIMITED PARTNERSHIP TO BE USED FOR CONSTRUCTION COORDINATION SERVICES OF WASTEWATER FACILITIES TO SERVE THE PROJECT KNOWN AS OCEAN FARM IN THE SOUTH BETHANY SANITARY SEWER DISTRICT".

Motion Adopted: 5 Yea.

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

Public
Hearing
Recorder
of Deeds
Fees

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND SUSSEX COUNTY CODE RELATING TO THE FEES FOR THE RECORDER OF DEEDS IN AND FOR SUSSEX COUNTY". The Public Hearing was closed.

M 023 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, to adopt
Adopt Ordinance No. 811 entitled "AN ORDINANCE TO AMEND SUSSEX COUNTY
Ordinance CODE RELATING TO THE FEES FOR THE RECORDER OF DEEDS IN AND FOR
No. 811 SUSSEX COUNTY".

Motion Adopted: 5 Yea.

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

Bid Bid Openings were held on Sussex County Project No. 92-03, (2)
Openings Programmable Encoders, and Sussex County Project No. 92-04, (23)
92-03 Remote Siren Controllers, for the Integrated Home Alarm/Siren
92-04 Encoder Project to enhance radio communications at the Sussex
County Emergency Operations Center. The following bids were
received:

Sussex County Project No. 92-03

Dispatch Communications of the Mid-Atlantic, Inc. \$10,353.20
Salisbury, Maryland

Caldabaugh Communications, Inc. \$ 9,960.00
Salisbury, Maryland

Communications Electronics, Inc. \$ 8,610.00
Timonium, Maryland

Motorola Communications & Electronics, Inc. \$12,299.72
Hanover, Maryland

Sussex County Project No. 92-04

Dispatch Communications of the Mid-Atlantic, Inc. \$36,202.00
Salisbury, Maryland

Caldabaugh, Communications, Inc. \$42,090.00
Salisbury, Maryland

Federal Signal Corp. \$20,585.00
University Park, Illinois

Motorola Communications & Electronics, Inc. \$28,612.00
Hanover, Maryland

Mr. Carey, Director of Emergency Preparedness, will review the bids
and present a recommendation to Council in two weeks.

M 024 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon Bid the recommendation of the Engineering Department that the Sussex Award County Council President be authorized to enter into a contract 92-01 with Solar Heating, Inc./Sussex Electric for the Repair, Alteration and/or Installation of Electrical Items as required at facilities owned or leased by Sussex County, in accordance with rates and conditions outlined in Contract Bid Documents for Sussex County Project No. 92-01 dated January 14, 1992.

Motion Adopted: 5 Yea.

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

M 025 92 A Motion was made by Mr. Benson, seconded by Mr. Cole, based upon Bid the recommendation of the Engineering Department that the Sussex Award County Council President be authorized to enter into a contract 92-02 with Solar Heating, Inc./Sussex Electric for the Repair, Alteration and/or Installation of Plumbing, Heating, Air Conditioning, Sheet Metal, and other related items as required at facilities owned or leased by Sussex County, in accordance with rates and conditions outlined in Contract Bid Documents for Sussex County Project No. 92-02 dated January 14, 1992.

Motion Adopted: 5 Yea.

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

Bid Mr. Wood, County Engineer, opened the following bids for Project Opening No. 91-11 entitled "Painting West Process Unit": 91-11

S & T Painting Co., Inc. Baltimore, Maryland	\$72,700.00
M. C. Painting Corp. Crum Lynn, Pennsylvania	\$86,436.00
Mediterranean Painting Co. Wilmington, Delaware	\$79,450.00

Bids will be reviewed for a recommendation.

Proposed Conditional Use No. 993, filed on behalf of John W. Cooper and/or Ordinance assigns, was discussed. A Public Hearing was held on January 7, C/U #993 1992, at which time the record was closed and action was deferred.

M 026 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Adopt Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR PROFESSIONAL OFFICES AND GENERAL BUSINESS USES TO BE LOCATED ON A C/U #993 CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX (Denied) COUNTY, CONTAINING 0.37 ACRE, MORE OR LESS" (C/U #993) filed on behalf of John W. Cooper and/or assigns.

Motion Denied: 1 Yea, 4 Nay.

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

Findings of Fact C/U #993 The Council found that the conditional use was not in accordance with the Comprehensive Development Plan and did not promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.

Proposed Ordinance Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 1.93 ACRES, MORE OR LESS" (C/Z #1152) filed on behalf of Paul Edward Calloway. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Cole introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM MR MEDIUM-DENSITY RESIDENTIAL DISTRICT TO HR-1/RPC HIGH DENSITY RESIDENTIAL/RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 104.59 ACRES, MORE OR LESS" (C/Z #1153) filed on behalf of Sea Colony, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.43 ACRES, MORE OR LESS (C/Z #1154) filed on behalf of Frank Marino. The Proposed Ordinance will be advertised for Public Hearing.

Correspondence Mr. Cole advised Council of a letter he received from Julie Ann Hudson, President of the Indian River Education Association, regarding an article printed in the January 12, 1992, edition of the News Journal entitled "Kent School Officials Cheer Idea of Earlier Tax Deadline".

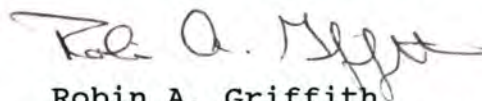
M 027 92 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to give \$500.00, from Mr. Stevenson's Councilmanic Account to Georgetown Aid, Inc. to help with the cost of a new roof on the Robin Hood shop at Cedar and Kimmey Streets.

Motion Adopted: 5 Yea.

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

M 028 92 Adjourn A Motion was made by Mr. Cole, seconded by Mr. Benson, to adjourn at 11:46 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council