

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 12, 1998

Call to
Order

The regular meeting of the Sussex County Council was held Tuesday, May 12, 1998, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
Finley B. Jones, Jr.	Vice President
George B. Cole	Member
Lynn J. Rogers	Member

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

M 213 98
Approve
Agenda

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to approve the Agenda, as presented.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

M 214 98
Approve
Minutes

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to approve the minutes of the previous meeting, dated May 5, 1998.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

Corre-
spondence

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

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF AIR AND WASTE MANAGEMENT, DOVER, DELAWARE.

RE: Legal Notice regarding Secretary's Order No. 98-A-0014 adopting a new Regulation No. 38 - Emission Standards for Hazardous Air Pollutants for Source Categories in the State of Delaware Regulations Governing the Control of Air Pollution.

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF AIR AND WASTE MANAGEMENT, HAZARDOUS WASTE MANAGEMENT BRANCH, DOVER, DELAWARE.

RE: Public Notice seeking public comment on the draft permit to Star Enterprise for post-closure care of a closed surface impoundment located at the Star Enterprise facility in Delaware City, Delaware.

Corre- ERIC SIMPSON, DOVER, DELAWARE.
spondence RE: Letter of appreciation for Proclamation.
(con't)

DONALD DYKES, CHAMBER DIRECTOR, LAUREL CHAMBER OF COMMERCE,
LAUREL, DELAWARE.
RE: Letter in appreciation of Mr. Dukes' financial support
for the July Fourth Festival.

ROSALIE WALLS, CORRESPONDING SECRETARY, GEORGETOWN HISTORICAL
SOCIETY, GEORGETOWN, DELAWARE.
RE: Letter of appreciation for Councilmanic Grant.

Award/
Robert Mr. Dukes read into the record a Resolution Adopted by the
Stickels Delaware Library Association "Awarding Robert L. Stickels
the Distinguished Service Citation". Mr. Stickels was
presented with this award in appreciation of his outstanding
support of Delaware libraries.

Extended Mr. Stickels, County Administrator, discussed the lack of
County activity during the County's extended hours on Wednesday
Govern- evenings. Mr. Stickels expressed his opinion that the lack
ment of activity does not warrant the County continuing to re-
Hours main open; for this reason, he recommended that extended
hours be discontinued. The public will be made aware that
County officials are available after-hours by appointment.
The Office of the Clerk of the Peace will continue the
policy of extended hours on Wednesday evenings by appoint-
ment only. It was the consensus of Council to accept Mr.
Stickels' recommendation. Council recommended that a notice
be placed in tax bills notifying the public of the County's
hours and of the availability of after-hour appointments.

Proposed Mr. Dukes introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY
TO REMOVE TIME OF SERVICE WITH THE STATE OF DELAWARE AS TIME
CREDITED TOWARD THE PENSION OF COVERED EMPLOYEES". The Pro-
posed Ordinance will be advertised for Public Hearing on
June 9, 1998, at 11:00 a.m.

Adminis- Mr. Stickels, County Administrator, read the following infor-
trator's mation in his County Administrator's Report:
Report

1. Northeastern Regional Association of Assessing Officers
Conference

Beginning Sunday, May 10, through Wednesday, May 13, over
100 property assessment officials from throughout the
northeastern United States will meet in Dewey Beach to
conduct educational seminars to enhance their job per-
formance and share information concerning the ever-
changing field of property assessments.

Adminis-
trator's
Report
(con't)

This is the 34th Annual Conference for this organization and the first time the event has been hosted by the Delaware Association of Assessing Officers. Sussex County's assessors will be taking part in the conference by attending the educational seminars.

This year's conference chairman is Eddy J. Parker, Director of the Sussex County Assessment Division, who serves as Vice President of the Northeastern Regional Association as well as Vice President of the Delaware Assessors Association.

2. Sussex County Status Report, First Quarter 1998 - Delaware State Police

	<u>Troop 4</u> <u>Georgetown</u>	<u>Troop 5</u> <u>Bridgeville</u>	<u>Troop 7</u> <u>Lewes</u>
Total Hours on Duty	12,952.5	12,299.5	15,231.5
Hours Assisted Other Agencies	145.5	47.5	62.5
Total Traffic Arrests	2,880	3,817	2,522
Total DUI's	101	127	131
Accident Reports			
Property Damage	128	174	209
Personal Injury	<u>56</u>	<u>54</u>	<u>47</u>
Total Accident Reports	184	228	256
Criminal Arrests			
Felony	87	61	94
Misdemeanor	<u>264</u>	<u>354</u>	<u>433</u>
Total Criminal Arrests	351	415	527
Total 10-29 P's (wanted persons)	236	222	148
Total Number of Complaints	2,128	3,149	3,488

3. United Electric News and Information - Spring 1998 Newsletter

Included with this report is a copy of the United Electric News and Information newsletter for Spring 1998. Included in the spring newsletter is an article entitled "Sussex County Wastewater Crisis Diverted." This article talks about the rebuild of the Tingle Road Pump Station for the South Coastal Regional Wastewater Facility. The rebuilding of this pump station by County employees, supervised by Steve Hudson, helped avoid a potential service problem, as well as saving the County users thousands of dollars.

1997
Annual
Paramedic
Report/
Single
Medic
Response
Pilot
Study
Proposal

Mr. Torbert, Paramedic Director, presented to Council the 1997 Annual Report for Sussex County Emergency Medical Services. The report showed a total of 10,234 responses for the five paramedic units located across the County compared to 9,600 responses in 1996; each of the five paramedic units is staffed with two paramedics 24 hours a day, 365 days a year. Mr. Torbert addressed the increase in demand for paramedic services resulting from population growth in Sussex County. This increase in demand has resulted in a problem in the response time of paramedic units. Significant issues in response occur due to the size of the County and the distribution of the population. Average (50%) system response times are 9 minutes. Sussex County paramedics get to 90% of calls within 15 minutes. In some areas, the 90% fractile response time is 19 minutes. For 60% of the responses, Sussex County paramedics arrive before or at the same time as the BLS ambulance. In an effort to address this problem and to provide the best EMS system to the residents of Sussex County, Mr. Torbert proposed that a Single Medic Response Pilot Study be performed. It is Mr. Torbert's intent to demonstrate through this study that splitting a 2-paramedic crew into two 1-paramedic crews is a cost-effective alternative to deliver paramedic care faster to a patient without compromising patient care. Mr. Stickels, expressed three concerns with this proposal: (1) State Law prohibits a 1-paramedic crew, (2) cost - a 10 unit paramedic proposal would cost approximately \$1 Million, and (3) paramedics would be working 12-hour shifts all alone. Mr. Torbert asked for Council's approval of this pilot project; he advised Council's approval is the first step in seeking permission from the State EMS Office. It was the consensus of Council to request permission from the State EMS Office to proceed with the Single Medic Response Pilot Study.

Western
Sussex
Sewer &
Water
Planning
Study

Mr. Archut, Assistant County Engineer, discussed the Proposed Western Sussex Sewer and Water Planning Study. This Study was presented to Council on May 5, 1998, after which it was presented to the Western Sussex Water and Wastewater Study Advisory Committee for approval. Mr. Archut advised that the Advisory Committee met and approved the Study.

M 215 98
Adopt
Western
Sussex
Sewer &
Water
Planning
Study

A Motion was made by Mr. Jones, seconded by Mr. Cole, to adopt the Western Sussex Sewer and Water Planning Study prepared by Whitman, Requardt & Associates, LLP, as presented on May 5, 1998.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

Priority List It was the consensus of Council that a priority list be developed for the Western Sussex Sewer and Water Planning area.

M 216 98 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Rogers, to give \$500.00 from Mr. Cole's Councilmanic Account to the Town of Selbyville for municipal pool operating expenses.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

M 217 98 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Cole, to give \$250.00 from Mr. Cole's Councilmanic Account to the Indian River High School Band Boosters for a band trip to Cleveland, Ohio.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

M 218 98 Recess At 11:15 a.m., a Motion was made by Mr. Jones, seconded by Mr. Cole, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

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

Public Hearing (C/U No. 1241) A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR FOUR MINI-STORAGE BUILDINGS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.09 ACRES, MORE OR LESS" (Conditional Use No. 1241) filed on behalf of Carlton R. Moore. The Public Hearing was closed.

M 219 98 Adopt Ordinance No. 1234 (C/U No. 1241) A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Adopt Ordinance No. 1234 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR FOUR MINI-STORAGE BUILDINGS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.09 ACRES, MORE OR LESS" (Conditional Use No. 1241) filed on behalf of Carlton R. Moore, with conditions:

1. This application shall not exceed 98 storage units within four buildings.
2. Access to the storage units shall be limited to the hours of 6:00 a.m. to 12:00 a.m.

M 219 98
(con't)

3. No outside storage shall be permitted.
4. Security lighting shall be shielded and shall be directed away from neighboring properties.
5. One (1) unlighted two-sided sign, not exceeding 4' by 8' may be permitted on the Route 9 side of the property.
6. A 6' high chain-link type of fencing shall be provided around the site. The fencing shall setback a minimum distance of 40' from the right of way of Route 9.
7. Trees shall be planted along the fence along the access easement. Landscaping, as the Commission deems appropriate, shall be required on the Route 9 side of the property.
8. The storage buildings shall set back a minimum of 30' from the side property lines.
9. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Collins, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

Findings
of Fact

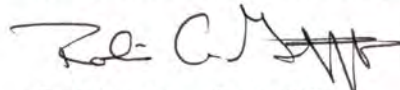
The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that a growing need exists for the use proposed, to be located in a planned town center, without adverse impact of any sort on the surrounding area, because of the nine conditions imposed.
2. The proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

M 220 98
Adjourn

A Motion was made by Mr. Jones, seconded by Mr. Cole, to adjourn at 2:00 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council