

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 11, 1995

Call to Order The regular meeting of the Sussex County Council was held Tuesday, April 11, 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
George B. Cole	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 164 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to Approve Minutes approve the minutes of the previous meeting dated April 4, 1995. Motion Adopted by Voice Vote.

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

SUSSEX COUNTY 4-H, BRIDGEVILLE, DELAWARE.  
RE: Letter in appreciation of Council's \$1,000.00 grant.

THE HONORABLE CLIFFORD G. LEE, HOUSE OF REPRESENTATIVES, STATE OF DELAWARE, DOVER, DELAWARE.

RE: Letter to Mr. Earle Timpson, Program Administrator for DelDOT, requesting that \$1,650.00 be deducted from Representative Lee's FY '95 Suburban Street Fund and forwarded to Sussex County Paramedics for an opticom for the new paramedic vehicle.

DARRYL D. TYLER, PROGRAM ADMINISTRATOR, DIVISION OF AIR AND WASTE MANAGEMENT, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DOVER, DELAWARE.

RE: Letter announcing that the Division of Air and Waste Management, Air Quality Management Section, will hold a public hearing to consider a permit application filed by County Seat Materials, Inc., to construct and operate an asphalt plant/aggregate depot at Route 9 East, Georgetown. The hearing will be held at 6:30 p.m. on April 27, 1995, at the Delaware Technical and Community College, Georgetown.

THE SKATEWORLD ARTISTIC PARENT CLUB, REHOBOTH BEACH, DELAWARE.

RE: Letter in appreciation of Councilmanic Grants.

ROBERT V. A. HARRA, JR., WILMINGTON TRUST, WILMINGTON, DELAWARE.

RE: Letter in appreciation of Council's issuance of a Sussex County "passport".

Proposed Mr. Stickels, County Administrator, read in its entirety a Procla- Proposed Proclamation entitled "PROCLAIMING APRIL 30 THROUGH mation MAY 7, 1995, AS 'SOIL AND WATER STEWARDSHIP WEEK'."

M 165 95 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt the Proclamation entitled "PROCLAIMING APRIL 30 THROUGH MAY 7, 1995, AS 'SOIL AND WATER STEWARDSHIP WEEK'."

Adopt Proclamation "Soil and Water Stewardship Week"

Motion Adopted: 5 Yea.

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

Mr. Stevenson presented the Proclamation to Mr. Vanderwende, Chairman of the Sussex Conservation District.

Milton Library/Community Center The Mayor of Milton, Reverend Ruth Grace Batton, and Mr. Tony Boyd-Heron of the Milton Mainstreet Committee was in attendance to ask Council to authorize the formation of a Committee to explore the possibility of a Library/Community Center in Milton. Mayor Batton advised Council that, due to growth, additional library space will be needed in the near future. In addition, the building housing the current "community center" in Milton is not structurally sound. Mayor Batton explained that informal discussions among community members in Milton have revealed a possible combining of a Library and Community Center.

M 166 95 A Motion was made by Mr. Benson, seconded by Mr. Cole, to Authorize authorize the formation of a Committee to explore the possibility Committee of a Library/Community Center in Milton. for

Milton Library/Community Center Motion Adopted: 5 Yea.

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

Delaware Estuary Program Ms. Marjorie Cross, Delaware Coordinator for the Delaware Estuary Program, and Mr. Rob Davis, Sussex County's representative on the Local Government Committee for the Delaware Estuary Program, were in attendance to provide a brief overview of the Delaware Estuary Program's Draft Comprehensive Conservation and Management Plan. This Plan is being developed to communicate an understanding of the health of the Estuary, to increase public involvement in Delaware Estuary Program activities and to build consensus on a broad array of actions that can be taken to improve water quality and enhance the living resources of the Estuary. Problems addressed by the Draft Plan include land development, long term water supplies, water quality, toxic substances, habitat fragmentation and alteration, and fisheries. Comments regarding the Draft Plan will be accepted by the Program Coordinator of the Delaware Estuary Plan until April 17, 1995.

DSHA  
Housing  
Vouchers

Mr. Stickels, County Administrator, advised Council that the Delaware State Housing Authority is applying to the U. S. Department of Housing and Urban Development (HUD) for fifty housing vouchers for Sussex and Kent Counties. These vouchers would assist low and moderate income families throughout lower Delaware to obtain housing they can afford. The Delaware State Housing Authority has been able to provide housing assistance for many families in Sussex and Kent Counties through several different programs. However, there is still a great unfilled need to assist very low income families in finding safe, decent and sanitary housing at a price they can afford. There is currently a waiting list of more than 2,500 applicants for the Certificate, Voucher and Public Housing Programs.

M 167 95  
Encourage  
DSHA to  
Apply  
For  
Housing  
Vouchers

A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Council, having met in public session, encourages the Delaware State Housing Authority to apply for fifty housing vouchers for Sussex and Kent Counties to assist low and moderate income families to obtain affordable housing.

Motion Adopted: 5 Yea.

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

Adminis-  
trator's  
Report

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

1. Sussex County Council 18th Annual Prayer Breakfast

The Sussex County Council will be hosting its 18th Annual Prayer Breakfast on Monday, May 8, 1995. This year's breakfast will be held at the Higher Education Building, Delaware Technical & Community College, Georgetown, Delaware. Breakfast will be served at 8:00 a.m.

This year's speaker will be Mr. Mike Zello. Mr. Zello is the founder and president of Teen Challenge of Maryland, a unique Christian ministry that helps young people with life-controlling problems such as drugs and alcohol. With a documented 86 percent cure rate, Teen Challenge is acclaimed to be the most successful rehabilitation program of its kind in the world.

Reverend Zello is an ordained minister with a rich background of experience. He is a graduate of Central Bible College of Springfield, Missouri, and attended New York University Graduate School.

Adminis-  
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Report  
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In addition to his local responsibilities, Reverend Zello has spoken at youth camps and retreats. For many years, he has served as a member of the National Teen Challenge Board of Directors and as the Eastern Regional Representative in the United States.

Anyone wishing to purchase tickets to the Prayer Breakfast should contact the County Administrator's Office at 855-7743. Tickets for the breakfast will be \$8.00 per person.

2. Council Meeting

There will not be a Council meeting on the Tuesday following Easter, April 18, 1995. The next regularly scheduled Council meeting will be Tuesday, April 25, 1995, starting at 10:00 a.m. in the Council Chambers, Courthouse, The Circle, Georgetown, Delaware.

Ste-  
ward's  
Watch

Mr. Green, Director of Utility Construction, discussed Beneficial Acceptance for the wastewater facilities constructed in Steward's Watch - Phase IIB located in the Bethany Beach Sanitary Sewer District.

M 168 95  
Grant  
Bene-  
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Accep-  
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Ste-  
ward's  
Watch

A Motion was made by Mr. Cole, seconded by Mr. Benson, that based upon the recommendation of the Sussex County Engineering Department, for Sussex County Agreement No. 49B, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Steward's Watch - Phase IIB, excluding the eight inch sanitary sewer pipeline from Manhole S3, to Cleanout Two, and from Manhole S4 to Cleanout One, located in the Bethany Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

M 169 95  
Council-  
manic  
Grant

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$500.00, \$250.00 from Mr. Stevenson's Councilmanic Account and \$250.00 from Mr. Benson's Councilmanic Account, to the Bad Company/Blue Hen Auto Detailing Softball Team for expenses associated with attending the Coed World Series this year.

Motion Adopted: 5 Yea.

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

M 170 95 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Benson, to give \$500.00, \$250.00 from Mr. Cole's Councilmanic Account and \$250.00 from Mr. Benson's Councilmanic Account, to the Cape Henlopen High School Band and Chorus for expenses associated with a trip to Washington D.C. to represent the State of Delaware in the "World Liberation Music Celebration".

Motion Adopted: 5 Yea.

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

M 171 95 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to give \$400.00 from Mr. Benson's Councilmanic Account to the New Hope Recreation and Development Center to continue their illiteracy and drug-prevention programs.

Motion Adopted: 5 Yea.

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

Public Meeting Road Naming Mr. Stickels, County Administrator, advised that a public meeting for the purpose of receiving input on road naming for the Milford Fire District has been scheduled. The Milford meeting will take place on Thursday, April 20, 1995, at 7:00 p.m. at the Milford Fire Department.

Outdoor Burning Ban Mr. Stickels, County Administrator, advised that the State Fire Marshal, Daniel R. Kiley, has issued an order prohibiting all outdoor burning effective 12:00 noon, Tuesday, April 11, 1995, for Sussex County, due to the extremely dry conditions within southern Delaware.

Funding Request Approved Mr. Stickels, County Administrator, advised that the United States Department of Education has approved the County's application for \$250,200 in LSCA Title II funds for the library automation project.

Citizen's Concern Mr. Tony Boyd-Heron expressed concern regarding a building located outside of Milton that needs to be demolished. The building suffered fire damage several years ago and is a safety hazard to children.

Reassessment Mr. Collins requested that the reassessment issue be placed on the agenda in the near future.

M 172 95 Recess At 11:22 a.m., a Motion was made by Mr. Collins, seconded by Mr. Benson, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Reconvene Mr. Dukes called Council back into session at 1:30 p.m.

Public Hearing C/Z No. 1255 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 AND C-1 GENERAL COMMERCIAL DISTRICT TO A LI-2 LIGHT INDUSTRIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 9.46 ACRES AND 2.79 ACRES, MORE OR LESS" (Change of Zone No. 1255) filed on behalf of O. A. Newton & Son Co. The Public Hearing was closed.

M 173 95 Adopt Ordinance No. 1021 (C/Z No. 1255) A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 1021 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND C-1 GENERAL COMMERCIAL DISTRICT TO A LI-2 LIGHT INDUSTRIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 9.46 ACRES AND 2.79 ACRES, MORE OR LESS" (Change of Zone No. 1255) filed on behalf of O. A. Newton & Son Co.

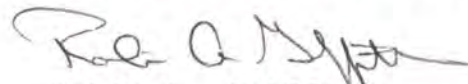
Motion Adopted: 5 Yea.

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

Findings of Fact The Findings of Fact and recommendations of the Planning and Zoning Commission were incorporated into the record and into the Findings of Fact of the County Council. The County Council found that the proposed Change of Zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County. The County Council found that there are other parcels in the immediate vicinity of and across railroad tracks from the proposed site for rezoning which are already zoned LI-2 Light Industrial. The County Council found that the proposed rezoning was in accordance with the surrounding area.

M 174 95 Adjourn A Motion was made by Mr. Benson, seconded by Mr. Collins, to adjourn at 2:15 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council