

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-JULY 3, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, July 3, 1990 at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

William D. Stevenson, Sr.	President
R. James Mariner	Vice President
Ralph E. Benson	Member
George B. Cole	Member
Dale R. Dukes	Member

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

M 313 90
Approval
of Minutes

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-
spondence

Mr. Jones, Acting County Attorney, read the following correspondence:

MRS. JOSEPH E. TONNER III, PRINCE GEORGE'S ACRES DEVELOPMENT
RE: Opposition to the Townsend property being used as the spray and treatment facility site for the Dagsboro-Frankford Sanitary Sewer District.

DELAWARE RIVER BASIN COMMISSION

RE: Notice of Public Hearing to receive comments on proposed amendments to the Commission's Comprehensive Plan to upgrade water quality standards for portions of the tidal Delaware River.

DELAWARE DEPARTMENT OF AGRICULTURE, DOVER

RE: The newsletter "DELAWARE AGENDA" for July, 1990.

USDA, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE,
SUSSEX COUNTY OFFICE, GEORGETOWN

RE: The July, 1990 newsletter.

Councilman Dukes requested that the record show that letters of opposition to the asphalt plant, as proposed by Melvin Joseph Construction Company, had been received from the following persons: Eric and Karen Adams, Elizabeth C. Mumford, Alton T. Mumford, Wayne and Fredericka Norris, Cynthia M. McGinnis and Laurie A. McCabe. Mr. Lank, Director, Planning and Zoning, reported that all of the above letters had been received by the Board of Adjustmant and were part of their record.

July 3, 1990

Corre-
spondence

President Stevenson requested the Acting County Attorney to read into the record a letter from Mr. William J. Hopkins, Director, Division of Parks and Recreation, DNREC. The letter addressed to Mr. Rodney J. Short, President of the Sussex Shores Water Company, was in reference to the expansion of the water system from Sussex Shores Water Company to the north side of the Indian River Inlet Bridge. DNREC estimates that it will be two (2) to three (3) years before necessary funding will be available for this project.

Proposed
Amendments
Concerning
Signs
Discussion

Mr. Lank, Director, Planning and Zoning, reviewed the Proposed Ordinance to amend Chapter 115, of the Code of Sussex County concerning regulations and permitted uses of signs as previously discussed and outlined in the June 26, 1990 minutes. Each of the proposed amendments, as discussed by the County Council, had been included in the Proposed Ordinance. After today's discussion, it was the consensus of the Council that the size of political signs should be changed from twelve (12) square feet to thirty-two (32) square feet. The County Chairman for each political party will be informed of the proposed amendment changing the size of political signs and asked to inform all candidates.

County costs and procedures used in issuing violations for the Sign Ordinance were discussed.

Proposed
Ordinance
Regulating
Signs

Mr. Stevenson introduced Proposed Ordinance as amended entitled "AN ORDINANCE TO AMEND CHAPTER 115, THE CODE OF SUSSEX COUNTY, DELAWARE, BY AMENDING ARTICLES IV, V, VII, IX, X, AND XXI, WHICH MAKE REFERENCE TO REGULATIONS AND PERMITTED USES OF SIGNS". The Proposed Ordinance will be advertised for Public Hearing.

Summer
Youth
Program
Request

Mr. Stickels, County Administrator, reported that a grant in the amount of \$230,000 had been received from the Private Industry Council to be used for the Summer Youth Program. The program was funded to serve one hundred seventy-five (175) youth. There are now two hundred and twenty-five (225) certified participants for the program and permission is being requested to amend the application to the Private Industry Council in the amount of \$61,691 to cover additional costs for the participants.

M 314 90
Summer
Youth
Program

A Motion was made by Mr. Cole, seconded by Mr. Mariner, that the Sussex County Council authorize the application amendment requesting an additional \$61,691 from the Private Industry Council to be used for the Summer Youth Program. Motion Adopted: 5 Yea.

July 3, 1990

M 314 90
(Con't.)

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

Library
Hours

Mr. Stickels, County Administrator, reviewed the new expanded hours for the Milton Library. The State Library Commission requires the Library to be opened forty-five (45) hours per week, and using the new schedule the library will be opened forty-six (46) hours. The present schedules of the Bethany Beach and Greenwood libraries meet the standards as set forth by the State Library Commission.

Legis-
lative
Update

Mr. Stickels, County Administrator, briefly reviewed legislative action affecting the County on the following bills:

Senate Bill No. 421 - no action was taken on this bill. The bill would have the effect of halting further action by the Delaware Solid Waste Authority to construct a trash incinerator in Sussex County for a period of two years from July 1, 1990, and would have required the Authority to undertake a study of the feasibility of broad mandatory recycling.

House Bill No. 424 - was passed by both houses. The bill authorizes the Delaware Solid Waste Authority to adopt and implement a statewide program of recycling and waste reduction through establishment of recycling centers. It further directs the Authority to conduct a feasibility analysis for implementing separate material and energy recovery facilities for both Kent and Sussex Counties.

Mr. Stickels, County Administrator, suggested that County transfer stations could be used for recycling if the Delaware Solid Waste Authority so wishes. Mr. Vasuki, General Manager, Delaware Solid Waste Authority, will be asked to discuss this with the County Council during one of the regularly scheduled meetings in the next few weeks.

Senate Bill No. 444 - was passed by both houses and creates a Public Library Construction Assistance Act. Under this act, administered by the Delaware Development Office, the State may pay up to forty percent (40%) of the costs of public library construction.

House Bill No. 711 - was passed by both houses as amended and authorizes the Sussex County Council to create lines of credit and issue promissory notes by resolution for short-term borrowing purposes.

July 3, 1990

Legisla-
tive
Update
(Con't.)

House Bill No. 757 - a bill creating impact fees didn't pass.

House Bill No. 727 - was passed by both houses and allows the County to impose and collect a one percent (1%) realty transfer tax. Funds realized from this shall be segregated from the County's general fund and shall be expended solely for capital and operating costs of improvements in the level of public safety services, including police, fire, emergency medical, ambulance and paramedic services and related service such as 911 enhanced emergency number service and other emergency communication services and public work services, including, but not limited to, sewer, drainage and erosion regulation and enforcement.

Adminis-
trator's
Report

Mr. Stickels, County Administrator, reviewed the following information contained in the Administrator's Report:

1. The Nanticoke River Advisory Committee will meet on Monday, July 9, 1990, at the Seaford Police Department at 7:00 p.m. This meeting is scheduled earlier than previous meetings and is open to the public.
2. Planning and Zoning Department has left open the public comment section of the Public Hearing on the Sussex County Western Land Use Plan until July 21, 1990.

Summary
Report
Dagsboro-
Frankford
Sanitary
Sewer
District

Mr. Wood, County Engineer, read the following Summary Report on the Dagsboro-Frankford Sanitary Sewer District:

"On Wednesday, June 27, 1990 a public meeting was held by the Sussex County Engineering Department at the Indian River High School to hear public concerns and comments on two (2) proposed spray site locations for the Dagsboro-Frankford Sanitary Sewer District treatment plant. Approximately ninety-eight (98) people attended, including Councilmen Cole, Dukes and Mariner. The meeting was conducted by Robert L. Stickels, County Administrator, and included a summary of the project to date, and a proposed treatment and spray system description with a slide presentation of existing similar systems. Public comments were received and responded to by staff and consultants.

"These comments given at the hearing included concerns regarding possible nitrate contamination of the groundwater, odors, and runoff. These potential problems will be addressed through the proper design and operation of the treatment and spray irrigation system. Adjacent properties are not

July 3, 1990

Summary
Report
(Con't.)

expected to be affected by the proposed system. The need for a sanitary sewer system for Dagsboro-Frankford was not questioned.

"Soils mapping results were received on Monday, July 2, 1990. Based on these soils types and distribution, the soils scientist stated that the soils on the Steen site are more suitable for spray application than the Townsend site.

"The design engineers, George, Miles and Buhr, also have submitted a letter recommending the selection of the Steen site over the Townsend site. They based their recommendations on the results of the soils mapping plus an engineering construction cost estimate of the two (2) sites. This took into account the cost differences with regards to site purchase price, site testing, spray irrigation equipment, and changes to the collection system and transmission force mains.

"Based on the above, the Engineering Department is recommending that we select the Steen property as the preferred site. We also recommend that the required detailed soils studies now be undertaken on this site, and that negotiations be started toward the purchase of this property."

Piney
Neck
Area
Discus-
sion

Discussion by Council members included the possibility of the Piney Neck area becoming a part of the Dagsboro-Frankford Sanitary Sewer District. Mr. Stickels clarified the following points concerning the project:

1. Funding for this district is very tight dollar-wise. We are applying for grant funds from the Farmers Home Administration.
2. The Piney Neck area is relatively new, post-1972, and would not be grant eligible. The income of the residents may be greater than the income of the residents within the present district. This overall income could jeopardize funding and result in EDU charges being increased.
3. The decision for expansion of the district upon completion would be made by the Council. Presently, there is a twenty-five percent (25%) expansion being allowed. There is indication that more land for expansion is available in the area, if the need arises in the future.

July 3, 1990

Dagsboro-Frankford Sanitary Sewer

It was the consensus of the Council that work should continue for the Dagsboro-Frankford Sanitary Sewer District using the boundaries as established by Resolution No. R 019 88.

Piney Neck

Councilman Cole suggested that Piney Neck be listed as a priority area for the expansion of the Dagsboro-Frankford Sanitary Sewer District.

M 315 90 Treatment Site Selection for Dagsboro-Frankford Sanitary Sewer District

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, based upon the recommendation of the Engineering Department, that the "STEEN PROPERTY" be selected as the preferred Dagsboro-Frankford Sanitary Sewer District treatment and disposal site, and the necessary detailed soils and hydrogeologic studies be done to permit the final treatment and spray facility design to be completed, and negotiations be started to purchase the property. Motion Adopted: 5 Yea.

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

Proposed Ordinance C/Z #1085

Mr. Benson introduced Proposed Ordinance entitled "AN 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 LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 5.4 ACRES, MORE OR LESS" (C/Z #1085) filed on behalf of Joseph Melchiorre. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance C/Z #1086

Mr. Stevenson introduced Proposed Ordinance entitled "AN 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 GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.34 ACRES, MORE OR LESS" (C/Z #1086) filed on behalf of Victor G. Thomas, Sr. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance C/Z #1087

Mr. Dukes introduced Proposed Ordinance entitled "AN 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 NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS" (C/Z #1087) filed on behalf of Charles and Donna Moore. The Proposed Ordinance will be advertised for Public Hearing.

July 3, 1990

Proposed Ordinance
C/Z #1088

Mr. Cole introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.48 ACRES, MORE OR LESS" (C/Z #1088) filed on behalf of Great Eastern, Inc. The Proposed Ordinance will be advertised for Public Hearing.

M 316 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to give \$500.00, from Mr. Stevenson's Councilmanic Account, to Andy's Diner Softball Team to help with expenses involved in the National Tournament. Motion Adopted: 5 Yea.

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

Proposed Resolution

Mr. Stickels, County Administrator, read in its entirety a Proposed Resolution entitled "HONORING DANIEL S. KUENNEN".

M 317 90
Adopt
Resolution
No. R 023 90

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Resolution No. R 023 90 entitled "HONORING DANIEL S. KUENNEN". Motion Adopted: 5 Yea.

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

M 318 90
Library
Advisory
Board
Appoint-
ment

A Motion was made by Mr. Dukes, seconded by Mr. Stevenson, to appoint Mrs. Madeline A. Dunn to the Sussex County Library Advisory Board for a term of two (2) years (July 1, 1990 - June 30, 1992). Motion Adopted: 5 Yea.

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

Possible Location
Change for
Social Security
Office

Councilman Dukes discussed the news report concerning consideration being given by the Social Security Administration for moving their regional office from the western side of the County, presently located in Georgetown, to the eastern side. It was the consensus of the Council that the office was initially located in Georgetown to make the facility more centrally located for the residents, and it should remain in the original area.

July 3, 1990

M 319 90
Social
Security
Office
Location

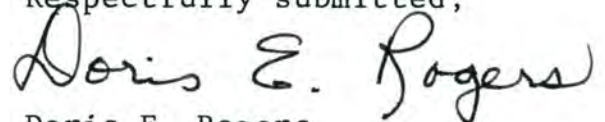
A Motion was made by Mr. Dukes, seconded by Mr. Mariner, to authorize the County Administrator to send a letter to each of our congressional delegates expressing our concern over the moving of the Social Security Office. Motion Adopted: 5 Yea.

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

M 320 90
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Stevenson, to adjourn at 11:05 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council