

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-MAY 21, 1991

Call
to Order

The regular meeting of the Sussex County Council was held on Tuesday, May 21, 1991, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice-President
William D. Stevenson, Sr.	Member
George B. Cole	Member
George J. Collins	Member

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

M 224 91
Approval
of Minutes

A Motion was made by Mr. Stevenson, seconded by Mr. Collins, 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:

GWENDOLYN MCLAUGHLIN, PRESIDENT, WILLIAM RITTER MANOR HOMEOWNERS ASSOCIATION, MILLSORO, DELAWARE

RE: Letter requesting the County to inspect the private roads in William Ritter Manor which were torn up due to installation of sewer pipes, and also requesting notification as to when reconstruction of these roads would begin.

It was noted that there are two contractors involved in this project; one has until December 1991 and the second contractor has until June 1992 to complete their work. Council was informed, however, that one contractor is on-site today to start road reconstruction.

HARRY H. DUKES, BOARD PRESIDENT, INDIAN RIVER SCHOOL DISTRICT, FRANKFORD, DELAWARE

RE: Letter on behalf of the Indian River School District regarding the Sussex County Vocational-Technical School District's request for a 17 cent tax increase. It is the Indian River Board of Education's position that Sussex Tech should be given the opportunity to ask the public to support a tax increase via a referendum.

ALEX SHIPLEY, ADRIAN CANNON, AND BARBARA ALLEN, CAPE HENLOPEN SCHOOL DISTRICT

RE: Student letters concerning the Anti-Drug Abuse Management (ADAM) Program.

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(Con't.)

HANDICAP ADVOCACY NETWORK OF DELAWARE, INC., WILMINGTON, DELAWARE
RE: Submitting the Spring 1991 issue of "HANDi Network News".

Paramedic
Unit
Deployment

Mr. Walton Johnson, Jr., Chairman of the Sussex County Paramedic Advisory Committee's Deployment Subcommittee, presented Council with copies of the Subcommittee's "Recommendation for Paramedic Unit Deployment", dated May 13, 1991. Also present was Michael Harris, Acting Sussex County Paramedic Director. Mr. Johnson advised Council that the goal of the paramedic unit deployment is to allow 90 percent of Sussex County's residents to be within eight minutes response time of a paramedic unit. With that goal in mind, it is the Subcommittee's recommendation, as to the implementation plan for deployment of the five paramedic units, that the units be deployed permanently in the following locations: Five-Points, Stockley, Southern Seaford, Millville, and Ellendale. The implementation plan for the five paramedic units has been recommended to occur in five phases. Each phase will be dependent upon Paramedic Trainees becoming Certified. October 1, 1992 is the projected date for all five paramedic units to be deployed. Mr. Johnson also informed Council that the Subcommittee is recommending a completely independent, third-party, paramedic service and, consequently, it is recommended that these paramedic units should not be based, at any time, in a hospital, satellite medical facility, or in fire stations. For the Memorial Day Weekend (from noon on Thursday, May 23, until noon on Tuesday, May 28, 1991), the Subcommittee is recommending that two paramedic units be brought on line -- one in the Five-Points area and one in the Millville/Ocean View area. No action was taken on the Subcommittee's deployment recommendations. The County Administrator and the County's Acting Paramedic Director will investigate possible deployment locations before any units are placed.

Paramedic
Contract

Mr. Stickels, County Administrator, reviewed with Council the proposed contract for paramedic delivery service between the County and the Department of Health and Social Services. Dennis Schrader, Assistant County Attorney, has reviewed the contract and has approved the contract as to form. Mr. Stickels advised the Council that this agreement will be the foundation for the Fiscal Year 1992 agreement between the State and the County.

M 225 91
Approve
Paramedic
Contract

A Motion was made by Mr. Cole, seconded by Mr. Benson, for the County to enter into a contract with the Delaware Department of Health and Social Services - Division of

May 21, 1991

M 225 91
(Con't.)

Public Health - for Paramedic Delivery Service for the period July 1, 1990 through June 30, 1991. Motion Adopted: 5 Yea.

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

Bid
Opening/
Transfer/
Station
No. 5 -
Laurel

A Bid Opening was held on the Operation and Maintenance of Sussex County Transfer Station No. 5, Laurel, Delaware. The following annual lump sum bids were received:

Eastern Waste Industries, Inc. Salisbury, Maryland	\$20,268.00
Browning-Ferris, Inc. Salisbury, Maryland	\$37,750.00
White Line, Inc. Georgetown, Delaware	\$28,800.00

Mr. Bayard, County Attorney, will review the above bids and a recommendation will be presented to Council next week.

Vista
Road
Closing/
Dewey
Beach

Mr. Stickels, County Administrator, reviewed with Council a past request which had been received for the closing of Vista Road in Dewey Beach. At the Council meeting on January 22, 1991, Council had been advised of a request from the Delaware Department of Transportation soliciting Council's comments concerning the closing of Vista Road. At that time, John E. Messick, Esquire, representing petitioners, had filed an action with the Court to close this road. The County, at that time, went on record as opposing the closing of Vista Road. Mr. Stickels advised Council that a copy of a letter dated May 17, 1991, which was sent to Superior Court Judge Lee, had been received from James A. Fuqua, Jr., Esquire. Mr. Fuqua's letter, on behalf of the Town of Dewey Beach, advised Judge Lee that the Town was withdrawing its original objection to the Vista Road closing. The County has also received a letter dated May 21, 1991 from John E. Messick, Esquire, requesting the Council to withdraw its opposition to this road closing in light of the fact that the Town of Dewey Beach has recently withdrawn its opposition. It was noted that the County's ten foot easement on Vista Road, which it obtained in 1974 for the Dewey Beach Sanitary Sewer District, would not be affected by the road closing.

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M 226 91
Withdraw
Opposition
to Vista
Road
Closing

A Motion was made by Mr. Cole, seconded by Mr. Benson, for the County to withdraw its opposition to the closing of Vista Road, located in Dewey Beach, Delaware. Motion Adopted: 5 Yea.

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

Mr. Bayard, County Attorney, will notify the Court of Council's action today in withdrawing its opposition to the Vista Road closing.

Sediment
Control/
Stormwater
Management
Program

Mr. Bayard, County Attorney, presented Council with copies of a Proposed Ordinance for Sediment Control and Stormwater Management, Senate Bill No. 359, and a Proposed Sediment Control and Stormwater Management Program prepared by the Sussex Conservation District. Senate Bill No. 359 requires that if the County is going to assert jurisdiction over stormwater management it do so with a DNREC-approved program before July 1, 1991. Ms. Beth Horsey and Mr. Robert Williams, of the Sussex Conservation District, were present to discuss the proposed Program.

Proposed
Ordinance/
Sediment
Control &
Stormwater
Management

Mr. Stevenson introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY BY ADDING THERETO CHAPTER 90, TO PROVIDE FOR SEDIMENT CONTROL AND STORMWATER MANAGEMENT". This Proposed Ordinance will be advertised for a Public Hearing. Sussex County State Legislators and DNREC officials will be invited to attend Council's public hearing.

SCAT
Meeting

Mr. Stickels, County Administrator, reported to Council that the Sussex County Association of Towns' meeting for the month of June will be held on Wednesday, June 5, 1991, at the Lighthouse Restaurant, Angler Road, Lewes, Delaware. A 15-minute presentation prior to the guest speaker will be given on Water and Wastewater Office Legislation by DNREC officials -- Edwin H. Clark, Secretary, and Gerard L. Esposito, Director, Division of Water Resources. The guest speaker will be Janet Rzewnicki, Treasurer of the State of Delaware, who will be speaking on Delaware finances.

Memorial
Day
Services/
Parade

Mr. Stickels, County Administrator, informed Council of an invitation received from various Posts of the American Legion and the Veterans of Foreign Wars for Council to attend a Memorial Day Parade scheduled in

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(Con't.)

Seaford on Monday, May 27, 1991, starting at 10:00 a.m. Services will also be held at the Memorial Monument in Kiwanis Park, on Stein Highway, starting at 11:00 a.m.

DelDOT
Public
Hearing/
Closing
Portion
of County
Road #536

Mr. Stickels, County Administrator, advised Council that the Delaware Department of Transportation will be holding a Public Hearing on Tuesday, June 11, 1991, at 10:00 a.m. in the Conference Room of the Department of Transportation, Division of Highways, Administration Building, located at the intersection of County Road No. 431 and U.S. Route 113, near Georgetown. The hearing will be held to allow for public input regarding the closing of a portion of County Road No. 536, extending on a southwesterly direction from the intersection of Sussex County Road No. 542 with Sussex County Road No. 536, a distance of approximately 200 feet.

Public
Hearing/
Amend Solid
Waste Ord.

A Public Hearing was held on Proposed Ordinance entitled "AN ORDINANCE TO AMEND §91-10 SUSSEX COUNTY CODE RELATING TO VIOLATIONS AND PENALTIES FOR VIOLATION OF THE SOLID WASTE ORDINANCE". The Public Hearing was closed.

M 227 91
Amend Solid
Waste Ord.
(Motion
Died)

A Motion was made by Mr. Cole to adopt Proposed Ordinance entitled "AN ORDINANCE TO AMEND §91-10 SUSSEX COUNTY CODE RELATING TO VIOLATIONS AND PENALTIES FOR VIOLATION OF THE SOLID WASTE ORDINANCE". Motion Died for the lack of a second.

Proposed
Easement
County/
Town of
Bethany
(Pump
Station
on Tingle
Road)

Mr. Robert Green, Chief of Utility Construction, was present to review with Council the Town of Bethany's request for a permanent easement on Tingle Road (Route 26). This proposed easement with the County would allow the Town to complete a road improvements project to allow for a deceleration lane, which would be located on a few feet of the County's pumping station property on Tingle Road. Mr. Green informed Council that this easement would have no known impact on present or future operations of the County's pump station. Mr. Green also presented Council with a video presentation showing the area in question on Tingle Road.

M 228 91
Execute
Easement
with County
and Town
of Bethany

A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council authorizes the President of the Sussex County Council to execute an easement between Sussex County and the Town of Bethany Beach for the purpose of a deceleration lane on Sussex County Tax Map 1-34-13.19 - Parcel 49, also known as Tingle Road Pump Station #43-B. Motion Adopted: 5 Yea.

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M 228 91
(Con't.)

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

Statement
by Council-
man Dukes/
Single
Family
Building
Code

Council President Dukes read the following Statement into the record:

"I would like to once again state my reason for voting to delay the single family building code. It seems some news media did not hear what I said.

I am not against the single family building code and believe the record shows I voted for it originally.

I said last week, and I will say one more time when we are prepared to start enforcing this I am in agreement.

I request for Mr. Stickels to study and report back to the Council by August 20, 1991 the most feasible way to enforce such a program. I have had two reputable contractors contact me about becoming certified by Southern Building Code Association and subcontracting the inspections from the County.

This might be better than to have six people on our payroll with compensation, benefits, and mileage. This will give time for further review and I expect we can start enforcing the single family building code either this calendar year or certainly this fiscal year."

M 229 91
Adjournment

At 12:04 p.m., a Motion was made by Mr. Collins, seconded by Mr. Stevenson, to adjourn. Motion Adopted by Voice Vote.

Respectfully submitted,



Nancy J. Cordrey
Acting Clerk of the County Council