

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 22, 2002

Call to Order The regular meeting of the Sussex County Council was held Tuesday, January 22, 2002, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Finley B. Jones, Jr.	President
Lynn J. Rogers	Vice President
George B. Cole	Member
Dale R. Dukes	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney

M 043 02 A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to amend the Agenda by deleting the following item:

Amend and Approve Agenda Derek Sapp, Project Engineer

1. Delta Airport Consultants – Contract Amendment Nos. 8 and 9
; and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 044 02 A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the minutes of January 15, 2002, as distributed.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Corre-spondence Mr. Bayard read the following correspondence:

MASON-DIXON WOODWORKERS, DELMAR, DELAWARE.
RE: Letter in appreciation of grant.

Corre-
spondence IONA DERRICKSON AND NANCY HOOPER.
RE: Letter of thanks for repairs made to their home.

Surplus
Property Mr. Stickels and Mr. Shade, Purchasing Officer, reported that the County has accumulated surplus property which will be offered for sale to sealed bids. The equipment (including copiers, fax machines, calculators, typewriters, etc.) will be on display in the Atrium Area of the County Administration Building on Thursday, February 21st. Equipment that is not sold through the bidding process will be sold at Wilson's Auction.

M 045 02 A Motion was made by Mr. Phillips, seconded by Mr. Cole, that the Sussex County Council declares surplus property, as presented.

Declare
Surplus
Property Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Salvage
Vehicle
Request Mr. Shade, Purchasing Director, discussed the disposal of one 1996 Chevrolet pick-up truck. This vehicle was originally a medic truck and was replaced with a newer model. The unit has a bad transmission and would cost approximately \$3,000 to \$3,500 to repair. Mr. Shade reported that the following bids were submitted for the purchase of the truck:

Richard Byerly	\$1,300.00
I. G. Burton, Inc.	\$1,500.00
Wade Hudson, Inc.	\$1,550.00
David A. Banks, Inc.	\$1,850.00

M 046 02 A Motion was made Mr. Dukes, seconded by Mr. Rogers, that the Sussex County Council accepts the high bid of \$1,850.00, submitted by David A. Banks, Inc., for the 1996 Chevrolet pick-up truck.

Accept
Bid for
Salvage
Vehicle Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Priority
Dispatch
Agreement
Amendment Mr. Thomas, Director of Emergency Operations, discussed an amendment to an Agreement with Priority Dispatch for emergency fire dispatch software for the County's Computer Aided Dispatch (CAD) System. The cost of the software is \$15,720.00; the purchase is part of an existing \$754,635 contract. The CAD System, which included ambulance reporting software, went online in October 2001. At that time, the fire dispatch software was not available.

M 047 02 A Motion was made by Mr. Rogers, seconded by Mr. Dukes, that the Sussex County Council authorizes an amendment to the Computer Aided Dispatch (CAD) System Agreement, to provide fire dispatch software in an amount not to exceed \$15,720.00.

Authorize Priority Dispatch Agreement Amendment for Fire Dispatch Software Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Rogers, Yea; Mr. Jones, Yea

Road Name Appeal/ Wil King Road Council discussed the appeal to change the name of Wil King Road. On December 18, 2001, the County Council agreed to reopen the petition process and to allow the submittal of petitions until January 8, 2002. On January 8, 2002, Council received a request from Diane Loekle, one of the petitioners, asking for a one-week extension to the petition process. Council extended the deadline until January 15, 2002.

Mr. Stickels reported that no petitions were received by the deadline. A petition to change the name of Wil King Road was received on January 18, 2002; the petition contained 31 signatures (with only 26 signatures verifiable).

Mr. Cole advised that there is some confusion as to the correct spelling of Wil King Road and recommended that, to avoid confusion, the road name be changed to King Road.

Ms. Rita Pettit of the Mapping and Addressing Department reported that there have been no administrative errors relating to the spelling of Wil King Road; that the road name is spelled correctly on County records and street signs; and that the EMS/Fire Service have not expressed any confusion over the road name.

Council members expressed that they could not support accepting the petition to change the name of Wil King Road due to the fact that the petition was not filed by the deadline established; that the County established a policy requiring that 75 percent of the residents on the road must sign a petition in order for it to be accepted; that signatures on the petition did not represent 75 percent of the 87 possible signatures of the property owners on Wil King Road, and therefore, the petition did not meet the criteria established by the County's policy.

M 048 02 A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to accept the petition to change the road name of Wil King Road.

Accept Road Name Change Petition/ Will King Road Motion Denied: 4 Nay, 1 Yea.

Vote by Roll Call: Mr. Phillips, Nay; Mr. Cole, Yea; Mr. Dukes, Nay; Mr. Rogers, Nay; Mr. Jones, Nay

M 049 02 A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to retain the
Retain existing road name of Wil King Road.
Existing
Road
Name/
Wil King
Road Motion Adopted: 5 Yea.
Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Administrator's Report Mr. Stickels read the following information in his Administrator's Report:

1. Fire Service Grants

1. Fire Service Grants

Tonight at the Sussex County Volunteer Firemen's Association meeting, \$371,596.88 in checks to various fire companies will be released; \$130,408.86 is for reimbursement for Basic Life Support costs incurred by the individual companies from the County's Fire Service Discretionary Grant Account and \$241,188.02 is for Fire Service Enhancement Fees collected for October 1, 2001, through December 31, 2001.

2. Transportation Workshop

The Greater Lewes Foundation and the University of Delaware Sea Grant Program will be hosting a seminar on Land Use and Transportation Planning in Sussex County on Wednesday, March 13, 2002, from 8:00 a.m. to 5:00 p.m. at the Virden Center, University of Delaware Campus, Lewes, Delaware. Included with this report is a list of the featured speakers.

The County Council is asked to participate in this day-long meeting. I have notified the University that I will not be able to attend because of budget meeting requirements.

3. Sussex Ventures Appeal

Please be advised that I have received a letter from John A. Sergovic, Jr., representing Sussex Ventures, Inc. Mr. Sergovic has informed me that his client wishes to withdraw the appeal by the Planning and Zoning Commission to deny the application. The County Council had scheduled a hearing on January 29, 2002.

New Bank Accounts Mr. Baker discussed the opening of two new bank accounts with Citizens Bank for funds associated with the construction of the Miller Creek and Sea Country Estates Sanitary Sewer Projects.

M 050 02 A Motion was made by Mr. Cole, seconded by Mr. Rogers, to Adopt Resolution
Adopt No. R 011 02 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF
R 011 02 THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE CITIZENS

M 050 02 BANK BEARING THE SIGNATURES OF ANY TWO OF FINLEY B.
Adopt JONES, JR., PRESIDENT; LYNN J. ROGERS, VICE PRESIDENT; OR D. B.
Resolution BAKER, FINANCE DIRECTOR; AND A SIGNATURE MAY BE A
No. FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR
R 011 02 WITHDRAWAL".
(continued)

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

Wastewater Facilities Mr. Green, Director of Utility Construction, discussed wastewater facilities to be constructed in the Dewey Beach Sanitary Sewer and Water Districts, the West Rehoboth Sanitary Sewer District, and the South Bethany Sanitary Sewer District.

M 051 02 Execute Agreement/ Rehoboth Cottages A Motion was made by Mr. Rogers, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 247, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Clear View Ventures, LLC, for wastewater and water facilities to be constructed in Rehoboth Cottages, located in the Dewey Beach Sanitary Sewer and Water Districts.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 052 02 A Motion was made by Mr. Cole, seconded by Mr. Rogers, based upon the recommendation of the Sussex County Engineering Department for Sussex County Project No. 81-04, Agreement No. 236, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in the Villages of Old Landing, Section II, Phase II, located in the West Rehoboth Sanitary Sewer District.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 053 02 A Motion was made by Mr. Cole, seconded by Mr. Rogers, based upon the recommendation of the Sussex County Engineering Department for Sussex County Project No. 81-04, Agreement No. 201, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Waterside, Phase III, located in the South Bethany Sanitary Sewer District.

M 053 02 Motion Adopted: 5 Yea.
(continued)

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 054 02 A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to give \$125.00, \$75.00 from Mr. Dukes' Youth Activity Account and \$50.00 from Mr. Phillips' Youth Activity Account, to Laurel Youth Sports for sponsorship of a basketball team.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 055 02 A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to give \$500.00, \$100.00 from each Youth Activity Account, to the Delaware Heritage Commission for the 2002 Delaware Hands On Heritage Summer Camp, with funding to be directed to Sussex County youth.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 056 02 A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to give \$500.00, \$100.00 from each Youth Activity Account, to the Delaware Devils for tournament expenses.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 057 02 A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to give \$250.00 from Mr. Phillips' Councilmanic Account to Wildcat Football for State Championship Rings.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea

M 058 02 A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to give \$300.00 from Mr. Jones' Youth Activity Account to The Woodbridge Athletic Association for construction of the athletic complex.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Rogers, Yea;
 Mr. Jones, Yea

M 059 02 A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$250.00, \$50.00 from each Councilmanic Account, to Delaware Envirothon for the 2002 State Envirothon.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Rogers, Yea;
 Mr. Jones, Yea

M 060 02 A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to give \$400.00 from Mr. Jones' Councilmanic Account to the Historic Georgetown Association for train station expenses.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Rogers, Yea;
 Mr. Jones, Yea

M 061 02 A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to give \$200.00 from Mr. Jones' Youth Activity Account to USA Athletes International, Inc. for Staci Wyatt to travel to Australia with the USA Athletes International Softball Team.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Rogers, Yea;
 Mr. Jones, Yea

Citizen's Questions Mr. Dan Kramer questioned how many dollars in property and capitation taxes were not paid to the County as of June 30, 2001. Mr. Kramer also inquired about the County's policy on collecting unpaid taxes.

Public Hearing A Public Hearing was held to consider extending the Fenwick Island Sanitary Sewer District to include the lands of Americana Bayside and adjoining property owners within the proposed expansion area.

Public
Hearing/
Fenwick
Island
Sanitary
Sewer
District/
Proposed
Americana
Bayside
Extension
(continued)

A Public Hearing on this expansion was previously held on December 18, 2001 at which time it was Council's decision that the Engineering Department re-post the Notice of the proposed expansion to give the adjoining property owners additional time to respond as to whether they favored the expansion or not.

Mr. Archut reviewed the boundaries of the Americana Bayside Development, pointing out the privately owned parcels within the boundaries.

Mr. Archut advised that the Engineering Department mailed seventeen letters to individual property owners of the adjoining parcels, giving them the opportunity to comment. Twelve letters were returned - seven in favor of the expansion and five opposed to the expansion.

Mr. Archut advised that the Engineering Department is recommending that all of the adjoining parcels be included in the expansion area since it does not make sense to exclude properties within a sewerered area and since it will be some time before sewer service is actually offered in the area.

Mr. Archut noted that Americana Bayside will be constructing all the sewer facilities and for this reason, the County will have no control over when sewer service will be available.

Mr. Cole expressed concern that the County is being too aggressive by pushing sewer into a large area that is undeveloped and has been designated as environmentally sensitive.

There were no public comments and the Public Hearing was closed.

M 062 02
Adopt
Resolution
No.
R 012 02

A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to Adopt Resolution No. R 012 02 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE FENWICK ISLAND SANITARY SEWER DISTRICT TO ENCOMPASS THE AMERICANA BAYSIDE PROJECT, LYING CONTIGUOUS TO THE FENWICK ISLAND SANITARY SEWER DISTRICT, SITUATE SOUTHWEST OF THE INTERSECTION OF STATE OF DELAWARE ROUTES 20 AND 54 IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE".

Motion Adopted: 4 Yea, 1 Nay.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Nay;
 Mr. Dukes, Yea; Mr. Rogers, Yea;
 Mr. Jones, Yea

Luncheon/
2002
Sussex
County
Profile

Mr. Stickels announced that the County Council has been invited to lunch by Independent Newspapers for the purpose of unveiling the 2002 Sussex County Profile. The luncheon will be held at Sussex Pines in Georgetown beginning at approximately 12:00 noon. The County Council will not be conducting any business nor taking any action at the luncheon.

M 063 02 A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at
Adjourn 11:15 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council