

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JUNE 25, 1996

Call to Order The regular meeting of the Sussex County Council was held Tuesday, June 25, 1996, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

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

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

M 265 96 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to approve the Agenda, as presented. Motion Adopted by Voice Vote.

M 266 96 A Motion was made by Mr. Collins, seconded by Mr. Cole, to approve the minutes of the previous meeting dated June 18, 1996. Motion Adopted by Voice Vote.

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

THE DELMARVA WATER TRANSPORT COMMITTEE, SALISBURY, MARYLAND.
RE: Second Quarter, 1996, newsletter.

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, AIR RESOURCES SECTION, DOVER, DELAWARE.
RE: Notice of Public Hearing on a new proposed regulation, Regulation No. 36 - Acid Rain Program.

JANET LEE, CHAIRMAN, LAUREL PARK & RECREATION COMMITTEE, LAUREL, DELAWARE.
RE: Letter to Mr. Dukes in appreciation of his Councilmanic Grant.

SPANGLER KLOPP, D.V.M., PRESIDENT, DELMARVA POULTRY INDUSTRY, INC., GEORGETOWN, DELAWARE.
RE: Letter in appreciation of Council's \$10,000 grant to the University of Delaware to help with operations of the poultry diagnostic laboratory near Georgetown.

ROBERT D. KERNS, EMS TRAINING OFFICER, REHOBOTH BEACH PATROL, REHOBOTH BEACH, DELAWARE.
RE: Letter requesting the Sussex County Paramedic Unit to be on site during the Mid Atlantic Regional Surf Lifeguarding Championships.

GOVERNOR THOMAS R. CARPER, STATE OF DELAWARE, DOVER, DELAWARE.
RE: Letter addressing Mr. Dukes' concerns regarding proposals to amend or redirect the planning and zoning responsibilities of local and state government.

Corre- JEAN W. BARTLETT, TREASURER, FOURTH OF JULY PARADE COMMITTEE,
spondence BETHANY BEACH, DELAWARE.
(con't) RE: Letter in appreciation of Mr. Cole's Councilmanic Grant.

Local Mr. Stickels, County Administrator, discussed the availability
Law of funding under the new Local Law Enforcement Block Grants
Enforce- Program. Notification has been received that Sussex County
ment is eligible to apply to the Bureau of Justice Assistance for
Block a direct award of \$81,739 under this Program. Funding may be
Grants used for seven purpose areas which address a wide variety of
Program activities from increasing personnel and equipment resources
for law enforcement to developing and supporting programs to
enhance effective criminal justice processes. Federal funds
provided under a grant from this Program may not exceed 90
percent of the total cost of the project; a matching share
of 10 percent must be paid by the County. Mr. Stickels
recommended that the County apply for the funding and then
the towns could apply to the County for a portion of the
funding. Mr. Stickels proposed that the 10 percent matching
share would be split between the towns and the County. A
committee will be set up consisting of five police chiefs
to review applications from the towns and to make a recommen-
dation on what towns would receive funding.

M 267 96 A Motion was made by Mr. Stevenson, seconded by Mr. Collins,
Apply for to authorize the County Administrator to apply for funding
Funding/ in the amount of \$81,739 under the new Local Law Enforcement
Local Block Grants Program.

Law Motion Adopted: 4 Yea, 1 Absent.

Enforce- Vote by Roll Call: Mr. Benson, Absent; Mr. Cole, Yea;
ment Mr. Collins, Yea; Mr. Stevenson, Yea;
Block Mr. Dukes, Yea
Grants
Program

Security Mr. Stickels, County Administrator, discussed the privatiza-
Guard tion of security guard officer services at the Industrial
Officer Park. It was reported at the June 11, 1996, Council meeting
Services that bids for these services were received from Bennett
Security Service, Wackenhut Security, and Confidential
Services, Inc. Current estimated costs to provide security
service (\$121,693) were compared to estimated contract costs
with the low bidder, Bennett Security Service (\$59,792). A
projected annual savings in the amount of \$61,900 would be
realized if the County privatized these services. Mr. Stickels
noted that the bid from Bennett Security Service was for a
term of one year. Mr. Stickels requested permission to
negotiate a two-year contract with Bennett Security Service.

M 268 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, to
Negotiate authorize the County Administrator to negotiate a two-year
Contract/ contract with Bennett Security Service for security guard
Security officer services at the Industrial Park.

M 268 96
(con't)

Motion Adopted: 3 Yea, 1 Nay, 1 Absent.

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

Legis-
lative
Update

Mr. Stickels, County Administrator, provided Council with the following legislative update.

1. House Bill No. 417 (with Amendment No. 1 and No. 2)

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO LIMITATIONS UPON TAXING POWER

This Bill clarifies that no open space required by a county to be included in a subdivision shall be subject to taxation.

Mr. Stickels will continue to monitor this Bill.

2. House Bill No. 660

AN ACT TO AMEND TITLES 2, 9 AND 30 OF THE DELAWARE CODE RELATING TO AERONAUTICS AND COUNTY BUILDING CODES

This Bill is a step in a long overdue process of modernizing Delaware's Aeronautics Code.

3. Senate Bill No. 454

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY OR MUNICIPAL BUILDING, PLUMBING, ELECTRICAL, AND OTHER CODES

This Bill gives local governments the option of utilizing alternate methods to insure that commercial buildings of less than 5,000 square feet comply with ASHRAE/IES Standard 90.1-1989, the energy efficiency standard adopted by the State of Delaware, rather than requiring that a licensed engineer certify compliance as would be the case with larger structures.

Building
Code
Issues

Mr. Stickels, County Administrator; Mr. Milligan, Building Code Supervisor; and Mr. Parker, Director of Assessments, discussed the following issues pertaining to building code requirements:

1. Town of Dewey Beach Building Code Enforcement

Effective July 1, 1996, Sussex County will enforce Single-Family, Multi-Family and Commercial Building Code requirements within the town limits of Dewey Beach.

Building Code Issues (con't)

2. Single-Family Home - Architect Seal Requirement

Effective July 1, 1996, drawings of newly constructed, Single-Family homes, in excess of 5,000 square feet, will require an architect's seal. Calculations for the 5,000 square feet will not include basements that are not designated as living space, porches, decks, and garages.

3. Energy Code Compliance

Effective July 1, 1996, a work-sheet or computer read-out will be required. Once completed, First State Inspection Agency will determine if the home is in compliance with the Energy Code.

4. Architects' and Engineers' Drawings

Following a ruling by the Attorney General's Office, the County will accept drawings signed and sealed by architects and engineers.

5. Modular Home Inspections

Currently, the County does plan reviews and First State Inspection Agency does footing, foundation and final. Mr. Stickels was looking at the possibility of the County doing the footing, foundation and final; however, following an analysis of this procedure, it did not prove to be cost effective. For this reason, no changes will be made.

6. Proposed Ordinance Relating to Review and Inspection Fees for Building Construction

A Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 52 OF THE CODE OF SUSSEX COUNTY RELATING TO REVIEW AND INSPECTION FEES FOR BUILDING CONSTRUCTION" was discussed. The Proposed Ordinance includes a minimum fee of \$90.00 for plan review and inspection.

Proposed Ordinance Mr. Collins introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 52 OF THE CODE OF SUSSEX COUNTY RELATING TO REVIEW AND INSPECTION FEES FOR BUILDING CONSTRUCTION". The Proposed Ordinance will be advertised for Public Hearing.

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

1. Delaware State Historic Preservation Grant

Mr. Stickels has been notified by the Delaware State Historic Preservation Office and the Grant Selection

Adminis-
trator's
Report
(con't)

Committee of the Delaware State Review Board for Historic Preservation that Sussex County has been awarded a federal grant in the amount of \$21,435. This funding will be used with \$14,290 that is provided in the FY '97 budget for the expenses of the Engineering Department's Historic Preservation Planner. This will mark the second year the County has received this funding.

2. Immigration Update

Included with this report was a copy of a News Release from Senator Joe Biden's Office. The release outlines additional activities that the Immigration and Naturalization Service is going to take regarding the increased immigration population in Sussex County. It should be noted that Senator Biden will be hosting another community meeting on Thursday, July 18, 1996, at Jones Hall, Wesley United Methodist Church, West Laurel Street, Georgetown. Mr. Stickels will make Council aware once a time has been set.

3. Sussex County Long-Range Transportation Plan

Included with this report was a notice of a public meeting regarding the Sussex County Long-Range Transportation Plan. DelDOT will host a public workshop on Tuesday, July 16, 1996, at Delaware Technical and Community College, Jack F. Owens Campus, Georgetown, Delaware, in the Lobby/Theater area starting at 5:00 p.m. Mr. Stickels encourages residents of Sussex County to attend this very important public workshop.

4. County Office Closing

Sussex County government offices will be closed on Thursday, July 4, 1996, in observance of Independence Day. Offices will reopen Friday, July 5, 1996, at 8:30 a.m. Additionally, there will not be a County Council meeting Tuesday, July 2, 1996. The next regularly scheduled meeting will be on Tuesday, July 9, 1996, at 10:00 a.m. in the County Council Chambers, Room 115, Courthouse, Georgetown, Delaware.

Insurance Mr. Baker, Finance Director, and Mr. Agar of Insurance Buyers' Buyers' Council, Inc. discussed the County's Request for Insurance Council Proposals, dated March 21, 1996. Proposals were received for Insurance twenty-three different insurance policies, including Real and Recommendation Personal Property, Liability, Public Officials Liability, Auto, Workmen's Compensation, Ocean Outfall, Crime, and Boiler and Machinery. Mr. Agar reviewed, for Council's consideration, the insurance bid award recommendation. The total bid award

Insurance is in the amount of \$452,720; the coverage period is for three Buyers' years, from July 1, 1996 to June 30, 1999. The bid award Council recommended by Mr. Agar will produce an estimated savings of Insurance \$52,400 per year versus the County's present coverage. Mr. Recommendation Baker asked that the following additional items be taken into consideration

1. Recommendation that the County hold up on awarding the crime coverage insurance until negotiations have been completed.
2. No recommendation at this time for Paramedic Liability Insurance. The current policy does not expire until November, 1996.
3. Recommendation to increase boiler and machinery deductible from \$1,000 to \$10,000.
4. Recommendation to continue to obtain quotations and purchase Fiduciary Liability and Engineers Professional Liability Insurance if it is cost-effective and complies with County bid law limits.

M 269 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, that Approve the Sussex County Council approves the recommendation of Insurance Buyers' Council, Inc. for insurance for the period of July 1, 1996 through June 30, 1999, with the following conditions:

Insurance
Buyers'
Council

1. The Boiler and Machinery Insurance deductible will be increased from \$1,000 to \$10,000.
2. The Finance Director is authorized to approve the final Crime Coverage Policy.
3. The Finance Director will report back to the County Council with a recommendation for Medical Professional Liability Insurance.
4. The Finance Director is authorized to pursue quotations and purchase Fiduciary Liability and Engineers Professional Liability Insurance if it is cost-effective and complies with County Bid Law Limits.

Motion Adopted: 4 Yea, 1 Absent.

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

Paramedic Mr. Stevenson, Paramedic Director, provided Council with an Station update on Paramedic Station locations. Over the past five Locations years, more accurate data has become available and this

Paramedic Station Locations (con't) information is being used to determine if stations are appropriately located. Property on which Paramedic Stations are located is leased to provide flexibility in relocating the Stations once a lease expires. Mr. Stevenson advised that the lease for Station No. 104, Five Points, will expire at the end of June. Mr. Stevenson stated that it is necessary at times to adjust locations to provide better service to the community, and for this reason, he is proposing that Station No. 104 be relocated close to the Intersection of Routes 1 and 24.

Proposed Amendment/Blades Sanitary Sewer District Agreement with City of Seaford Mr. Archut, Director of Planning and Permits, discussed a Proposed Amendment to the Blades Sanitary Sewer District Agreement for wastewater treatment with the City of Seaford. Mr. Archut explained that additional land was annexed into the Town of Blades in February, 1996; however, sanitary sewer service could not be provided without the approval of the City of Seaford. On June 11, 1996, the City of Seaford approved an Amendment to the Blades Sanitary Sewer District Agreement allowing the County to serve the property that was annexed into the Town of Blades. Mr. Archut advised that the Proposed Amendment addresses three issues: increasing the area the County can provide treatment to; addressing new debt service the City of Seaford will have for biological nutrient removal; and incorporating the Interjurisdictional Agreement.

M 270 96 Execute Amendment to Agreement with City of Seaford A Motion was made by Mr. Collins, seconded by Mr. Cole, that the President of the Sussex County Council is authorized to execute the Amendment to the Agreement for Wastewater Treatment with the City of Seaford for the Blades Sanitary Sewer District, as presented on June 25, 1996.

Motion Adopted: 4 Yea, 1 Absent.

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

Agreements with Pine Acres Mr. Green, Director of Utility Construction, discussed a Construction Administration and Construction Inspection Agreement, between Sussex County Council and Pine Acres, Inc., for wastewater facilities to be constructed at Creek's End Subdivision, located in the Long Neck Sanitary Sewer District.

M 271 96 Execute Agreements with Pine Acres 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 execute a Construction Administration and Construction Inspection Agreement, between Sussex County Council and Pine Acres, Inc., for wastewater facilities to be constructed at Creek's End Subdivision, located in the Long Neck Sanitary Sewer District.

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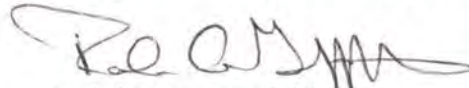
M 271 96 Motion Adopted: 4 Yea, 1 Absent.
(con't)

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

Agenda Mr. Collins requested that "Reassessment" be placed on the
Item Agenda in the near future.

M 272 96 A Motion was made by Mr. Collins, seconded by Mr. Stevenson,
Adjourn to adjourn at 11:40 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council