

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 16, 2000

Call to Order The regular meeting of the Sussex County Council was held Tuesday, May 16, 2000, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Lynn J. Rogers	President
Dale R. Dukes	Vice President
George B. Cole	Member
Finley B. Jones, Jr.	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney

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

M 245 00 A Motion was made by Mr. Dukes, seconded by Mr. Cole, to approve the
Approve Agenda, as distributed.
Agenda

Motion Adopted: 5 Yea.

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

M 246 00 A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve
Approve the minutes of the May 9, 2000 meeting, as distributed.
Minutes

Motion Adopted: 5 Yea.

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

Delaware Mr. Hawkes, Director of Utility Engineering, presented for Council's
Seashore consideration the final balancing change order for the Delaware Seashore
State Park State Park Pumping Station project.

M 247 00 A Motion was made by Mr. Jones, seconded by Mr. Dukes, based upon
Approve the recommendation of the Sussex County Engineering Department, that
Change the Sussex County Council approves the final balancing change order to
Order/ the contract with David A. Bramble, Inc. for Sussex County Project No.
DSSP 99-14 entitled "Delaware Seashore State Park Pumping Station No. 65",

M 247 00
(continued) thereby decreasing the contract amount by \$5,893.24 from \$388,933.00 to \$383,039.76, and granting final acceptance, effective May 5, 2000.

Motion Adopted: 5 Yea.

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

Issuance of
General
Obligation
Bonds/
Sewer
Related
Projects Mr. Baker, Finance Director, requested Council's permission to introduce a Proposed Ordinance authorizing the issuance of general obligation debt of Sussex County for the construction and equipping of facilities for: the Cedar Neck and Ocean View Expansions of the Bethany Beach Sanitary Sewer District, the Holt's Landing Sanitary Sewer District, the regional improvements to the South Coastal Regional Wastewater Treatment Facility and the North Millville Sewer improvements. The Proposed Ordinance would amend Ordinance No. 1309 to authorize the inclusion of the improvements to the Cedar Neck Expansion to the Bethany Beach Sanitary Sewer District as one of the projects to be financed under the general obligation bonds and to reduce the amount of authorized bonds to \$13,752,100.

Introduction
of Proposed
Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION DEBT OF SUSSEX COUNTY FOR THE CONSTRUCTION AND EQUIPPING OF FACILITIES FOR: THE CEDAR NECK AND OCEAN VIEW EXPANSIONS OF THE BETHANY BEACH SANITARY SEWER DISTRICT, THE HOLTS LANDING SANITARY SEWER DISTRICT, THE REGIONAL IMPROVEMENTS TO THE SOUTH COASTAL REGIONAL WASTEWATER TREATMENT FACILITY AND THE NORTH MILLVILLE SEWER IMPROVEMENTS; AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH". The Proposed Ordinance will be advertised for Public Hearing.

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

1. Beatrice "Bea" Simonds

I am pleased to inform the Council that Governor Thomas R. Carper will be honoring Sussex County, Oak Orchard resident, Beatrice "Bea" Simonds on Thursday, May 18, 2000, at 4:00 p.m. at Governor Carper's Office, Legislative Hall, Dover, Delaware. Bea has been very active in dedicating her time to benefit others. I believe this is a well-deserved recognition.

Adminis-
trator's
Report
(continued)

2. Memorial Day

Sussex County offices will be closed Monday, May 29, 2000 in observance of Memorial Day. Offices will reopen on Tuesday, May 30, at 8:30 a.m. There will be no County Council meeting on Tuesday, May 30, 2000.

Fiscal
Year
2001
Budget

Mr. Stickels submitted to Council the Proposed Operating Budget for Fiscal Year 2001 and the accompanying Budget Letter. Mr. Stickels provided a comprehensive review of the Proposed Operating Budget. Mr. Stickels encouraged Council to review the Proposed Annual Operating Budget carefully prior to the Public Hearing scheduled for June 20, 2000.

The theme of the FY 2001 budget is "The Future Is Now". Mr. Stickels stated that Sussex County has established a strong financial position over the last 12 years. This can be best illustrated by Moody's Investors Service upgrading the County's bond rating from A1 to Aa3. Moody's stated, "The upgrade reflects the County's long history of stable economic growth, minimal levels of tax supported debt, well-maintained financial operations and excellent financial flexibility, reflected in a very high General Fund Balance."

The proposed 2001 year budget calls for General Fund operating expenditures, appropriated surpluses, and appropriated project reserves totaling \$30,111,558. This is an increase of 5.37 percent over FY 2000. The Budget Committee believes the 5.37 percent is a moderate increase, considering the proposed budget allows for an increase in library services, expanded paramedic services, increased funding to the fire service, and increased wastewater service areas that are necessary to allow us to keep pace with the increased population.

Mr. Stickels highlighted the proposed budget that begins July 1, 2000:

- Maintain an operating reserve of a minimum of 18 percent.
- Limit spending, as much as possible, on non-expanded programs.
- Fully fund the outstanding liability of the Pension Program.
- Eliminate tax-supported debt.
- Expand economic employment opportunities, public safety, and library services. (Public Safety - \$9.4 million.; Library - \$2.8 million)
- Upgrade existing wastewater service and expand user base.
- Reduce sewer service costs. (Front foot assessment rates reduced in four sewer districts. \$4,150,000 subsidy to the sewer districts.)
- Revenue Sharing for small towns.
- Airport Improvements (FY '01 - \$2,543.99; next five years - \$10,246,160)

Fiscal
Year
2001
Budget
(continued)

- Tax Rate – 44.5¢ - for the eleventh consecutive year.
- Salary increases for employees - a minimum of three percent.
- Capital Improvement Program totaling \$24,308,449.

Mr. Stickels reported that the proposed 2001 year budget allows for an operating reserve of 20.44 percent. He noted that this reserve is essential if the County is going to avoid any tax or service fee increases in the future.

Mr. Phillips commented on the amount of funding proposed for the fire service and the fact that Sussex County's funding per capita is higher than that of Kent or New Castle County. Utilizing the most recent population projections, the Sussex County Council's contribution of \$1,814,427 calculates to be \$12.69 per capita for fire and ambulance service. This compares to \$2.90 for Kent County and \$5.38 for New Castle County. Mr. Stickels responded that, in addition to providing public safety to the year-round population of Sussex County, the 5 million people that visit the County must be taken into consideration. According to a report released by the Delaware Population Consortium dated July 1, 1999, the population in Sussex County has increased 25.6 percent from 1990 to 1999. This is almost twice the amount of increase, percentage-wise, of 10.7 percent for New Castle County and 13.1 percent for Kent County.

Mr. Phillips asked that the 5 million visitors to Sussex County be factored into the per capita calculation, for comparison purposes.

Mr. Phillips also commented on the amount of funding allocated for the libraries. Mr. Stickels responded that total expenditures for library services for both independent and County responsibilities are \$2,825,502; this computes to \$19.74 per capita for this service. Although State funding has increased, libraries are still under-funded. County-maintained library services only receive nine percent of their funding from the State. Additional funding is going to be necessary if the local libraries are going to be able to provide programs to school students to allow them to keep up with the new State standards. With school libraries not being available on nights and weekends, local libraries will have more demand for extended services and hours.

Mr. Cole recommended an increase in Youth Activity Grant funding. The Proposed FY 2001 Budget includes an allocation of \$30,000 for this funding. Mr. Cole recommended that the amount be increased to \$50,000; \$10,000 per Councilman. It was decided that this proposed increase in funding is something Council can consider during the Public Hearing process.

Fiscal Year
2001 Budget
(continued)

Mr. Cole commented on the County's \$6.1 million reserve and noted that with this amount in reserve, Council should consider returning some of the money to the taxpayers. Mr. Cole suggested that Council consider, for the next budget year, a credit to taxpayers if Sussex County is their domicile. Mr. Stickels emphasized that the \$6.1 million is an unobligated reserve and not a surplus, and further; that the reserve amount is down \$1 million from last year.

Mr. Stickels noted that the type of program suggested by Mr. Cole would be difficult to administrate and easy to abuse by residents. Mr. Stickels noted that the County does not receive complaints that taxes are too high.

Introduction
of Proposed
Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2001". The Proposed Ordinance will be advertised for Public Hearing.

Introduction
of Proposed
Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS". The Proposed Ordinance will be advertised for Public Hearing.

Public
Hearing/
Subdivisions

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE AMENDING CHAPTER 99, SECTION 13 OF THE SUBDIVISION CODE OF SUSSEX COUNTY, RELATING TO NOTICE REQUIREMENTS TO BE GIVEN TO OWNERS WITHIN SUBDIVISION PRIOR TO ALTERATION, RESUBDIVISION, OR ADDITION; REQUIRING THREE-FOURTHS APPROVAL OF PROPERTY OWNERS WITHIN THE SUBDIVISION PRIOR TO PROCEEDING WITH THE HEARING PROCESS; PROVIDING FOR ADDITIONAL STANDARDS FOR DETERMINING APPROVAL OF ALTERATIONS OR ADDITIONS TO SUBDIVISION; PROVIDING A FORM FOR NOTICE BY PUBLICATION; AND CREATING A PROCEDURE FOR THE APPROVAL OF MINOR SUBDIVISIONS". The Planning and Zoning held a Public Hearing on this application on April 27, 2000, at which time action was deferred to review comments submitted by Nancy Jordan.

Public comments were heard. Ms. Jordan stated that the Proposed Ordinance is improved over the previous Ordinance reviewed last fall. Ms. Jordan also offered several recommended changes to the text of the Proposed Ordinance; these recommended changes are incorporated in the record of the Planning and Zoning Commission. The Public Hearing was closed and action was deferred.

Proposed Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A HELISTOP/HELIPORT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 41,600 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1345) filed on behalf of Glenwood Aviation, L.L.C.. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL/MEDICAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 36,198 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1346) filed on behalf of Neurology Properties, L.L.C. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 34.28 ACRES, MORE OR LESS" (Change of Zone No. 1409) filed on behalf of Wedgefield Land, LTD. The Proposed Ordinance will be advertised for Public Hearing.

M 248 00 Councilmanic Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$800.00, \$400.00 each from Mr. Jones' and Mr. Rogers' Councilmanic Accounts, to the Milford Community Parades, Inc. for this year's parade.

Motion Adopted: 5 Yea.

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

Complaints/
Barking
Dogs

Council discussed complaints they have received from constituents regarding the excessive barking of dogs. It was noted that the County does not have any ordinances relating to this issue. Mr. Bayard noted that there are State laws that might assist persons with complaints about barking dogs.

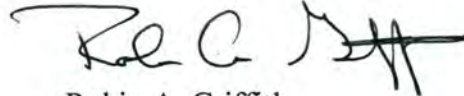
Ocean
Farms
Construction

Ms. Jordan addressed Council regarding construction taking place in Ocean Farms and related problems with sediment and erosion control, permits, and inspections. Mr. Stickels advised Ms. Jordan that he would contact her to discuss this situation.

M 249 00
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 11:55 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council