

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 20, 1993

Call to Order The regular meeting of the Sussex County Council was held Tuesday, April 20, 1993, 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
William D. Stevenson, Sr.	Member

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

M 152 93 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to approve the minutes of the previous meeting dated April 13, 1993. Motion Adopted by Voice Vote.

Letters Mr. Schrader, Assistant County Attorney, read the following correspondence:

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.
RE: Notice of Commission meeting and public hearing.

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.
RE: To solicit comments and recommendations from the public concerning issuance of a Department of the Army permit to Rehoboth Bay Marina.

Proposed Ordinance Mr. Collins introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 99 OF THE CODE OF SUSSEX COUNTY RELATING TO THE ESTABLISHMENT OF FORESTED BUFFER STRIPS ADJACENT TO AGRICULTURAL FARMLAND". The Proposed Ordinance will be advertised for Public Hearing.

Proposed Proclamation Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation entitled "PROCLAIMING APRIL 18 THROUGH APRIL 24, 1993, AS 'NATIONAL LIBRARY WEEK'". Present to accept the Proclamation was Carol Fitzgerald, Director of Sussex County Libraries.

M 153 93 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt the Proclamation entitled "PROCLAIMING APRIL 18 THROUGH APRIL 24, 1993, AS 'NATIONAL LIBRARY WEEK'".

National Library Week Motion Adopted: 4 Yea, 1 Absent.

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

Proposed Proclamation Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation entitled "PROCLAIMING THE MONTH OF MAY, 1993, AS 'FAIR HOUSING MONTH' IN SUSSEX COUNTY". Present to accept the Proclamation was Charles Farrell, Sussex County Community Development and Housing.

M 154 93 Adopt Proclamation Fair Housing Month A Motion was made by Mr. Benson, seconded by Mr. Collins, to Adopt the Proclamation entitled "PROCLAIMING THE MONTH OF MAY, 1993, AS 'FAIR HOUSING MONTH' IN SUSSEX COUNTY".

Motion Adopted: 4 Yea, 1 Absent.

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

South Coastal Library Facility Mr. Dean Phillips, Town Manager, Town of Bethany Beach, and Carol Fitzgerald, Director of Sussex County Libraries, discussed a joint use agreement for the new South Coastal Library facility. The agreement would delineate the portion of the building that would be used by the County and the portion that would be used by the Town. The agreement would include the following:

- o The Town would be responsible for scheduling the use of the rooms.
- o The County would have first right of refusal over use of the rooms, with a schedule worked out in advance.
- o The Town would be responsible for any activities conducted in the rooms and would indemnify the County against any claims resulting from negligence and other liabilities, etc.
- o Alcoholic beverages would be strictly prohibited in the building.
- o The Town would be responsible for cleaning the rooms and maintaining them in good order.
- o The Town would pay a portion of the utilities based on the square footage of its portion of the building.
- o The Town would provide free trash collection for the County.
- o Anyone would have the right to appeal the decision of the Town regarding the use of the building. The appeal would be made to the County Administrator.

South
Coastal
Library
(con't)

It was the consensus of Council to have the Attorney for the Town of Bethany Beach draw up an Agreement. The Agreement is to be reviewed by the County's Attorney prior to any action taken by Council.

Adminis-
trator's
Report

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

1. Court of Chancery Audit

Jefferson, Urian, Doane & Sterner, Certified Public Accountants, completed an audit of the Court of Chancery financial records on February 8, 1993. It is their opinion that the cash balances of the Court of Chancery as of December 31, 1992, are in conformity with generally accepted accounting principles.

The State of Delaware requires a complete audit when there is a change of officeholders. The audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the schedule of cash. The audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall schedule presented.

2. Sussex Correctional Institute Mural

Jack Lewis, Art Instructor at the Sussex Correctional Institute (SCI), has advised that the mural entitled "Marine Engagement in the Revolutionary War at Lewes" is now complete. The painting is being displayed in the College for Higher Learning at Delaware Technical & Community College, Georgetown. The cost of the painting was \$589.90. The Sussex County Council awarded a grant of \$500.00 towards this cost.

Mr. Lewis would like to thank the Council for participating in what he feels is a very worthwhile project for the inmates of SCI.

3. Sussex County Volunteer Firemen's Association Monthly Meeting

Greenwood Fire Company, Greenwood, Delaware, will host the Sussex County Volunteer Firemen's Association monthly dinner meeting on Tuesday evening, April 27, 1993, at 7:30 p.m. at the Greenwood Fire Hall.

Award Bids for Property and Liability Insurance

Mr. Agar of the Insurance Buyers' Council, Inc. (IBC), the County's Insurance Consultant, reviewed bids for Property and Liability Insurance for Sussex County for the period beginning April 30, 1993, until June 30, 1996. Bids were opened at the meeting of the County Council held on April 6, 1993. As a result of IBC's analysis of the proposals received, the following recommendations were made:

Coverage	Company	Producer	Estimated Premium
Real and Personal Property (\$1,000 deductible)	St. Paul	Montgomery	\$ 69,373
Earthquake/DIC	St. Paul	Montgomery	9,654
Boiler and Machinery (\$1,000 deductible)	HSB	Montgomery	4,750
Electronic Data Processing (\$1,000 deductible)	St. Paul	Montgomery	2,634
Mobile Equipment (Actual Cash Value, \$2,500 deductible)	St. Paul	Montgomery	1,940
Property Floater	St. Paul	Montgomery	1,777
Pipeline Floater (\$250,000 extra expense limit, \$25,000 deductible)	CIGNA	A&A	46,500
Valuable Papers and Records	St. Paul	Montgomery	1,345
Fine Arts (\$500 deductible)	St. Paul	Montgomery	312
Faithful Performance Bond	Selective	Montgomery	1,700
Crime (other)	St. Paul	Montgomery	1,723
Business Income	St. Paul	Montgomery	718
Extra Expense	St. Paul	Montgomery	2,321
Workers Compensation	Selective	Montgomery	78,981

Award Bids (con't)	Coverage	Company	Producer	Estimated Premium
	General Liability	St. Paul	Montgomery	\$ 74,987
	Airport Liability	USAIG	Montgomery	4,900
	Business Auto	Selective	Montgomery	39,300
	Medical Professional Liability (\$1,000,000/\$3,000,000 limits, \$0 deductible)	St. Paul	Montgomery	24,597
	Law Enforcement Liability	National Casualty	Montgomery	4,655
	Umbrella Excess Liability (\$1,000,000 limit)	St. Paul	Montgomery	17,256
	Public Officials Liability (\$2,000,000/\$2,000,000 limits, \$5,000 deductible)	National Union	Pratt	57,750
	Total			<u>\$447,173</u>

M 155 93 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Approve to approve the recommendations of the Insurance Buyers Council, Insurance Inc., for the insurance program effective April 30, 1993. Program

Motion Adopted: 4 Yea, 1 Absent.

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

Proposed Fenwick Island Water District Mr. Archut, Planning and Permits Division Director, discussed the status of the proposed Fenwick Island Water District. The County will be in a position to move forward on a referendum on the issue once a few more petitions are received. Mr. Archut also discussed the possibility of obtaining water from Ocean City, Maryland, for the Fenwick Island Water District. It was the consensus of Council that an inquiry be made to Ocean City to see if there is any interest in this proposal.

Proposed Ordinance Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CRAFT SHOP WITH CONSIGNMENT SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 32,162 SQUARE FEET, MORE OR LESS" (C/U #1040) filed on behalf of Van W. and Penny Milligan. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR MOVIE THEATERS WITHIN AN EXISTING MALL TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 19.10 ACRES, MORE OR LESS" (C/U #1041) filed on behalf of Rehoboth Mall Limited Partnership. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced a 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 BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 11,745 SQUARE FEET, MORE OR LESS" (C/Z #1195) filed on behalf of Gregory W. Sizemore and Noel K. Sizemore. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Collins introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A M MARINE DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 2.9 ACRES, MORE OR LESS" (C/Z #1196) filed on behalf of Linford P. Faucett, T/A Massey's Landing, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING A TOTAL OF 1.725 ACRES, MORE OR LESS" filed on behalf of Robert Hickman, T/A Hickman Sales. The Proposed Ordinance will be advertised for Public Hearing.

M 156 93 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$600.00 (\$300.00 from Mr. Stevenson's Councilmanic Account and \$300.00 from Mr. Benson's Councilmanic Account) to Milford Community Parades, Inc., for this year's parade to be held on Wednesday, October 27, 1993.

Motion Adopted: 4 Yea, 1 Absent.

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

M 157 93 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$250.00 from Mr. Stevenson's Councilmanic Account to the Sussex Central Softball Boosters to purchase uniform shirts.

Motion Adopted: 4 Yea, 1 Absent.

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

M 158 93 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Collins, to provide two porta-potties at Broadkill Beach from May 15th through October, with the cost to be deducted from Mr. Benson's Councilmanic Account.

Motion Adopted: 4 Yea, 1 Absent.

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

M 159 93 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to give \$300.00 from Mr. Collins' Councilmanic Account to the Oak Orchard-Riverdale Civic Association to help develop a Community Crime Watch Program.

Motion Adopted: 4 Yea, 1 Absent.

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

Letter Mr. Schrader, Assistant County Attorney, read the following additional item of correspondence:

STATE OF DELAWARE, DEPARTMENT OF AGRICULTURE, DIVISION OF RESOURCE MANAGEMENT, DOVER.

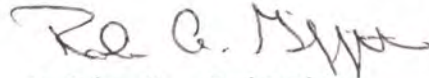
RE: Rescheduling of the signing of the Arbor Day Proclamation.

Request for Funds Rosalie Walls, Executive Director of the Greater Georgetown Chamber of Commerce, was present to solicit funds for The Great American Race. The Race, consisting of vintage cars from the year 1911 through 1942, originated eleven years ago. Georgetown has been selected by one of the sponsors, Interstate Batteries, to host one of The Great American Race pit stops. The pit stop in Georgetown will take place on Saturday, July 10, 1993, between the hours of 8:00 a.m. and 12:00 noon. A decision on the amount of the donation will be made at a later date.

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M 160 93 A Motion was made by Mr. Collins, seconded by Mr. Benson, to
Adjourn adjourn at 11:50 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council