

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

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, March 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
William D. Stevenson, Sr.	Member

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

M 123 95      A Motion was made by Mr. Collins, seconded by Mr. Benson, to  
Approve      approve the minutes of the previous meeting dated March 14,  
Minutes      1995. Motion Adopted by Voice Vote.

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

FRIENDS OF THE MILTON LIBRARY, MILTON, DELAWARE.

RE: Invitation to attend a private preview showing of art works by Diane Eisenbrey on March 24, 1995, at the Milton Library from 6:30 p.m. to 9:00 p.m.

BIRDIE GALBRAITH, EXECUTIVE DIRECTOR, LEWES SENIOR CITIZENS CENTER, INC., LEWES, DELAWARE.

RE: Appreciation for Human Service Grant.

ANNE P. CANBY, SECRETARY, STATE OF DELAWARE, DEPARTMENT OF TRANSPORTATION, DOVER, DELAWARE.

RE: Letter announcing the Department of Transportation's nomination of Joel D. Leidy as their representative on the Sussex County Planning Commission.

DELAWARE ECONOMIC DEVELOPMENT OFFICE, DOVER, DELAWARE.

RE: News Release regarding Exporter Network Meetings to be held in Sussex County, the first of which is to be held on Wednesday, March 29, 1995, beginning at 7:30 a.m., in the Higher Education Building at Delaware Technical and Community College in Georgetown.

Proposed      Mr. Stickels, County Administrator, discussed a Proposed  
Agree-      Agreement between Sussex County and the City of Rehoboth  
ment      Beach to enable the County to purchase water from the  
City of      City to supply users within the Dewey Beach Water District.  
Rehoboth      The Proposed Agreement, if approved, would be a renewal of  
Beach      a previous Agreement in effect for the period April 1, 1990  
through March 31, 1995. The only change pertains to a  
small rate increase of six cents per 1,000 gallons for the  
first year of the Agreement and four cents per 1,000 gallons  
each year thereafter.

M 124 95 A Motion was made by Mr. Benson, seconded by Mr. Stevenson,  
Execute authorizing the Sussex County Council President to execute  
Agree- an Agreement with the City of Rehoboth Beach, on behalf of  
ment the Dewey Beach Water District, for the purchase of water,  
with the for a period commencing on April 1, 1995 and terminating  
City of March 31, 2000.  
Rehoboth  
Beach

Motion Adopted: 4 Yea, 1 Absent.

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

Sussex Mr. Paul Puckli of The LPA Group Incorporated was present  
County to review with Council the Master Plan Study of the Sussex  
Airport County Airport. The Master Plan Study was initiated by  
Master the Council in early 1993 in order to determine specific  
Plan opportunities for improving the airfield and terminal area  
Study facilities at the Sussex County Airport. The overall  
intent of the study was to evaluate existing facilities,  
conditions, and activity over the 20-year planning period,  
and to recommend methods of accommodating this demand. In  
addition, the Master Plan Study was initiated to ensure  
that the airport complies with all FAA standards and regula-  
tions.

Public A Public Hearing was held on the Proposed Ordinance en-  
Hearing titled "AN ORDINANCE TO AMEND CHAPTER 29 OF THE CODE OF  
Proposed SUSSEX COUNTY TO INCREASE THE COMPENSATION OF THE PERSONNEL  
Ordinance BOARD". The Adoption of this Proposed Ordinance would  
Regarding increase the compensation of the Personnel Board from  
Personnel \$25.00 per meeting to \$150.00 per hearing. The Public  
Board Hearing was closed.

M 125 95 A Motion was made by Mr. Benson, seconded by Mr. Collins,  
Adopt to Adopt Ordinance No. 1015 entitled "AN ORDINANCE TO AMEND  
Ordinance CHAPTER 29 OF THE CODE OF SUSSEX COUNTY TO INCREASE THE  
No. 1015 COMPENSATION OF THE PERSONNEL BOARD".

Motion Adopted: 4 Yea, 1 Absent.

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

M 126 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson,  
Council- to give \$200.00 from Mr. Collins' Councilmanic Account to the  
manic Delmar Cadette/Senior Girl Scout Troop 98 to help offset  
Grant expenses for a trip to Derbyshire, England.

Motion Adopted: 4 Yea, 1 Absent.

M 126 95 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

M 127 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson,  
Council- to give \$600.00 from Mr. Collins' Councilmanic Account to the  
manic Oak Orchard Riverdale Civic Association to be used for road-  
Grant Grant way and street replenishment projects.

Motion Adopted: 4 Yea, 1 Absent.

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

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

1. Road Naming

Public meetings for the purpose of receiving input on road naming for the Greenwood Fire District and the Bridgeville Fire District have been scheduled. The Greenwood meeting will take place on Wednesday, March 22, 1995, at 7:00 p.m. at the Greenwood Fire Company. The Bridgeville Fire Company will host a meeting on Wednesday, March 29, 1995, at 7:00 p.m. at their fire hall. With the completion of these two hearings, Milford and Slaughter Beach are the only districts remaining.

2. Sussex County CDBG Audit Report

Mr. Stickels has received notification from the Delaware State Housing Authority that they have completed review of the County's CDBG Program for FY '94. The audit revealed that all areas have been found acceptable. This audit was reviewed for compliance with the requirements set forth in the Single Audit Act and the Office of Management and Budget Circular A-128, Audits of State and Local Governments.

3. Sussex County Tax Map Project Update

At the present time, the Sussex County Tax Map Project is taking orders for tax map books. The project is proceeding in an expected manner. The orders are being placed as current subscriptions to other vendors are expiring, thus causing the order flow to be paced rather than bulked. In response to requests of potential customers, the need for assessment data in hard copy form has been made evident.

Adminis-  
trator's  
Report  
(con't)

There has also been expressed a need for books to be sold in half-County form from a number of prospective customers. The County will offer books on a half-County bases at a cost of \$250. To date, six sets of books have been completed with an additional twelve orders pending completion of the books.

A question has arisen regarding the scale of the maps. The scale of the maps was taken into consideration when the project was in its preliminary planning stages. The scale of these maps is a relatively unimportant issue to most customers. Surveyors were the most concerned as to the scale of these maps. Even with the previous vendor maps, the width of a pencil line was equal to approximately thirty feet on the average map. The purpose of all County tax maps is to give a general depiction of a boundary of a property. The only way to accurately define a property boundary is by recorded survey, not by the County's tax maps. By no means should the County tax map be used for the purpose of measurement.

The response of all individuals who have visited the Assessment Office and sought to view the map products has been that they are clearer and easier to read. Some of the map originals have deteriorated from use and misuse. Those maps will only be of better quality when the area is in digital form and protected from deterioration.

To date, the Assessment Office is continuing to produce the maps with the current staff. No additional personnel is projected in the near future.

4. West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District Funding

On March 9, 1995, Sussex County Council received checks for a total of \$3,625,000 from the United States Department of Agriculture's Rural Economic and Community Development (RECD) agency. This amount is the second loan closing for the West Rehoboth Sewer Project. It is part of the \$39,223,000 authorized by the Rural Economic and Community Development agency. It is a 4 1/2 percent, 40-year loan. At this point in time, the County has drawn \$13,624,000 on this loan, which has been used to fund the West Rehoboth Sewer Project.

Mr. James Waters and Ms. Denise MacLeish from the RECD agency were on hand to present the checks and sign the bond closing documents. They have been especially helpful with this and other County projects.

Adminis-  
trator's  
Report  
(con't)

5. Oil Spill - Dagsboro-Frankford Sanitary Sewer District

Included with this report was a memorandum from Holly Webb to Mr. Stickels regarding the discharging of 1,650 gallons of #6 fuel oil into the collection system for the Dagsboro-Frankford Sanitary Sewer District. This fuel oil was discharged into the County's system on Monday, March 13, 1995, by the Mountaire facility located in Frankford. To date, ninety percent of the cleanup has taken place. Mountaire has accepted all financial responsibility. Ongoing monitoring will be necessary into the future to assure that the County will not have any mechanical or environmental problems as a result of the discharge. The Department of Natural Resources and Environmental Control has notified the County that they will not be taking any punitive action against Mountaire for this discharge.

Mr. Stickels publicly complimented Holly Webb, Heather Sheridan, Rex Powell, and Brad Hawkes. These four individuals worked around-the-clock for five days to ensure that there would not be a mechanical or environmental problem with the wastewater system. Their dedication avoided what could have been a major setback to the Dagsboro-Frankford Sanitary Sewer District.

Public Hearing Proposed Ordinance Manufactured Homes A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF SUSSEX COUNTY, TO AMEND THE FEE CHARGED FOR MANUFACTURED HOME PLACEMENT PERMITS". Public comments were heard, many of which centered around the belief that there should be equal taxation and equal zoning rights for site built homes and manufactured homes. The Public Hearing was closed.

M 128 95 Adopt Ordinance No. 1016 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 1016 entitled "AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF SUSSEX COUNTY, TO AMEND THE FEE CHARGED FOR MANUFACTURED HOME PLACEMENT PERMITS".

Motion Adopted: 4 Yea, 1 Absent.

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

Construction Package C West Rehoboth Project Mr. Wood, County Engineer, and Mr. Bozick of George, Miles & Buhr, discussed the status of Construction Package "C" for the West Rehoboth Project. Construction Package "C" has been bid two times; the first bid was not awarded due to the fact that the bid of the first and second low bidder were not responsive and the bid of the third bidder was not approved by DNREC and RECD. The second bid was awarded to the low bidder, Lisbon

Construction Contractors; however, legal action by the second low bidder, Dugan Construction, over the issue of subcontractor licenses resulted in a preliminary injunction which prevents award to Lisbon Contractors. Mr. Wood advised that George, Miles & Buhr, the County Engineering Department, and the Assistant County Attorney recommend that all bids for Construction Package "C" be rejected and that the Contract be rebid with amended conditions and specifications.

M 129 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, based on the recommendation of the Consulting Engineers, George, Miles & Buhr and the County Engineering Department that the County Council authorize the Engineering Department to reject all bids and the award of Construction Contract "C" of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District Project, as a result of the outcome of recent litigation, and to rebid the contract with amended conditions and specifications pending approval of Delaware Department of Natural Resources and Environmental Control and other approving agencies.

Motion Adopted: 4 Yea, 1 Absent.

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

Archaeological Mr. Wood, County Engineer, and Mr. Griffith, State Historic Preservation Officer, discussed the Phase III B Archaeological Study for the West Rehoboth Project at the Bay Vista Site. There were two findings during the Phase III A fieldwork and one additional factor that raised the extent of the Phase III B fieldwork and accompanying costs beyond that originally anticipated. The completion of the Phase III B data recovery at Bay Vista will complete the archaeological fieldwork component of the West Rehoboth Project.

M 130 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, based on the recommendation of the Consulting Engineers, George, Miles & Buhr, and the Sussex County Engineering Department, that the Sussex County Council authorizes the award of the Phase III B Archaeological Study for selected portions of Collection Contract D in Bay Vista in the not to exceed amount of \$107,486.59 to MAAR Associates of Newark, Delaware; this contract amount is also to be added to the George, Miles & Buhr Construction Administration Contract as a "pass through", contingent on the approval of the reviewing agencies, Delaware State Historic Preservation Office, Rural Economic and Community Development, and the County Finance Department.

Motion Adopted: 3 Yea, 1 Nay, 1 Absent.

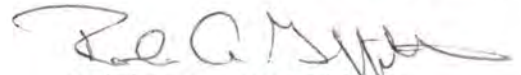
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M 130 95 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Nay

Handi- Mr. Webb of the Advisory Committee for Handicapped and Aging  
capped Citizens of Sussex County urged Council to solicit input from  
Parking the Committee regarding handicapped parking for the new County  
Administration Building.

M 131 95 A Motion was made by Mr. Collins, seconded by Mr. Benson,  
Adjourn to adjourn at 12:30 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council