

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 17, 1997

Call to Order The regular meeting of the Sussex County Council was held Tuesday, June 17, 1997, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

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

M 262 97 A Motion was made by Mr. Jones, seconded by Mr. Collins, to Approve Agenda approve the Agenda, as presented. Motion Adopted by Voice Vote.

M 263 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to Approve Minutes approve the minutes of the previous meeting, dated June 10, 1997.

Motion Adopted: 5 Yea.

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

Corre- Mr. Bayard, County Attorney, read the following correspondence:
spondence

MRS. KASSIE WELLS, EXECUTIVE DIRECTOR, MISS DELAWARE SCHOLARSHIP ORGANIZATION, GEORGETOWN, DELAWARE.

RE: Letter requesting funds to sponsor Miss Delaware's trip to Oklahoma City, Oklahoma, for vocal instruction.

M 264 97 A Motion was made by Mr. Cole, seconded by Mr. Collins, to give Council- \$600.00 (\$100.00 each from Mr. Cole's, Mr. Dukes', Mr. Jones', Grant and Mr. Rogers' Councilmanic Accounts and \$200.00 from Mr. Collins' Councilmanic Account) to the Miss Delaware Scholarship Organization to provide funding for Miss Delaware's trip to Oklahoma City, Oklahoma, for vocal instruction.

Motion Adopted: 5 Yea.

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

Corre- U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.
spondence RE: Notice announcing the initiation of the preconstruction
(con't) engineering and design (PED) phase of the Chesapeake and
Delaware Canal-Baltimore Harbor Connecting Channels (Deep-
ening), Delaware and Maryland.

JOSEPH R. BIDEN, JR., UNITED STATES SENATE, WASHINGTON, D.C.
RE: Letter of response to Mr. Stickels regarding House
Resolution 883 and 906.

Shady Mr. Green, Director of Utility Construction, discussed granting
Park Beneficial Acceptance for wastewater facilities constructed in
Shady Park, Phase III, Section IIC, located in the Fenwick
Island Sanitary Sewer District.

M 265 97 A Motion was made by Mr. Cole, seconded by Mr. Rogers, based
Grant upon the recommendation of the Sussex County Engineering Depart-
Bene- ment, for Sussex County Project No. 81-04, that the Sussex
ficial County Council grant Beneficial Acceptance for the gravity
Accep- wastewater facilities constructed in Shady Park, Phase III,
tance/ Section IIC, located in the Fenwick Island Sanitary Sewer
Shady District.
Park

Motion Adopted: 5 Yea.

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

Contract Mr. Izzo, County Engineer, submitted for Council's approval
Amend- an amendment to an existing contract with Delta Airport Con-
ment/ sultants, Inc., in the amount of \$79,786.00. Delta Airport
Delta Consultants, Inc. will oversee the bidding of and perform
Airport construction inspections on Sussex County Project No. 97-04,
Consul- a project providing for the installation of medium intensity
tant's, taxiway lights and guidance lights at the Sussex County Air-
Inc. port. This project will be funded as follows: FAA - 90%,
State - 5%, County - 5%.

M 266 97 A Motion was made by Mr. Rogers, seconded by Mr. Jones, based
Approve upon the recommendation of the Sussex County Engineering De-
Contract partment, that Amendment No. 2 of the Engineering Agreement
Amend- with Delta Airport Consultants, Inc. of Richmond, Virginia,
ment/ be approved in the amount of \$79,786.00, contingent upon receipt
Delta of the approval of the Sussex County Finance Director.
Airport
Consul-
tant's,
Inc.

Motion Adopted: 5 Yea.

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

IRB/
Baywood,
L.L.C.

Mr. Baker, Finance Director, discussed the issuance of revenue bonds by Sussex County for Baywood, L.L.C., a manufactured housing community of approximately 726 homes, plus amenities, including a golf course, on a parcel of approximately 500 acres. The bonds will finance the sewage disposal system, the central water supply system and other portions of the project which qualify for tax exempt financing under applicable federal tax laws. The amount of financing will not exceed \$5,600,000 at any one time outstanding; the County has no financial liability for these bonds. Mr. Baker reviewed a Proposed Resolution entitled "RESOLUTION OF INTENTION TO ISSUE COMMERCIAL DEVELOPMENT REVENUE BONDS (BAYWOOD, L.L.C. PROJECT)". It was noted that the following amendment to the Proposed Resolution should be made: Paragraph 2, Line 6 - Insert "and public golf course" immediately following "manufactured housing community". Mr. Baker advised that issuance of the bonds is contingent on final approval of the commitment letter for the bonds.

M 267 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adopt Adopt Resolution No. R 020 97 entitled "RESOLUTION OF INTENTION
Resolu- TO ISSUE COMMERCIAL DEVELOPMENT REVENUE BONDS (BAYWOOD, L.L.C.
tion No. PROJECT), as amended.
R 020 97

Motion Adopted: 4 Yea, 1 Nay.

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

Wilmington Mr. Stickels, County Administrator, discussed a request from
Trust/ the Wilmington Trust Company to extend the term of their lease
Lease of office space at Sussex County's West Complex. This request
Extension is permitted in accordance with options outlined in the Lease
Agreement dated March 29, 1996.

M 268 97 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to
Authorize authorize the extension of a Lease Agreement with Wilmington
Wilmington Trust Company, dated March 29, 1996, for a term of one year,
Trust until June 30, 1998; all other terms and conditions of the
Lease Lease Agreement will remain in full force and effect.
Extension Motion Adopted: 5 Yea.

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

Proposed Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE
Ordinance TO AMEND CHAPTER 115, THE CODE OF SUSSEX COUNTY, DELAWARE, BY
AMENDING ARTICLE XXV, RELATING TO ELECTRICAL SYSTEMS IN COASTAL
AND FLOOD-PRONE DISTRICTS". The Proposed Ordinance will be
advertised for Public Hearing.

Adminis-
trator's
Report

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

1. Extended Hours

The following activities took place during the extended hours on Wednesday, June 11, 1997:

- (a) Treasury Division - No activity from 7:30 a.m. to 8:30 a.m., two telephone calls from 4:30 p.m. to 7:30 p.m.;
- (b) Utility Billing Division - No activity from 7:30 a.m. to 8:30 a.m., one telephone call from 4:30 p.m. to 7:30 p.m.;
- (c) Recorder of Deeds - No activity from 7:30 a.m. to 8:30 a.m. and ten document recordings, one public information, and two telephone calls from 4:30 p.m. to 7:30 p.m.;
- (d) Planning and Zoning - One building permit between 7:30 a.m. and 8:30 a.m., and six building permits and two telephone inquiries from 4:30 p.m. to 7:30 p.m.;
- (e) Assessment Division - No activity from 7:30 a.m. to 8:30 a.m., one tax release from 4:30 p.m. to 7:30 p.m.

2. Public Workshop

The Delaware Department of Transportation will be conducting the first public workshop for a Statewide Bicycle and Pedestrian Transit Access Study. The meeting will be held on Monday, June 23, 1997, from 7:00 p.m. to 9:00 p.m. at the Rehoboth Elementary School, 500 Stockley Street, Rehoboth Beach, Delaware. The first of six corridors to be examined as part of the statewide study is the section of State Route 1 extending from Rehoboth to Dewey Beach. The public workshop will provide citizens with an introduction to the project, overall constraints to bicycling and walking within the corridor, and preliminary design solutions for targeted areas.

3. Cornerstone Setting

A ceremony will take place on Tuesday, June 24, 1997, starting at 9:00 a.m. in the new County Administrative Office Building. The ceremony will include a cornerstone setting by Franklin Lodge No. 12 Masons of Georgetown. Additionally, individual County employees will be recognized for their contribution to the construction of the new building.

Adminis-
trator's
Report
(con't)

Anyone who wishes to have an item placed in the corner-
stone should have the item delivered to the County
Administration Office by Friday, June 20, 1997. The
public is encouraged to attend the ceremony.

Public
Hearing/
Fiscal
1998
Budget

A Public Hearing was held on the Sussex County Fiscal 1998
Budget for General Fund, Bond Issues, Community Development
and Housing Grant Programs, Sewer and Water Districts, and
Capital Improvement Programs as proposed on May 20, 1997.
A Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING
THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 1998" was pre-
sented for consideration. There were no public comments and
the Public Hearing was closed.

Public
Hearing/
Assess-
ment
Rolls

A Public Hearing was held on Assessment Rolls for Dewey Beach
Water District, Dewey Beach Sanitary Sewer District, Bethany
Beach Sanitary Sewer District, South Bethany Sanitary Sewer
District, Fenwick Island Sanitary Sewer District, Blades San-
itary Sewer District, North Bethany Expansion of the Bethany
Beach Sanitary Sewer District, Henlopen Acres Sanitary Sewer
District, Long Neck Sanitary Sewer District, Dagsboro-Frankford
Sanitary Sewer District and the West Rehoboth Expansion of the
Dewey Beach Sanitary Sewer District. Mr. Archut, Assistant
County Engineer, noted that the only increase in the budget is
an increase in system connection charges. Concern was expressed
regarding the new connection charge for the Dagsboro-Frankford
Sanitary Sewer District in the amount of \$4,082.00. Growth has
been slow in this District and additional capacity is available.
In an effort to stimulate growth in the area, it was recommended
to decrease the connection charge for the Dagsboro-Frankford
Sanitary Sewer District to \$2,954.00 for one year. Mr. Cole
expressed his reasons for opposing this recommendation. A
letter from Mr. John Sergovic was read into the record. There
were no public comments and the Public Hearing was closed.

Public
Hearing/
Proposed
Ordinance
Estab-
lishing
Rates

A Public Hearing was held on the Proposed Ordinance entitled
"AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL
ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND TREAT-
MENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND
SANITARY SEWER DISTRICTS". The information from the previous
hearing was incorporated into the record of this Public Hearing,
including the letter of Mr. John Sergovic. There were no
public comments and the Public Hearing was closed.

M 269 97
Adopt
Assess-
ment
Rolls

A Motion was made by Mr. Collins, seconded by Mr. Cole, that
the Sussex County Council hereby adopts the Assessment Rolls
for all Sussex County Sanitary Sewer and Water Districts, as
presented on June 17, 1997, for the period July 1, 1997 to
June 30, 1998.

Motion Adopted: 5 Yea.

M 269 97 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
(con't) Mr. Jones, Yea; Mr. Collins, Yea;
Mr. Dukes, Yea

M 270 97 A Motion was made by Mr. Collins, seconded by Mr. Cole, to
Adopt Adopt the Proposed Ordinance entitled "AN ORDINANCE ESTABLISH-
Proposed ING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COL-
Ordinance LECTION AND TRANSMISSION AND TREATMENT, AND CONNECTION CHARGES
Estab- FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS", as
lishing presented.
Rates

Motion Denied: 4 Nay, 1 Yea.

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

M 271 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adopt Adopt Ordinance No. 1146 entitled "AN ORDINANCE ESTABLISHING
Ordinance ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION
No. 1146 AND TRANSMISSION AND TREATMENT, AND CONNECTION CHARGES FOR ALL
Estab- SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS", with the
lishing amendment that the connection charge for the Dagsboro-Frankford
Rates/ Sanitary Sewer District be \$2,954.00 (for a period of one year).
Sewer
and
Water

Motion Adopted: 4 Yea, 1 Nay.

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

1998 Mr. Collins discussed a proposed amendment to the Annual
Budget Operating Budget for Fiscal Year 1998.

M 272 97 A Motion was made by Mr. Collins that the minimum pay increase
Pay for County employees be \$1,000.00. The Motion died for the
Increase lack of a second.

M 273 97 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to
Adopt Adopt Ordinance No. 1147 entitled "AN ORDINANCE ESTABLISHING
Ordinance THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 1998".
No. 1147

Motion Adopted: 5 Yea.

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

Jack On behalf of Council, Mr. Rogers extended condolences to the
Northam family of Jack Northam and to the Laurel Fire Company and Town
of Laurel. Mr. Northam passed away on Monday, June 16, 1997.
Mr. Northam was a member of the Laurel Fire Company and served
on the Town Council of Laurel for many years.

M 274 97 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Collins, to give \$1,000.00, \$500.00 from Mr. Jones' Councilmanic Account and \$500.00 from Mr. Dukes' Councilmanic Account, to the Seaford Revival Center Mission for the roof replacement project.

Motion Adopted: 5 Yea.

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

M 275 97 Councilmanic Grant A Motion was made by Mr. Jones, seconded by Mr. Collins, to give \$200.00 from Mr. Jones' Councilmanic Account to the American Cancer Society to sponsor "The Fight Is On" Team in the Annual American Cancer Society's "Relay for Life".

Motion Adopted: 5 Yea.

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

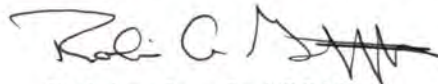
M 276 97 Councilmanic Grant A Motion was made by Mr. Rogers, seconded by Mr. Jones, to give \$50.00 from Mr. Rogers' Councilmanic Account to the First State Hot Air Balloon Team for expenses associated with their trip to South Dakota for the Corn Palace Balloon Rally.

Motion Adopted: 5 Yea.

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

M 277 97 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Jones, to adjourn at 11:45 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council