

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 15, 2000

Call to Order The regular meeting of the Sussex County Council was held Tuesday, February 15, 2000, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

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

M 077 00 A Motion was made by Mr. Jones, seconded by Mr. Cole, to approve the
Approve Agenda, as presented.
Agenda

Motion Adopted: 5 Yea.

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

M 078 00 A Motion was made by Mr. Jones, seconded by Mr. Phillips, to approve
Approve the minutes of the February 8, 2000, meeting, as distributed.
Minutes

Motion Adopted: 5 Yea.

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

Corre- Mr. Bayard read the following correspondence:
spondence

DAVID S. VINCENT, PRESIDENT, SEAFORD BASEBALL BOOSTERS, SEAFORD, DELAWARE.

RE: Letter in appreciation of Councilmanic Grant.

ROBERT G. FREDERICK, MAYOR, TOWN OF DEWEY BEACH, DEWEY BEACH, DELAWARE.

RE: Letter in appreciation of the use of the water tower property.

Corre-
spondence
(continued)

KATHI A. KARSNITZ, MILTON, DELAWARE.
RE: Proposed Resolution on Abortion Clinics.

CAROL A. SENERCHIA, DAGSBORO, DELAWARE.
RE: Proposed Resolution on Abortion Clinics.

HEATHER BLOCK, LEWES, DELAWARE.
RE: Proposed Resolution on Abortion Clinics.

Public
Service
Award/
Robert
Orem

Mr. Stickels announced that Mr. Robert Orem was recognized as the recipient of the Sussex County Association of Towns' first annual Public Service Award. Mr. Orem, along with his wife, was in attendance to accept the Public Service Award plaque. Also in attendance was Mr. Bob Rickard, Vice President of Sussex County Association of Towns (SCAT). Mr. Stickels also presented to Mr. Orem a Senate Tribute sponsored by Senator Bunting.

Census
2000

Mr. Paul Roche and Mr. Clarence Elliott of the Bureau of the Census were in attendance to ask for the County's help in promoting the Census 2000. The U.S. Census Bureau is counting on County officials and the media to encourage community participation in the census. Mr. Roche emphasized the importance of the census and noted that every effort must be made to ensure that everyone is included.

Mr. Roche advised that a Complete Count Committee needs to be established. Mr. Stickels asked each Councilman to submit the names of two people who would serve on this Committee.

Mr. Roche advised that questionnaires will be mailed out in March and are to be returned by April 1. Residents will receive a postage paid return envelope along with the questionnaire. The forms will be available in seven different languages.

Mr. Roche advised that there are many job opportunities involved with the Census 2000. Positions available are temporary and part-time; these positions pay \$12.50 per hour and will last approximately 4 to 6 weeks. Interested persons can call toll-free 1-888-325-7733.

Proposed
Resolution
Relating
to
Abortions

Mr. Stickels presented for discussion the Proposed Resolution on Abortion Clinics that was first introduced to Council on February 1, 2000. Action on the Proposed Resolution was deferred to allow time for the County Attorney to review legislation currently in place in the State of Delaware relating to abortions.

Mr. Bayard reported that he provided Council with copies of the relevant Delaware statutes (Title 24). Mr. Bayard stated that two State agencies, the Department of Health and Social Services and the Department of

Proposed
Resolution
(continued)

Natural Resources and Environmental Control, have statutory and regulatory oversight over abortions/abortion clinics. In addition, the Board of Medical Practice has oversight over abortions/abortion clinics.

Mr. Bayard stated that it appears that the procedure is regulated; and, that the question for Council to consider is whether or not it needs to express a view that additional regulations are or are not required.

Public comments were heard. Comments focused on the following: that abortion clinics do not have to be licensed; that abortion clinics are the largest unregulated industry in the County; that an industry dealing with blood should be regulated; that the safety and welfare of young women from Sussex County is being jeopardized; and that abortion facilities and their procedures are not monitored.

Mr. Cole recommended that the Proposed Resolution be amended by deleting the suggested "initiatives". The amended Proposed Resolution was read into the record, as follows:

WHEREAS, the Sussex County Council urges the Delaware General Assembly to review health and safety related issues concerning abortions in the State of Delaware; and

WHEREAS, the Sussex County Council believes that the Delaware General Assembly should review regulations to reduce the health and safety risk factors associated with abortions;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council hereby urges the Delaware General Assembly to review the regulatory steps associated with abortion clinics in the State of Delaware; and

BE IT FURTHER RESOVLED that a copy of this Resolution will be forwarded to the President Pro Tempore of the Senate and the Speaker of the House of Representatives of the State of Delaware.

M 079 00
Adopt
Resolution
No.
R 009 00

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Resolution No. R 009 00 entitled "RESOLUTION URGING THE DELAWARE GENERAL ASSEMBLY TO REVIEW HEALTH AND SAFETY RELATED ISSUES CONCERNING ABORTIONS IN THE STATE OF DELAWARE".

Motion Adopted: 5 Yea.

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

M 080 00
Authorize
Executive
Session

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to authorize an Executive Session of the Sussex County Council to be held on Tuesday, February 22, 2000, at 9:00 a.m., in the Caucus Room of the Sussex County Council Chambers, for the purpose of discussing land acquisition and pending litigation.

Motion Adopted: 5 Yea.

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

Status
of
Litigation/
Gillespie
v.
Sussex
County

Mr. Dennis Schrader, Assistant County Attorney, provided information to Council on litigation before the Supreme Court of the State of Delaware, a case called Lawrence H. Gillespie v. Sussex County. This case was an appeal of a Superior Court decision from 1988. This case originated as a result of a complaint filed by Mr. Gillespie challenging the (1) front footage method of calculating annual assessments and (2) treatment and transmission charges of the assessment. On January 25, 2000, this case was argued before the Supreme Court of the State of Delaware, on the basis of the earlier opinion given in the Superior Court. On this date, February 15, 2000, the Supreme Court has delivered to all parties an opinion affirming the earlier decision. This concludes the litigation favorably on behalf of Sussex County.

Adminis-
trator's
Report

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

1. Moody's Bond Rating

I am pleased to inform the Council that Moody's Investors Service, based in New York City, New York, has upgraded the County's rating of General Obligation Bonds from A1 to Aa3. Moody's stated that the upgrading reflects the County's long history of stable economic growth, minimal levels of tax-supported debt, well-maintained financial operations, and excellent financial flexibility. I have included with this report a copy of Moody's Press Release.

2. Proposed Bay View Estates Sanitary Sewer District

On Saturday, February 12, 2000, the County government held a public hearing for the proposed Bay View Estates Sanitary Sewer District. The estimated construction cost of the project, including legal, administration, engineering, and other related items, is \$2,459,000. It is the goal of administration to finance this project through a loan from the Water Pollution Control Revolving Fund administered by the State of Delaware at an annual interest rate of 1.5 percent for 20 years. The estimated user fees are: Annual

Adminis-
trator's
Report
(continued)

Service Charge - \$225.00 per EDU annually; Assessment Front Footage Charge - \$7.99 per foot per year. There is a one-time System Connection Charge of \$1,650 per home.

The current proposed \$7.99 per foot user charge is higher than we would like to see it. We will be making application to the State for assistance to try to lower this cost. I do feel confident that we will be able to reduce the System Connection Charge of \$1,650 to \$825.00, with the approval of County Council with assistance from the realty transfer tax.

3. Perdue AgriRecycle, LLC

The Sussex County Office of Economic Development has received an application from Perdue AgriRecycle, LLC, for an Industrial Revenue Bond in the amount of \$12,000,000. The \$12,000,000 will be used as part of a financing plan to construct and equip a 63,000 square foot building for the conversion of poultry litter into fertilizer. The project will be located on Route 2, bordering Route 13A, near the intersection of 13A and County Road 485, Seaford, Sussex County, Delaware. The project may also include land or interests in land, buildings, structures, machinery, equipment, furnishings, or other real or personal property located on the same sites as the project. Perdue AgriRecycle LLC will be the initial owner and operator of the project. The Bond Committee will hold a public hearing at 9:00 a.m. on Tuesday, February 29, 2000.

4. Wastewater Facilities Advisory Council Financing

I am pleased to inform the Council that we have been given preliminary approval for securing a loan and grant from the Delaware Wastewater Facilities Advisory Council. The grant is in the amount of \$5,450,000 and the loan is \$13,752,100. The loan has a 20-year payback at one-and-a-half percent interest rate. The Cedar Neck Sanitary Sewer Project will receive \$3,600,000 of the grant and \$277,100 of the loan. This allows us to reduce the average bill for a single family home in the Cedar Neck area to \$517. This is a reduction from the original estimates of \$807 annually. Ocean View received a \$1,850,000 grant and a \$6,200,000 loan. The average single-family home in Ocean View will see their rates reduced from \$733 annually to \$593. North Millville received a loan of \$365,000. The South Coastal Regional Wastewater Facility pump station and improvements will receive a \$2,900,000 loan. The South Coastal Regional Wastewater Facility headworks upgrade received a \$900,000 loan. The Holts Landing Sanitary Sewer District received a \$3,110,000 loan. It should be noted that Mike Izzo, Russ Archut, Jeff James, and Dave Baker were instrumental in helping us secure this financing.

Adminis-
trator's
Report
(continued)

I will notify the Council once we have received final approval of the funding from Secretary of Finance John Carney.

Based on the success of this funding agreement, I feel very confident that we will be able to secure similar funding for Oak Orchard.

Old
Business/
C/U
No. 1318

Conditional Use No. 1318 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND AND TRAILER SALES LOT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 51.42 ACRES, MORE OR LESS", filed on behalf of Wayne Cropper, was discussed. The Planning and Zoning Commission held a public hearing on this application on December 16, 1999; at which time the Commission recommended approval with eight stipulations. The Sussex County Council held a public hearing on this application on January 11, 2000, at which time action was deferred to allow time for the Council to review the Delaware Department of Transportation's Traffic Impact Study. On February 1, 2000, Council discussed this application again. At that time, action was deferred for further review and to review proposed recommendations relating to transient campgrounds.

Mr. Cole expressed his concerns that there are insufficient camping sites in Sussex County to accommodate overnight campers and that too many short-term camping areas are becoming unregulated mobile home parks.

It was stated into the record that State Park regulations prohibit campers from staying more than 14 days. Sussex County's zoning ordinance does not address the length of stay.

Mr. Cole expressed his desire to place stipulations on this conditional use application to require a certain percentage of transient camping sites. Council debated the issue of addressing this issue through the conditional use process versus pursuing the public hearing process to amend the zoning ordinance. Council also debated the issue of campgrounds versus permanent mobile home communities. A suggestion was made to hold a workshop to discuss these issues. It was noted that a workshop on campgrounds was held several years ago with no action resulting from the workshop. A request was made that information from the last workshop be distributed to Council members for review.

M 081 00
Amend
Stipulations

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to amend the Planning and Zoning Commission's Proposed Stipulations to Conditional Use No. 1318, as follows:

M 081 00
(continued)

Stipulation No. 9

One hundred and thirty-five (135) of the two hundred and ninety-eight (298) sites shall be predetermined as transient sites with campers permitted to stay a maximum of fourteen (14) days.

Motion Denied: 4 Nay, 1 Yea.

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

Mr. Jones made a recommendation to amend the Planning and Zoning Commission's Proposed Stipulations, by adding the following sentence at the end of Stipulation No. 5:

No more than 50 spaces shall be developed per year.

M 082 00
Adopt
Ordinance
No. 1363
(C/U
No. 1318)

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to adopt Ordinance No. 1363 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND AND TRAILER SALES LOT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 51.42 ACRES, MORE OR LESS" (Conditional Use No. 1318) filed on behalf of Wayne Cropper, with the following stipulations:

1. A permit will be obtained from DNREC for a central wastewater system complying with all applicable regulations.
2. Entrance permits will be obtained from DelDOT permitting the use of the existing Gulls Way entrance for the campground and the Omni Road entrance for the sales lot. All entrance and road improvements as required by DelDOT will be completed per DelDOT's requirements.
3. The maximum number of new campsites shall be 398.
4. All requirements of Section 115-172(H) of the Zoning Ordinance shall be complied with including 50-foot landscaped buffers as shown on the site plan.
5. The final site plan or final site plan for phases shall be submitted to the Planning and Zoning Commission for review and approval. No more than 50 spaces shall be developed per year.

M 082 00
(continued)

6. The trailer sales lot shall be fenced with 6-foot high chain-link type fencing and shall be lighted with security lighting.
7. The trailer sales lot shall be utilized for the sale of recreational vehicles, campers, and travel trailers only, not mobile homes or manufactured homes.
8. A controlled access shall be provided from the sales lot to the campground for the purpose of movement of recreational vehicles, campers and travel trailers from the sales lot to the campground, and not for vehicle access from Route 26 to the campground.

Motion Adopted: 4 Yea, 1 Nay.

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

Findings
of Fact

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the proposed use is an addition to a campground now filled to capacity, and will provide additional recreational opportunities and promote tourism, consistent with the purposes and goals of the Comprehensive Land Use Plan, and without adverse impact of any sort.
2. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Road
Naming/
Readdressing
Update

Mr. Norwood, Supervisor of Mapping and Addressing, provided an update on the 911 Readdressing Project and distributed a list of road name changes that need to be addressed immediately, as follows:

Concord Road intersects Concord Road – Road 485 and Route 20
(Road 485 will be changed to Bethel Concord Road)

Route 13 – Friendship Hill Road – Waller Road – Fire Tower

Boat Ramp Road – 24A to Irene Avenue

School Bus Lane to Hastings Drive – Laurel 13A to Horsey Pond

Road 493 – Bethel Bridge to Phillips Landing should be Shell Bridge Road

Easter Hill Road to Easter Lane – Route 13 – 13A

Road
Naming/
Readdressing
Update
(continued)

Mr. Dukes also requested a review of the road name of the road leading to the Town of Laurel from Route 13 (Reese Carey's gas station); this road should be named Fourth Street.

Mr. Norwood requested that Council not consider any more road name changes unless they are necessary administratively as this Project is two years overdue based on the initial contract and the Project is now entering the phase in which addresses are being sent out to the residents.

Council will review the proposed changes as distributed by Mr. Norwood for further discussion and action on February 22, 2000.

Mr. Norwood also distributed a Status Report - the Status Report reflects the status of the 911 Readdressing Project as it relates to 3DI, the State of Delaware, the telephone company, and the delivery of addresses. It is proposed that the mailing of addresses will begin on March 15, 2000.

It was recommended that issues relating to the mailing of addresses be discussed at a future Council meeting.

Sussex
County
Landfills/
DNREC
MOU

Mr. Izzo, County Engineer, discussed a Proposed Memorandum of Understanding with the Department of Natural Resources and Environmental Control (DNREC) for the Sussex County Landfills. Also in attendance to discuss this issue was Abe Thomas and Tom Drew of Roy F. Weston, Inc.

In approximately 1980, it became apparent to the County that the landfills were impacting the quality of the ground water immediately below them. An environmental program was initiated to monitor the landfills. During the 1980's, the County completed three environmental studies; the most important of which was a 1987 report in which a Groundwater Management Zones concept was established.

In 1988, a Memorandum of Understanding was entered into between the County and DNREC setting up a formal monitoring programs for monitor wells on-site and establishing the Groundwater Management Zones in a formal concept.

In 1989-1990, DNREC initiated the State Superfund Program and created a new branch of DNREC known as the Site Investigations Branch.

In approximately 1996-1997, all of the Sussex County landfills with the exception of Laurel, had been put on the State Superfund List. Laurel was on the Federal Superfund List. Shortly thereafter, the County was contacted by DNREC's Site Investigations Branch saying that the County's five landfills needed to be brought into the State Superfund Program. The County was opposed to this; the County felt that it had an existing Memorandum of Understanding; that it had a long track record

Sussex
County
Landfills/
DNREC
MOU
(continued)

of doing things right; and that the landfills had been monitored since 1980. The County proposed to DNREC, at that time, to update the existing Memorandum of Understanding instead of getting into the State Superfund Program.

Mr. Izzo distributed the MOU, as updated, and reviewed the basic content of the MOU, including the following three major work items:

1. A performance evaluation of the Groundwater Management Zones (GMZ) concept. The evaluation will include a review of all the groundwater data compiled over the years.
2. An assessment of the stream ecosystem immediately up-gradient and down-gradient of the landfills to determine whether there are any changes which are a result of the impact of the landfills.
3. A reconnaissance of each landfill site to look for situations such as exposed waste, breaks in the cap, etc., that would pose a potential hazard to human health or the environment.

Mr. Izzo noted that the MOU requires the County to be responsible for paying some oversight costs to DNREC; however, there is a \$65,000 cap. The Program is expected to take place over a seven year period; two years for the first initial study. Once the initial study is completed and if there is any remedial action required, that would take place over the final five years.

Council was advised by staff and the representatives of Roy F. Weston that this is the most cost-effective approach to managing the landfills.

M 083 00
Approve
DNREC
MOU

A Motion was made by Mr. Dukes, seconded by Mr. Jones, based upon the recommendation of the Sussex County Engineering Department and the Environmental Consultant, Roy F. Weston, Inc., that the Memorandum of Understanding with the State of Delaware Department of Natural Resources and Environmental Control be approved.

Motion Adopted: 4 Yea, 1 Nay.

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

Cedar
Neck
SSD/
Consultant
Agreement

Mr. Izzo, County Engineer, discussed an amendment in the amount of \$950,662.00 to an existing Contract with Whitman, Requardt & Associates, LLP, for design work for the Cedar Neck Sanitary Sewer District. Mr. Izzo reported that the \$950,662.00 includes \$184,000 for archaeological - historical review work.

Cedar
Neck SSD
(continued)

As proposed, the design would be completed by September 1, 2000, and would allow for a January 1, 2001, construction start date. Construction is estimated to be between fifteen and eighteen months; connections would begin on approximately July 1, 2002.

M 084 00
Execute
Amendment
to Contract/
Cedar
Neck
SSD

A Motion was made by Mr. Cole, seconded by Mr. Dukes, based upon the recommendation of the County Engineering Department, and contingent upon the receipt of approval from the Delaware Department of Natural Resources and Environmental Control, that the Sussex County Council President is authorized to execute Amendment No. 5 to its Contract with Whitman, Requardt and Associates, LLP, in the amount of \$950,662.00 to complete a design for the Cedar Neck Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Proposed
Oak
Orchard
SSD/
Referendum
Results

Mr. Archut, Assistant County Engineer, reported on the referendum results for the Proposed Oak Orchard Sanitary Sewer District. The referendum was held on Saturday, February 12, 2000. Four hundred and thirty four (434) votes were cast at the referendum; 208 "For" and 226 "Against". In addition, an absentee ballot process was followed; 113 absentee ballots were counted; 78 "For" and 35 "Against". Final results of the referendum for establishing the Oak Orchard Sanitary Sewer District is "286" For and "261" Against. The referendum passed by a margin of 25 votes.

It was noted that this was the second referendum on this Proposed District. Approximately 126 more people voted at this referendum.

Mr. Archut reviewed a Proposed Resolution to create the Oak Orchard Sanitary Sewer District.

Due to the fact that the Proposed Resolution, as distributed, was not in its entirety, action was delayed.

Proposed
Ordinance

Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A USED CAR SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 1.28 ACRES, MORE OR LESS" (Conditional use No. 1331) filed on behalf of Gene M. Smith, Sr. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURE (4 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 14,997 SQUARE FEET, MORE OR LESS” (Conditional Use No. 1332) filed on behalf of Fred and Sara Decusatis. The Proposed Ordinance will be advertised for Public Hearing.

M 085 00
Council-
manic
Grant

A Motion was made by Mr. Jones, seconded by Mr. Cole, to give \$250.00 from Mr. Rogers’ Councilmanic Account to the Ellendale Community Civic Improvement Association for the second annual fundraiser to help raise funds for sewer hook-up fees for residents of Ellendale who cannot afford the cost.

Motion Adopted: 5 Yea.

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

South
Coastal
Area
Planning
Study
Amendments

Mr. Archut, Assistant County Engineer, and Mr. Jim Willey, a representative of George, Miles and Buhr, discussed Amendment No. 1 (Muddy Neck) and No. 4 (South Ocean View / Bear Trap Dunes) to the South Coastal Area Planning Study (SCAPS). This Study, which was approved in 1990, requires updating as development occurs in the area and as requests for extensions are received.

Amendment No. 1 and No. 4 are a result of new developments in the area; the studies will be funded by the developers who are asking for extensions to the sanitary sewer system.

Amendment No. 1 is for the evaluation of Pump Station 10 in Bethany Meadows and Pump Station 100 at the southwest entrance to Ocean View Estates.

Amendment No. 4 is for the evaluation of changes in density and to make sure that when the developer proposes to build the improvements, that they are of adequate size and capacity to handle future development. In addition, when the developer proposes to build the regional pump station (South Ocean View Regional Pump Station No. 1) he will be required to put in place a gravity “stub” that could then be used to service existing developments. The Regional Pump Station No. 1 would be located on the Bear Trap Dunes property; ownership of the property and the pump station will be transferred to the County. A 12” force main will be re-

Amendments (continued) required to be constructed from the pumping station into the South Coastal Regional Wastewater Facility (SCRWF) to the headworks. The estimated construction costs of the Regional Pump Station No. 1 and the force main to SCRWF is \$633,600.

M 086 00 Adopt Amendments to South Coastal Area Planning Study A Motion was made by Mr. Dukes, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council hereby adopts Amendment No 1 and Amendment No. 4 to the South Coastal Area Planning Study.

Motion Adopted: 5 Yea.

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

Boundary Extension Request/ South Bethany SSD/ Bear Trap Dunes Mr. Archut, Assistant County Engineer, discussed a request to extend the boundaries of the South Bethany Sanitary Sewer District to include Bear Trap Dunes. It was noted that there are other properties included in the proposed extension; these properties are owned by Forest Reach LLC and Mabel Layton. The properties are undeveloped and are adjacent to the existing sewer district boundaries. Owners of these properties have signed papers indicating their interest in being included in the proposal. Mr. Archut stated that the Planning Study has been completed; that the zoning is appropriate; and that a letter from the Town of Ocean View has been received confirming that the Bear Trap Dunes Project has been approved for approximately 700 units with some commercial properties. Mr. Archut requested Council's permission to prepare and post notices for a public hearing to consider this proposed annexation.

M 087 00 Authorize Preparation and Posting of Notices/ South Bethany SSD Extension Request A Motion was made by Mr. Jones, seconded by Mr. Dukes, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the South Bethany Sanitary Sewer District boundaries to include the Village of Bear Trap Dunes, as presented on February 15, 2000.

Motion Adopted: 5 Yea.

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

SCRWF/ Headworks Expansion Mr. Archut, Assistant County Engineer, reported the bid results for the South Coastal Regional Wastewater Facilities Headworks Expansion, as follows:

SCRWF/ Headworks Expansion/ Bid Results (continued)	<u>Contractor</u>	Subtotal	Subtotal	Total
		Schedule	Schedule	Base Bid
		<u>A</u>	<u>B</u>	<u>A & B</u>
	George & Lynch New Castle, Delaware	\$ 632,600	\$ 46,840	\$ 679,440
	Lee Foundation Co. White Marsh, Maryland	\$ 741,240	\$ 33,180	\$ 774,420
	Hopkins Construction Bridgeville, Delaware	\$ 742,121	\$ 34,209	\$ 776,330
	L. A. Merrell Construction Co. Sudlersville, Maryland	\$ 745,000	\$ 41,620	\$ 786,620
	JJID, Inc. Wilmington, Delaware	\$1,007,950	\$174,100	\$1,182,050

Engineer's Estimate Total Base Bid was \$693,500.

The Engineering Department will review the bids and make a bid award recommendation at the next Council meeting.

Proposed Oak Orchard SSD Mr. Archut, Assistant County Engineer, presented for Council's consideration the Proposed Resolution relating to the Oak Orchard Sanitary Sewer District.

M 088 00 Adopt Resolution No. R 010 00 A Motion was made by Mr. Phillips, seconded by Mr. Jones, to Adopt Resolution No. R 010 00 entitled "OAK ORCHARD SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65 OF THE DELAWARE CODE".

Motion Adopted: 5 Yea.

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

M 089 00 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Cole, to give \$400.00, \$200.00 each from Mr. Rogers' and Mr. Cole's Councilmanic Accounts, to the Cape Henlopen High School for an educational field trip to be taken by the Honors Chemistry/Physics classes.

Motion Adopted: 5 Yea.

M 089 00
(continued)

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

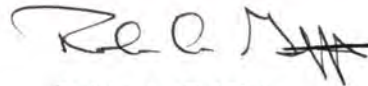
M 090 00
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn
at 1:10 p.m. Motion Adopted by Voice Vote.

Luncheon

The Sussex County Council joined Roy F. Weston, Inc. at a luncheon at
the Sussex Pines Country Club in Georgetown.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council