

Corre-
spondence
(con't)

RE: Legal Notice regarding a new regulation No. 32 - Trans-
portation Conformity.

DELMAR JUNIOR-SENIOR HIGH SCHOOL, DELMAR, DELAWARE.
RE: Letter in appreciation of Councilmanic Grant.

LEAGUE OF WOMEN VOTERS OF SUSSEX COUNTY.
RE: Invitation to Drinking Water Symposium on April 14,
1998.

MIKE MOCK, LEWES, DELAWARE.
RE: Letter appealing the Sussex County Planning & Zoning
Commission's decision to deny Subdivision No. 98-3.

ANNE P. CANBY, SECRETARY, STATE OF DELAWARE DEPARTMENT OF
TRANSPORTATION, DOVER, DELAWARE.
RE: Letter to Edward J. Kaye regarding Gravelly Branch
Bridge.

MINNIE SMITH, CHAIRPERSON, WEST SIDE NEW BEGINNINGS, INC.,
REHOBOTH, DELAWARE.
RE: Letter of invitation to ground breaking ceremony for
a newly constructed community center.

UNIVERSITY OF DELAWARE, NEWARK, DELAWARE.
RE: Invitation to Solid Waste Forum on April 30, 1998.

M 154 98
Adopt
Procla-
mation

A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adopt the Proclamation entitled "PROCLAIMING THE WEEK OF
APRIL 19 THROUGH APRIL 25, 1998, AS 'NATIONAL LIBRARY WEEK'".

Motion Adopted: 4 Yea, 1 Absent.

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

First
State
Inspec-
tion
Agency
Agree-
ment

Mr. Stickels, County Administrator, advised that the Building
Code Inspection Agreement with First State Inspection Agency,
Inc. will expire on August 1, 1998. The Inspection Agreement
was summarized, as follows:

1. First State Inspection Agency shall conduct on-site in-
spections consisting of footing, framing, energy, and
final inspections.
2. First State Inspection Agency shall provide at least five
qualified inspectors which will conduct inspection requests
within 48 hours after verbal or written request. First
State agrees to pay liquidated damages of \$40.00 for each
and every inspection which is not performed within 48 hours
after a request is made.

Agree-
ment
(con't)

3. The County agrees to pay First State 70 percent of the collected inspection fee.
4. First State agrees to indemnify and hold the County harmless from any and all liability.
5. The County's Director of Building Inspections shall be authorized to make a final decision regarding disagreements over Building Code interpretation.
6. Agreement shall remain in effect for a period of three years from August 1, 1998 to August 1, 2001. The County shall have the sole option to terminate at the completion of the first year by providing written notice at least 180 days prior to termination.
7. First State shall, at the request of the County, conduct plan reviews on an emergency basis to meet the 1992 CABO One and Two Family Building Code.
8. County will pay First State 90 percent of charges for any additional required inspections.

M 155 98
Extend
First
State
Inspection
Agency
Agreement

A Motion was made by Mr. Collins, seconded by Mr. Jones, to extend the Building Code Inspection Agreement with First State Inspection Agency, Inc. for a period of three years, until August 1, 2001.

Motion Adopted: 4 Yea, 1 Absent.

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

Sussex
County
Special-
ized
Transportation
Program

Mr. Stickels, County Administrator, advised Council of a meeting called by Representative Shirley A. Price to resolve several problems concerning transportation issues for senior centers. The items of immediate concern that were discussed at the meeting were:

1. Contract for Providers of Service

A contract should be issued 90 days before the end of the fiscal year stating that provider has the contract subject to available funding. At this time, months can go by with providers in limbo not knowing if they will be providing services.

2. Line Item for Kent and Sussex Reimbursable Transportation

This budget item needs to reflect a yearly cost of living increase - coupled with some attention to number of trips/people served.

Report
(con't)

4. Industrial Revenue Bond - Holly Lake Campsites

I have been notified by Wilmington Trust that the Economic Development Industrial Revenue Bond for Holly Lake Campsites in the amount of \$585,000 has been satisfied. This bond was authorized by a Resolution adopted by Council on December 14, 1982.

Wide
Area
Network
Proposal

Mr. Norwood and Mr. Sparpaglione presented a Wide Area Network proposal to Council. A networking system was installed in the Administrative Office Building at the time of construction; however, there is no connectivity between the Administrative Office Building and other County buildings, i.e. West Complex, Emergency Operations Center, and the South Coastal Regional Wastewater Treatment Facility. There is a need for these other buildings to connect to the networking system in the Administrative Office Building for the purpose of accessing E-mail and the AS-400 system.

A Wide Area Network Committee was established to investigate the establishment of a Wide Area Network; the State of Delaware was also contacted to assist in the installation of the Network. Mr. Norwood asked for Council's authorization to appropriate \$50,000 for the inter-networking of the buildings and connectivity to the internet for Sussex County. Mr. Stickels, County Administrator, explained that the \$50,000 would come from General Fund Contingency in the FY '98 budget.

Mr. Dukes requested that this issue be tabled until the next Council meeting to allow time for the review of the information submitted.

Savan-
nah's
Landing

Mr. Green, Director of Utility Construction, discussed the wastewater facilities constructed in Savannah's Landing, Phase III, located in the Bethany Beach Sanitary Sewer District.

M 156 98
Grant
Bene-
ficial
Accep-
tance/
Savan-
nah's
Landing

A Motion was made by Mr. Jones, seconded by Mr. Collins, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Savannah's Landing, Phase III, located in the Bethany Beach Sanitary Sewer District.

Motion Adopted: 4 Yea, 1 Abstention.

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

Old
Business/
C/U
No. 1227

The Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CORN MAZE RECREATIONAL ACTIVITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.1 ACRES, MORE OR LESS, OF A 63.75 ACRE PARCEL (Conditional Use No. 1227) filed on behalf of Daniel W. Magee, t/a Magee Farms, was discussed. A Public Hearing was held on this Proposed Ordinance on March 17, 1998, at which time action was deferred.

M 157 98
Adopt
Ordinance
No. 1225
(C/U
No. 1227)

A Motion was made by Mr. Collins, seconded by Mr. Jones, to Adopt Ordinance No. 1225 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CORN MAZE RECREATIONAL ACTIVITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.1 ACRES, MORE OR LESS, OF A 63.75 ACRE PARCEL" (Conditional Use No. 1227) filed on behalf of Daniel W. Magee, t/a Magee Farms, with the following conditions:

1. The business shall operate from July 1 through September 30.
2. Business hours shall be from 10:00 a.m. to 6:00 p.m. six days per week.
3. One (1) unlighted 32 square foot two (2) sided sign may be permitted on the site one (1) week before July 1 through one (1) week after September 30, at such time said sign shall be removed.
4. There shall be no permanent structures utilized with the business. All structures shall be portable and shall be removed from the site after the business is closed for the season.
5. "No Parking" signs shall be placed along Route 54, if permitted by DelDOT.
6. The parking area shall be maintained, and parking spaces shall be designed and marked in accordance with Chapter 115 of the Code of Sussex County. All parking shall be limited to the boundaries of the Conditional Use. Parking spaces shall be 10' x 20'. Driveways shall be a minimum of 25' in width.
7. The entrance shall be upgraded per the specifications of DelDOT, if required.
8. Portable toilets shall be provided for patrons.
9. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals and/or permits.

M 157 98 Motion Adopted: 5 Yea.
(con't)

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Yea; Mr. Jones, Yea;
Mr. Dukes, 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 will promote recreational opportunities and tourism and will promote a better understanding of the operations of an active Sussex County farming operation, without adverse impact of any sort.
2. The proposed use meets the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

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 STRUCTURES (28 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 8.615 ACRES, MORE OR LESS" (Conditional Use No. 1244) filed on behalf of Salt Pond East, L.L.C., t/a Bethany Courts, L.L.C. The Proposed Ordinance will be advertised for Public Hearing.

M 158 98 Councilmanic Grant A Motion was made by Mr. Rogers, seconded by Mr. Jones, to give \$400.00 from Mr. Rogers' Councilmanic Account to the Milton Little League, Inc. for operating expenses.

Motion Adopted: 5 Yea.

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

M 159 98 Councilmanic Grant A Motion was made by Mr. Rogers, seconded by Mr. Jones, to provide two port-a-potties, at an approximate cost of \$350.00, at Broadkill Beach from Memorial Day through Labor Day, with the cost to be deducted from Mr. Rogers' Councilmanic Account.

Motion Adopted: 5 Yea.

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

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M 160 98 A Motion was made by Mr. Jones, seconded by Mr. Collins,
Council- to give \$500.00 from Mr. Jones' Councilmanic Account to the
manic Woodbridge Little League for operating expenses.
Grant

Motion Adopted: 5 Yea.

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

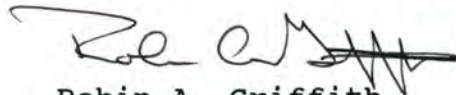
M 161 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to
Council- give \$500.00, \$200.00 from Mr. Dukes' Councilmanic Account
manic and \$100.00 each from Mr. Collins', Mr. Jones', and Mr.
Grant Rogers' Councilmanic Accounts, to the Christian Fellowship
Softball League for operating expenses.

Motion Adopted: 4 Yea, 1 Abstention.

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

M 162 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adjourn adjourn at 11:40 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council