

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 28, 2000

**Public Information Meeting** A Public Information Meeting was held on Tuesday, March 28, 2000, at 9:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, to discuss concerns relative to the Environmental Assessment for the PATS Hangar Expansion Project at the Sussex County Industrial Airpark, Georgetown.

**Call to Order** The regular meeting of the Sussex County Council was held Tuesday, March 28, 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 151 00 Approve Agenda** A Motion was made by Mr. Jones, seconded by Mr. Cole, to amend the Agenda to delete "Pension Fund Actuary Study" and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

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

**M 152 00 Approve Minutes** A Motion was made by Mr. Jones, seconded by Mr. Cole, to approve the minutes of the March 21, 2000, meeting, as distributed.

Motion Adopted: 5 Yea.

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

Corre-  
spondence

Mr. Bayard read the following correspondence:

JIM FERGUSON, VARSITY BASKETBALL COACH, SANTA RITA HIGH SCHOOL, TUCSON, ARIZONA.

RE: Letter in appreciation of Council's support of Slam Dunk to the Beach.

M 153 00  
County  
Council  
Grants

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500.00 from County Council Grants to the Delaware Police Chiefs' Council, Inc. to provide partial reimbursement for expenses to permit Mr. Martin Johnson, Local Police Coordinator, to attend a meeting of the Committee of Executive Directors, International Association of Chiefs of Police Training Conference in Maryland from April 12-16, 2000.

Motion Adopted: 5 Yea.

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

Subdivision  
Readdressing

Mr. Stickels and Mr. Norwood, Supervisor of Mapping and Addressing, discussed a matter of concern that has been raised regarding the readdressing of subdivisions. Properties in subdivisions are receiving addresses consisting of a street name along with a five-digit number; this is being done uniformly nationwide. Concerns have been expressed by residents of subdivisions in the Milford area that have received delivery of their new addresses. These residents already have a numbered street address and do not want their address changed to a five-digit number. Mr. Stickels advised that he has received calls from Senator Simpson, Representative Carey, and Public Safety Director Bushweller asking that the Council give consideration to allow subdivisions that currently have addresses containing street names and numbers to retain those same addresses. This practice will be consistent with what was done in Kent County. A subdivision must have an addressing scheme that is feasible if the property owners are to retain their current addresses.

M 154 00  
Use  
Existing  
Addresses/  
Subdivisions

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to authorize the Mapping and Addressing Department to utilize existing road names and numbers in subdivisions, when possible.

Motion Adopted: 5 Yea.

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



M 155 00  
Adopt  
Resolution  
No.  
R 018 00

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt Ordinance No. R 018 00 entitled "AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE WILMINGTON TRUST COMPANY BEARING THE SIGNATURES OF ANY TWO OF LYNN J. ROGERS, PRESIDENT; DALE R. DUKES, VICE PRESIDENT; OR D. B. BAKER, FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL".

Motion Adopted: 5 Yea.

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

M 156 00  
Adopt  
Resolution  
No.  
R 019 00

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Resolution No. R 019 00 entitled "CASH MANAGEMENT ACCOUNT RESOLUTION".

Motion Adopted: 5 Yea.

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

Building  
Permit  
Information/  
Brochures

Mr. Parker, Director of Assessments, distributed two public information brochures relating to obtaining building permits and manufactured home permits in Sussex County. Mr. Parker advised that the brochures have recently been updated and will be made available to the public. The information has also been provided by way of the County's web site.

House  
Bill  
No. 399

Council discussed House Bill No. 399 entitled "An Act to Amend Title 16 of the Delaware Code Relating to the Establishment of the Uniform Statewide Construction Code". This Bill would (1) eliminate local appeal boards and (2) require that revenue collected associated with building codes be forwarded to the State to be used to oversee the program. In accordance with this Bill, the County would still be responsible for performing inspections; however, no funds would be retained by the County to recover expenses associated with review and inspection. Mr. Parker advised that he anticipates a universal code being mandated within the next 24 months; however, he expressed his opinion that appeals should remain at the local level and funds collected should be retained by the County. Council will be kept informed of the status of House Bill No. 399.

- Building Code** Mr. Cole expressed concern that the County's Building Code has not been updated since 1992. In 1995, Council considered updating the Building Code but decided against it. It was noted that if a universal code is to be implemented, it would not be practicable to spend time considering making changes to the current Code.
- Proposed Ordinance** Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL SALES OF SHEDS, PLAYGROUND EQUIPMENT AND YARD FURNITURE; SALES OF PUMPKINS AND CHRISTMAS TREES; HAUNTED TRAIL; CORPORATE PARTIES; OPEN PIT COOKING; AND HORSEBACK RIDING LESSONS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 39.81 ACRES, MORE OR LESS" (Conditional Use No. 1338) filed on behalf of Jay Beach. The Proposed Ordinance will be advertised for Public Hearing.
- Proposed Ordinance** A Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RADIO AND TELEVISION ELECTRONIC REPAIRS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 14,400 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1339) filed on behalf of John Mintzer. The Proposed Ordinance will be advertised for Public Hearing.
- Recess** At 10:33 a.m., Mr. Rogers declared a recess until 11:00 a.m.
- Reconvene** At 11:05 a.m., Mr. Rogers called Council back into session.
- Public Hearing/  
HUD  
Disaster  
Recovery  
Initiative  
Grant  
Program** A Public Hearing was held so that all citizens could have an opportunity to participate in the development of an application to the State of Delaware Disaster Recovery Initiative Program. The U.S. Department of Housing and Urban Development (HUD) announced the Disaster Recovery Initiative (DRI) grant to Sussex County, State of Delaware to help disaster relief, long-term recovery and disaster-related mitigation efforts in communities affected by severe winter storms, high winds and flooding from these storms in 1998. The primary objective of the Disaster Recovery Initiative 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.

Public  
Hearing  
(continued)

In accordance with the Section 106 Review Process established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with respect to undertakings that may affect historic properties of significance to such agencies and individuals.

Mr. Lecates explained that the County would have to apply for the Delaware Disaster Recovery Initiative (DRI) funds from the Delaware State Housing Authority in accordance with appropriate regulations governing Community Development Block Grants, State of Delaware Program for Block Grants. Mr. Lecates proposed that the following application be submitted:

APPLICATION NO. 1:

		<u>Match</u>	
Oak Orchard Sewer	\$ 963,027	\$1,012,000	Infrastructure
Coastal Target Area	240,000	60,000	Rehab
Long Neck Pumping Station Elevation	71,333	23,778	Infrastructure
Administration	<u>80,000</u>	<u>97,517</u>	
Total	\$1,354,360	\$1,193,295	

It was noted that the County is required to match twenty-five percent (25%) of the program cost through general fund and its sewer districts' income.

There were no public comments and the Public Hearing was closed.

M 157 00  
Adopt  
Resolution  
No.  
R 020 00

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to Adopt Resolution No. R 020 00 entitled "ENDORISING 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: 4 Yea, 1 Absent.

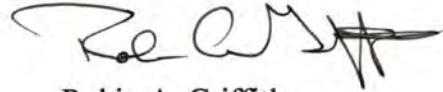
Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Absent;  
Mr. Dukes, Yea; Mr. Jones, Yea;  
Mr. Rogers, Yea

- Vote (Mr. Cole was not present during this vote.)
- M 158 00 At 11:12 a.m., a Motion was made by Mr. Dukes, seconded by Mr. Jones, to recess until 1:30 p.m. Motion Adopted by Voice Vote.  
Recess
- Reconvene Mr. Rogers called Council back into session at 1:30 p.m.
- Public Hearing (C/Z No. 1398) A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-1 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.05 ACRES, MORE OR LESS" (Change of Zone No. 1398) filed on behalf of Bayside Development Group, Inc. The Planning and Zoning Commission held a Public Hearing on this application on March 9, 2000, at which time they recommended approval of the application.
- Public comments were heard in support of and in opposition to the application. Letters in opposition were read into the record by Carol Jones (Bay Vista Road Traffic Committee), Mabel Granke, and Michael Tyler (Citizens Coalition).
- The Public Hearing was closed.
- M 159 00 A Motion was made by Mr. Cole, seconded by Mr. Dukes, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-1 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.05 ACRES, MORE OR LESS" (Change of Zone No. 1398) filed on behalf of Bayside Development Group, Inc.  
Adopt Proposed Ordinance
- Discussion Council discussed the letter received from the Sussex County Engineering Department relating to the capacity of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.
- (Motion Withdrawn) Mr. Cole withdrew his Motion.  
Mr. Dukes withdrew his second to the Motion.
- Defer Action on C/Z #1398 It was the consensus of Council that action be deferred and the record remain open for the limited purpose of receiving comments relating to the letter from the Sussex County Engineering Department.

M 160 00  
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn the meeting at 2:55 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council