

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 18, 1999

Call to Order            The regular meeting of the Sussex County Council was held Tuesday, May 18, 1999, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

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

M 251 99            A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to approve Approve Agenda            the Agenda, as presented.

Motion Adopted: 5 Yea.

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

M 252 99            A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to approve Approve Minutes            the minutes of the previous meeting dated May 11, 1999.

Motion Adopted: 5 Yea.

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

Ocean Breezes            Mr. Green, Director of Utility Construction, discussed granting Conditional Acceptance for the wastewater facilities constructed for Ocean Breezes, located in the North Bethany Sanitary Sewer District.

M 253 99            A Motion was made by Mr. Cole, seconded by Mr. Rogers, based upon Grant Conditional Acceptance/ Ocean Breezes            the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Conditional Acceptance for the wastewater facilities constructed for Ocean Breezes, located in the North Bethany Sanitary Sewer District.

M 253 99  
(con't)

Motion Adopted: 5 Yea.

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

Corre-  
spondence

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

DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL, DOVER, DELAWARE.

RE: Pending applications for subaqueous and wetlands projects.

A. TEMPLE CARTER, DELAWARE DEPARTMENT OF  
TRANSPORTATION, DOVER, DELAWARE.

RE: Letter commending County employee, Bonnie Revelle.

STATE OF DELAWARE, PUBLIC SERVICE COMMISSION,  
DOVER, DELAWARE.

RE: Letter responding to Council's concern on the proposed 58% annual  
increase in Long Neck Water Company's water service rates.

STATE OF DELAWARE, GOVERNOR'S COUNCIL ON HISPANIC  
AFFAIRS, DOVER, DELAWARE.

RE: Letter expressing appreciation to Councilman Jones for his  
participation in the La Red meeting on May 5, 1999.

SENIOR PASTOR KIM TEPHABOCK, DAGSBORO CHURCH OF  
GOD, DAGSBORO, DELAWARE.

RE: Invitation to the annual July 4<sup>th</sup> Family Day celebration to be held  
on July 3<sup>rd</sup> beginning at 1:00 p.m.

Proposed  
Ordinance/  
Regulations  
of Mobile  
Homes

The Proposed Ordinance entitled "AN ORDINANCE TO AMEND  
CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, ENTITLED  
"ZONING", TO AMEND THE PROVISIONS RELATING TO THE  
PLACEMENT AND REGULATIONS OF MOBILE HOMES IN  
CERTAIN DISTRICTS" was discussed. A Public Hearing was held on  
the Proposed Ordinance on April 13, 1999, at which time action was  
deferred. Council discussed the recommendation of the Planning and  
Zoning Commission that the Proposed Ordinance be approved with an  
amendment to insert a reference that only mobile homes originally placed  
and permitted prior to March 25, 1997, the effective date of the present  
Ordinance relating to mobile homes, shall be considered (by the Board of  
Adjustment).

M 254 99  
Adopt  
Ordinance  
No. 1308

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to Adopt Ordinance No. 1308 entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, ENTITLED "ZONING", TO AMEND THE PROVISIONS RELATING TO THE PLACEMENT AND REGULATIONS OF MOBILE HOMES IN CERTAIN DISTRICTS", as amended.

Motion Adopted: 5 Yea.

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

Sussex  
Aero  
Maintenance  
Lease

Mr. Calio, Director of Economic Development and Industrial Airpark, reviewed a proposed amendment to a Lease and Operating Agreement between Sussex County and Sussex Aero Maintenance. Mr. Calio explained that the modifications are "housekeeping" in nature, as follows:

- (1) To allow the Lessee to expand the existing structure.
- (2) To recognize that the land area upon which the existing structure is located consists of one acre.
- (3) The Lessor will pay on a monthly basis, as additional rent, three cents per gallon of aviation fuel sold, one hundred low lead, and eight cents per gallon of all jet fuel sold.

M 255 99  
Authorize  
Amendment  
to Sussex  
Aero  
Maintenance  
Lease

A Motion was made by Mr. Dukes, seconded by Mr. Rogers, that the Sussex County Council authorizes the President of the Sussex County Council to execute the First Amendment to the Lease and Operating Agreement between Sussex County and Sussex Aero Maintenance.

Motion Adopted: 5 Yea.

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

M 256 99  
Adopt  
Proclamation

A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to Adopt the Proclamation entitled "PROCLAIMING MAY 18, 1999, AS A DAY TO HONOR GREENWOOD TRUST COMPANY"

Motion Adopted: 5 Yea.

M 256 99  
(con't)

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

M 257 99  
Adopt  
Proclamation

A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to Adopt the Proclamation entitled "PROCLAIMING SATURDAY, MAY 22, 1999, AS A DAY TO HONOR THE GREENWOOD VOLUNTEER FIRE COMPANY".

Motion Adopted: 5 Yea.

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

Adminis-  
trator's  
Report

Mr. Stickels, County Administrator, distributed the following Administrator's Report:

1. Route 1 Concept Study

The Delaware Department of Transportation will be holding a public workshop on the Sussex Route 1 Grid Concept Study. The workshop will take place on Wednesday, May 26, 1999, from 4:00 to 8:00 p.m. at the Rehoboth Elementary School, 500 Stockley Road, Rehoboth Beach, Delaware. The study is looking at Rehoboth Avenue entrance improvements; pedestrian/bicycle movement between Airport Road and Rehoboth; Route 1 shoulder widening between Five Points and Route 24; Five Points intersection improvements; the park-and-ride lot near Five Points; and the new multi-modal roadway connection to serve the proposed park-and-ride near Five Points, linking Route 1 with a portion of Route 9.

I would encourage residents and business owners in the area to attend this workshop.

2. Troop 4 Status Report – Month of April

The following hours of duty and enforcement were compiled by the uniformed patrol officers at Troop 4, Georgetown, Delaware, during the month of April 1999:

Total Hours on Duty	4,528.5
Hours Assisted Other Agencies	50
Total Traffic Arrests	1,378
Total DUI Arrests	30

Adminis- trator's Report (con't)	Accident Reports: Property Damage	50
	Personal Injury	<u>15</u>
	Total Accident Reports	65
	Criminal Arrests: Felony	24
	Misdemeanor	<u>68</u>
	Total Criminal Arrests	92
	Total 10-29 P's (wanted persons)	55
	Total Numbers of Complaints	620

In addition to their normal activities, officers of Troop 4 also participated in the Citizens Police Academy graduation, Victims Vigil at Dover, and members served on a committee for the Veterans Cemetery Dedication in Millsboro.

Proposed  
Operating  
Budget  
for Fiscal  
Year 2000

Mr. Stickels, County Administrator, submitted to Council the Proposed Operating Budget for Fiscal Year 2000 and the accompanying Budget Letter. Mr. Stickels read the Budget Letter in its entirety and 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 15, 1999. At the end of his presentation, the benefits of the Fiscal Year 2000 Budget were outlined, as follows:

- No tax increases.
- General Fund capital debt reduction.
- Increased funding to pension fund.
- Revenue Sharing.
- Public Safety funding.
- Sewer Assistance Program.
- Tax Subsidy Program.
- Capital Improvements Program.

Proposed  
Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2000". The Proposed Ordinance will be advertised for Public Hearing.

Proposed  
Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION

Proposed Ordinance (con't)

CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS". The Proposed Ordinance will be advertised for Public Hearing.

Discussion/ Proposed Operating Budget for Fiscal Year 2000

Mr. Phillips expressed concern that (1) the amount of money the County has received to date as a result of the transfer tax far exceeds the projected 1999 budget figure and (2) the projected 2000 budget figure is "quite low". Mr. Phillips distributed charts that reflect a reduction in revenue projections in the 1999 and 2000 budgets. Mr. Phillips questioned these revenue projections.

Mr. Stickels and Mr. Baker, Finance Director, advised that the Budget Committee feels that the estimates are fiscally responsible and conservative and that projections are made with consideration given to potential changes in the economy.

Mr. Stickels stated that if at the end of the fiscal year, revenues received exceed projections, the additional funds received would be used towards General Fund debt reduction.

Mr. Phillips also expressed concern regarding how much revenue the County needs and questioned whether excess funds could be returned to the taxpayers. Mr. Phillips questioned the increase in spending projected in the Fiscal Year 2000 Budget.

Mr. Stickels responded to Mr. Phillips that the County currently returns to the taxpayers \$4.2 Million in grant funding alone; funding is also allocated for the following services: paramedics, public safety (fire service and police), and library. Mr. Stickels emphasized the importance of reducing the General Fund debt and maintaining a contingency fund.

Mr. Dukes, Mr. Jones, and Mr. Rogers commended Mr. Stickels and Mr. Baker on the preparation of the budget.

Proposed Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A 50 LOT EXPANSION TO AN EXISTING MANUFACTURED HOME PARK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 25.05 ACRES, MORE OR LESS" (Conditional Use No. 1295) filed on behalf of Layton's Riviera, Inc. and Bayard and Phyllis Layton. The Proposed Ordinance will be advertised for Public Hearing.

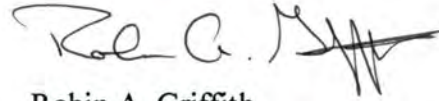
Relay for Life

Mr. Jones reported on the success of the American Cancer Society's Relay for Life fundraiser.

M 258 99  
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 12:05 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council