

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 8, 1997

Call to Order The regular meeting of the Sussex County Council was held Tuesday, April 8, 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
Finley B. Jones	Member
Lynn J. Rogers	Member

Moment of Silence A moment of silence was observed in memory of Priscilla T. Cole, the twelve-year-old daughter of Councilman George B. Cole, who passed away Sunday, April 6, 1997, from complications caused by an aneurysm.

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

M 149 97 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Approve Agenda approve the Agenda with the following amendment:

Delete under Robert L. Stickels, County Administrator, the item entitled "Bookmobile Bid Recommendation".

Motion Adopted: 4 Yea, 1 Absent.

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

M 150 97 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Approve Minutes approve the minutes of the March 25, 1997 meeting and the April 1, 1997 meeting.

Motion Adopted: 4 Yea; 1 Absent.

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

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

THE HONORABLE J. BENJAMIN EWING, JR., STATE REPRESENTATIVE,
35TH DISTRICT, HOUSE OF REPRESENTATIVES, STATE OF DELAWARE,
DOVER, DELAWARE.

RE: Letter regarding the issue of readdressing all rural areas of the County for the purpose of Enhanced 911.

COLONEL DAVID HALL CHAPTER, NSDAR, REHOBOTH BEACH, DELAWARE.
RE: Letter of appreciation for Human Service Grant.

Corre- DELORES SPRINGER, CHAIRPERSON, AMERICAN CANCER SOCIETY,
spondence PINK RIBBON CANCER CLASSIC, MILFORD, DELAWARE.
(con't) RE: Letter of appreciation for Mr. Collins' Councilmanic
Grant.

PEGGY RALPH, LAUREL ALUMNI ASSOCIATION, LAUREL, DELAWARE.
RE: Letter of appreciation for Mr. Dukes' Councilmanic
Grant.

M 151 97 A Motion was made by Mr. Collins, seconded by Mr. Jones,
Adopt to Adopt the Proclamation entitled "PROCLAIMING APRIL 27
Procla- THROUGH MAY 4, 1997, AS 'SOIL AND WATER STEWARDSHIP WEEK'".
mation

Motion Adopted: 4 Yea, 1 Absent.

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

Presen- The Proclamation was presented to Mr. Vanderwende and Mr.
tation Buehl of the Sussex Conservation District.

National Mr. Stickels, County Administrator, advised Council that
Weather the Federal government is considering reducing the annual
Service budget of the National Weather Service by \$27.5 million,
Proposed resulting in the National Hurricane Center in Miami reducing
Budget their work staff by 17 percent. The National Hurricane
Reduction Center has stated cutbacks could affect their operations,
which include forecasting storm tracks, issuing warnings,
and gathering weather data in a timely manner. The Sussex
County Emergency Operations Center is dependent on the
National Hurricane Center to provide information, including
location of a storm, its direction, wind speed, and any
warnings that may be needed. Mr. Stickels read in its en-
tirety a Proposed Resolution entitled "REQUESTING DELAWARE
CONGRESSIONAL REPRESENTATIVES CONTINUE FULL FUNDING FOR THE
NATIONAL WEATHER SERVICE". Also in attendance to discuss
this issue were Mrs. Collins, Acting Director of Emergency
Operations; Mr. Thomas, Chief Dispatcher; and Mayor Frederick,
Mayor of Dewey Beach and President of the Association of
Coastal Towns.

M 152 97 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to
Adopt Adopt Resolution No. R 018 97 entitled "REQUESTING DELAWARE
Resolu- CONGRESSIONAL REPRESENTATIVES CONTINUE FULL FUNDING FOR THE
tion NATIONAL WEATHER SERVICE".

No.

R 018 97 Motion Adopted: 4 Yea, 1 Absent.

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

Land
Acquisition

Ms. Sheridan, Director of Operations - South Coastal Regional Wastewater Facility, and Mr. Mears, South Coastal District Manager, were present to discuss the purchase of 74.6 acres of land, more or less, located south of Route 24 near Williamsville, at a cost of \$187,500.00., for agricultural utilization of sludge. This parcel is located across the road from a site the County currently uses for sludge application. It was noted that the \$187,500.00 will be paid for by the users of the South Coastal Regional Wastewater Facility.

M 153 97
Authorize
Land
Acquisition

A Motion was made by Mr. Collins, seconded by Mr. Jones, that the Sussex County Council authorizes the purchasing of 74.6 acres, plus or minus, located south of Route 24 near Williamsville, as shown on Sussex County Tax Map 5-33-18, Parcel 61, contingent on the approval of the Assistant County Attorney and the County Administrator.

Motion Adopted: 4 Yea; 1 Absent.

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

Sheriff's
Office

Lieutenant Feret, Chief Deputy, and Ms. Pepper, Deputy, were in attendance to discuss several issues involving the Sheriff's Department.

Fees for Serving Court Papers

Currently, documents are often returned to the courts when the document is undeliverable to the address given. The legal community has asked that the Sheriff's Office attempt to deliver the documents to a different address.

Mr. Stickels, County Administrator, proposed that a \$25.00 additional fee be charged if the Sheriff's Office has to make a delivery to a second address.

Fees for Serving Subpoenas

Currently, subpoenas are often returned to the courts when the subpoena is undeliverable to the address given.

Mr. Stickels proposed that a \$15.00 additional fee be charged if the Sheriff's Office has to make a delivery to a second address.

It was noted that payment is not being received from the State for services rendered by the Sheriff's Office.

Sheriff's Delivery of Prisoners

Office
(con't)

As of March 24, 1997, nineteen state prisoners of Superior Court and three prisoners of family court have been handled by the Sheriff's Office.

Payment is not being received from the State for this service.

Mr. Stickels, County Administrator, noted that non-payment of fees to the Sheriff's Office is creating a budget short-fall. He pointed out that the Sheriff's Office is involved primarily in providing services to the Courts of the State of Delaware and to litigants in matters before the Courts of the State of Delaware. Based on these facts, Mr. Stickels presented for Council's consideration a Proposed Resolution requesting that the General Assembly consider legislation to make the Sheriff's Office an agency of the State of Delaware. The Proposed Resolution is entitled "RESOLUTION PROPOSING THAT THE SHERIFF'S OFFICE OF SUSSEX COUNTY BECOME AN AGENCY OF THE GOVERNMENT OF THE STATE OF DELAWARE". It was the consensus of Council to defer action on this matter until after the May 2, 1997, meeting with the Attorney General and representatives of the Court. It was also the consensus of Council that, following the May 2, 1997, meeting, if it does not appear that the State will pay its obligations, the Proposed Resolution will be supported by Council.

Extended
County
Hours

Mr. Stickels, County Administrator, announced that the County will be extending its hours in an effort to provide better service; to be more accessible to the public; and to provide more convenient hours. Hours will be extended on Wednesdays; from 7:30 a.m. to 7:30 p.m. Offices that will be open include Utility, Treasury, Deeds, Assessment and Planning & Zoning. These hours will initially be implemented on a six-month trial basis.

Bennett
Security
Agree-
ment

Mr. Stickels, County Administrator, discussed the extension of an Agreement with Bennett Security (Bennett Detective and Protective Agency, Inc.) for security guard officer services at the Industrial Park and at the Administrative Offices, on an as needed basis. It is proposed that the Agreement be extended for a period of one year, effective August 1, 1997.

M 154 97
Authorize
Extension
of
Bennett
Security
Agree-
ment

A Motion was made by Mr. Jones, seconded by Mr. Collins, that the Sussex County Council authorizes that the Agreement between the Sussex County Council and Bennett Security be extended for a period of one year, starting August 1, 1997, through July 31, 1998, at its current cost.

Motion Adopted: 4 Yea, 1 Absent.

M 154 97 (con't) Vote by Roll Call: Mr. Cole, Absent; Mr. Rogers, Yea;
Mr. Jones, Yea; Mr. Collins, Yea;
Mr. Dukes, Yea

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

1. Milton Library - Special Hours

The Friends of the Milton Library are planning an Art Show featuring the works of Julie Baxendell on Friday, May 9, 1997, from 6:00 to 8:30 p.m. and on Saturday, May 10, 1997, from 10:00 a.m. to 4:00 p.m. This show coincides with the Delmarva Hot Air Balloon Festival. Ms. Baxendell designed the logo for this year's festival which highlights the Milton Library building. The library is going to extend hours on Friday and Saturday to accommodate this event. I would encourage the residents of Sussex County to attend this unique festivity.

2. Emergency Repair - Pump Station 43, Tingle Road

In order to avoid a reoccurrence of problems that existed on Christmas Eve, December 24, 1996, with the Tingle Road Pumping Station in the South Coastal Sanitary Sewer District, I have declared that an unusual emergency exists. This will allow us to avoid the difficulty and expense encountered to protect the customers of the district from the possibility of any interruption in service. Title 29, Delaware Code, Section 6903(a)(2), states that the County Administrator can declare an emergency exists by any reason of extraordinary conditions that could not have been reasonably foreseen nor guarded against, and in my opinion these conditions require immediate action by the sewer district for the protection of the customers of the district and public health and safety.

As a consequence, I have authorized the County Engineering Department to acquire the equipment and component parts necessary. At my instruction, the Engineering Department sought to obtain competitive bids for labor and materials, but those bids compelled the conclusion that the cost of both labor and materials was more than the district was prepared to pay. It is more economic and more efficient for the Engineering Department to perform the work itself, acquiring the component parts it needs from various vendors. Not one of the component parts will cost more than \$10,000, but the aggregate cost will be \$125,000. Three or four different vendors will be used.

By taking this avenue, we will spend \$125,000. Proposals that we have received included a price of \$231,225 from EG Controls and \$241,500 from J.W. Tieder.

Adminis-
trator's
Report
(con't)

3. Intergovernmental Coordination of Zoning and Annexation Workshop

There will be a workshop with the cities and towns of Sussex County on Friday, April 11, 1997, at 1:30 p.m. in the Council Chambers of the County Administrative Office Building in Georgetown. The purpose of the meeting will be to discuss intergovernmental coordination of zoning and annexation. I would encourage the media to attend this workshop. The public is also permitted to attend, but will not participate in the workshop.

4. Salisbury Engineering Relocating

I am pleased to announce that Salisbury Engineering will be relocating from Salisbury, Maryland, to Delmar, Delaware. Salisbury Engineering employs 55 people and manufactures a complete line of RF and microwave filters for communications systems. Governor Thomas R. Carper, the Mayors of Delmar, and the County Council will be participating in a ground-breaking at 11:00 a.m. on Stagecoach Road, Delmar, Delaware. The facility is located behind Furniture Land which is on Route 13.

The Delaware Economic Development and Sussex County Economic Development Office have been working with Mr. Wayne Barbely. I would like to compliment the Economic Development Offices for their efforts in helping this business relocate to Delaware.

5. Delaware League of Women Voters Statewide Wastewater Management Conference

I would like to remind the Council that the Wolfe Neck Wastewater Facility of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District will be hosting an Open House on Wednesday, April 9, 1997, from 10:00 a.m. to 2:00 p.m. The Open House is part of the Delaware League of Women Voters Statewide Wastewater Management Conference that will take place at 4:00 p.m. in Dover at the Sheraton Inn. However, you do not have to participate in the Dover seminar to visit the wastewater facility.

6. Funeral Mass

It is with great sadness that I inform the Council that visitation and a funeral mass will be held for Priscilla Toppin Cole, the twelve-year-old daughter of Councilman George B. Cole, on Wednesday, April 9, 1997. Visitation will be from 12:00 noon to 2:00 p.m. at St. Ann's Catholic Parish, Route 26, Bethany Beach, with the funeral mass following at 2:00 p.m. Priscilla died Sunday afternoon, April 6, 1997, from complications caused by an aneurysm.

Adminis-
trator's
Report
(con't)

In lieu of flowers, the family requests donations to the South Coastal Library.

On behalf of the County Council, I wish to extend our thoughts and prayers to the Cole family.

Group
Hospital
Fund
and
Plan

Mr. Baker, Finance Director; Mr. Cordrey, Personnel Director; and Mr. Smith of Farnell & Smith were present to discuss (1) the status of the County's Group Hospital Fund and (2) proposed changes to the County's Group Hospital Plan. Mr. Baker reported that as of July, 1996, there was a deficit balance in the County's Group Hospital Fund; this deficit was due to large number of claims during the last fiscal year. The balance of the Fund, as of March, 1997, was \$112,568.65. To date, claims have been \$166,000 less than last year. This reduction in claims is due in part to the change in the County's Health Plan to include savings through Alliance PPO, Inc./MAPSI. Mr. Baker and Mr. Cordrey reviewed the following proposed changes to the County's Group Hospital Plan:

Provider Changes

Reinsurance Change - Reinsurance deductible increase from \$10,000 to \$25,000 per covered individual per year. This will result in savings on cost of reinsurance and increase in benefits paid by County Employee Health Fund. Estimated net savings of \$74,000 per year;

Aggregate Stop Loss Insurance Coverage - Insurance company will cover County paid claims exceeding \$1,709,000 per year. This is subject to a \$2 Million limit on reimbursement to County;

Change in Reinsurer - Proposed change from Jefferson Pilot Insurance Company to a group of reinsurers lead by Trans-America Insurance Company; and

Change prescription card carrier from PCS to Express, estimated 3 percent savings in prescription costs.

Benefit Changes

Preventative Care - currently not provided, \$150 annual maximum limit;

Doctor Office Visits - \$10 copay for in-network providers; and

Increase in lifetime coverage limit from \$1 million to \$3 million maximum.

Group
Hospital
Fund
and
Plan
(con't)

Employee Contributions Proposed Changes

Increase deductible from \$100 to \$150 effective January 1, 1998; and

Employee contribution for extended coverages - increase effective July 1997 from \$130 per month to \$140 per month for family, and from \$67.20 per month to \$72.36 per month for subscriber and child coverage.

M 155 97
Approve
Changes
to
Group
Hospital
Plan

A Motion was made by Mr. Rogers, seconded by Mr. Collins, based on the recommendations of Farnell & Smith and staff, to approve the provider changes, benefit changes and employee contribution changes to the Group Hospital Plan; provider and benefit changes will be effective May 1, 1997; employee contribution changes will be effective Fiscal 1998.

Motion Adopted: 4 Yea, 1 Absent.

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

User
Charge
Alterna-
tives

Mr. Archut, Assistant County Engineer, discussed the following user charge alternatives for sewer districts:

- Gradual prepayment.
- One-time prepayment.
- Lot averaging within subdivisions.
- Flat rate per EDU.
- Transfer of treatment debt to service charge.
- 150 maximum front foot assessment.
- Uniform service charge.
- Uniform assessment and service charges.

Each option was discussed with advantages and disadvantages being noted. Mr. Archut advised that these alternatives have not been reviewed or condoned by rate consultants.

Proposed
Boundary
Revision
to
Bethany
Beach
SSD

Mr. Archut, Assistant County Engineer, discussed a proposed boundary revision to the Bethany Beach Sanitary Sewer District. This boundary revision would require changing a portion of the Savannah's Landing subdivision from one sanitary sewer district expansion area to another; three parcels of land would be excluded from the Ocean View Expansion of the Bethany Beach Sanitary Sewer District and included in the Bethany Beach Sanitary Sewer District.

M 156 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, that Prepare and Post Notices/ Boundary Revision to Bethany Beach SSD the Sussex County Engineering Department is authorized to prepare and post notices to revise the boundaries of the Ocean View Expansion of the Bethany Beach Sanitary Sewer District to exclude three parcels of land and revise the Savannah's Landing Extension of the Bethany Beach Sanitary Sewer District to encompass the three parcels of land.

Motion Adopted: 4 Yea, 1 Absent.

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

Savannah's Landing Mr. Baker of the Utility Construction Division of the Engineering Department discussed granting Beneficial Acceptance for the wastewater facilities constructed in Savannah's Landing.

M 157 97 A Motion was made by Mr. Jones, seconded by Mr. Rogers, based on 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 and excepting from that Carly Court, Lots 44 through 51, located in the Bethany Beach Sanitary Sewer District.

Motion Adopted: 4 Yea, 1 Absent.

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

Proposed Ordinance Mr. Collins introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR AN EXTENSION TO THE "OLD HICKORY CEMETERY" TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.01 ACRES, MORE OR LESS" (Conditional Use No. 1182) filed on behalf of the Trustees of Westly Chapel. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 26,530 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1300) filed on behalf of Jessica and Jason Moore. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 26,530 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1300) filed on behalf of Jessica and Jason Moore. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance (con't) CULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 39.27 ACRES, MORE OR LESS" (Change of Zone No. 1301) filed on behalf of James R. Schreppelery. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Collins introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.93 ACRES, MORE OR LESS" (Change of Zone No. 1302) filed on behalf of Lacey E. Spencer, Jr. and Aleathia E. Spencer. The Proposed Ordinance will be advertised for Public Hearing.

M 158 97 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$750.00, \$250.00 each from Mr. Rogers', Mr. Jones' and Mr. Collins' Councilmanic Accounts, to the Sussex Central High School "Golden Knights" Band for band activities.

Motion Adopted: 4 Yea; 1 Absent.

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

Draft Ordinance Mr. Collins questioned the status of a draft ordinance relating to the Planning & Zoning Commission's ability to deny a subdivision based on the number of available lots in the area.

M 159 97 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Jones, to adjourn at 12:37 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council