

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 4, 1992

Executive Session An Executive Session of the Sussex County Council was held on Tuesday, August 4, 1992, at 9:15 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, for the purpose of discussing pending litigation. The Executive Session concluded at 9:54 a.m.

Call to Order The regular meeting of the Sussex County Council was held Tuesday, August 4, 1992, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George B. Cole	Member
George J. Collins	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 326 92 Approve Minutes A Motion was made by Mr. Collins, seconded by Mr. Benson, to approve the minutes of the previous meeting dated July 28, 1992. Motion Adopted by Voice Vote.

Letters Mr. Bayard, County Attorney, read the following correspondence:

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY
RE: Notice of Commission Meeting and Public Hearing to be held on August 12, 1992.

Presenta-tion Councilman Collins presented E. Edward Carey, Jr. with a Certificate of Appreciation from the Sussex County Council, E. Edward Carey Jr. for devotion, loyalty, and excellence in serving Sussex County as a member of the Board of Adjustment from January, 1987 to June, 1992.

Presenta-tion Councilman Benson presented Charles F. Stuchlik III with a Certificate of Appreciation from the Sussex County Council, Charles Stuchlik for devotion, loyalty, and excellence in serving Sussex County as a member of the Board of Adjustment from June, 1969 to June, 1992.

South Coastal Library Mrs. Elizabeth Baxter, President, Friends of the South Coastal Library, was present to update Council on the progress of the construction of the South Coastal Library. President Dukes presented Mrs. Baxter with a check in the amount of \$50,000 from the Sussex County Council towards the capital campaign for the construction of the South Coastal Library. Mrs. Baxter thanked Council for its support of the project and extended an invitation to the dedication scheduled for January, 1993.

DAST
Recom-
mended
Funding

Mr. Kenneth S. Bock, Administrator of the Delaware Administration for Specialized Transportation (DAST), was present to discuss DAST's recommendations for funding of the specialized transportation service for the elderly and handicapped in Sussex County. This year's recommended funding in the amount of \$460,000 reflects an increase of \$30,000 compared to last year's funding.

M 327 92
Approve
DAST
Funding

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, that the Sussex County Council approve the distribution of funding for the Delaware Administration for Specialized Transportation (DAST) as presented:

(1) Easter Seals	\$ 29,800
(2) Nanticoke Senior Center	20,400
(3) Lewes Senior Center	19,500
(4) Indian River Senior Center	2,300
(5) Cape Henlopen Senior Center	19,200
(6) Meals on Wheels	14,000
(7) CHEER	319,000
(8) People's Place II	-0-
(9) Laurel Senior Center	35,800

Motion Adopted: 5 Yea.

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

Court-
house
Expansion

Mr. Stickels, County Administrator, reviewed Change Order No. 6, in the amount of \$5,120.28, for the Courthouse Expansion and Renovation Project. The project cost to date, including Change Order No. 6, would be \$924,460.85.

M 328 92
Court-
house
Expansion
Change
Order

A Motion was made by Mr. Cole, seconded by Mr. Collins, that the President of the Sussex County Council be authorized to execute Change Order No. 6 in the amount of \$5,120.28.

Motion Adopted: 5 Yea.

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

Tower
Sublease
Agreement

Mr. Stickels, County Administrator, discussed a Tower Sublease Agreement; an extension of an existing contract with Dover Radio Page, Inc., for the lease of radio antenna space at two tower locations, in the vicinities of Bridgeville and Angola, for the benefit of the Sussex County Emergency Radio System. The existing contract includes provisions for two two-year options; this extension would be the first of the two options. Mr. Stickels

Agreement (con't) advised that the County's legal counsel has reviewed and approved the Tower Sublease Agreement.

M 329 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, that the
Approve Sussex County Council authorizes the Sussex County Council
Tower President to execute a Tower Sublease Agreement between the
Sublease Sussex County Council and Dover Radio Page, Inc.
Agreement

Motion Adopted: 5 Yea.

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

County Administration Building Mr. Stickels, County Administrator, stated that for several years the County Council has been looking at the space needs for the County Government and also the Courts. The Courts have asked the County to provide them with additional space under the Charter of the County Government. Under the Charter, the County Government is charged with providing adequate courtroom space for the residents of Sussex County. A Committee, previously formed to investigate an addition to the Courthouse, recently reconvened to discuss the possibility of the County Council constructing a new County Administration Building. The Committee has considered three possible sites: (1) the former First State auto dealership property, (2) State land south of Georgetown at U.S. Route 113 and County Road 431, and (3) the site of the Dollar General store and former Acme building on East Market Street. The Committee's recommendation to Council is to investigate the purchase of the site located on East Market Street and to investigate the State's interest in purchasing land currently owned by the County.

M 330 92 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, that
Obtain the Sussex County Council authorizes the Sussex County Adminis-
State's trator to forward copies of the appraisal of the land currently
Interest owned by the County, estimated to have a value of \$6.5 million,
in to George Hale, Secretary of Administrative Services, State of
Purchase Delaware, to obtain the State's interest in purchasing such
of County properties.
Property

Motion Adopted: 5 Yea.

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

M 331 92 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, that
Present the Sussex County Council authorizes the Sussex County Adminis-
Contract trator to present a contract to the Marvel heirs for the property
Purchase located on East Market Street containing 5.8± acres, with the
Property following contingencies:

M 331 92
(con't)

1. Asking price of \$400,000;
2. \$40,000 refundable deposit;
3. A ninety day review period to perform environmental Phase I assessment of the land and an appraisal of the land;
4. Settlement not to be before February 1, 1993; and
5. Review and approval of sale agreement by the County Attorney.

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 included in his County Administrator's Report:

1. United States House of Representatives Reject Tax Notice Mandate (H.R. 5653)

On July 28, 1992, the United States House of Representatives rejected legislation mandating Counties to send notices to taxpayers spelling out which property taxes are deductible under Federal tax rules. The vote was 369 to 48. However, Senator Lloyd Bentsen, Chairman of the Senate Finance Committee, unveiled his proposed urban aid and tax bill, H. R. 11, on July 28, 1992. This legislation contained the same provisions as in H.R. 5653. The Senate is expected to vote on this legislation on Tuesday or Wednesday of this week. Mr. Stickels has contacted Senator Roth's and Senator Biden's offices asking them to support amendment to H. R. 11 striking this provision.

2. Workshop - Workforce in Transition

The Delaware Development Office, Delaware Department of Labor, and Delaware Technical and Community College are sponsoring a unique one-day program entitled "Workforce in Transition". This workshop is designed to inform Delaware's unemployed and underemployed about State and community resources available to them during their job search. Sussex County's workshop will be held at the Delaware Technical and Community College, Georgetown Campus, on Wednesday, August 12, 1992, from 9:00 a.m. to 3:00 p.m. There is no charge for this workshop. Anyone wishing to have more information may call Delaware Technical and Community College at 856-5776.

Adminis-
trator's
Report
(con't)

3. Recyclers of the Month

Paul Chance of Laurel, Delaware, and William G. Ellis of Seaford, Delaware, are the recipients of the two \$50 U.S. Savings Bonds for participating in the County's Recycling Program during the month of July. Seven hundred sixty-four people participated in the program during the month.

This compares to eight hundred twenty-two people who participated during the month of June.

4. Workshop - Inland Bays Citizen Advisory Group

A workshop has been scheduled for Tuesday, August 18, 1992, with the Inland Bays Citizen Advisory Group. A tour of the inland bays will be provided to the County Council hosted by Dr. Kent Price and Mr. Lee Frankel. The Group will leave the Long Neck area at approximately 12:30 p.m. for a tour of the inland bays by boat. Mr. Stickels recommended to the Council that they may wish to dress in a leisurely fashion for the morning session.

Proposed
Resolu-
tion

Mr. Baker, Finance Director, reviewed a Proposed Resolution to establish an account with Delaware National Bank for the Sussex County Council Community Development Grant funds.

M 332 92
Adopt
Resolu-
tion
R 017 92

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution R 017 92 entitled "RESOLUTION AUTHORIZING THE PAYMENT FROM FUNDS OF THE SUSSEX COUNTY COUNCIL ON DEPOSIT WITH THE DELAWARE NATIONAL BANK BEARING THE SIGNATURES OF ANY TWO OF DALE DUKES, PRESIDENT; RALPH E. BENSON, VICE PRESIDENT; OR D. B. BAKER, FINANCE DIRECTOR; AND A SIGNATURE MAY BE A FACSIMILE PROVIDED ONE LIVE SIGNATURE IS ON CHECK OR WITHDRAWAL".

Motion Adopted: 5 Yea.

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

Condi-
tional
Accept-
ances

Mr. Green, Utilities Construction Division Director, reviewed three conditional acceptances; two for wastewater facilities constructed in the Fenwick Island Water District and one for wastewater facilities constructed in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 333 92

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that based upon the recommendation of the Inspection Engineer, KCI Technologies, Inc., for Sussex County Project No. 81-04, that the Sussex County Council grant "Conditional Acceptance" for the

Adminis-
trator's
Report
(con't)

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R 017 92

Motion Adopted: 5 Yea.

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

Condi-
tional
Accep-
tances

Mr. Green, Utilities Construction Division Director, reviewed three conditional acceptances; two for wastewater facilities constructed in the Fenwick Island Sanitary Sewer District and one for wastewater facilities constructed in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 333 92

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that based upon the recommendation of the Inspection Engineer, KCI Technologies, Inc., for Sussex County Project No. 81-04, that the Sussex County Council grant "Conditional Acceptance" for the

M 333 92 wastewater facilities constructed in "Shady Park, Phase III,
Grant Section I", located in the Fenwick Island Sanitary Sewer
Condi- District.
tional
Accept- Motion Adopted: 5 Yea.
ance
Fenwick Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Island Mr. Collins, Yea; Mr. Stevenson, Yea;
SSD Mr. Dukes, Yea

M 334 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, that
Grant based upon the recommendation of the Inspection Engineer,
Condi- KCI Technologies, Inc., for Sussex County Project No. 81-04,
tional that the Sussex County Council grant "Conditional Acceptance"
Accept- for the wastewater facilities constructed in "Mallard Lakes
ance VII", located in the Fenwick Island Sanitary Sewer District.
Fenwick
Island Motion Adopted: 5 Yea.
SSD
Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 335 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, based
Grant upon the recommendation of the Inspection Engineer, George,
Condi- Miles and Buhr, for Sussex County Project No. 89-15, that the
tional Sussex County Council grant "Conditional Acceptance" for the
Accept- wastewater facilities constructed in the "West Rehoboth
ance Expansion of the Dewey Beach Sanitary Sewer District". (This
West Conditional Acceptance excludes six highway crossings scheduled
Rehoboth to be completed in the Fall of 1992.)
Expansion
DBSSD Motion Adopted: 5 Yea.
Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Project Mr. Izzo, Assistant County Engineer, reviewed a change order
90-11-A request for Sussex County Airport, Project No. 90-11-A, Taxiway
16-34 Overlay and Culvert Repair.

M 336 92 A Motion was made by Mr. Stevenson, seconded by Mr. Collins,
Approve based upon the recommendation of the Sussex County Engineering
Change Department, that the President of the Sussex County Council be
Order authorized to execute Change Order No. 1, which increases Sussex
Project County Project No. 90-11-A (Taxiway 16-34 Overlay and Culvert
90-11-A Repair) by \$1,850.74 to a current contract total of \$163,850.74.
Motion Adopted: 5 Yea.

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M 336 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

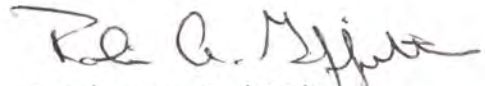
M 337 92 A Motion was made by Mr. Benson, seconded by Mr. Cole, to
Council- provide two porta-potties per month at Broadkill Beach, for the
manic months of August, September, and October, for a cost of \$25.00
Grant per porta-potty per month, with the funds to be provided by Mr.
Benson's Councilmanic Account.

Motion Adopted: 5 Yea.

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

M 338 92 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to
Adjourn adjourn at 11:30 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council