

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 25, 1997

Call to
Order

The regular meeting of the Sussex County Council was held Tuesday, February 25, 1997, at 10:00 a.m. in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
George J. Collins	Vice President
George B. Cole	Member
Finley B. Jones	Member
Lynn J. Rogers	Member

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

M 087 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Approve approve the Agenda, as presented. Motion Adopted by Voice
Agenda Vote.

M 088 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Approve approve the minutes of the previous meeting, dated February 18,
Minutes 1997.

Motion Adopted: 5 Yea.

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

Corre-
spondence

Mr. Bayard, County Attorney, read the following correspondence:

DEPARTMENT OF THE ARMY, U.S. ARMY CORPS OF ENGINEERS,
PHILADELPHIA, PENNSYLVANIA.

RE: Public Notice to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit. (Applicant: Vincent Killeen. Waterway: Lewes and Rehoboth Canal.)

DIANE Z. HUFFMAN, GUIDANCE COUNSELOR, WEST SEAFORD ELEMENTARY SCHOOL, SEAFORD, DELAWARE.

RE: Letters from first graders regarding the Jr. Cadet Program.

MARIETTA Z. WOOLEYHAN, GREENWOOD, DELAWARE.

RE: Letter requesting reconsideration of the proposed ordinance relating to minor subdivisions.

TIM KAVEL, ED.D., VICE PRESIDENT AND CAMPUS DIRECTOR, DELAWARE TECHNICAL & COMMUNITY COLLEGE, GEORGETOWN, DELAWARE.

RE: Letter regarding Sussex County Vocational-Technical School District's proposed community library and technology center.

Corre- THOMAS A. GRAVES, JR., CAMPAIGN CHAIRMAN, AND DONALD R. KIRTLEY,
spondence PRESIDENT, ARTCO, WILMINGTON, DELAWARE.
(con't) RE: Letter providing an update on ArtCo's campaign progress.

LAWRENCE LIND, SUSSEX COUNTY VETERANS COUNCIL, GEORGETOWN,
DELAWARE.

RE: Letter requesting \$1,000 to purchase flags for grave
markers for Memorial Day.

BOB RICKER, PRESIDENT, SUSSEX COUNTY FIRE CHIEFS' ASSOCIATION,
SUSSEX COUNTY, DELAWARE.

RE: Letter requesting financial assistance to send one Adminis-
trator to the annual Fire Department Instructors Conference in
Indianapolis.

ERIC BUEHL, DISTRICT COORDINATOR, SUSSEX CONSERVATION DISTRICT,
GEORGETOWN, DELAWARE.

RE: Letter to Mr. Cole in appreciation of his Councilmanic
Grant in the amount of \$1,000 for the Land of Pleasant Living
project near Millville.

Food
Drive
Recogni-
tion

The County Council recognized the following for their outstanding
participation in the Carolling on The Circle Food Drive: Sussex
Central High School, Sussex Central Elementary School, Sussex
County Mobile Home Tenants Association, Delaware Manufactured
Housing Association, and First State Manufactured Housing In-
stitute. Mr. Stickels, County Administrator, noted that the 1996
Carolling on The Circle Food Drive was the most successful to
date; 11,168 items of food were collected.

Property
Assess-
ment
Zoning
Program

Mr. Stickels, County Administrator, and Mr. Parker, Director of
Assessments, discussed a proposed Property Assessment
Zoning Program. Mr. Parker provided Council with a list of
samples of properties presently being used as farmland but
located in a C-1 zoning district and a comparison of taxes
currently paid and taxes that would be paid if the land was
assessed as commercial property. Under the proposed program,
the property owner would be contacted and advised that the
assessment of the property will be changed unless a response
is received in thirty days. If the property owner wants to keep
the current assessment, a public hearing will be scheduled; no
fees will be charged. It is proposed that the program will begin
on Route 113.

M 089 97
Endorse
Property
Assess-
ment
Zoning
Program

A Motion was made by Mr. Collins, seconded by Mr. Jones, to en-
dorse the Property Assessment Zoning Program, as presented.

Motion Adopted: 5 Yea.

M 089 97 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
(con't) Mr. Jones, Yea; Mr. Collins, Yea;
Mr. Dukes, Yea

Appeal Mr. Stickels, County Administrator, discussed an appeal of the
to Sussex County Planning & Zoning Commission's decision to deny
P & Z an application of Nolan E. Banks and Milton Banks for
Com- the subdivision of land in an AR-1 Agricultural Residential
mission Zoning District in Broadkill Hundred by dividing 31.90 acres
Decision into 39 lots, located on the north side of Road 238, 3,658 feet
east of Road 240. (Subdivision #96-28 -- Milton Woods). A
Public Hearing will be scheduled for March 18, 1997, at 1:30 p.m.

State Mr. Bayard, County Attorney, advised Council that he will be
Law researching the current State law on subdivisions; appeals; and
criteria for denial. He will provide a report to Council in
the near future.

Fish Mr. Stickels, County Administrator, advised Council of a letter
and from the United States Department of the Interior, Fish and
Wildlife Wildlife Service, regarding their acquisition of 10 parcels of
Service/ land totalling 100 acres along Fowler's Beach, Delaware, close
Land to the Prime Hook National Wildlife Refuge. It was the con-
Acquisi- sensus of Council to support this acquisition under the following
tion conditions:

- That people will still be allowed on the property for recreational purposes.
- That the property will be added to the Prime Hook National Wildlife Refuge.
- That a payment will be made in lieu of taxes.

Airport Mr. Stickels, County Administrator, submitted the following names
Com- for appointments to the Airport Committee: Steve Pepper, Richard
mittee Goodwin, Charles D. Pickering, and Walt Bryan. Current members
Appoint- of the Committee are: Lynn Rogers, Al Nase, Ray Webb, Mike Izzo,
ments Greg Spicer, Tony Amato and Frank Calio. Mr. Stickels noted that
the meetings of the committee are posted thirty days in advance
in two public places as required by law. Meetings are open to
the public. Beginning with the next meeting, announcement of
future meetings will be sent to the media for publication. Mr.
Rogers encouraged other Council members to attend the meetings.

M 090 97 A Motion was made by Mr. Rogers, seconded by Mr. Cole, to appoint
Appoint- Steve Pepper, Richard Goodwin, Charles Pickering, and Walt Bryan
ments to the Airport Committee for a period of two years, beginning
March 1, 1997.

M 090 97 Motion Adopted: 5 Yea.
(con't)

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

Adminis- Mr. Stickels, County Administrator, read the following infor-
trator's mation in his County Administrator's Report:
Report

1. Council Recess

The Sussex County Council will not meet on Tuesday, March 4, 1997. Recess from the Council meeting will allow Council members and staff to attend the National Association of Counties Legislative Conference being held in Washington, D.C. The conference will start on Friday, February 28, 1997, and end on Tuesday, March 4, 1997.

2. Troop 4 Status Report - Month of January

The following hours of duty and enforcement were compiled by the uniformed patrol officers at Troop 4, Georgetown, Delaware, during the month of January, 1997:

Total Hours On Duty	3,517.00
Hours Assisted Other Agencies	41.5
Total Traffic Arrests	937
Total DUI Arrests	19
Accident Reports: Property Damage	64
Personal Injury	<u>17</u>
Total Accident Reports	81
Criminal Arrests: Felony	8
Misdemeanor	<u>70</u>
Total Criminal Arrests	78
Total 10-29 P's (wanted persons)	35
Total Number of Complaints	720

3. Most Wanted Properties Clean-Up List

I am pleased to inform the Council that the property owned by Wilson Baker near West Rehoboth has been torn down and all debris has been removed from the site. This property is now in compliance with the Sussex County Housing Code. This is the second property out of the County's ten most wanted that has been completely cleaned up.

Adminis-
trator's
Report
(con't)

4. Land Use Workshop

The Sussex County Council will be meeting on Wednesday, February 26, 1997, at 7:00 p.m. in the Council Chambers of the Administrative Office Building located on The Circle in Georgetown to discuss the County's Comprehensive Land Use Plan. Members of the General Assembly and Planning and Zoning Commission have been invited to attend this workshop. Although there will not be public participation in the workshop, the public is allowed to attend.

5. West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

I am pleased to inform Council that on February 20, 1997, Tatman & Lee was presented with the "1997 Engineering Excellence Award, Grand Conceptor Award" by the Consulting Engineers Council of Delaware. This award is the primary engineering excellence award issued by the organization annually. Mr. Preston Lee of Tatman & Lee Associates, Mr. Christopher Baker of George & Lynch, Mr. Michael Izzo, County Engineer, and Mr. David Baker, Finance Director, attended the meeting which was held at the DuPont Country Club for the presentation. This award was rated based on originality, technical value to the engineering profession, social/economic considerations, complexity, and meeting the County's needs. As the recipient of this number one award in the State of Delaware, the project will be submitted for a national award to the American Consulting Engineers Council. On hand for the presentation were Governor Thomas Carper, Lieutenant Governor Ruth Ann Minner, United States Representative Michael Castle, and Attorney General Jane Brady.

The West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District also received a second award that evening. An "Honor Award" was presented to Mr. Peter Bozick of George, Miles & Buhr.

These awards bring the total to six that the County Council has received in recognition of this environmentally-sensitive project.

Land
Use
Plan
Schedule

Mr. Stickels, County Administrator, reviewed the following schedule regarding the adoption of the County's Comprehensive Land Use Plan:

February 26, 1997 - Workshop.

March 10, 1997 - New document put together.

Schedule (con't) March 17, 1997 - Public Hearing.

March 18, 1997 - Plan will be on agenda for vote.

Public Hearing/ Appeal to P & Z Commission Decision/ Norris Niblett
A Public Hearing was held on the appeal of the Sussex County Planning & Zoning Commission's decision to deny an application of Norris L. Niblett for the subdivision of land in a GR General Residential Zoning District in Little Creek Hundred by dividing 53.33 acres into 77 lots, located on the south side of Road 515, 2,065 feet west of Road 13A. (Subdivision No. 96-22 -- Bacon Grove). The Planning & Zoning Commission denied this application based on the following: (1) The subdivision was out of character with the surrounding area. (2) A need for additional lots in the area does not exist. Public comments were heard. The County Council will take this matter under advisement.

Public Hearing/ CDBG Program
A Public Hearing was held to give all citizens an opportunity to participate in the development of an application to the State of Delaware Community Development Block Grant Program for a grant under the provisions of the Community Development

Act of 1977. The primary objective of the Community Development Program is the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. It is also a primary objective to alleviate physical and economic distress through the stimulation of private investment and community revitalization in areas of population outmigration or a stagnating or declining tax base.

Mr. Stickels, County Administrator, advised that Sussex County will be applying for \$1.8 Million; \$1.7 Million is available.

Public comments were heard and the Public Hearing was closed.

M 091 97 Adopt R 012 97
A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution No. R 012 97 entitled "ENDORSING PROJECTS TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING ROBERT L. STICKELS, COUNTY ADMINISTRATOR, TO SUBMIT APPLICATIONS".

Motion Adopted: 5 Yea.

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

M 092 97
Adopt
R 013 97

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution No. R 013 97, as follows:

WHEREAS, the Sussex County Council recognizes the importance of fair housing for the citizens of Sussex County; and

WHEREAS, the Sussex County Council supports the goals of the Federal Fair Housing Law,

NOW, THEREFORE,

BE IT RESOLVED, that the Sussex County Council heartily encourages all parties involved in the renting, selling or financing of housing in Sussex County to insure that no person shall, on the grounds of race, color, national origin or sex, be discriminated against or denied a fair and equal opportunity to housing; and

BE IT FURTHER RESOLVED, that the Sussex County Council, when acting as administrator for the Community Development Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

Motion Adopted: 5 Yea.

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

EMS
Training
at
Delaware
State
Fire

Mr. Stevenson, Sussex County EMS Director, and Mr. Murabito, Director, Delaware State Fire School, were in attendance to announce that the Fire School location in Georgetown is available for EMS training at no cost to the County. Previously, training has taken place at Delaware Technical & Community College at a cost of \$5,000 per year. Sussex School County Emergency Medical Services and the State Fire School will be working more closely together to improve the variety and availability of EMS training in Sussex County.

Road
Restor-
ation/
West
Rehoboth

Mr. Green, Director of Utility Construction, and representatives of George, Miles & Buhr were in attendance to discuss road restoration complaints from the following homeowners associations in the West Rehoboth Sanitary Sewer District: Rolling Meadows, Colonial East/Sussex East, and Breakwater. The County's Engineering Department and representatives of George, Miles & Buhr are of the opinion that the roads have been restored to their pre-construction condition; in fact, that the roads are in better condition. It was noted that some "punch-list" items still remain and the original warranty period has been extended.

Road
Restor-
ation
(con't)

The "punch-list" items are scheduled to be taken care of in the spring. Representatives of the various subdivisions addressed Council regarding their concerns. Mr. Dukes asked that the residents contact the County if they still have concerns once the repairs on the "punch-list" have been made. It was noted that the County should review its regulations for road specifications. Council asked that George, Miles & Buhr provide cost estimates for overlaying the roads again; this will provide the necessary information should the homeowners associations wish to have this work performed.

M 093 97 A Motion was made by Mr. Jones, seconded by Mr. Cole, to give
Council- \$500.00 from Mr. Jones' Councilmanic Account to the Woodbridge
manic Little League to help offset the expenses for the 1997 Little
Grant League season.

Motion Adopted: 5 Yea.

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

M 094 97 A Motion was made by Mr. Collins, seconded by Mr. Cole, to give
Council- \$1,000.00, \$200.00 from each Councilmanic Account, to the Sussex
manic County Veterans Council to purchase flags for placement on the
Grant graves of Veterans on Memorial Day.

Motion Adopted: 5 Yea.

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

M 095 97 A Motion was made by Mr. Cole to give \$400.00 to the Sussex
Council- County Fire Chiefs' Association to provide financial assistance
manic to send an Administrator to the annual Fire Department In-
Grant structors Conference in Indianapolis. The Motion died for the
lack of a second.

M 096 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Council- give \$500.00, \$100.00 from each Councilmanic Account, to the
manic Sussex County Fire Chiefs' Association to provide financial
Grant assistance to send an Administrator to the annual Fire Depart-
ment Instructors Conference in Indianapolis.

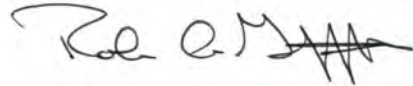
Motion Adopted: 5 Yea.

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

M 097 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adjourn adjourn at 11:30 a.m. Motion Adopted by Voice Vote.

Luncheon County Council members attended a luncheon meeting with the
Sussex Conservation District.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council