

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 11, 1992

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, February 11, 1992, at 10:15 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 049 92      A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to Approve Minutes      approve the minutes of the previous meeting dated February 4, 1992. Motion Adopted by Voice Vote.

Corre-      Mr. Bayard, County Attorney, read the following correspondence: spon-  
dence

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

Proposed      Mr. Stickels, County Administrator, read in its entirety a Proposed Procla-  
mation      Proclamation proclaiming February 9 - 15, 1992, as "Vocational Education Week" in Sussex County. The American Vocational Association has designated the week of February 9 - 15, 1992, as Vocational Education Week. Mr. James R. Brown, Career Guidance and Placement Counselor, and four students from Sussex Tech were present to receive the Proclamation.

M 050 92      A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Procla-  
mation      the Proclamation entitled "PROCLAMATION PROCLAIMING FEBRUARY 9 - 15, 1992, AS "VOCATIONAL EDUCATION WEEK" IN 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

Mill-      Mr. Stickels, County Administrator, advised Council of a request ville  
Zoning      from the Town of Millville for a fourth extension on a zoning Morator-  
ium      moratorium for a period of sixty additional days for technical and legal review of the completed ordinance.

M 051 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, to extend  
Extend the zoning moratorium for the Town of Millville for thirty days  
Mill- for technical and legal review of the completed ordinance.  
ville

Zoning Motion Adopted: 5 Yea.  
Morator-  
ium

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

M 052 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to give  
Council- \$800.00, \$160.00 from each of the five (5) Councilmanic Accounts,  
manic to Families in Crisis to assist in their Tenth Annual Conference.  
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 053 92 A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to  
Council- give \$1,500.00, \$300.00 from each of the five (5) Councilmanic  
manic Accounts to Sussex County Firemen's Association to assist  
Grant financially the President of the Sussex County Volunteer  
Firemen's Association, the President of the Sussex County  
Chief's Association, and members of the Sussex County  
Volunteer Ambulance Association in attending Conferences  
that assist them in their offices.

Motion Adopted: 5 Yea.

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

M 054 92 A Motion was made by Mr. Benson, seconded by Mr. Cole, to give  
Council- \$500.00 from Mr. Benson's Councilmanic Account to the Ellendale  
manic Volunteer Fire Company for the purchase of a Fireband Portable  
Grant Radio.

Motion Adopted: 5 Yea.

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

M 055 92 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to  
Council- give \$1,000.00, \$200.00 from each of the five (5) Councilmanic  
manic Accounts, to Sussex County Veterans Council for the purchase of  
Grant flags for the graves of Veterans on Memorial Day.

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 information included in his County Administrator's Report:  
Report

1. Coastal Storm - January 4 and 5, 1992

President George Bush has declared that a major disaster existed in the State of Delaware as a result of the severe coastal storm and flooding on January 4 and 5, 1992. The President's action makes Federal funds available to local governments in both Kent and Sussex Counties. Funding is available on a cost-sharing basis for the repair or replacement of public facilities damaged by the storm.

2. Delaware Public Policy Institute

Pierre S. du Pont, IV, has extended an invitation to Mr. Stickels to attend a three-day retreat on March 5, 6, and 7, 1992, at the Virden Conference Center in Lewes, Delaware. The purpose of the retreat is to allow for discussion to find a working solution for the urgent water and wastewater problems of the State of Delaware. The three days will be devoted to develop a Consensus Action Plan. Once endorsed by the Institute's Board of Trustees, this plan will be presented to the Governor and Legislators.

3. Senate Bill No. 265

Senate Bill No. 265 is Governor Castle's 1993 Budget Appropriation Legislation. Sections 119 through 130 of this legislation shifts the responsibility of dog control from the State to the Counties. A copy of the legislation was provided with the report. A report will be made to Council in the near future once the necessary information has been obtained to completely evaluate the program.

Adminis-  
trator's  
Report  
(con't)

4. Paramedic Advisory Council

Dr. Michael Sommer, Chairman of the State Paramedic Advisory Council, has asked that the County Council submit three names, with resumés, of persons the Council feels would be willing to serve on the Statewide Paramedic Advisory Council. Council members are to let Mr. Stickels know as soon as possible if they are aware of anyone who they feel should serve on this Council that would be an asset to Sussex County.

M 056 92  
Adopt  
Resolu-  
tion  
R 009 92

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Resolution R 009 92, as follows:

"BE IT RESOLVED BY County Council of Sussex County, Delaware, that Brad Hawkes, Maintenance Supervisor, is hereby authorized to execute for and in behalf of Sussex County Council, a public entity under the laws of the State of Delaware, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT Sussex County Council, a public entity established under the laws of the State of Delaware, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof."

Motion Adopted: 5 Yea.

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

M 057 92  
Appoint-  
ment  
State  
Para-  
medic  
Advisory  
Council

A Motion was made by Mr. Cole, seconded by Mr. Collins, to submit the name of William H. Stevenson, Paramedic Director, to serve on the Statewide Paramedic Advisory Council.

Motion Adopted: 5 Yea.

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

Proposed Russell Archut, Planning & Permits Division Director, reported  
Fenwick on the proposed Fenwick Island Water District. This process  
Island originated in July, 1989; however, a court case developed  
Water regarding absentee balloting. Petitions must be developed to  
District start the process again.

M 058 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, that the  
Proposed Sussex County Council approves the circulation of petitions to  
Fenwick create the proposed Fenwick Island Water District.  
Island  
Water  
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 Russell Archut, Planning & Permits Division Director, and Joseph  
Ellen- Bourdon of Whitman, Requardt and Associates, reported on the  
dale proposed Ellendale Sanitary Sewer District and the related  
Sanitary Wastewater Study. The proposed district boundaries indicate a  
Sewer total of approximately 200 dwelling units. The Town of Ellendale  
District has formally requested to be excluded from the proposed district.  
Mr. Archut advised that the initial cost of the project would  
be approximately \$1,600.00 per year per dwelling and that no  
federal or state grants are currently available to assist and  
defray costs. Council was advised by representatives of the  
Citizens Advisory Committee that the cost is too high for many of  
the residents of the proposed district.

M 059 92 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, that a  
Proposed referendum will not be held on the establishment of the proposed  
Ellen- Ellendale Sanitary Sewer District until supplemental funding  
dale sources have been explored and an affordable cost has been  
Sanitary identified.  
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

Bid  
Opening  
92-04

A Bid Opening was held on Sussex County Project No. 92-04, dump truck for use at the Sussex County Airport. The following bids were received:

Sussex County Project No. 92-04

I.G. Burton & Co., Inc. Milford, Delaware	Bid	\$24,468.83
	Alternate Bid	\$23,838.53
	Alternate Bid	\$24,226.57
First State Motors Georgetown, Delaware	Bid	\$27,500.00
	Alternate Bid	\$26,947.00

Mr. Wood, County Engineer, will review the bids and present a recommendation to Council. The recommendation will then be submitted through Mr. Calio, Director of Airport & Industrial Park Operations, to the State of Delaware Department of Transportation Aeronautical Division for approval and purchase.

M 060 92  
Recess

A Motion was made at 12:15 p.m. by Mr. Stevenson, seconded by Mr. Cole, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Recon-  
vene

Vice President Benson called the Council back into session at 1:30 p.m. President Dukes was absent for the afternoon session.

Public  
Hearing  
(C/Z  
#1149)

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 32,729 SQUARE FEET, MORE OR LESS" (C/Z #1149) filed on behalf of Atlantic Community Thrift Shop, Inc. The Public Hearing was closed.

M 061 92  
Adopt  
Ordi-  
nance  
No. 814  
(C/Z  
#1149)

A Motion was made by Mr. Cole, seconded by Mr. Collins. to Adopt Ordinance No. 814 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 32,729 SQUARE FEET, MORE OR LESS" (C/Z #1149) filed on behalf of Atlantic Community Thrift Shop, Inc.

Motion Adopted: 4 Yea; 1 Absent.

M 061 92 (con't) Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Absent

Findings of Fact C/Z #1149 The Council found that the change of zone was appropriate legislative action based upon the following findings of fact:

1. The applicant established by substantial evidence that it required additional space and facilities including parking, to expand its successful current non-profit enterprise.
2. The applicant established by substantial evidence that the proposed change of zone will cause no adverse impact on the neighborhood, property values therein, traffic or the environment in the area.
3. The application is in conformity with the Coastal Sussex Land Use Plan.
4. The findings of fact and recommendations of the Planning & Zoning Commission are incorporated herein.

Recess Vice President Benson declared a recess at 1:45 p.m.

Reconvene Council was called back into session at 1:50 p.m. by Vice President Benson.

Courthouse Expansion Mr. Calvin Clendaniel addressed Council regarding the Courthouse expansion. Windows have been found in the walls where renovations are taking place and it will be necessary to conduct an investigation regarding the cost for removal.

M 062 92 Court-house Expansion Contract A Motion was made by Mr. Cole, seconded by Mr. Collins, to authorize an increase in the amount of \$600.00 to the Courthouse Renovation and Expansion Contract to allow for the investigation of the cost for the removal of the windows.

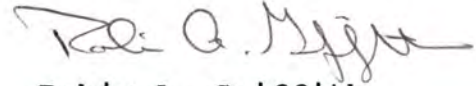
Motion Adopted: 4 Yea; 1 Absent.

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

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M 063 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to adjourn  
Adjourn at 1:57 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council