

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 21, 1992

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, April 21, 1992, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George J. Collins	Member
William D. Stevenson, Sr.	Member

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

Absence      Mr. Stickels, County Administrator, announced that Councilman Cole's absence was due to his being on vacation.

M 163 92      A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve      approve the minutes of the previous meeting dated April 14, 1992. Minutes      Motion Adopted by Voice Vote.

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

DELMARVA WATER TRANSPORT COMMITTEE, INC., SALISBURY, MARYLAND  
RE: Meeting notice.

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

ELLENDALE VOLUNTEER FIRE COMPANY, ELLENDALE  
RE: Proposed closings of Route 213 and 113 intersections.

Proposed Closing Route 213 and 113 Intersections      Mr. Stickels, County Administrator, discussed the letter from the Ellendale Volunteer Fire Company regarding the proposed closings of Route 213 and 113 intersections. It was the consensus of Council to support the decision of the Ellendale Volunteer Fire Company to oppose the closings as they will cause delays in emergency responses to the area.

Town of Frankford Moratorium Building Permits      Mr. Stickels, County Administrator, discussed a request from the Town of Frankford that building permits be included under the zoning moratorium in-so-far as they are applications for permits for new construction of buildings or moving existing buildings. The zoning moratorium is in effect until September 30, 1992.

M 164 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Town of that a moratorium be placed on building permits in the Town Frankford of Frankford for new construction of buildings or moving Morator- existing buildings and further; the County Attorney is to ium - investigate the legality of placing a moratorium on building Building permits. Permits Denied Motion Denied: 3 Nay, 1 Yea, 1 Absent

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

The County Attorney will investigate the legality of a moratorium on building permits in the Town of Frankford and report back to Council at the next meeting.

Proposed Mr. Stickels, County Administrator, read in its entirety a Procla- Proposed Proclamation proclaiming April 19 through April 25, mation 1992, as "Living Legacy Week" in Sussex County. Mr. Robert Hudson, Noble Grand of Charity Lodge No. 27, was present to accept the Proclamation.

M 165 92 A Motion was made by Mr. Benson, seconded by Mr. Collins, Adopt to Adopt the Proclamation entitled "PROCLAMATION PROCLAIMING Procla- APRIL 19 THROUGH APRIL 25, 1992, AS 'LIVING LEGACY WEEK' IN mation 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

Proposed Mr. Stickels, County Administrator, read in its entirety a Procla- Proposed Proclamation proclaiming April 26 through May 2, mation 1992, as "National Volunteer Week" in Sussex County. Ms. Lynn Bayard, representing the Retired Senior Volunteer Program (RSVP), was present to accept the Proclamation.

M 166 92 A Motion was made by Mr. Benson, seconded by Mr. Collins, Adopt to Adopt the Proclamation entitled "PROCLAMATION PROCLAIMING Procla- APRIL 26 THROUGH MAY 2, 1992, AS 'NATIONAL VOLUNTEER WEEK' mation IN SUSSEX COUNTY".

Motion Adopted: 4 Yea, 1 Absent

M 166 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

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

1. Delaware Solid Waste Authority

The Delaware Solid Waste Authority set its tipping fee rate for FY '93 on Tuesday, April 14, 1992. The statewide rate will be \$56.20 per ton. This is a 29 percent increase over FY '92. FY '92 experienced a 14.3 percent increase the previous year. Although this rate is lower than what the Authority had originally advertised, it will still cost Sussex County \$190,000 more for FY '93. If the projected rate had not been lowered, there would have been a need for an additional \$82,500.

It is Mr. Stickels' understanding that the Delaware Solid Waste Authority has stopped negotiations for the southern facility incinerator to be located at Jones Crossroads, Millsboro, Delaware. Mr. Stickels is attempting to schedule a meeting with the Delaware Solid Waste Authority to discuss the possibilities of other alternatives to an incinerator.

2. Council Meeting - Tuesday, April 28, 1992

Next week's Council meeting will start at 10:30 a.m. The change in time is necessary to give Council an opportunity to return to Georgetown following the prayer breakfast at the Indian River Senior Center.

Long Neck SSD Mr. Green, Director of Utility Construction, reviewed a recapitulation to date for Contract No. 1, including Change Order No. 3, for the Long Neck Sanitary Sewer District.

M 167 92 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,  
Long Neck SSD that based on the recommendation of the Inspection Engineer, KCI Technologies, Inc., and the Sussex County Engineering Department, that the Sussex County Council authorizes the President of the Sussex County Council to issue Change Order No. 3 for the Long Neck Sanitary Sewer District, Contract No. 1, to Bunting & Murray Construction Company, Inc., for quantity adjustments, for a credit amount of \$19,757.22, decreasing this contract amount to \$2,533,120.99.

Motion Adopted: 4 Yea, 1 Absent

M 167 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;  
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

C/Z Change of Zone No. 1152, filed on behalf of Paul Edward  
No. 1152 Calloway, was discussed. A Public Hearing was held on March  
31, 1992, at which time the record was closed and action was  
deferred.

M 168 92 A Motion was made by Mr. Stevenson, seconded by Mr. Collins,  
Adopt to Adopt Ordinance No. 825 entitled "AN ORDINANCE TO AMEND  
Ordinance THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1  
No. 825 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL  
C/Z DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN  
No. 1152 NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 1.93 ACRES, MORE  
OR LESS" (C/Z #1152) filed on behalf of Paul Edward Calloway.

Motion Adopted: 3 Yea, 1 Nay, 1 Absent

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

Findings The findings of fact and the recommendations of the Planning  
of Fact and Zoning Commission were incorporated into the record and  
Ordinance into the findings of fact of the Council. The Council found  
No. 825 that the change of zone was appropriate legislative action  
in that it promotes the health, safety, moral, convenience,  
order, prosperity, and welfare of the present and future  
inhabitants of Sussex County.

M 169 92 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,  
Council- to give \$500.00, \$100.00 from each Councilmanic Account, to  
manic the Delaware Police Chiefs' Council, Inc. to provide financial  
Account assistance for the Annual Staff Development Seminar.

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 170 92 A Motion was made by Mr. Benson, seconded by Mr. Collins, to  
Council- give \$500.00, \$100.00 from each Councilmanic Account, to the  
manic Delaware Police Chiefs' Council, Inc. to provide financial  
Account assistance to permit the Local Police Coordinator to attend

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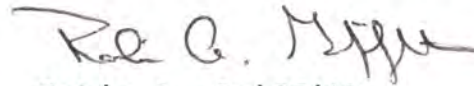
M 170 92 the International Association of Chiefs' of Police Training  
(con't) Conference.

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 171 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson,  
Adjourn to adjourn at 10:40 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council