

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-APRIL 10, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, April 10, 1990, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

William D. Stevenson, Sr.	President
R. James Mariner	Vice-President
Ralph E. Benson	Member
Dale R. Dukes	Member

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

M 186 90
Amend
Minutes

A Motion was made by Mr. Dukes, seconded by Mr. Benson, to Amend Motion M 177 90 in the Minutes of April 3, 1990 by striking the figure [4] and inserting in lieu thereof 3. Motion Adopted by Voice Vote.

M 187 90
Approval
of Minutes

A Motion was made by Mr. Dukes, seconded by Mr. Mariner, to approve the minutes of the previous meeting as amended. Motion Adopted by Voice Vote.

Corre-
spondence

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

TRESA FRALLIE, SEAFORD

RE: Thanks for generous donation toward the "Mission Of Peace V" to the Soviet Union.

LARRY STEELE, GEORGETOWN

RE: Supporting recycling and enclosing newspaper articles concerning the topic.

MRS. HOWARD P. NYGOOD, SECRETARY, LEAGUE OF WOMEN VOTERS OF SUSSEX COUNTY

RE: Invitation to their meeting to be held May 8, 1990 at All Saints' Church Parish House, Olive Avenue, Rehoboth Beach, at 7:30 p.m. The purpose of the meeting is to learn more about the workings of the County Council, its jurisdiction, and also explore the possibility of holding at least one Council meeting a month at night so more citizens could attend. Ken McDowell, Bob Stickels, and Everett Moore will attend or send a representative.

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Corre-
spondence
(Con't.)

LOUIS A. RICKARDS, PRESIDENT, LEWES FIRE DEPARTMENT, INC.
RE: Expressing an interest in housing a paramedic unit
at one of their stations.

GILBERT F. HARTMAN, VICE PRESIDENT, OAK MEADOWS OWNER'S
ASSOCIATION
RE: Flooding at Oak Meadows.

W. T. FRENCH, LAUREL
RE: The approval of Change of Zone No. 818, filed on behalf
of C & C Engineering, Inc., being contingent upon a pedestrian
safe crossing.

DELAWARE DEPARTMENT OF LABOR, NEWARK
RE: Newsletter for the 4th Quarter 1989, entitled "DELAWARE
DIGEST, Labor Market Quarterly Activity".

DELAWARE DEPARTMENT OF AGRICULTURE, DOVER
RE: Newsletter for April 1990, entitled "DELAWARE AGENDA".

Manufac-
tured
Home
Committee
Report

Mr. Stickels, County Administrator, presented a Manufactured
Home Committee Report. Members of the Committee are: Mr.
Lank, Director, Planning and Zoning; Mr. Carmean, Director,
Assessment Office; and Mr. Stickels, County Administrator.

The Committee reviewed the Ordinances regulating Manufactured
Homes, and believes changes in Ordinances recently adopted
are helping to alleviate some of the problems that have
surfaced in past meetings. Particular changes that have
proved to be helpful are placing the burden for obtaining
placement permits on the landowner and increasing the penalty
for not obtaining a placement permit. One concern is the
five (5) acre requirement for a mobile home. Mr. Lank stated
that the possibility of creating a zoning district for mobile
home parks instead of using the Conditional Use has been
discussed. Mr. Carmean added the five (5) acre requirement
for a mobile home is being abused at times; i.e., a six (6)
acre plot is deeded and then a farmland deduction is claimed
for the five (5) acres and the other acre is used for the
mobile home.

The consensus of the Manufactured Home Committee is that
the present ordinances of the County are sufficient, however,
insufficient manpower in some instances creates a lack of
enforcement. According to their findings, approximately
95% of the parks are being operated in compliance with our
present ordinances and approximately 5% are in violation.

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M 188 90
Easement
United
Cable
Televi-
sion

A Motion was made by Mr. Dukes, seconded by Mr. Benson, that the Sussex County Council authorize the Council President to execute a permanent easement agreement with United Cable Television, located at Pumping Station No. 30 of the Fenwick Island Sanitary Sewer District, as shown on Sussex County Tax Map 5-33-12, Parcel 76.1. Motion Adopted: 4 Yea; 1 Absent.

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

South
Bethany
Easement

Mr. Stickels, County Administrator, reported that Pumping Station No. 22, located on Delaware Route 1, South Bethany was constructed in 1976 and placed in operation July 1977. The station site was thought to be within the State Highway right-of-way of Delaware Route 1. Therefore, Sussex County obtained from the State of Delaware a Franchise and/or Use and Occupancy agreement dated November 25, 1975. When the property contiguous to Pump Station No. 22 was developed, the surveyors determined the pumping station was encroaching on Lot No. 1 of the subdivision, Sandpiper Pines. Negotiations with various County representatives have been ongoing since 1983.

M 189 90
Easement
South
Bethany
Sanitary
Sewer
District

A Motion was made by Mr. Mariner, seconded by Mr. Dukes, that the Sussex County Council authorize the purchase of a permanent easement for Pumping Station No. 22 of the South Bethany Sanitary Sewer District, as shown on Sussex County Tax Map 1-34-17.2, Parcel 1, in the amount of \$5,000.00. Motion Adopted: 4 Yea; 1 Absent.

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

LEPC

Mr. Stickels, County Administrator, reported that Beebe Medical Center and Conrail had asked that their representatives serving on the Sussex County Local Emergency Planning Committee be replaced due to personnel changes.

M 190 90
Appoint-
ments
LEPC

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, that the Sussex County Council authorize the appointment of Rannie S. Hudson to represent Beebe Medical Center, Robert Palmer to represent Barcroft, Inc., and Joseph Morris to represent Conrail on the Sussex County Local Emergency

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M 190 90
(Con't.)
LEPC
Appoint-
ments

Planning Committee for a period of one (1) year; and be it further moved that the Sussex County Council reappoints Oliver E. Hill, Richard Small, and Joseph Triglia to continue serving on the Local Emergency Planning Committee for an additional one (1) year period. Motion Adopted: 4 Yea; 1 Absent.

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

Library
Grant
Request

Mr. Stickels, County Administrator, reviewed a request from the Sussex County Department of Libraries for a grant from the Delaware Department of Public Instruction for the Adult Literacy Program. Project READS has been developed to increase literacy skills for residents of Sussex County by providing free one-on-one tutorial services for adults who read at or below the fourth grade level.

M 191 90
Authorize
Library
Grant
Applica-
tion

A Motion was made by Mr. Mariner, seconded by Mr. Benson, that the Sussex County Council authorize the Sussex County Administrator to apply for a grant from the Delaware Department of Public Instruction in the amount of \$11,590.00 for the Adult Literacy Program. Motion Adopted: 4 Yea; 1 Absent.

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

Adminis-
trator's
Report

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

1. The Department of Natural Resources will be holding a public hearing tonight to allow for public comments regarding their amendments to Secretary Clark's order regarding the moratorium on septic systems.
2. County Government Day will be held on Thursday, May 3, 1990 starting at 9:15 a.m.
3. The Mayor's Prayer Breakfast for Lewes will be held Saturday, May 5, 1990 starting at 8:30 a.m. at the Cape Henlopen High School Cafeteria, located along Kings Highway, Lewes.
4. Sussex County Council Prayer Breakfast will be held on Tuesday, May 22, 1990 at 7:50 a.m. at the Indian River Senior Center, corner of Mitchell Road and Wilson Highway, Millsboro, Delaware. This year's speaker will be Clayton Bunting, Esquire.

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Proposed
Ordinance
C/U #937

Mr. Mariner introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A M MARINE DISTRICT FOR A SALES OFFICE FOR GULL POINT CONDOMINIUM AND A REAL ESTATE OFFICE FOR FIVE (5) YEARS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, AND BEING UNIT 161 OF GULL POINT CONDOMINIUM" (C/U #937) filed on behalf of Iota Rho Corp. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/U #938

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF CONDITIONAL USE NO. 150 FOR A WOODWORKING CABINET SHOP TO INCLUDE A CHRISTIAN BOOK STORE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 3.59 ACRES, MORE OR LESS" (C/U #938) filed on behalf of S. Paul and Helen L. Hudson. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/U #939

Mr. Mariner introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRIVATE AIRSTRIP FOR A BANNER TOWING SERVICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 9.86 ACRES, MORE OR LESS" (C/U #939) filed on behalf of Atlantic Coastal Aerial Advertising. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/U #940

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MANUFACTURING OF SCREENS FOR INDUSTRIAL USES AND EXPANSION OF EXISTING BUILDING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 24,230.5 SQUARE FEET, MORE OR LESS" (C/U #940) filed on behalf of Atlantic Screen, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance
C/Z #1073

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.17 ACRES, MORE OR LESS" (C/Z #1073) filed on behalf of Paul T. McDermond and Arlone Bertoni. The Proposed Ordinance will be advertised for Public Hearing.

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Proposed
Ordinance
C/Z #1074

Mr. Mariner introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 7.0 ACRES, MORE OR LESS" (C/Z #1074) filed on behalf of Delaware Electric Cooperative. The Proposed Ordinance will be advertised for Public Hearing.

Tax
Billing
Procedure

Mr. Stickels, County Administrator, Ms. O'Day, Director of Data Processing, and Ms. Lord, Director of Treasury, recommended that the billing procedure for County taxes remain the same as in previous years. In answer to the Council's previous questions concerning the costs for using separate tax bills; i.e., County, school, ditch, and library, they reported an estimated increase of at least \$10,000 for the basic mailing expense.

Tax
Bill
Quotes

Ms. Lord, Director of Treasury, opened the tax bill quotes and they were read into the record as follows:

YOUNG & REVEL, INC., MILFORD

275,000 Tax Bills @ \$7.62/M	\$2,095.50
175,000 #10 Window Envelopes @ \$21.42/M	3,748.50
175,000 Return Envelopes @ \$19.31/M	<u>3,379.25</u>
<u>TOTAL</u>	Freight Not Included: <u>\$9,223.25</u>

STANDARD FORMS, INC., SALISBURY

275,000 Tax Bills @ \$12.50/M	\$3,437.50
175,000 #10 Window Envelopes @ \$18.60/M	3,255.00
175,000 Return Envelopes @ \$13.95/M	<u>2,441.25</u>
<u>TOTAL</u>	Freight Included: <u>\$9,133.75</u>

MOORE BUSINESS FORMS, SALISBURY

275,000 Tax Bills @ \$9.86/M	\$2,711.50
175,000 #10 Window Envelopes @ \$16.96/M	2,968.00
175,000 Return Envelopes @ \$13.99/M	<u>2,448.25</u>
<u>TOTAL</u>	Freight Included: <u>\$8,127.75</u>

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Tax Bill
Quotes
(Con't.)

NCR BUSINESS FORMS DIVISION, SALISBURY

275,000 Tax Bills @ \$9.86/M	\$2,711.50
175,000 #10 Window Envelopes @ \$15.17/M	2,654.75
175,000 Return Envelopes @ \$11.33/M	<u>1,982.75</u>

TOTAL Freight Included: \$7,349.00

Ms. Lord will review the quotes and bring a recommendation back at a later time.

M 192 90
Recess

A Motion was made by Mr. Dukes, seconded by Mr. Stevenson, to recess at 10:55 a.m. Motion Adopted by Voice Vote.

Reconvene

President Stevenson called the Council back into session at 11:03 a.m.

DNREC
Report

Secretary Edwin H. Clark, II, Department of Natural Resources and Environmental Control, had requested time to address the Council on the Nanticoke Water Study.

Position
Clarifi-
cation

Councilman Mariner asked Mr. Jones, Assistant County Attorney, to read an article that had appeared in the News Journal papers last week that headlined "Planning Expert Hired by State to Aid Sussex". Since this job had been created by DNREC and the Council was not aware of the action, they asked for an explanation.

Secretary Clark reported the new position was created to provide a liaison between DNREC and the County and hopefully improve the working relationship. Secretary Clark introduced Mr. Andy Lorenz, a former Kent County Planner, the person selected by DNREC to fill the position. As additional questions were raised, Secretary Clark continued to emphasize the purpose of the appointment being an effort to improve working relationships only, and he offered an apology for not informing the Council of this action before it appeared in the paper.

Nanticoke
Watershed
Project

Secretary Clark invited the Sussex County Council to join DNREC in an effort to prepare for a future that includes a healthy, unpolluted Nanticoke River. He reported his belief that the Nanticoke is the next Inland Bays, both in its value as a natural resource and in its attractiveness and vulnerability to heavy development. This effort is planned to develop a resource management and protection plan by looking at hazardous wastes, recreational and development issues--including recreational boating and marina

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DNREC
(Con't.)
Nanticoke
Watershed

siting, agricultural and non-point source impacts and freshwater wetlands; identifying important resources, trends, and citizen concerns; developing a set of management strategies; and preparing an action plan, including land acquisition proposals. This plan will compliment the Western Sussex Land Use Plan and places no financial obligation on the Sussex County Council.

Mr. David S. Hugg, III, Director of Management and Operations, DNREC, will be the leader for this study. He will be assisted by representatives of all five Divisions within the Department, as well as by representatives of the Nature Conservancy and the Bureau of Archaeology. Also, a Nanticoke Advisory Committee will ensure citizen input through regular meetings and workshops.

M 193 90
Support
Nanticoke
River
Watershed

A Motion was made by Mr. Dukes, seconded by Mr. Stevenson, that the Sussex County Council endorse and pledge their support to the Nanticoke River Watershed Project as outlined by Secretary Clark. Motion Adopted: 4 Yea; 1 Absent.

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

Nanticoke
Advisory
Committee

President Stevenson appointed R. James Mariner and Dale R. Dukes to serve as members of the Nanticoke Advisory Committee as representatives for the Sussex County Council.

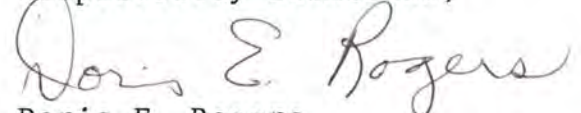
Symposium

Secretary Clark invited the members of the Council to a one-day symposium on land use and associated issues involved with development and land conservation issues. The title of the program is "**Delaware's Changing Landscape**" and it will be held Wednesday, April 18, 1990, Sheraton Inn, Dover, from 9:00 a.m. until 4:00 p.m.

M 194 90
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Benson, to adjourn at 11:35 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council