

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 26, 1994

Call to Order The regular meeting of the Sussex County Council was held Tuesday, July 26, 1994, 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 308 94 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Approve Minutes approve the minutes of the previous meeting dated July 19, 1994. Motion Adopted by Voice Vote.

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

JOHN A. HOTOPP, LOUIS BERGER & ASSOCIATES, INC., EAST ORANGE, NEW JERSEY.

RE: Archaeological survey of the old Georgetown Post Office building. Louis Berger & Associates, Inc. will not be submitting a bid on the project due to a conflict with work they are currently performing.

ROBERT R. SHAFFER, JR., REHOBOTH, DELAWARE.

RE: Appreciation for Councilmanic Funds from Mr. Benson and Mr. Cole to help fund his attendance at the National Association of Student Councils Annual Conference in St. Louis, Missouri.

Certifi- Mr. Dukes presented a Certification of Appreciation to cate of Catherine D. King for devotion, loyalty, and excellence in Appreciation serving Sussex County from September 1, 1967, to July 31, 1994.

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

1. Building Code Department

Southern Building Code Congress International requires that any structure over 5,000 square feet, be it residential or commercial, must have sealed plans and specifications by an architect or engineer. It has been County policy to accept drawings from architects and engineers licensed in other states. Effective August 1, 1994, the County will only accept plans and specifications that have been sealed by a licensed Delaware architect or engineer. Although it is not the County's responsibility to see that architects and

Adminis-
trator's
Report
(con't)

engineers are licensed in Delaware, the change in policy will avoid problems in the future that have arisen from issuing building permits to out-of-state architects and engineers.

The practicing of architectural and engineering services without a Delaware seal is prohibited by State law. Several out-of-state residents have felt that once they have received a Sussex County building permit, this would be sufficient to meet all requirements.

2. Milton Library

The opening of the Milton Library will be delayed because of additional problems that have been discovered with the plumbing. It has now been discovered that during the movement of the building, the plumbing servicing the second floor bathroom was displaced. The Delaware State Department of Transportation has engaged a local plumber to correct the problem. However, the problem with repairing the plumbing will not be limited to just the bathroom. It appears that flooring, ceiling, and dry wall will have to be removed to correct the problem.

Additionally, the State has still not completed the bridge work in front of the library. Mr. Stickels was informed on Monday, July 25, 1994, that the sidewalk and the handicap ramp will not be replaced until the first week in August. Mr. Stickels now anticipates that the library will not be ready to open until after Labor Day.

Amend-
ment to
Agree-
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with
Delta
Airport
Consul-
tants,
Inc.

Mr. Izzo, Director of Public Works, discussed Amendment No. 1 to an Engineering Agreement between Sussex County and Delta Airport Consultants, Inc., for construction management services consisting of on-site construction inspection, contract management, material testing and preparation of drawings for the Runway 4-22 Rehabilitation Project. The Amendment cost is \$158,472.00 and includes the use of two sub-contractors; Tierra, Inc. and Vandemark & Lynch, Inc. The Amendment cost is FAA grant eligible.

M 309 94
Approve
Amend-
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Agreement
with
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tants,
Inc.

A Motion was made by Mr. Cole, seconded by Mr. Collins, that based upon the recommendation of the Sussex County Engineering Department, that Contract Amendment No. 1 with Delta Airport Consultants, Inc. of Richmond, Virginia, be approved in the amount of \$158,472.00, for the provision of construction management services on the Runway 4-22 Rehabilitation Project.

Motion Adopted: 5 Yea.

M 309 94 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Contract Mr. Green, Director of Utility Construction, discussed (1)
No. 1 Change Order No. 3 to Contract No. 1 for the West Rehoboth
West Expansion of the Dewey Beach Sanitary Sewer District and (2)
Rehoboth Conditional Acceptance for Contract No. 1 for the West
Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 310 94 A Motion was made by Mr. Benson, seconded by Mr. Cole, based
Issue on the recommendation of the Inspection Engineer, George,
Change Miles & Buhr, and the Sussex County Engineering Department,
Order that the Sussex County Council authorizes the President of
No. 3 the Sussex County Council to issue Change Order No. 3, for
Contract the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer
No. 1 District, Contract No. 1, to Teal Construction, Inc., for
West quantity adjustments to the unit cost contract in the amount
Rehoboth of \$224.20, increasing this contract amount to \$705,374.95.

Motion Adopted: 5 Yea.

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

M 311 94 A Motion was made by Mr. Cole, seconded by Mr. Benson, that
Grant based upon the recommendation of the Inspection Engineer,
Condi- George, Miles & Buhr, and the Sussex County Engineering
tional Department, for Sussex County Project No. 89-15, that the
Accep- Sussex County Council grant Conditional Acceptance for Con-
tance tract No. 1, for the wastewater facilities constructed in
Contract the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer
No. 1 District.
West
Rehoboth

Motion Adopted: 5 Yea.

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

Proposed Mr. Benson introduced a Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AR-1 AGRI-
CULTURAL RESIDENTIAL DISTRICT FOR AN INDOOR/OUTDOOR AUCTION,
FARM EQUIPMENT SALES, NEW AND USED INDOOR/OUTDOOR AUCTION
ITEMS, FARMERS MARKET AND AUCTION, WHOLESALE AND RETAIL,
RESTAURANT AND SNACK BARS, ASSEMBLY HALL, STORAGE AND WARE-
HOUSING, TENT SALES AND PARKING AREA, TO BE LOCATED ON A
CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUN-
DRED, SUSSEX COUNTY, CONTAINING 32.39 ACRES, MORE OR LESS"
(Conditional Use No. 1087) filed on behalf of David L. Wilson.
The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Collins introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A MARINA WITH BOAT RENTAL, BOAT SLIP RENTAL, BAIT AND TACKLE SALES, SANDWICH SHOP, CRABBING PIER, OFFICE AND RESIDENCE, TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 36,628 SQUARE FEET (0.841 ACRES), MORE OR LESS" (Conditional Use No. 1088) filed on behalf of Clyde Hull. The Proposed Ordinance will be advertised for Public Hearing.

M 312 94 Councilmanic Grant (Withdrawn) A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$600.00 from Mr. Cole's Councilmanic Account to White House Beach Tenants Association for the installation of a dry hydrant near the entrance of White House Beach. It was noted that there is a possibility that the fire company, through the State or County Association, may have a program that provides for the installation of dry hydrants. Mr. Cole withdrew his Motion until further information can be obtained.

M 313 94 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Benson, to give \$600.00, \$300.00 from Mr. Cole's Councilmanic Account and \$300.00 from Mr. Benson's Councilmanic Account, to the City of Rehoboth Beach DECCASA (Delaware Community Clusters Against Substance Abuse) to help offset costs associated with the DRUMMERS AND DANCERS Anti-Drug Youth Performing Troupe attending and performing at the 2nd Annual Summer Dance Institute.

Motion Adopted: 5 Yea.

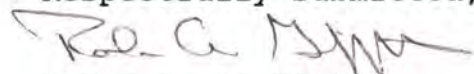
Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Laurel Landfill Fill Dirt Mr. Collins advised Council that the State has agreed to stockpile roadside dirt for the Laurel Landfill. It was the consensus of Council to accept the roadside dirt from the State to be used for this purpose.

Proposed Ordinance Mr. Cole discussed the action Council plans to take regarding the placement of park trailers in campgrounds. Mr. Bayard, County Attorney, advised that a Proposed Ordinance regarding park trailers will be introduced at the next Council meeting.

M 314 94 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Cole, to adjourn at 10:50 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council