

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-MAY 7, 1991

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, May 7, 1991, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

| | |
|---------------------------|-----------|
| Dale R. Dukes | 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 214 91
Approval
of Minutes

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

Corre-
spondence

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

ERIK STICKELS, INDIAN RIVER SCHOOL DISTRICT
RE: Thanks for the contribution that will assist in making the trip to the Odyssey of the Mind World Championship possible.

TONI GOOTEE, CHAIRMAN, LAUREL PARK & RECREATION COMMITTEE, LAUREL

RE: Thanking Mr. Dukes for his contribution toward their 4th of July fireworks fund.

LEROY KLEIN, PRESIDENT, HOME BUILDERS ASSOCIATION OF LOWER DELAWARE, INC., DOVER

RE: Requesting delay of the implementation of the Single Family Building Code until such time as well-trained County inspectors are prepared to handle the job.

WILLIAM J. DRYDEN, ROADWAY DEVELOPMENT AND CONTROL MANAGER, DEPARTMENT OF TRANSPORTATION, GEORGETOWN

RE: Upon his upcoming retirement May 31, 1991, he wanted to thank Mr. Wood, Mr. Green, Mr. Lank, and Mr. Carey, County employees, who have made his job more pleasant by their cooperation.

STEVEN GRIER, CITY OF SEAFORD; JACKIE SMITH, TOWN OF LAUREL; TINA STREET, TOWN OF GEORGETOWN; AND TOM MULLINS, CITY OF MILFORD

RE: The Sussex County DECCASA Community Prevention Coordinators sincerely thank Jodie Smith, Bonnie Wootten, and Fran Hayes for their efforts and assistance in preparing the Sussex County Community Partnership grant proposal.

May 7, 1991

Corre-
spondence
(Con't.)

GLADYS BUNTING, SECRETARY, ATLANTIC COMMUNITY THRIFT SHOP, INC., OCEAN VIEW

RE: If the transfer station fee becomes a reality, requesting an exemption for their nonprofit organization.

DELAWARE RIVER BASIN COMMISSION

RE: Final rule on the Amendment of Project Review Filing Fee Schedule.

CASEY FOSKEY, CENTRAL ELEMENTARY SCHOOL, SEAFORD

RE: Letter concerning the Anti-Drug Abuse Management (ADAM) Program. A request for information concerning the responsibilities and duties of the County Council was included in the letter.

DELAWARE NATURE SOCIETY, HOCKESSIN

RE: Their Newsletter entitled "1991 Summer Programs at Ashland Nature Center and Abbott's Mill Nature Center."

Delaware
Contractors
Assoc.
Education
and Train-
ing
Program

Mr. William Robelen, Director of Education and Training, Delaware Contractors Association, discussed a new program available for Sussex contractors. The program is a comprehensive construction supervisory training program; designed by contractors and taught by contractors. A ten week introductory course held at Sussex Vo Tech, Georgetown, was completed April 3, 1991. The program consists of eleven courses that offer practical and time-proven skills, focusing on increasing the performance and cost-effectiveness of each supervisor. Eighteen employees from eight Sussex County firms participated in the introductory course.

The Dean of Continuing Education at Del Tech, Georgetown, and the Director of the County Economic Development Department are cooperating with the Delaware Contractors Association in promoting and providing facilities for the supervisory training program to be taught at Del Tech starting in October. These same courses have been offered by Associated General Contractors of America chapters across the country and have been taught in New Castle County for the past ten years.

Prime
Hook
Nat'l
Wildlife
Refuge

Mr. Stickels, County Administrator, reported that a check in the amount of \$36,389.00 had been received from the United States Department of the Interior, Fish and Wildlife Service, as a federal payment in lieu of taxes for the Prime Hook National Wildlife Refuge.

The Prime Hook Refuge consists of 8,818 acres lying between Slaughter Beach and the Broadkill River, 71.6 percent of the area is located within the Cape Henlopen School District

May 7, 1991

Prime Hook Nat'l Wildlife Refuge (Con't.) and 28.4 percent is located within the Milford School District. The County formula that has been used for the past several years provides for payment in lieu of taxes for the above acreage to be prorated between the Cape Henlopen, Milford, and Sussex County Vocational-Technical School Districts and the Sussex County Council based upon the tax rate.

M 215 91 A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Council authorize the distribution of revenues received from the Prime Hook National Wildlife Refuge as follows: Sussex County - \$8,076.36; Sussex Vocational-Technical School District - \$1,633.42; Cape Henlopen School District - \$19,102.32; and Milford School District - \$7,576.90. Motion Adopted: 4 Yea; 1 Absent.

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

DSWA Composting Centers Mr. Stickels, County Administrator, read a letter in its entirety from Mr. Vasuki, General Manager, Delaware Solid Waste Authority [DSWA]. As an additional method to assist with the reduction of costs for solid waste handling, DSWA is in the process of setting up yard waste collection and composting centers throughout the state. They project a cost savings of 17 percent once this program is in place. DSWA is asking the County for land at each of the transfer stations for the establishment of a composting center. They would assume responsibility for the operation and management of the centers.

It is the plan of DSWA to establish two waste composting centers in Sussex County immediately, with the other four to be established later. Mr. Stickels recommended that the two immediate centers be located at the Angola and Bridgeville Transfer Station sites; making them convenient for both sides of the County. Adequate land is available at each site for the intended use.

Proposed County Trash Districts Mr. Stickels, County Administrator, reviewed a proposal for Council's consideration that would allow for the establishment of County Trash Districts. This plan would provide an alternative method for the County to develop a workable plan to eliminate the transfer stations and the tipping fees generated by them. To implement the proposal, a Proposed Ordinance(s) would have to be introduced for Public Hearing and adoption.

May 7, 1991

Proposed
County
Trash
Districts
(Con't.)

The proposal as presented by Mr. Stickels for County Trash Districts could be implemented as follows:

- (1) An individual would request County Council to allow for the circulation of a petition for the creation of a trash district;
- (2) Application would be circulated for the collection of 100 signatures of people in favor of the creation of a trash district;
- (3) Upon receipt of the petition, the County Council would request the Engineering Department to establish boundaries for the creation of a trash district;
- (4) The Engineering Department would conduct a public hearing on the proposed boundaries of a trash district; and
- (5) The County Council would approve the proposed boundaries and direct the Engineering Department to conduct a referendum. Upon the successful completion of a referendum, the County Council would allow for the creation of the district.

The County would do the billing and collecting for this service; using the same procedure as the one used for sewer and water districts.

There was much discussion concerning the proposal. It was agreed that if the Proposed Ordinance is adopted today creating an annual fee of \$25.00 for users depositing solid waste at County facilities, it would provide relief for this year; however, alternative plans need to be explored for solving the County's ever increasing solid waste costs.

Proposed
Ordinance
Relating
to Wet-
lands

Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE AMENDING CHAPTER 115, ARTICLE XXV, OF THE CODE OF SUSSEX COUNTY, PROVIDING FOR AN AMENDED BUFFER ZONE, CLARIFYING A GRANDFATHERING PROVISION, AND CREATING A BUILDING SETBACK LINE AT FEDERAL WETLANDS." The Proposed Ordinance will be advertised for Public Hearing.

Adminis-
trator's
Report

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

1. Delaware League of Local Governments Monthly Meeting
- The meeting will be held at the Dinner Bell Inn, Dover, on Thursday, May 23, 1991, with dinner being served at 7:00 p.m. Sussex, Kent, and New Castle Counties have been given an opportunity to speak to those in attendance regarding concerns of County Government for FY '92.

May 7, 1991

Adminis-
trator's
Report
(Con't.)

2. Sussex County Recycling Program - Kenneth James of Seaford, and Ralph E. Powell, Clarksville, were the recipients of the two \$50 U. S. Savings Bonds for the month of April. During the month of April 1,208 people participated in the program; this compares to 1,065 during the month of March. Attendants at the transfer stations are constantly encouraging users to recycle glass, aluminum, and plastics.
3. Fiscal Year 1992 Budget - The FY '92 Budget will be presented to Council at the regularly scheduled Council meeting on Tuesday, May 14, 1991. The news media is invited for a 7:30 a.m. presentation prior to the Council meeting. Inquiries are to be answered during the presentation. Public comments will be received by the County Council at the Public Hearing on Tuesday, June 4, 1991, at 11:00 a.m.

C/U #933

Conditional Use No. 933, filed on behalf of Victor H. Laws, Sr./R & W Contractors, was discussed. Public Hearing was held on May 29, 1990, and action was deferred.

M 216 91
Proposed
Ordinance
(Denied)

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A GR GENERAL RESIDENTIAL DISTRICT FOR AN OFFICE, STORAGE, AND PARKING FOR A GENERAL CONTRACTOR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 11.64 ACRES, MORE OR LESS" (C/U #933) filed on behalf of Victor H. Laws, Sr./R & W Contractors with the following stipulations:

1. The Conditional Use area shall be limited to the cleared area squared off parallel to Route 13A at its deepest point on the sideline; a depth not to exceed 376.75 feet from Route 13A.
2. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

Motion Denied: 2 Yea; 1 Nay; 1 Not Voting; 1 Absent.

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

Public
Hearing

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 91, SUSSEX COUNTY CODE RELATING TO CHARGES FOR DEPOSITING SOLID WASTE AT COUNTY FACILITIES." The Public Hearing was closed.

May 7, 1991

M 217 91
Ordinance
No. 765 -
Amend
Chapter 91
Relating
to Charges
for Deposit-
ing Solid
Waste at
County
Facilities

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 765, As Amended, and set out below:

ORDINANCE NO. 765
AS AMENDED

AN ORDINANCE TO AMEND CHAPTER 91, SUSSEX COUNTY CODE RELATING TO CHARGES FOR DEPOSITING SOLID WASTE AT COUNTY FACILITIES

BE IT ORDAINED BY SUSSEX COUNTY:

1. Amend Chapter 91, Section 91-8 as follows:

§91-8. Charges for depositing solid waste at County facilities.

A. Charges for depositing solid wastes at disposal facilities operated by or for Sussex County will be as follows:

(1) Residents or property owners depositing garbage or rubbish collected from their own residence:

[no charge] is hereby stricken and the following language is inserted in lieu thereof:

An annual fee of TWENTY-FIVE DOLLARS (\$25.00) per year. A special permit will be issued by Sussex County evidencing payment of said charge which will expire upon the anniversary date of its issuance. An annual fee of TEN DOLLARS (\$10.00) for each additional household vehicle used for the deposit of garbage or rubbish collected from their own residence.

2. This Ordinance shall become effective on September 1, 1991.

Motion Adopted: 3 Yea; 1 Abstention; 1 Absent.

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

M 218 91
Council-
manic
Grant

A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to give \$250.00, from Mr. Stevenson's Councilmanic Account, to Friends of the Greenwood Library to assist with purchasing audiovisual materials. Motion Adopted: 4 Yea; 1 Absent.

May 7, 1991

M 218 91
(Con't.)

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

M 219 91
Adjourn

A Motion was made by Mr. Stevenson, seconded by Mr. Collins,
to adjourn at twelve noon. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council