

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-APRIL 17, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, April 17, 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
George B. Cole	Member
Dale R. Dukes	Member

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

M 195 90
Approve
Minutes

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

Corre-
spondence

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

SUSSEX COUNTY CHAPTER, NATIONAL FEDERATION OF THE BLIND OF DELAWARE, GEORGETOWN
RE: Thanks for contribution of \$1,000.00 to be used for the National Convention Expense Fund.

PARENTS ANONYMOUS OF SOUTHERN DELAWARE, GEORGETOWN
RE: Thanks for the recently issued Proclamation recognizing April 1990 as Child Abuse Prevention Month.

THOMAS R. CARPER, HOUSE OF REPRESENTATIVES, WASHINGTON
RE: Resolution No. R 011 90 passed by the Sussex County Council on March 13, 1990 concerning a request for a reduction in the Medicare enrollment waiting period waiver.

JOSEPH R. BIDEN, JR., UNITED STATES SENATOR, WASHINGTON
RE: Resolution No. R 011 90 passed by the Sussex County Council on March 13, 1990 concerning a request for reduction in the Medicare enrollment waiting period waiver.

DIVISION OF AIR & WASTE MANAGEMENT, DNREC, DOVER
RE: Legal Notice.

DELAWARE RIVER BASIN COMMISSION, NEW JERSEY
RE: Notice of Commission Meeting and Public Hearing.

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Corre-
spondence
(Con't.)

COL. CLIFFORD M. GRAVIET, CHAIRMAN, DELAWARE POLICE CHIEFS'
COUNCIL, INC., DOVER

RE: Requesting assistance in providing partial expenses
to permit their Local Police Coordinator, Mr. Martin Johnson,
to attend the Committee of Executive Directors Meeting at
the International Association of Chiefs' of Police Training
Conference.

LAUREL HIGH SCHOOL BAND BOOSTERS, LAUREL

RE: Appreciation for donation toward the purchase of band
uniforms.

Proposed
Proclama-
tion

Mr. Stickels, County Administrator, read in its entirety
a Proposed Proclamation proclaiming April 29 - May 6, 1990
as Soil and Water Stewardship Week.

M 196 90
Adopt
Proclama-
tion

A Motion was made by Mr. Benson, seconded by Mr. Cole, to
Adopt the Proclamation entitled "SOIL AND WATER STEWARDSHIP
WEEK". Motion Adopted: 5 Yea.

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

Proposed
Proclama-
tion

Mr. Stickels, County Administrator, read a Proposed
Proclamation proclaiming April 22 - 28, 1990 as National
Library Week.

M 197 90
Adopt
Proclama-
tion

A Motion was made by Mr. Benson, seconded by Mr. Dukes,
to Adopt the Proclamation entitled "NATIONAL LIBRARY WEEK".
Motion Adopted: 5 Yea.

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

Summer
Youth
Employ-
ment
Program

Mr. Stickels, County Administrator, reported that the Sussex
County Youth Employment Program would be starting June 25,
1990 and continuing for seven (7) weeks, ending August 10,
1990. To qualify for the program youth must be 14 to 21
years of age, be economically disadvantaged, or be enrolled
in resource or special education courses, or have a physical
handicap which limits their employment. Earnings for a
qualified participant in the program would be approximately
\$900.00.

April 17, 1990

Building
Code
Report

Mr. Stickels, County Administrator, discussed problems that have surfaced with the enforcement of Ordinance No. 617, commonly known as the Building Code. The first phase of the Building Code placed in effect January 15, 1990, established building regulations for multi-family residential dwellings, and business, commercial and industrial structures. Since that time, the Building Code Supervisor and Building Inspectors have become involved in unexpected technical points and see the need for more training. Additional inspectors are also needed before the second phase of the Ordinance regulating single family residential structures can be implemented on June 30, 1990. It is believed that no building projects have been delayed because of the review process, however, in some cases permits have been issued before the review process has been completed indicating some internal problems.

The County Administrator and Building Code Supervisor recommend that the implementation of the second phase of the Building Code, governing single family residential structures, be delayed. Additional time is needed for more training for the inspectors, workshops for contractors, establishing clear guidelines, hiring and training additional inspectors, and solving internal problems. The Standard Building Code will give an opinion on specific technical points when asked, but the final jurisdiction is left to the County.

Councilman Dukes also suggested that established guidelines should be available and amendments made in the Ordinance before enforcement begins. He also recommends workshops be held for local contractors to inform them of the established guidelines.

The County Administrator recommended that Mr. O'Day, Building Code Supervisor, be given until January 1, 1991 to develop a manual with guidelines. At that time, the Council would ask the Standard Building Code Officers to come in and help with the training. He also recommended the date for the enforcement of the building regulations for the single family dwelling structures be delayed until June 30, 1991.

M 198 90
Building
Code
Delay

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to delay the implementation of the Building Code for Single Family Residential Structures until June 30, 1991. Motion Adopted: 4 Yea; 1 Not Voting.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Mariner, Not Voting;
Mr. Stevenson, Yea

April 17, 1990

Adminis-
trator's
Report

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

1. The dedication of the Selbyville Public Library will be held on Saturday, April 28, 1990, starting at 2:00 p.m., at 11 Main Street, Selbyville.
2. The dedication of the Delmar Public Library will be held on Sunday, April 29, 1990, starting at 2:00 p.m. at 101 North Bi-State Boulevard, Delmar.
3. The University of Delaware Small Business Development Center and the United States Small Business Administration will be conducting the following seminars:
 - (1) Bonding Seminar - Tuesday, April 24th, University of Delaware, Newark; and
 - (2) Retirement Planning for Small Business - Thursday, April 26th, Wilmington College Graduate Center, Wilmington.
4. Senate Bill No. 379 passed the Senate and the House and has been forwarded to the Governor to sign for law. This act amends a Chapter of Delaware Code which gives Sussex County Government the authority to create water and sewer districts. It changes the existing chapter to allow the following:
 - (1) Existing wastewater and water facilities located outside the sewer or water district they serve to continue to serve these districts;
 - (2) New wastewater or water facilities to be constructed outside sewer and water districts which are established now or prior to January 1, 1991 provided that the facilities are not located within three-quarters of a mile of the Indian River or inland bays; and
 - (3) The transfer of sewage or water from one sewer or water district to another, except to the new sewer or water facilities located within three-quarters of a mile of the Indian River or inland bays.

Insurance
Recommen-
dations

Mr. Krzys of the Insurance Buyers' Council, Inc., the County's Insurance Consultant, reviewed the Insurance Bids as set out in the minutes of April 3, 1990 and made the following recommendations:

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Insurance
Recommendations
(Con't.)

"As a result of the lack of competition for the majority of the insurance coverages, we are recommending the incumbent proposers for all lines of insurance with the exception of boiler and machinery. We feel Harleysville's (Insurance Professionals) boiler and machinery quotation is the most desirable, especially given the cost advantage. Our recommended program is as follows:

<u>Coverage</u>	<u>Company</u>	<u>Producer</u>	<u>Estimated Annual Premium</u>
Real and Personal Property (\$2,500 Ded.)	Harleysville	Insurance Professionals	\$ 59,462
Earthquake	Harleysville	Insurance Professionals	11,461
Scheduled Property Floater (\$1,000 Ded.)	Harleysville	Insurance Professionals	3,587
Pipeline Floater (\$25,000 Ded.)	CIGNA	Alexander & Alexander	35,700
Combined Boiler & Machinery (\$500 Ded.)	Harleysville	Insurance Professionals	3,958
EDP Equipment, Data, Media & Extra Exp.	Harleysville	Insurance Professionals	2,386
Inland Transit	Harleysville	Insurance Professionals	200
Valuable Papers & Records	Harleysville	Insurance Professionals	69
Fine Arts (\$100 Ded.)	Harleysville	Insurance Professionals	330
Public Officials Faithful Performance Blanket Bond (\$200,000 Limit)	Selective	Insurance Professionals	1,770
Crime	Harleysville	Insurance Professionals	6,916
Extra Expense	Harleysville	Insurance Professionals	2,234
Loss of Rents	Harleysville	Insurance Professionals	641

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Insurance
Recommendations
(Con't.)

<u>Coverage</u>	<u>Company</u>	<u>Producer</u>	<u>Estimated Annual Premium</u>
Workers Compensation	Harleysville	Insurance Professionals	40,850(1)
General Liability (\$2,000,000 Aggregate)	Harleysville	Insurance Professionals	93,658
Airport Liability (\$4,000,000 Combined Single Limit)	USAIG	Insurance Professionals	3,500
Business Auto Liability	Harleysville	Insurance Professionals	24,080
Business Auto Physical Damage (Deductibles: \$100 Comprehensive \$250 Collision)	Harleysville	Insurance Professionals	9,184
Public Officials and Employees Liability (\$2,000,000 Aggregate)	National Union	Pratt	63,130
Law Enforcement Professional Liability	National Casualty	Insurance Professionals	3,976
Total			\$367,092

(1) Estimated Deposit Premium"

M 199 90
Insurance
Bid
Award

A Motion was made by Mr. Cole, seconded by Mr. Benson, to accept the recommendations of the Insurance Buyers' Council, Inc. and award the insurance as recommended. Motion Adopted: 5 Yea.

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

C/Z #828

Change of Zone No. 828, filed on behalf of Donald R. and Terry S. Long, was discussed. Public Hearing was held on June 9, 1987 and action was deferred.

M 200 90
Proposed
Ordinance
C/Z #828
Denied

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM

April 17, 1990

M 200 90
Proposed
Ordinance
C/Z #828
Denied
(Con't.)

A GR GENERAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.03 ACRES, MORE OR LESS" (C/Z #828) filed on behalf of Donald R. and Terry S. Long. Motion Denied: 4 Nay; 1 Not Voting.

Vote by Roll Call: Mr. Benson, Nay; Mr. Cole, Nay;
Mr. Dukes, Not Voting; Mr. Mariner, Nay;
Mr. Stevenson, Nay

Findings
of Facts
C/Z #828

The findings of facts and the recommendations of the Planning and Zoning Commission are hereby incorporated into the record and the findings of facts of the Council. By denying this Ordinance, it has been found that the change of zone is not appropriate legislative action based upon the following findings of facts:

1. The proposed use of land was speculative.
2. The applicant didn't have a specific use for the property.
3. There was no need shown for additional commercial property.
4. There are no commercially zoned properties near the proposed site.

C/Z #1057

Change of Zone No. 1057, filed on behalf of Carolyn A. Truitt and Robert J. Truitt, was discussed. Public Hearing was held March 27, 1990 and action was deferred.

M 201 90
Adopt
Ordinance
675
C/Z #1057

A Motion was made by Mr. Mariner, seconded by Mr. Dukes, to Adopt Ordinance No. 675 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 LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.42 ACRES, MORE OR LESS" (C/Z #1057) filed on behalf of Carolyn A. Truitt and Robert J. Truitt. Motion Adopted: 4 Yea; 1 Abstention.

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

April 17, 1990

Findings
of Facts
C/Z #1057

The findings of facts and the recommendations of the Planning and Zoning Commission are hereby incorporated into the record and the findings of facts of the Council. By adopting this Ordinance, it has been found that the change of zone is appropriate legislative action based upon the following findings of facts:

1. The proposed land use promotes health, safety, and morale of the present and future inhabitants of Sussex County.
2. The proposed land use promotes the convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County in that it is consistent with other commercial zoning in the area.

M 202 90
Approve
Plat
Plan -
Subdivi-
sion
89-20

A Motion was made by Mr. Cole, seconded by Mr. Benson, to approve the Plat Plan for Subdivision No. 89-20, Greystone Manor. Motion Adopted: 5 Yea.

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

Tax
Bills

Ms. Lord, Director of Treasury, recommended that the lowest quote for tax bills be accepted from NCR Business Forms Division, Salisbury, in the amount of \$7,349.00.

M 203 90
Accept
Quote
for Tax
Bills

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to accept the quote from NCR Business Forms Division, Salisbury, for tax bills at a total price of \$7,349.00. Motion Adopted: 5 Yea.

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

Dewey
Beach
Water
District
Agreement

Mr. Collins, Director of Utility Billing, introduced a Proposed Agreement between the City of Rehoboth Beach and Sussex County to purchase water for the Dewey Beach Water District. Mr. Sam Cooper, Public Commissioner for the City of Rehoboth, was present and reviewed some of the changes in the Agreement. Mr. Jones, Assistant County Attorney, concurs with the legal aspect of the Agreement. However, he was asked to negotiate changes in verbiage in the Agreement before it is accepted by the Council.

April 17, 1990

M 204 90
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Benson, to give \$500.00, \$100.00 from each of the five (5) Councilmanic Accounts, to Delaware Police Chiefs' Council, Inc. to assist in providing partial expenses to permit their Local Police Coordinator, to attend the Committee of Executive Directors Meeting at the International Association of Chiefs' of Police Training Conference. Motion Adopted: 5 Yea.

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

M 205 90
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to give \$300.00, from Mr. Cole's Councilmanic Account, to Boy Scout Troop 85 to assist in replenishing equipment and make some improvements to their Scout House. Motion Adopted: 5 Yea.

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

Nanticoke
Advisory
Committee

Councilman Mariner asked that his name be removed from the Nanticoke Advisory Committee and that Councilman Cole be appointed in his place.

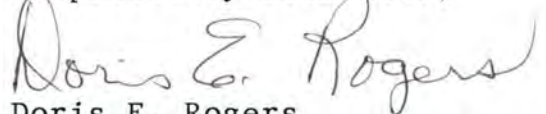
Appoint-
ment
Nanticoke
Advisory
Committee

President Stevenson removed the name of R. James Mariner from the Nanticoke Advisory Committee and appointed George B. Cole as a Sussex County Council representative of the Nanticoke Advisory Committee.

Adjourn

President Stevenson declared the Council Meeting adjourned at 11:45 a.m.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council