

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 21, 1995

Call to Order The regular meeting of the Sussex County Council was held Tuesday, February 21, 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 085 95 A Motion was made by Mr. Collins, seconded by Mr. Cole, to Approve approve the minutes of the previous meeting dated February 14, Minutes 1995. Motion Adopted by Voice Vote.

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

GEORGE DENNEY, ELEMENTARY SUPERVISOR, LAUREL SCHOOL DISTRICT, LAUREL, DELAWARE.

RE: Letter in support of the County Council providing funds for technology in Sussex County libraries.

WILLIAM F. PFAFF, DIRECTOR, SMALL BUSINESS DEVELOPMENT CENTER, DELAWARE TECHNICAL & COMMUNITY COLLEGE, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of Council's \$5,000 grant.

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

RE: Letter in appreciation of Councilmanic Funds for the Town Hall/Police Department Expansion Fund.

MARGUERITE ASHLEY, PROGRAM MANAGER, MILFORD DOWNTOWN REVITALIZATION, MILFORD, DELAWARE.

RE: Letters to Mr. Stevenson and Mr. Benson in appreciation of their Councilmanic Funds for the Milford Downtown Revitalization office.

FRIENDS OF THE SOUTH COASTAL LIBRARY, BETHANY BEACH, DELAWARE.

RE: Winter edition of the newsletter entitled "Connection".

League of Women Voters Presentation Mrs. Elizabeth Hooper of the League of Women Voters of Sussex County presented Council with copies of the 1995 - 1997 directory listing Sussex County officials, Sussex State Representatives, Sussex County town officials, school board members and voting information. The publication of this directory was funded by the County Council in the amount of \$1,250.00.

4-H Funding Request Ms. Donna Mowbray was in attendance to discuss a request from the Sussex County 4-H for funding to host 4-H'ers from Cleveland County, Oklahoma, in August of this year.

M 086 95 Grant-Programs and Projects A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to give \$1,000.00 from Programs and Projects to the Sussex County 4-H for costs associated with hosting 4-H'ers from Cleveland County, Oklahoma.

Motion Adopted: 5 Yea.

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

Vacancy Mr. Stickels, County Administrator, reminded Council that a vacancy remains on the Board of Assessment Review.

M 087 95 Board of Assessment Review Appointment A Motion was made by Mr. Collins, seconded by Mr. Benson, that Mr. Richard Whaley be appointed to the Board of Assessment Review for a period of five years.

Motion Adopted: 5 Yea.

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

Senate Concurrent Resolution No. 1 Mr. Stickels, County Administrator, discussed Senate Concurrent Resolution No. 1 entitled "ESTABLISHING A TASK FORCE TO EXAMINE AND ASSESS THE OPERATION AND DUTIES OF MAINTENANCE ASSOCIATIONS IN DELAWARE". This Resolution establishes a task force to examine and assess the effectiveness of maintenance associations in Delaware. The task force will be comprised of fifteen members, two of which must be members of the Sussex County Council.

M 088 95 Task Force Appointments Senate Concurrent Resolution No. 1 A Motion was made by Mr. Cole, seconded by Mr. Collins, that Mr. Cole and Mr. Dukes will represent the Sussex County Council on the task force as established by Senate Concurrent Resolution No. 1.

Motion Adopted: 5 Yea.

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

Adminis-
trator's
Report

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

1. Sussex County Volunteer Firemen's Association

The Sussex County Volunteer Firemen's Association monthly meeting is scheduled for Tuesday, February 28, 1995, at 7:30 p.m. This month's meeting will be hosted by the Georgetown Fire Company at the Georgetown Fire Hall.

2. Resignation - Director of Emergency Preparedness

Mr. Glenn Gillespie, Director of Emergency Preparedness, has tendered his resignation effective April 2, 1995. Mr. Gillespie's resignation follows his recent appointment as Deputy Director of the Delaware Emergency Management Agency. Mr. Gillespie has been employed with the County since April 1976 and was appointed Director on December 1, 1993. Mr. Gillespie's experience will be lost; however, Mr. Stickels feels that the County will benefit in the long run by the State having a better understanding of Sussex County from Mr. Gillespie working for the State.

Until Mr. Gillespie's position is filled, Mrs. Betty Collins, Assistant Director of Emergency Preparedness, will assume the responsibilities in this area. Mrs. Collins has been employed with the County since August 1975 and has been Assistant Director since December 1993. Mr. Joseph Thomas will assume the responsibilities of Emergency Communications. Mr. Thomas has been employed with the County since December of 1986 and has been Deputy Chief Dispatcher since December 1993. Mr. Stickels believes both individuals are very capable of handling their areas of responsibility. Mr. Stickels assures Council that the level of service provided by the Emergency Operations Center and Emergency Communications will remain at the high level of efficiency.

Enclosed with the report was a copy of Mr. Gillespie's resignation letter.

3. Notice of Public Meeting

The Assessment Practice Review Committee will hold a public meeting on Wednesday, March 1, 1995, at 7:00 p.m., in the Sussex County Court of Common Pleas, located in the Sussex County Courthouse on The Circle in Georgetown. This meeting is being held for the purpose of discussing the recommendations of the Statewide Assessment Practice Review Committee established by Senate Joint Resolution

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No. 12 of the 137th General Assembly. The Committee was formed to recommend procedures for standardized property assessments across all three counties.

4. Public Hearing Notice

The Long Neck Water Company, Inc., has filed for a Certificate of Public Convenience and Necessity to provide public water service to the properties located on the Long Neck peninsula, Sussex County, Delaware. The Department of Natural Resources and Environmental Control will be conducting a public hearing on March 23, 1995, beginning at 6:00 p.m. in the auditorium of Delaware Technical and Community College, Georgetown, Delaware. Anyone wishing to inspect the application prior to the hearing should contact the Department of Natural Resources and Environmental Control at 30 South American Avenue, Dover, Delaware. The contact person for the Department of Natural Resources is A. J. Farling, and he may be reached at (302) 739-5081. Mr. Stickels encouraged the residents of Long Neck to attend this hearing.

5. Clear Zone Acquisition

With the exception of the 24.414± acres the County has proposed purchasing from All American Engineering, the Clear Zone Project is 100 percent complete.

The County has acquired ownership of 14.96 acres at a cost of \$538,000 and aerial easements of 123.66 acres costing \$91,300, for a total project cost of \$629,300 for 138.62 acres.

The remaining monies of the \$900,000 FAA grant for this project were used for relocation costs of the displaced landowners and will be used to clear the timber within the clear zone areas.

The Council's investment in this project has led the way for a total of \$3.5 million in FAA grants to the County for the upgrading of the airport, which included the recent \$1.6 million repaving of the 5,000 foot runway.

The Clear Zone Project took three years to complete. A special thanks should go to the Director of Public Works, Michael Izzo, for his dedication to this project.

At last year's annual FAA Conference in Hershey, Pennsylvania, Frank B. Calio, Director of the Sussex County Airport, was presented a plaque by the U.S. Department of Transportation, Federal Aviation Administration, Eastern

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Region, "In recognition of his leadership and community commitment to the economic development of the airport and industrial airpark. His efforts in obstruction removal within the clear zone enabled the FAA to fund a much needed runway rehabilitation project."

The completion of the Clear Zone Project will now allow the County to finalize the master plan for the airport. A workshop has tentatively been scheduled for the Council for Tuesday, March 14, 1995.

It should also be noted that the completion of the Clear Zone Project brings the County into compliance with the 1977 agreement with FAA. Had the project not been completed, the County would not only be in jeopardy of not receiving funds in the future, there was always the possibility of having to return past funds because the Clear Zone Project was not completed.

6. Shaping Delaware's Future

The Governor's Cabinet Committee on State Planning issues and the Sussex County Council will be cosponsoring a "Drop-In" Interactive Open House on Wednesday, March 8, 1995, from 4:00 to 8:30 p.m. at Delaware Technical and Community College, Georgetown Campus, West Building, Room 320, Route 18, Georgetown. Public participation is a big part of the vision development process. Residents of Delaware are encouraged to visit the Open House to voice their opinion on possible solutions for issues relating to development, economy, infrastructure, and quality of life.

The Open House format will include a video, issue stations, children activity area, and surveys.

7. Road Naming

A public meeting will be held on Wednesday, March 1, 1995, at 7:00 p.m. at the Milton Fire Hall, Milton, Delaware, for the unincorporated area of the Milton Fire District. Residents of the Milton Fire District are encouraged to attend this meeting.

Disaster
Workshop

Mrs. Collins, Assistant Director of Emergency Operations, advised Council of a Disaster Workshop that will be held on April 11, 1995, at 9:00 a.m., at the Millsboro Civic Center. The one-day workshop will address recovery from a disaster.

Conley
Chapel
Village

Mr. Izzo, Director of Public Works, requested permission from Council to hold a referendum for residents of Conley Chapel Village Subdivision for the purpose of voting upon

Conley
Chapel
Village
(con't)

the financing of proposed improvements under the Suburban Community Improvements Program. The proposed improvements include the application of a three inch hot mix overlay on existing roads and the repair of potholes. Mr. Izzo advised that the total cost of the project is \$80,460.00 and that the estimated front foot cost is \$1.41/front foot. Mr. Izzo proposed that the referendum be held on Saturday, March 18, 1995, between the hours of 9:00 a.m. and 6:00 p.m., in the Sussex County Council Chambers, Georgetown, Delaware.

M 089 95
Authorize
Refer-
endum
for
Conley
Chapel
Sub-
division

A Motion was made by Mr. Cole, seconded by Mr. Collins, based upon the recommendation of the County Engineering Department, that the Sussex County Council authorizes a referendum be held on Saturday, March 18, 1995, between the hours of 9:00 a.m. and 6:00 p.m., in the Sussex County Council Chambers, Georgetown, Delaware, for the purpose of allowing property owners and residents of the Conley Chapel Village Subdivision, Indian River Hundred, to consider the financing of Suburban Community Improvements as regulated under Title 9, Chapter 5, of the Delaware Code, and having an estimated total cost of \$80,460.00 and an estimated front foot cost of \$1.41/front foot.

Motion Adopted: 5 Yea.

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

Archaeo-
logical
Investi-
gation
Contract
D
West
Rehoboth

Mr. Wood, County Engineer; Mr. Griffith, Director, Division of Historical and Cultural Affairs; Ms. MacLeish, State Loan Specialist, Rural Economic and Community Development; and Mr. Bozick, George Miles & Buhr, discussed a Phase III Archaeological Investigation for an area known as Bay Vista in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District (Collection Contract D). MARR Associates has recommended the Phase III Investigation in its Management Report as a result of findings from the Phase I Study, including prehistoric and historic artifacts. Mr. Wood reported that the cost of the investigation will be \$180,000. This amount includes work to be performed by Lisbon Contractors. Mr. Dukes questioned the rates submitted by Lisbon Contractors. It was the consensus of Council to reject MARR's proposal that Lisbon Contractors perform the work due to the high rates quoted and that a contractor with lower rates be selected to perform the work.

Proposed
Ellendale
Sanitary
Sewer
District

Mr. Archut, Director of Planning and Permits, discussed a proposed amendment to a Contract between Sussex County Council and Whitman, Requardt & Associates, dated February 10, 1991, for supplemental cost evaluations for the Proposed Ellendale Sanitary Sewer District. In accordance with a previous amend-

Proposed Ellendale Sanitary Sewer District (con't) ment to the Contract, Whitman, Requardt & Associates reviewed a report from the Department of Natural Resources and Environmental Control and identified problems that led to a difference in the County's cost estimates compared to DNREC's cost estimates, including (1) the sizing of the lagoons, (2) the location of spray sites, and (3) the New Market Village option. Mr. Archut advised that the proposed amendment, at a cost of \$4,700, would include the following work:

- o Reviewing the cost of impact of including the Town of Ellendale.
- o Revising the O & M and Construction for the treatment facilities based on tests to be performed by DNREC.
- o Refining the estimates using New Market Village.
- o Reviewing the numbers developed previously using additional information from DNREC.

M 090 95 Approve Increase in Whitman, Requardt & Associates Contract A Motion was made by Mr. Collins, seconded by Mr. Cole, that the Sussex County Council approves an increase in the current Whitman, Requardt & Associates Contract, dated February 10, 1991, from \$25,710 to \$30,410 for supplemental cost evaluations for the Proposed Ellendale Sanitary Sewer District, subject to the review and approval of the terms by the Finance Department and the Legal Department.

Motion Adopted: 5 Yea.

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

Proposed Ordinance Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (7 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.68 ACRES, MORE OR LESS" (Conditional Use No. 1109) filed on behalf of Ronald T. Moore. The Proposed Ordinance will be advertised for Public Hearing.

M 091 95 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Cole, to give \$500.00 from Mr. Benson's Councilmanic Account to Nassau Park Tenants Association to purchase equipment for a Neighborhood Watch Program.

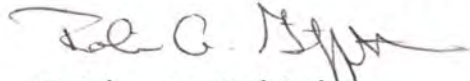
Motion Adopted: 5 Yea.

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

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M 092 95 A Motion was made by Mr. Benson, seconded by Mr. Collins, to
Adjourn adjourn at 11:55 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council