

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 24, 1995

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, January 24, 1995, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
George J. Collins	Vice President
Ralph E. Benson	Member
George B. Cole	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 038 95      A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve      approve the minutes of the previous meeting dated January 17, Minutes      1995. Motion Adopted by Voice Vote.

Corre-      Mr. Jones, Assistant County Attorney, read the following spondence      correspondence:

MILTON PUBLIC LIBRARY, MILTON, DELAWARE.

RE: Invitation to attend an Anniversary Celebration on Monday, January 30, 1995, from 6:00 p.m. to 8:00 p.m.

STEVE HASTINGS, SEAFORD BASEBALL BOOSTERS, SEAFORD, DELAWARE.

RE: Appreciation for Mr. Dukes' Councilmanic Grant to help fund renovations to the Seaford High School Baseball Field.

INDIAN RIVER HIGH SCHOOL FOOTBALL BOOSTERS, SELBYVILLE, DELAWARE.

RE: Appreciation for Mr. Cole's and Mr. Collins' Councilmanic Grants to help purchase football equipment.

SHARON J. ADAMS AND MARY MILLER, SCIENCE FAIR CO-CHAIRPERSONS, DELAWARE TECHNICAL & COMMUNITY COLLEGE, GEORGETOWN, DELAWARE.

RE: Request for funding for the Science Fair 1995.

FLORENCE MORRIS AND VIRGIL TRUITT, POSSUM POINT CIVIC ASSOCIATION, GEORGETOWN, DELAWARE.

RE: Letter expressing interest in the possibility of receiving sanitary sewer service.

INDIAN RIVER VOLUNTEER FIRE CO., INC., MILLSBORO, DELAWARE.

RE: Letter to Dennis Norwood, Project Coordinator, Sussex County, in appreciation of his participation at the Sussex County Road Renaming Public Meeting in Oak Orchard.

Corre-  
spondence  
(con't)

ALICE BRUCE, SUSSEX COUNTY FIREMEN'S ASSOCIATION, MILLSBORO, DELAWARE.  
RE: Request for assistance in sending the President of the Sussex County Firemen's Association and the President of the Sussex County Fire Chief's Association to the FDIC Instructors Conference and for assistance in sending the President and/or others of the Sussex County Ambulance Association to EMS Training.

MAYOR DAVID BLOODSWORTH, TOWN COUNCIL OF GEORGETOWN, GEORGETOWN, DELAWARE.

RE: Appreciation for Councilmanic Grants for the repair of the fountain on The Circle in Georgetown.

DELMARVA WATER TRANSPORT COMMITTEE, INC., SALISBURY, MARYLAND.  
RE: Letter expressing concern regarding the boat ramp/piers/floating docks on the Nanticoke River at Seaford, Delaware.

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.  
RE: Notice to solicit comments and recommendations from the public concerning the issuance of a Department of the Army permit. (Applicant: Delmarva Power and Light Company.) (Waterway: Indian River.)

UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, DENVER, COLORADO.

RE: January, 1995, edition of the newsletter entitled "American Discovery Trail".

AMERICAN RED CROSS IN DELAWARE, WILMINGTON, DELAWARE.

RE: Holiday edition, 1994, of newsletter entitled "crosswinds".

Land  
Lease  
Proposal  
with  
The  
Croll/  
KC2  
Group

Mr. Stickels, County Administrator, presented for Council's consideration a land lease proposal between Sussex County Council and The Croll/KC2 Group for 19± acres at the Sussex County Industrial Park. The Croll/KC2 Group proposes to construct and operate an asphalt mixing plant and aggregate depot. At a later date, it is proposed that a concrete plant will be constructed and operated at the site. Mr. Conaway, President of Consultants Unlimited, was present on behalf of the principals of the project. Principals of the project present were A.P. Croll III and Joseph J. Corrado. The proposed lease terms were discussed, including the following:

- o The Lease will be for an initial term of twenty years with two renewal terms of ten years each available at the option of the Lessee.
- o The land will lease for \$1,000.00 an acre annually with a "CPI-U" escalating clause not to exceed 8% annually.

Land Lease Proposal (con't)

- o The County will grant The Croll/KC2 Group an easement, with a term which is coextensive with the term of the Lease, across adjacent property owned by the County, to provide access from the leased property to County Road 318, the Sussex County Industrial Highway. The Croll/KC2 Group will be responsible for all costs and expenses associated with construction and maintenance of the access road and will grant the County unlimited access to and use of the road.
- o Commencing with the first day of the third year of the term of the Lease, The Croll/KC2 Group will pay the County a monthly royalty payment equal to \$.25 for each ton of aggregate received at the aggregate depot, payable on the first day of each month for the balance of the Lease term.

Mr. Cole recommended that the Lease include a stipulation requiring separate approval for the concrete plant.

M 039 95  
Execute Lease Agreement with The Croll/KC2 Group

A Motion was made by Mr. Collins, seconded by Mr. Cole, that the Sussex County Council President be authorized to execute a Lease Agreement between The Croll/KC2 Group and the Sussex County Council for the lease of 19± acres at the Sussex County Industrial Park, as presented, with the amendment that separate approval is required for the concrete plant.

Motion Adopted: 5 Yea.

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

1994 Survey Results

Mr. Stickels, County Administrator, reviewed the 1994 Survey Results. The Survey was conducted by the Council in an attempt to get a better understanding of what additional services the public would like to see in Sussex County and which of these services they would be willing to have funded by a tax increase. There were 109,130 survey cards distributed with 16,020 returned. Results of the survey were as follows:

<u>CATEGORIES</u>	<u>YES</u>	<u>NO</u>	<u>BLANKS</u>
Police	5,119	10,201	674
Library	3,495	11,363	1,136
Parks	3,428	11,524	1,042
Transportation	2,298	12,146	1,550

Proposed Ordinance Discussed Regarding Emergency Reporting System Fund

Mr. Stickels, County Administrator, discussed the introduction of a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY BY ADDING A NEW CHAPTER 59, TO BE ENTITLED "EMERGENCY REPORTING SYSTEM FUND", WHICH CHAPTER IMPOSES A MONTHLY 911 EMERGENCY REPORTING SYSTEM FUND SURCHARGE". Mr. Stickels advised that House Bill 510, as amended by House Amendment No. 1, authorizes Sussex County to impose by Ordinance a monthly surcharge of up to fifty cents on all subscribers per subscription to residential local exchange telephone service in the County, with the exception of Milford and Harrington exchanges. The imposition of this surcharge will establish a source of funds for costs associated with the 911 Emergency Reporting System. Mr. Stickels advised that during the Public Hearing, two Memorandums of Understanding will be discussed, one with the City of Seaford and one with the City of Rehoboth Beach. The Memorandums of Understanding will provide for the sharing of revenues (70% City - 30% County) remitted to Sussex County by companies providing residential local exchange telephone service.

Proposed Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY BY ADDING A NEW CHAPTER 59, TO BE ENTITLED "EMERGENCY REPORTING SYSTEM FUND", WHICH CHAPTER IMPOSES A MONTHLY 911 EMERGENCY REPORTING SYSTEM FUND SURCHARGE". A Public Hearing on this Proposed Ordinance will be held on February 14, 1995, at 11:00 a.m.

Attorney

Mr. Bayard, County Attorney, took the place of Mr. Jones, Assistant County Attorney, for the remainder of the meeting.

Legislative Update

Mr. Stickels, County Administrator, provided the following legislative update:

1. House Concurrent Resolution No. 1 -

For the creation of a task force to identify prudent approaches to replenish beaches.

2. Senate Bill No. 1 -

Reduces public utility tax for agri-businesses.

3. Senate Bill No. 13 -

This bill adds a designee from the Department of Agriculture and a designee from the Sussex County Volunteer Firemen's Association to the non-voting membership of the Sussex County Planning and Zoning Commission.

Legis-  
lative  
Update  
(con't)

4. Senate Bill No. 16 -

This bill eliminates any confusion regarding the sealing of plans by Professional Engineers to be filed with permitting authorities. (This bill will allow Professional Engineers to stamp building permits.)

5. Senate Bill No. 22 -

This bill provides that no request for rezoning or subdivision may be approved without an evaluation of traffic impact and a Traffic Impact Study where necessary. Under this bill, a rezoning or subdivision application may not be approved if traffic levels were to fall below an acceptable level of service as mutually determined by the County and DelDOT, but in any event not less than service level "D" during peak traffic hours.

Adminis-  
trator's  
Report

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

1. Road Naming

A public meeting will be held on Thursday, February 2, 1995, at 7:30 p.m. in the Rehoboth Beach Fire Hall on Rehoboth Avenue for the purpose of receiving public input on the naming of roads in the unincorporated area of the Rehoboth Beach Fire District. The public is encouraged to attend this meeting.

2. Route 1 Working Group

Included with this report was a copy of a draft agenda for the first meeting of the Route 1 Working Group. The first meeting will be held Wednesday, January 25, 1995, at 7:00 p.m. in the Second Floor Board Room of the County Bank Administration Building on Route 1.

3. Center for the Inland Bays Board of Directors

The Center for the Inland Bays Board of Directors will be meeting on Friday, January 27, 1995, starting at 8:30 a.m. at the New Devon Inn, Second and Market Streets, Lewes, Delaware. The mission of the Center for the Inland Bays is to oversee and facilitate the implementation of a long-term approach for the wise use and enhancement of the Inland Bays watershed. The Board of Directors will discuss objectives for calendar years 1995 and 1996, to include funding sources.

- Adminis- 4. Troop 4 Status Report - Month of December, 1994  
trator's  
Report  
(con't) Included with this report was a copy of the December status  
report for Troop 4 and a status report for the second  
quarter of FY '95 for Troops 4, 5, and 7. Troop 7 continues  
to have the most activity, even during the winter months.
- Contract Mr. Wood, County Engineer, discussed the bid results for Pump  
"C" Station Contract Bid Package "C" of the West Rehoboth Expansion  
West of the Dewey Beach Sanitary Sewer District, as reported on  
Rehoboth January 17, 1995. Mr. Wood recommended that the bid be awarded  
to the lowest combined bidder, Lisbon Contractors, Inc.
- M 040 95 A Motion was made by Mr. Collins, seconded by Mr. Cole, based  
Award on the recommendation of the Consulting Engineers, George,  
Bid for Miles & Buhr, and the County Engineering Department, that an  
Contract award be given to the low bidder, Lisbon Contractors, Inc.  
"C" of Danboro, Pennsylvania, in the amount of \$2,940,000.00  
West for Pump Station Contract Bid Package "C" for the West  
Rehoboth Rehoboth Expansion of the Dewey Beach Sanitary Sewer District,  
contingent on the approval of the reviewing agencies; Depart-  
ment of Natural Resources and Environmental Control and Rural  
Economic and Community Development Administration; and the  
confirmation of crew day rates for potential change orders.
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea
- Change Mr. Green, Director of Utility Construction, discussed Change  
Order Order No. 4 for the West Rehoboth Expansion of the Dewey Beach  
Sanitary Sewer District, Design Areas 6, 7, 8, and 9.
- M 041 95 A Motion was made by Mr. Cole, seconded by Mr. Collins,  
Authorize based on the recommendation of the Inspection Engineer, George,  
Change Miles & Buhr, and the Sussex County Engineering Department,  
Order that the Sussex County Council authorizes the President of  
No. 4 the Sussex County Council to issue Change Order No. 4, for  
West the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer  
Rehoboth District, Design Areas 6, 7, 8, and 9, to Teal Construction,  
Inc., to remove and replace a twenty-four inch diameter storm-  
water drain in conflict with the proposed sanitary sewer, with  
an unrevised substantial completion date of July 20, 1995,  
increasing this contract amount to \$4,806,115.00, contingent  
upon the approval of the following agencies, Department of  
Natural Resources and Environmental Control and Farmers Home  
Administration.

M 041 95 Motion Adopted: 5 Yea.  
(con't)

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

Change Order Mr. Green, Director of Utility Construction, discussed Change Order No. 2 for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District for Design Areas 4, 10, 11, 12, and 13.

M 042 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, Authorize based on the recommendation of the Inspection Engineer, George, Change Miles & Buhr, and the Sussex County Engineering Department, Order that the Sussex County Council authorizes the President of No. 2 the Sussex County Council to issue Change Order No. 2, for West the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer Rehoboth District, Design Areas 4, 10, 11, 12, and 13, to R.E. Pierson Construction Company, to divert an existing water main in conflict with the proposed sanitary sewer, with an unrevised substantial completion date of October 20, 1995, increasing this contract amount to \$8,079,402.95, contingent on the approval of the following agencies, Department of Natural Resources and Environmental Control and Farmers Home Administration.

Motion Adopted: 5 Yea.

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

M 043 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Council- give \$500.00 from Mr. Cole's Councilmanic Account to the Grant manic Town of Fenwick Island for the purchase of materials for six new dry hydrant installations.

Motion Adopted: 5 Yea.

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

M 044 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Council- to give \$350.00 from Mr. Dukes' Councilmanic Account to the Grant manic Laurel Public Library to help alleviate a budget shortfall.

Motion Adopted: 5 Yea.

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

M 045 95 A Motion was made by Mr. Collins, seconded by Mr. Cole, to  
Council- give \$500.00 from Mr. Collins' Councilmanic Account to the  
manic Town of Delmar for street sign replacement.  
Grant

Motion Adopted: 5 Yea.

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

M 046 95 A Motion was made by Mr. Stevenson, seconded by Mr. Collins,  
Grant to give \$1,500.00 from Programs and Projects to the Sussex  
from County Firemen's Association for assistance in sending the  
Programs President of the Sussex County Firemen's Association (\$500.00)  
and and the President of the Sussex County Fire Chief's Association  
Projects (\$500.00) to the FDIC Instructors Conference and for assistance  
in sending the President and/or others of the Sussex County  
Ambulance Association (\$500.00) to EMS Training.

Motion Adopted: 5 Yea.

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

M 047 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to  
Council- give \$500.00 (\$100.00 from each Councilmanic Account) to the  
manic Delaware Technical & Community College for the Science Fair  
Grant 1995.

Motion Adopted: 5 Yea.

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

M 048 95 A Motion was made by Mr. Cole, seconded by Mr. Collins, to  
Council- give \$250.00 (\$50.00 from each Councilmanic Account) to the  
manic Boy Scouts of America, Troop 95, of Georgetown, for the  
Grant Emergency Services Camporee.

Motion Adopted: 5 Yea.

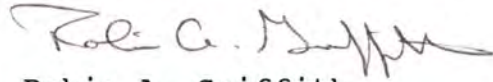
Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

M 049 95 A Motion was made by Mr. Cole, seconded by Mr. Benson, to  
Adjourn adjourn at 12:07 p.m. Motion Adopted by Voice Vote.

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Luncheon A library computer demonstration and luncheon was scheduled at 12:00 noon at the Emergency Operations Center, Georgetown.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council