

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 23, 1998

Call to Order The regular meeting of the Sussex County Council was held Tuesday, June 23, 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
George J. Collins	Member
Lynn J. Rogers	Member

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

M 275 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to Approve Agenda approve the Agenda, as presented.

Motion Adopted: 5 Yea.

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

M 276 98 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to Approve Minutes approve the minutes of the previous meeting, dated June 16, 1998.

Motion Adopted: 5 Yea.

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

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

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.
RE: Public Notice soliciting comments and recommendations from the public concerning issuance of a Department of the Army permit. (Applicant: David D. Tidwell. Waterway: Morris Mill Pond.)

GEORGE KRUPANSKI, EXECUTIVE DIRECTOR, BOYS & GIRLS CLUB OF DELAWARE, WILMINGTON, DELAWARE.
RE: Letter regarding statistics concerning the Western Sussex Boys & Girls Club.

JAY HAYMAN, BASKETBALL COACH, EASTON HIGH SCHOOL, EASTON, MARYLAND.
RE: Letter regarding Slam Dunk to the Beach Basketball Tournament.

Corre-
spondence
(con't)

THOMAS R. CARPER, GOVERNOR OF THE STATE OF DELAWARE, DOVER,
DELAWARE.
RE: Letter regarding the efficiency of Delaware's EMS system.

DTN
Weather
Center
System

Mr. Stickels, County Administrator, and Mr. Thomas, Director of Emergency Operations, presented a proposal to fund the purchase of eight DTN Weather Center systems for the coastal communities of Slaughter Beach, Lewes, Rehoboth Beach, Dewey Beach, Bethany Beach, South Bethany and Fenwick Island. The City of Seaford was also included to give Western Sussex a weather system. Placement of this system in these areas, along with the system recently installed at the Sussex County Emergency Operations Center in Georgetown, would provide weather systems County-wide. The proposal to fund the purchase of these systems also provides for the fees for the first year to be paid for by the County with the town's continuing the annual payments thereafter. The proposed pricing/fees was presented, as follows:

One time "start-up" fee	\$230.00 per unit
Shipping	<u>55.00</u> per unit
	\$285.00 per unit
Monthly subscription fee	\$ 72.00 per month (\$864.00 per year)
Tropical Weather/Hurricane	\$ 10.00 per month (\$ 60.00 for six months)
<u>Total cost per unit for one year</u>	<u>\$1,209.00</u>

Mr. Clark Patterson, a representative of DTN (Data Transmission Network Corporation), presented an overview of the DTN Weather Center system. The system provides instant access to comprehensive regional and national weather forecasts and information with no on-line, access or other phone fees. The satellite delivery technology of DTN Weather Center provides unlimited usage of the most current weather data available, 24 hours a day, 7 days a week. DTN Weather Center gives time-sensitive weather information, from locals forecasts and regional radar maps to national infra-red satellite images.

Mr. Stickels and Mr. Thomas advised that there has been a decline in the service received from the National Weather Service; it has become more difficult to speak to officials, it takes longer to receive reports, and reports received are not up-to-date. The DTN Weather Center system would provide the County with current weather conditions without delay.

It was the consensus of Council that the coastal towns and the City of Seaford be contacted to determine their interest in paying annual fees (including the first year's fees) if the County funds the purchase of the equipment.

Road Naming Administrative Corrections Mr. Norwood, Supervisor of Mapping and Addressing, presented for Council's consideration a list of requested road name changes for the E-911 Rural Readdressing Project. Mr. Cole requested one amendment to the list; to amend West Road to West Drive. Mr. Rogers requested on amendment to the list; to incorporate any road name changes listed in a letter dated January 22, 1997 that were not included on the list presented at this meeting.

M 277 98 Approve Road Naming Administrative Corrections A Motion was made by Mr. Rogers, seconded by Mr. Jones, that the Sussex County Council approves the road name changes for the E-911 Rural Readdressing Project presented on June 23, 1998, with the amendment to change West Road to West Drive and with the amendment to include the road name changes listed in a letter dated January 22, 1997.
Motion Adopted: 5 Yea.

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

Funding Request Mr. Stickels, County Administrator, presented a request from the Delaware Volunteer Firemen's Association for the Sussex County Council to sponsor the Memorial Service to be held at their annual convention.

M 278 98 Authorize Grant/FY 1999 Budget A Motion was made by Mr. Rogers, seconded by Mr. Jones, to give \$2,000 from the Fire Service Discretionary Account under Grants in the Fiscal 1999 Budget for the Delaware Volunteer Firemen's Association Memorial Service.
Motion Adopted: 5 Yea.

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

Legislative Update Mr. Stickels, County Administrator, presented for Council's information a legislative update. Bills discussed were:

House Bill 525 - Revenue Sharing

House Bill 345 - Reassessment

House Bill 361 - Mobile Home Transfer Tax for Kent and New Castle County

Senate Bill 400 - Prohibits Authorities from hiring lobbyists.

House Bill 397 - Intergovernmental Relations

Legis-
lative
Update
(con't)

- House Bill 486 - Tuition-based Paramedic Program.
- House Bill 625 - Exempts volunteer fire companies from applications of specific zoning regulations.
- House Bill 707 - Permits Department of Finance or Chief County Official to authorize disapproval of a final bid at Sheriff's sale.
- House Bill 709 - Encourages recycling by permitting mileage deductions.
- House Bill 714 - Gives Board of Adjustment another reason for giving variances for exceptional practical difficulties.
- House Bill 661 - Creates trash districts.

Mr. Stickels noted that there are five days left in legislative session; the status of these bills will continue to be monitored.

Adminis-
trator's
Report

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

1. Status Report (May) - Delaware State Police Troop 4, Georgetown

The following hours of duty and enforcement were compiled by the uniformed patrol officers at Troop 4, Georgetown, Delaware, during the month of May 1998:

Total Hours on Duty	4,140.50
Hours Assisted Other Agencies	49.0
Total Traffic Arrests	920
Total DUI Arrests	34
Accident Reports: Property Damage	53
Personal Injury	<u>29</u>
Total Accident Reports	82
Criminal Arrests: Felony	15
Misdemeanor	<u>94</u>
Total Criminal Arrests	109
Total 10-29 P's (wanted persons)	74
Total Number of Complaints	808

In addition to the patrol hours, Troop 4 sponsored an Open House at Camp Barnes on May 2. Troop 4 personnel also assisted with the Presidential security detail on

Adminis-
trator's
Report
(con't)

May 8, participated in the Delaware State Police Job Fair on May 16, and participated in the Special Olympics Benefit on May 21.

2. Delaware Technical and Community College, Women in Transition Program

On June 19, 1998, the Sussex County Council was honored at a program at Delaware Technical and Community College from the Women in Transition Program. County Council was recognized for creating and supporting employment opportunities for displaced homemakers, single mothers, and other women in transition. Seven percent of the County's workforce is made up of single working mothers and other women in transition.

Proposed
Street-
lighting
District/
Meadows
on
Cabbage
Pond

Mr. Izzo, County Engineer, discussed the Proposed Meadows on Cabbage Pond Streetlighting District. The Sussex County Engineering Department has recommended an estimated annual billing rate of \$34.65 per residential or commercial improvement within The Meadows on Cabbage Pond Proposed Streetlighting District. Mr. Izzo requested that Council establish a date, time, and place (Tuesday, July 21, 1998 from 3:00 p.m. - 6:00 p.m., at the residence of Mr. and Mrs. Herman C. Lockwood, Jr.) of a referendum to be held to consider the question of establishing this Proposed Streetlighting District.

M 279 98
Adopt
Resolu-
tion No.
R 015 98

A Motion was made by Mr. Jones, seconded by Mr. Collins, to Adopt Resolution No. R 015 98 entitled "A RESOLUTION ESTABLISHING THE DATE, TIME, AND PLACE OF A REFERENDUM TO BE HELD TO CONSIDER THE QUESTION OF ESTABLISHING THE PROPOSED MEADOWS ON CUBBAGE POND STREETLIGHTING DISTRICT".

Capital-
ization
Fee
Ordinance
Phase III
West
Rehoboth

Mr. Archut, Assistant County Engineer, reviewed a draft of a Capitalization Fee Ordinance for Phase III properties of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. This Ordinance applies the Sewer Capitalization Fee enacted in 1990 for Phase I and II of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District to Phase III of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. Proposed Fees are as follows:

Parcels 10,000 ft² and above - \$500.00
Parcels 5,001 to 9,999 ft² - \$375.00
Parcels 5,000 ft² and less - \$250.00

Parcels with multiple EDUs - Amount given above for first EDU and \$250.00 for each additional EDU

Condominium - \$ 250.00/unit

It was noted that these are the same fees for Phases I and II.

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF SUSSEX COUNTY, TO AMEND THE PROVISIONS RELATING TO THE SEWER CAPITALIZATION FEE". The Proposed Ordinance will be advertised for Public Hearing.

Waste-water Facilities Mr. Green, Director of Utility Construction, discussed waste-water facilities constructed in Spinnaker Village in the Bethany Beach Sanitary Sewer District and Seabright Village Condominium located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 280 98 Grant Beneficial Acceptance/ Spinnaker Village A Motion was made by Mr. Cole, seconded by Mr. Collins, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Spinnaker Village located in the Bethany Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

M 281 98 Grant Beneficial Acceptance/ Seabright Village A Motion was made by Mr. Cole, seconded by Mr. Collins, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Seabright Village Condominium, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Public Hearing/ General Obligation Bonds/ Airport Terminal Building A Public Hearing was held on a Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY FOR IMPROVEMENTS FOR A COUNTY AIRPORT TERMINAL BUILDING AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH". Mr. Baker, Finance Director, advised that the maximum aggregate principal amount of the Bonds will not exceed \$750,000. These funds will finance a portion of the cost of the construction and equipping of the project. The interest rate will be a maximum of 4.75 percent; the term will be a maximum of 40 years. Discussion centered around projected revenues and expenditures, the size of the terminal building, the size and capacity of the restaurant to be located within the terminal building, and the need for the new terminal building. Public comments were heard in support of this project and the Public Hearing was closed.

M 282 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adopt Ordinance No. 1243 entitled "AN ORDINANCE AUTHORIZING
Ordinance THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY
No. 1243 FOR IMPROVEMENTS FOR A COUNTY AIRPORT TERMINAL BUILDING AND
AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH".

Motion Adopted: 5 Yea.

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

Proposed Mr. Cole introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1
AGRICULTURAL RESIDENTIAL DISTRICT FOR MINI STORAGE AND OUT-
SIDE RECREATIONAL VEHICLE AND BOAT STORAGE TO BE LOCATED ON
A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUN-
DRED, SUSSEX COUNTY, CONTAINING 8.13 ACRES, MORE OR LESS"
(Conditional Use No. 1253) filed on behalf of Robert M.
Davis. The Proposed Ordinance will be advertised for Public
Hearing.

Proposed Mr. Cole introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A
M MARINE DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND
BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.07
ACRES, MORE OR LESS" (Change of Zone No. 1342) filed on be-
half of North Beach, L.L.C. The Proposed Ordinance will be
advertised for Public Hearing.

Proposed Mr. Dukes introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1
AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF
LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY,
CONTAINING 83.38 ACRES, MORE OR LESS" (Change of Zone No.
1343) filed on behalf of Burton Brittingham. The Proposed
Ordinance will be advertised for Public Hearing.

Proposed Mr. Rogers introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A
C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF
LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY,
CONTAINING 2.55 ACRES, MORE OR LESS" (Change of Zone No.
1344) filed on behalf of Frank E. Appel. The Proposed
Ordinance will be advertised for Public Hearing.

Proposed Mr. Cole introduced the Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A
C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF

Proposed Ordinance (con't) LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.09 ACRES, MORE OR LESS" (Change of Zone No. 1345) filed on behalf of Dick Appel. The Proposed Ordinance will be advertised for Public Hearing.

M 283 98 Councilmanic Grant A Motion was made by Mr. Rogers, seconded by Mr. Cole, to give \$500.00 from Mr. Rogers' Councilmanic Account to the Memorial Volunteer Fire Company, Inc. of Slaughter Beach for the 4th of July fireworks display.

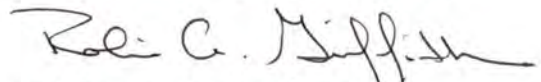
Motion Adopted: 5 Yea.

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

Wicomico County Council Mr. Dukes recognized members of the Wicomico County Council who were present for a luncheon and tour of the Sussex County Administrative Office Building.

M 284 98 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Jones, to adjourn at 11:50 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council