

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 16, 1996

Call to Order The regular meeting of the Sussex County Council was held Tuesday, July 16, 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
Ralph E. Benson	Member
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 273 96 A Motion was made by Mr. Cole, seconded by Mr. Benson, to Amend Agenda Amend the Agenda to include "Executive Session - Land Acquisition" immediately following "Any Additional Business Brought Before Council".

Motion Adopted: 5 Yea.

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

M 274 96 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Agenda Adopt the Agenda, as amended. Motion Adopted by Voice Vote.

M 275 96 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve Minutes approve the minutes of the previous meeting, dated July 9, 1996.

Motion Adopted: 5 Yea.

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

Corre- Mr. Bayard, County Attorney, read the following correspondence: spondence
LYNN R. BULLOCK, MAYOR, TOWN OF MILLSBORO, MILLSBORO, DELAWARE.
RE: Letter regarding the Town's concern about the moratorium request supported by the Open Space, Parks and Farmland Preservation Coalition.

Proposed Mr. Stickels, County Administrator, read in its entirety a Procla- Proposed Proclamation entitled "PROCLAIMING TUESDAY, JULY 23, mation 1996, AS 'CHEER DAY' IN SUSSEX COUNTY". The Proclamation is in recognition of the continuing daily contributions made by Sussex County Senior Services to the lives of Sussex County's senior citizens during the past 25 years.

M 276 96 A Motion was made by Mr. Collins, seconded by Mr. Benson, to
Adopt Adopt the Proclamation entitled "PROCLAIMING TUESDAY, JULY 23,
Procla- 1996, AS 'CHEER DAY' IN SUSSEX COUNTY".
mation

Motion Adopted: 5 Yea.

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

Procla- The Proclamation will be presented at a 25th Anniversary
mation Celebration luncheon on July 23, 1996, at Delaware Technical
& Community College in Georgetown.

Proposed Mr. Stickels, County Administrator, discussed the terms of
Agreement a Proposed Agreement with Bennett Detective and Protective
with Agency, Inc. (BENNETT) for security guard officer services
Bennett at the Industrial Park. Under the Proposed Agreement,
Detective BENNETT will furnish unarmed, uniformed security officers
and Pro- at Sussex County facilities. The charge for services per-
tective formed shall be \$8.20 per hour for each guard furnished
Agency and \$10.00 per day for the use of the BENNETT marked
vehicle, Saturdays and Sundays included. The Agreement
will be for a term of one year, effective August 1, 1996.
At the June 25, 1996, Council meeting, Mr. Stickels was
granted permission to negotiate a two-year contract with
this agency. Mr. Stickels advised that following an
inquiry regarding a possible two-year contract, it was
determined that a two-year contract was not feasible
at this time.

M 277 96 A Motion was made by Mr. Cole, seconded by Mr. Benson,
Execute authorizing the President of the Sussex County Council to
Agreement execute an Agreement between Sussex County Council and
with Bennett Detective and Protective Agency, Inc. for security
Bennett guard services at the Industrial Park for a term of one
Detective year, effective August 1, 1996.
and Pro-
tective
Agency

Motion Adopted: 5 Yea.

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

Local Mr. Stickels, County Administrator, discussed the availability
Law of funding in the amount of \$81,739 under the new Local Law
Enforce- Enforcement Block Grants Program. Federal funds provided under
ment a grant from this Program may not exceed 90 percent of the total
Block cost of the project; therefore, the additional 10 percent will be
Grants split between the County and participating towns. The following
Program are police departments and amounts that will be included in the
application for assistance:

Local Law Enforcement	Applicant	Amount	Bureau of Justice Assistance	Towns	County
Block Grants Program (con't)	Georgetown	\$5,676.31	\$5,108.67	\$283.82	\$283.82
	Frankford	5,676.31	5,108.67	283.82	283.82
	Selbyville	5,676.31	5,108.67	283.82	283.82
	Milton	5,676.31	5,108.67	283.82	283.82
	Bethany Beach	5,676.31	5,108.67	283.82	283.82
	Delmar	5,676.31	5,108.67	283.82	283.82
	Fenwick Island	5,676.31	5,108.67	283.82	283.82
	Greenwood	5,676.31	5,108.67	283.82	283.82
	Bridgeville	5,676.31	5,108.67	283.82	283.82
	Ellendale	5,676.31	5,108.67	283.82	283.82
	Millsboro	5,676.31	5,108.67	283.82	283.82
	South Bethany	4,590.00	4,131.00	229.50	229.50
	Ocean View	5,676.31	5,108.67	283.82	283.82
	Dagsboro	5,676.31	5,108.67	283.82	283.82
	Dewey Beach	5,676.31	5,108.67	283.82	283.82
	Rehoboth Beach	5,676.31	5,108.67	283.82	283.82
	Not Committed	1,086.31	977.67	54.32	54.32
	TOTAL	\$90,820.96	\$81,738.72	\$4,541.12	\$4,541.12

The funds will be used for equipment, supplies, and overtime.

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

1. Troop 4 Status Report - Month of June

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

Total Hours on Duty	3,258.0
Hours Assisted Other Agencies	103.5
Total Traffic Arrests	793
Total DUI Arrests	37
Accident Reports:	
Property Damage	59
Personal Injury	<u>15</u>
Total Accident Reports	74
Criminal Arrests:	
Felony	18
Misdemeanor	<u>91</u>
Total Criminal Arrests	109
Total 10-29 P's (wanted persons)	69
Total Number of Complaints	682

Adminis-
trator's
Report
(con't)

2. Sussex County Transportation Plan

A reminder that the Department of Transportation will be conducting a public meeting on Tuesday, July 16, 1996, starting at 5:00 p.m. in the Theater Lobby, Jack F. Owens Campus, Delaware Technical and Community College, Georgetown, regarding Sussex County's Transportation Plan. The general public will have an opportunity to review the plan between 5:00 and 7:00 p.m. Comments will be taken after 7:00 p.m.

3. County Seat Materials, LLC, Lease Agreement

On Tuesday, July 23, 1996, the Sussex County Council will discuss a Proposed Lease Agreement with County Seat Materials, LLC, for a parcel at the Sussex County Airport and Industrial Park Complex, Georgetown, Delaware, to operate an asphalt batching plant and related stone depot for a period of five years, with renewal options.

Additionally, Council will discuss the proposed termination of the existing Lease Agreement with County Seat Materials, LLC, dated February 3, 1995, to operate an asphalt plant, stone depot, and ready-mix concrete plant on a parcel at the Sussex County Airport and Industrial Park Complex, Georgetown, Delaware, for a period of 20 years, with renewal options.

Because of a Court ruling and recent action taken by the Board of Adjustment, it is proper for the Council to readdress these issues.

Rural
Readdress-
ing
Project
Update

Mr. Norwood, Supervisor - Addressing and Mapping, advised Council on the status of the Rural Readdressing Project. He advised Council that aerial photography has been completed and delivered. Mr. Norwood distributed aerial contact prints for Council to look at. Mr. Norwood stated that he is now ready to move forward on the selection of vendors for the readdressing. Currently, the County's Consultant is preparing the request for proposals. The tentative schedule includes the awarding of the bid/contract on September 10, or September 17, 1996. It will take approximately three to four months following the award of the bid/contract to generate the data.

Change
Order/
County
Adminis-
trative
Office
Building

Mr. Archut, Director of Planning and Permits, and Mr. Bob Clendaniel of R. Calvin Clendaniel & Associates discussed Change Order No. 6 for the new County Administrative Office Building. Change Order No. 6 consists of 10 separate items; additions totalling \$28,256.67 and credits totalling \$3,915.95.

M 278 96 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, based on the recommendation of the Architect, R. Calvin Clendaniel Associates, and the County Engineering Department, that the Sussex County Council approves Change Order No. 6, in an amount not to exceed \$24,340.62, to the County Administrative Office Building Contract, with no additional time required, and with the approval being subject to Rural Development.
Office Building Motion Adopted: 5 Yea.

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

Spring Lake/Dewey Beach Mr. Green, Director of Utility Construction, discussed Beneficial Acceptance for the water and wastewater facilities constructed in Spring Lake, Sections VII and VIII, located in the Dewey Beach Water and Sanitary Sewer District.

M 279 96 A Motion was made by Mr. Cole, seconded by Mr. Benson, 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 water and wastewater facilities constructed in Spring Lake, Sections VII and VIII, located in the Dewey Beach Water and Sanitary Sewer District.
Grant Beneficial Acceptance/Spring Lake/Dewey Beach Motion Adopted: 5 Yea.

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

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR GENERAL OFFICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.83 ACRES, MORE OR LESS" (Conditional Use No. 1162) filed on behalf of Dr. Andrew S. Malinowski. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A 3-UNIT MULTI-FAMILY DWELLING STRUCTURE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 7,246 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1163) filed on behalf of James J. Doney and Jeffrey M. Mohr. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR EXPANSION TO AN EXISTING RETAIL BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 17,966 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1164) filed on behalf of Doris E. Searles. The Proposed Ordinance will be advertised for Public Hearing.

M 280 96 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$500.00, \$250.00 from Mr. Stevenson's Councilmanic Account and \$250.00 from Mr. Collins' Councilmanic Account, to the Sussex Central Football Boosters for costs associated with pre-season football.

Motion Adopted: 5 Yea.

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

M 281 96 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to give \$700.00 from Mr. Benson's Councilmanic Account to the Town of Milton for roof repairs on the Town Hall.

Motion Adopted: 5 Yea.

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

News-paper Articles Two newspaper articles involving Kent County Paramedics were discussed. It was noted that Sussex County Paramedics have no involvement in the issues discussed in the articles.

National Weather Bureau Mr. Stickels, County Administrator, discussed his concern regarding the National Weather Bureau's notification of the status of Hurricane Bertha's forecasted effect on Sussex County.

M 282 96 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$250.00, \$50.00 from each Councilmanic Account, to the Sussex County Stamp Club for expenses associated with the 5th Annual Stamp Exhibition and Bourse.

Motion Adopted: 5 Yea.

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

M 283 96 A Motion was made by Mr. Collins, seconded by Mr. Benson, to
Council- give \$250.00, \$50.00 from each Councilmanic Account, to the
manic University of Delaware to help support Sussex County Safe Kids
Grant Day sponsored by the Delaware Safe Kids Coalition, Sussex
County Chapter.

Motion Adopted: 5 Yea.

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

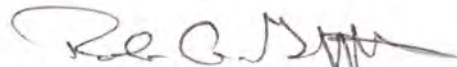
M 284 96 At 11:30 a.m., a Motion was made by Mr. Collins, seconded by
Recess Mr. Benson, to recess and go into Executive Session. Motion
Adopted by Voice Vote.

Executive An Executive Session of the Sussex County Council was held
Session at 11:30 a.m. for the purpose of discussing land acquisition.

M 285 96 At 11:47 a.m., a Motion was made by Mr. Benson, seconded by Mr.
Adjourn Collins, to adjourn the Executive Session. Motion Adopted by
Voice Vote.

M 286 96 At 11:47 a.m., a Motion was made by Mr. Cole, seconded by Mr.
Adjourn Collins, to adjourn the regular session. Motion Adopted by
Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council