

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 3, 1993

Call to Order The regular meeting of the Sussex County Council was held Tuesday, August 3, 1993, 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 317 93 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve approve the minutes of the previous meeting dated July 27, 1993. Minutes Motion Adopted by Voice Vote.

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

MRS. MARY HILL, LAUREL.
RE: Appreciation for flowers sent to Oliver Hill.

CHRISTINE LECATES, GEORGETOWN LITTLE LEAGUE, GEORGETOWN.
RE: Requesting financial assistance for the Eastern Regional Big League Tournament which is being hosted by the Georgetown Little League.

JOHN W. ROYAL, PRESIDENT, WOODLAND FERRY ASSOCIATION, SEAFORD.
RE: Appreciation for Mr. Dukes' Councilmanic Grant for the 200th anniversary celebration of the Woodland Ferry.

PEOPLE'S PLACE II, INC., MILFORD.
RE: Appreciation for Human Service Grant.

DENISE SNELL, BLADES.
RE: Appreciation for the help received from the County's Community Development Office.

Certifi- Mr. Dukes presented Dorothy B. Farrell with a Certificate of cate of Appreciation from the Sussex County Council for devotion, Appre- loyalty, and excellence in serving Sussex County from June 30, ciation 1965, to July 31, 1993.

American Ms. Barbara VanSciver, Director of the Sussex County Branch of Red the American Red Cross, informed Council of the Red Cross' flood Cross relief operation in the mid-west.

M 318 93 Grant A Motion was made by Mr. Collins, seconded by Mr. Cole, on behalf of the residents of Sussex County, that the Sussex County Council award a grant in the amount of \$1,000.00 to the Sussex County Branch of the American Red Cross for the mid-west flood relief effort.

Motion Adopted: 5 Yea.

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

Donation Ms. Carol Monaco, President of the Sussex County Employees Benefit Committee, advised Council that donations totalling \$650.00 have been collected from Sussex County employees and the Employees Benefit Committee for the mid-west flood relief effort. The donations will be presented to Catholic Charities for distribution.

DAST Administration for Specialized Transportation (DAST) were present to discuss DAST's recommendations for funding of the specialized transportation service for the elderly and handicapped in Sussex County. Mr. Bock and Mr. Densler also presented the proposed FY '94 transportation budgets of the senior centers in Sussex County. In accordance with recent legislation, the County Council must approve the budgetary process for each senior center.

M 319 93 Approve DAST Funding A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council approve the distribution of funding for the Delaware Administration for Specialized Transportation (DAST) for FY '94 as follows:

(1) Easter Seals	\$ 31,000
(2) Nanticoke Senior Center	20,400
(3) Lewes Senior Center	16,000
(4) Indian River Senior Center	2,300
(5) Cape Henlopen Senior Center	21,200
(6) Meals on Wheels	14,000
(7) Cheer	314,900
(8) Laurel Senior Center	40,200

TOTAL \$460,000

Motion Adopted: 5 Yea.

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

Senior
Center
Budgets

Mr. Stickels, County Administrator, stated that the senior centers will be asked to submit revised budgets based on the amount of the approved funding. The revised budgets will then be submitted to Council for review and approval.

Proposed
Resolu-
tion to
Support
DSHA
HUD
Applica-
tion

Mr. Stickels, County Administrator, read a Proposed Resolution in its entirety entitled "RESOLUTION SUPPORTING THE DELAWARE STATE HOUSING AUTHORITY'S HOUSING VOUCHER APPLICATION". The Proposed Resolution supports the application of the Delaware State Housing Authority to the U. S. Department of Housing and Urban Development (HUD) for twenty-five housing vouchers for use in Kent and Sussex Counties to assist low to moderate income families in finding safe, decent, affordable housing at a cost they can afford.

M 320 93
Adopt
Resolu-
tion No.
R 016 93

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Resolution No. R 016 93 entitled "RESOLUTION SUPPORTING THE DELAWARE STATE HOUSING AUTHORITY'S HOUSING VOUCHER APPLICATION".

Motion Adopted: 5 Yea.

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

Adminis-
trator's
Report

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

1. Reauthorization of Airport Funding

The National Association of Counties Legislative Bulletin received by Mr. Stickels on July 30, 1993, stated that the House Aviation Subcommittee approved H.R. 2739 which extends the Airport Improvement Program for three years. This is a federal program which provides publicly owned airports with grants for capital improvement projects. The approved funding levels are \$2.105 billion for FY '94, \$2.161 billion for FY '95, and \$2.214 billion for FY '96. Additionally, the FAA facilities, equipment, and operations program was reauthorized for three years.

This funding reauthorization will be instrumental in allowing the County to continue to apply for grants in upgrading the Sussex County Airport.

2. Sussex County Airport Fly In - Aviation Flea Market

Delmarva Aircraft, GCG Aircraft Services, Fun Flight, Inc., Laurel Aero Services, and Sussex Aero Maintenance will be

Adminis-
trator's
Report
(con't)

sponsoring an Aviation Flea Market for aviation related items such as parts and aviation supplies. The Fly In will take place Sunday, August 8, 1993, from 9:00 to 11:00 a.m. Antique and unusual aircraft will be on display.

3. Mobile Home Study Committee

The initial organizational meeting of the Mobile Home Study Committee will be held on Thursday, August 12, 1993, at 9:30 a.m. in the Senate Chambers, Legislative Hall, Dover, Delaware.

The Mobile Home Study Committee was created by House Concurrent Resolution No. 38. The purpose of the meeting will be to adopt an agenda for carrying out the legislative mandate. The legislature has directed the Committee to make a comprehensive analysis of the Landlord Tenant Law and the Mobile Home Act and propose necessary revisions as it relates to manufactured housing. The Committee is to complete its work and submit a final report to the House and Senate on or before January 1, 1994.

The meeting will be open to the public.

Prior to this meeting, Mr. Stickels will be meeting with representatives of the Mobile Home Tenants Association.

4. Public Workshop

The Department of Transportation will hold a public workshop to present preliminary alternatives aimed at reducing the effects of highway flooding along portions of Route 54, from Road 58C to the ditch. The workshop will be held Wednesday, August 4, 1993, 4:00 p.m. to 8:00 p.m., at the Fenwick Island Town Hall. Representatives from the Engineering Department and Emergency Operations Center have been requested to attend this workshop.

Sewer
Request

Mr. Archut, Director of Planning and Permits, discussed a request from a property owner in Plantation Park to create a new sanitary sewer district to include Plantation Park.

M 321 93
Circulate
Petitions
Planta-
tion Park
Sewer
Request

A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council approves the circulation of petitions to submit the question of organizing a sanitary sewer district (to include Plantation Park I and II, George C. Moore, Plantation Park Marina, Malcom's Manor, Starlight Woods, Ocean Air, and Chevy Chase Subdivisions) to a vote of electors in that district.

Motion Adopted: 5 Yea.

M 321 93 (con't) Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Public Hearing A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 52 OF THE CODE OF SUSSEX COUNTY RELATING TO REVIEW AND INSPECTION FEES". The Public Hearing was closed.

M 322 93 Adopt Ordinance No. 912 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 912 entitled "AN ORDINANCE TO AMEND CHAPTER 52 OF THE CODE OF SUSSEX COUNTY RELATING TO REVIEW AND INSPECTION FEES".

Motion Adopted: 4 Yea, 1 Nay.

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

Bid Award Mr. Izzo, Public Works Division Director, was present to recommend a bid award for Sussex County Project No. 89-12, entitled "Walker Mill Central Water System". The sole bidder for the Project was Tidewater Utilities, Inc., in the amount of \$458,702.00.

M 323 93 Award Bid Project No. 89-12 Walker Mill Central Water System A Motion was made by Mr. Stevenson, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that the bid for Sussex County Project No. 89-12, entitled "Walker Mill Central Water System", be awarded in the amount of \$458,702.00 to Tidewater Utilities, Inc., who, as a condition of being awarded the bid, is directed to apply for a Certificate of Public Convenience and Necessity (CPCN) to provide service for the area encompassed by the Bridgeville Groundwater Management Zone (GMZ).

Motion Adopted: 5 Yea.

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

Planning Study Long Neck SSD Expansion Area No. 1 Mr. Wood, County Engineer, and Mr. Lee and Mr. D'Adamo of Tatman and Lee Associates, Inc., were present to review a Facilities Planning Study for Expansion Area No. 1 of the Long Neck Sanitary Sewer District. The Planning Study focused primarily on two areas: (1) the existing Long Neck Sanitary Sewer District, and (2) the proposed Expansion Area No. 1. The study of the existing Long Neck Sanitary Sewer District included the following:

Planning Study (con't)

- o Population and wastewater projections.
- o An evaluation of the capacity of the sewage collection and conveyance infrastructure.
- o An evaluation of the capacity of the Inland Bays Regional Wastewater Facility.

The study of the proposed Expansion Area No. 1 included the following:

- o An evaluation of the service area.
- o An evaluation of the potential impact on the Inland Bays Regional Wastewater Facility.
- o Development of alternatives for collecting and conveying wastewater from the proposed expansion area. (All five alternatives are based on a combination of gravity sewers, pump stations and force mains.)

M 324 93 Adopt Planning Study Long Neck SSD

A Motion was made by Mr. Cole, seconded by Mr. Collins, based on the recommendation of the Sussex County Engineering Department, that the Facilities Planning Study for the Long Neck Sanitary Sewer District, Expansion Area No. 1, as prepared by Tatman and Lee Associates, Inc., dated July, 1993, be adopted for implementation.

Expansion Motion Adopted: 5 Yea.

Area

No. 1

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

Sewer Request

Mr. Archut, Director of Planning and Permits, discussed a request for sewer service to be provided to The Pines of Long Neck. Based on a review of the Facilities Planning Study for the Long Neck Sanitary Sewer District, Expansion Area No. 1, the Engineering Department is asking Council to consider the extension of the Long Neck Sanitary Sewer District boundaries to include The Pines of Long Neck and other areas. Mr. Archut requested Council's authorization to prepare and post notices for the proposed boundary extension.

M 325 93 Post Notices Extension of Long Neck SSD

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the Long Neck Sanitary Sewer District boundary to include The Pines of Long Neck and other areas along State of Delaware Route 23 (A.K.A. County Road 22), as presented on August 3, 1993.

M 325 93 Motion Adopted: 5 Yea.
(con't)

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

Sewer Planning Study Cedar Neck Area
Mr. Wood, County Engineer, and Mr. Lee and Mr. D'Adamo of Tatman and Lee Associates, Inc., were present to review a Preliminary Planning Study for sewers in the Cedar Neck area. Four factors were identified in the study as follows:

- o The degree of existing development.
- o The potential for future development.
- o The concern over the feasibility of on-lot septic systems.
- o The concern for ground-water and surface-water contamination from the existing systems.

Several alternatives for providing public sewers were evaluated. The recommended alternative was a combination of gravity sewers with pumping stations. The extension of the Bethany Beach Sanitary Sewer District to include the Cedar Neck area is to be done in phases. The Phase One Implementation Area was described as beginning on the west side of Road 357 from the Cedar Landing Development down to the canal.

M 326 93 A Motion was made by Mr. Collins, seconded by Mr. Cole, based on Adopt Preliminary Planning Study Cedar Neck Sanitary Sewer Study the recommendation of the Sussex County Engineering Department, that the Preliminary Planning Study for the Cedar Neck Sanitary Sewer Study Area, as prepared by Tatman and Lee Associates, Inc., dated July, 1993, be adopted for implementation.

Motion Adopted: 5 Yea.

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

Bethany Beach SSD Boundary Extension
Mr. Archut, Director of Planning and Permits, asked Council to consider the extension of the Bethany Beach Sanitary Sewer District boundaries to include the Pond Acres Subdivision and adjoining lands, and Phase One of the Cedar Neck Sanitary Sewer Study. Mr. Archut requested Council's authorization to prepare and post notices for the proposed boundary extension.

M 327 93 Post Notices Extension of Bethany Beach SSD A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the Bethany Beach Sanitary Sewer District boundary to include the Pond Acres Subdivision and adjoining lands, and Phase One of the Cedar Neck Sanitary Sewer Study, as presented on August 3, 1993.

Motion Adopted: 5 Yea.

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

Bid Opening Contract No. 1 West Rehoboth Expansion of the Dewey Beach SSD Mr. Wood, County Engineer, reported the results of a Bid Opening held on August 2, 1993, for Contract No. 1, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, as follows:

	CONTRACTOR	BID
	Bunting & Murray	\$1,012,048.87
	I.A. Construction Corp.	974,130.00
	Northeast Construction, Inc.	893,808.20
	Onshore Construction	1,278,000.00
	R.E. Pierson Construction	1,675,108.00
	Teal Construction, Inc.	686,300.75
	Willow Oak, Inc.	864,210.60

The bids will be reviewed for a recommendation at a later date.

Bid Openings Bid openings for Contract Numbers 2 and 3 for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District were postponed.

Change Orders Mr. Dukes made a request that, in the future, change orders be approved prior to work being performed.

Proposed Ordinance Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CEMETERY FOR CHURCH AND FAMILY MEMBERS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 2.666 ACRES, MORE OR LESS" (C/U #1054) filed on behalf of Tressler Mennonite Church, Inc. The Proposed Ordinance will be advertised for Public Hearing.

M 328 93 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$500.00, \$100.00 from each Councilmanic Account, to the Georgetown Little League to provide financial assistance for the hosting of the Eastern Regional Big League Tournament.

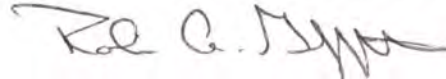
Motion Adopted: 5 Yea.

August 3, 1993 - Page 9

M 328 93 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 329 93 A Motion was made by Mr. Collins, seconded by Mr. Cole, to
Adjourn adjourn at 12:30 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council