

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 28, 1992

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, April 28, 1992, at 10:30 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George B. Cole	Member
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.

M 172 92      A Motion was made by Mr. Collins, seconded by Mr. Benson, to  
Approve      approve the minutes of the previous meeting dated April 21, 1992.  
Minutes      Motion Adopted by Voice Vote.

Letters      Mr. Bayard, County Attorney, read the following correspondence:

SUSSEX COUNTY ASCS (AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE), GEORGETOWN  
RE: Deadline for wheat and feed grain sign up.

KERMESHA L. TRAMMELL, SEAFORD  
RE: Student letter regarding drug abuse program.

GEORGETOWN FIRE COMPANY, INC., GEORGETOWN  
RE: Invitation to an open house and dedication for the Sussex Regional Fire Training Center hosted by the Delaware State Fire School and an invitation to the "live burn" training exercise.

JOSEPH R. BIDEN, JR., UNITED STATES SENATE, WASHINGTON, D.C.  
RE: Requesting help in formulating the details of a plan to respond to the economic slowdown of recent months.

VIRGINIA B. WALLS, FENWICK ISLAND  
RE: Petition to establish a water district in the Fenwick Island area in Baltimore Hundred, Sussex County, Delaware.

Zoning      Mr. Stickels, County Administrator, reviewed the first preliminary  
Morator-      report from the Town of Frankford on the status of the  
ium      activities of the Zoning Commission, as required under the terms  
Town of      of the extension of the zoning moratorium approved on February 4,  
Frankford 1992.

Building Permits Moratorium Town of Frankford Mr. Stickels, County Administrator, discussed the request from the Town of Frankford for an extension of the zoning moratorium to include a moratorium on the issuance of building permits. Mr. Stickels reviewed a letter from Tempe Steen, on behalf of the Town of Frankford, dated April 28, 1992, reiterating the Town's request and addressing the legality of the County placing a moratorium on building permits. Mr. Schrader, Assistant County Attorney, has requested more time to review the legality of this issue. It was the consensus of Council to give legal counsel an additional week to review the legality of a moratorium on building permits.

M 173 92 Building Permits Moratorium Town of Frankford A Motion was made by Mr. Cole, seconded by Mr. Collins, to withhold the issuance of building permits, in the Town of Frankford, for new dwellings, existing dwellings being moved into the town limits and the moving of existing dwellings within the town limits, for a period of one week.  
Motion Denied: 3 Nay, 2 Yea.

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

Proposed Proclamation Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation proclaiming Saturday, May 9, 1992, as "A Day of Recognition for Turnabout Counseling".

M 174 92 Adopt Proclamation A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt the Proclamation entitled "PROCLAMATION PROCLAIMING SATURDAY, MAY 9, 1992, AS 'A DAY OF RECOGNITION FOR TURNABOUT COUNSELING'".

Motion Adopted: 5 Yea.

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

Proposed Proclamation Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation proclaiming the week of May 3--9, 1992, as "Delaware State Fire Service Center, Sussex Division Complex Dedication Week".

M 175 92 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt the Proclamation entitled "PROCLAMATION PROCLAIMING

M 175 92 THE WEEK OF MAY 3--9, 1992, AS 'DELAWARE STATE FIRE SERVICE  
(con't) CENTER, SUSSEX DIVISION COMPLEX DEDICATION WEEK'".

Adopt  
Procla- Motion Adopted: 5 Yea.  
mation

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

Proposed Mr. Stickels, County Administrator, read in its entirety a  
Procla- Proposed Proclamation proclaiming May 2, 1992, as "Represent-  
mation tive Charles P. West Day".

M 176 92 A Motion was made by Mr. Collins, seconded by Mr. Benson, to  
Adopt Adopt the Proclamation entitled "PROCLAMATION PROCLAIMING  
Procla- MAY 2, 1992, AS 'REPRESENTATIVE CHARLES P. WEST DAY'".  
mation

Motion Adopted: 5 Yea.

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

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

1. Sussex County Volunteer Firemen's Association Monthly Meeting

Slaughter Beach volunteer firemen will host the monthly Sussex County Volunteer Firemen's Association dinner on Tuesday, April 28, 1992, at 7:30 p.m. at Memorial Fire Company, Slaughter Beach.

2. Inland Bays Estuary Program

The Sussex County Council will host the Inland Bays Estuary Program Stormwater Management Action Plan Demonstration on Friday, May 1, 1992. Students from within Sussex County school systems will be planting freshwater wetlands grass at the Sussex County Industrial Park starting at 9:00 a.m. The grass planting is part of the recently installed Stormwater Management Program that was constructed with the aid of funding from the Environmental Protection Agency. Following the wetlands planting, there will be an Executive Council meeting of the Inland Bays Estuary Program at the Sussex Pines Country Club.

Long Neck SSD Mr. Green, Director of Utility Construction, reviewed a recapitulation to date for Contract No. 2, including Change Order No. 5, for the Long Neck Sanitary Sewer District.

M 177 92 Long Neck SSD A Motion was made by Mr. Collins, seconded by Mr. Benson, 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. 5 for the Long Neck Sanitary Sewer District, Contract No. 2, to R. E. Pierson Construction Company, Inc., for items incidental to construction, as deemed necessary by the engineer, for the amount of \$54,768.82, increasing this contract amount to \$5,427,510.16.

Motion Adopted: 5 Yea.

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

Long Neck SSD Mr. Green, Director of Utility Construction, reviewed a recapitulation to date for Contract No. 3, including Change Order No. 7, for the Long Neck Sanitary Sewer District.

M 178 92 Long Neck SSD A Motion was made by Mr. Benson, seconded by Mr. Cole, that the Sussex County Council authorizes the President of the Sussex County Council to issue Change Order No. 7 for the Long Neck Sanitary Sewer District, Contract No. 3, to Onshore Construction Co., Inc., for items incidental to construction, as deemed necessary by the engineer, for an amount of \$20,159.65, increasing this contract amount to \$2,963,538.46.

Motion Adopted: 5 Yea.

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

SCRWF Agri-cultural Lease Mr. Izzo, Assistant County Engineer, and Mr. Hawkes, Maintenance Supervisor of the South Coastal Regional Wastewater Facility, reviewed with Council an agricultural lease between Sussex County and Donald A. Powell. Mr. Powell is interested in tilling land located at the South Coastal Regional Wastewater Facility.

M 179 92 A Motion was made by Mr. Collins, seconded by Mr. Benson, based upon the recommendation of the Sussex County Engineering Depart-

M 179 92 ment, that the President of the Sussex County Council be  
(con't) authorized to execute an agreement with Donald A. Powell for an  
SCRWF agricultural lease at the South Coastal Regional Wastewater  
Agri- Facility.  
cultural Lease  
Motion Adopted: 5 Yea.

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

M 180 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to give  
Council- \$500.00 from Mr. Cole's Councilmanic Account to the Town of Ocean  
manic View to be used for a water fountain and playground equipment  
Grant at the John West Park.

Motion Adopted: 5 Yea.

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

M 181 92 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to give  
Council- \$500.00 from Mr. Stevenson's Councilmanic Account to the Dublin  
manic Hill 4-H Club to help fund attendance at the American Heritage  
Grant Conference in Washington, D.C.

Motion Adopted: 5 Yea.

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

M 182 92 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to  
Council- give \$300.00 from Mr. Benson's Councilmanic Account to the Milton  
manic Chamber of Commerce to fund the purchase of a new sign.  
Grant

Motion Adopted: 5 Yea.

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

Recess President Dukes declared a recess at 11:05 a.m.

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

Public  
Hearing  
C/Z  
#1158

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-2/RPC HIGH DENSITY RESIDENTIAL - RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 91.88 ACRES, MORE OR LESS" (C/Z #1158) filed on behalf of Bayville Shore Development Corp. Action was deferred and the record was left open for a total of thirty days, allowing fifteen days for the following listed (a) through (e) and allowing fifteen days for public response:

- (a) The County Engineering Department is to verify the report of Gerald G. Friedel of Davis, Bowen & Friedel, Inc.
- (b) The County Engineering Department is to provide additional information on sewage capacity.
- (c) The applicant is to submit a phasing/construction plan.
- (d) DelDOT is to comment on the additional traffic generation impact to this area caused by the renumbering signage of Route 382 to Route 20.
- (e) The applicant is to request and provide an update to the February 21, 1991, letter from the Delaware State Police.

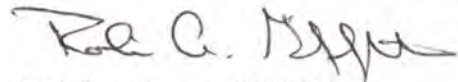
Recess

President Dukes declared a ten minute recess during the Public Hearing.

M 183 92  
Adjourn

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to adjourn at 3:40 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council