

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 7, 2001

Call to Order The regular meeting of the Sussex County Council was held Tuesday, August 7, 2001, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
Finley B. Jones, Jr.	Vice President
George B. Cole	Member
Vance Phillips	Member
Lynn J. Rogers	Member
Robert L. Stickels	County Administrator
Susan M. Webb	Director of Accounting
Eugene Bayard	County Attorney

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

M 455 01 A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to amend the agenda
Amend by striking "Introduction of Proposed Zoning Ordinances", and to approve the
and agenda, as amended.

Approve
Agenda

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

M 456 01 A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to approve the
Approve minutes of July 31, 2001, as distributed.

Minutes

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

Corre-
spondence

Mr. Bayard read the following correspondence:

CHRISTIAN STOREHOUSE BUILDING FUND, GEORGETOWN,
DELAWARE.

RE: Letter in appreciation of grant funding.

NSA SOFTBALL TEAM, SUSSEX STINGERS, SEAFORD, DELAWARE.

RE: Letter in appreciation of grant funding.

M 462 01 Personnel Board Appointment A Motion was made by Mr. Jones, seconded by Mr. Rogers, to appoint Clay Yokum to the Personnel Board for a term of three years.
 Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Rogers, Yea; Mr. Jones, Yea;
 Mr. Dukes, Yea

Reim-bursable Transportation Program Mr. Stickels discussed the funding requests for the Reimbursable Transportation Program, as follows:

Agency	Agency Budget Request	Amount Approved
CHEER	\$466,226	\$466,226
Easter Seal	45,550	45,550
Cape Henlopen	39,710	39,710
Indian River	2,100	2,100
Laurel	85,393	85,393
Nanticoke	35,660	35,660

Mr. Stickels recommended approval of the budgets, as submitted.

M 463 01 Recommend Distribution of Funds/ Reim-bursable Transportation Program A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to recommend the distribution of funds for the Reimbursable Transportation Program for FY 2002, as presented.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Rogers, Yea; Mr. Jones, Yea;
 Mr. Dukes, Yea

Adminis-trator's Report Mr. Stickels read the following information in his County Administrator's Report:
 1. Delaware Solid Waste Authority Public Meeting

The Delaware Solid Waste Authority will be conducting a public meeting on Wednesday, August 22, 2001, at the Long Neck Elementary School starting at 7:00 p.m. to receive public input on a proposed transfer station to be located in the Fairmont area.

Adminis-
trator's
Report
(continued)

2. County Council Holiday Schedule

The Sussex County Council will not meet on Tuesday, August 14, 2001, to allow for a summer recess. The next regularly scheduled Council meeting will be on Tuesday, August 21, 2001, at 10:00 a.m. in the Council Chambers, County Administrative Office Building, located on The Circle in Georgetown.

Old
Business/
C/Z Nos.
1438
and
1439

Council discussed the Proposed Ordinances entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.51 ACRES, MORE OR LESS" (Change of Zone No. 1438) filed on behalf of Walter Wilson and the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.49 ACRES, MORE OR LESS" (Change of Zone No. 1439) filed on behalf of Walter Wilson.

Mr. Dukes advised that he was unable to attend the Public Hearings; however, he has listened to the taped proceedings of the Public Hearings, has read the minutes, and is prepared to participate in the vote on the applications.

In response to a question raised by Mr. Phillips, it was clarified that the parcels are not located within a Development District, rather they are located in an agricultural area.

It was noted that the parcels are only 1,200 feet away from the Development District; that the parcels are contiguous to other commercial zoning; and the sites are not located within a sewer district.

Mr. Phillips requested that action be deferred because he wanted time to revisit the site.

M 464 01
Defer
Action/
C/Z Nos.
1438
and
1439

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to defer action on Change of Zone No. 1438 and Change of Zone No. 1439 filed on behalf of Walter Wilson.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Absent; Mr. Jones, Yea;
Mr. Dukes, Yea

(Mr. Rogers was not present due to a possible conflict of interest.)

M 465 01
Youth
Activity
Grant

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$1,000.00 from Mr. Cole's Youth Activity Grant Account to the River Soccer Club for the expansion of the soccer complex.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

M 466 01
Council-
manic
Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$200.00 from Mr. Jones' Councilmanic Account to Boy Scout Troop 95 for Jacob Mills' Eagle Scout Project.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

M 467 01
Youth
Activity
Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$750.00 from Mr. Jones' Youth Activity Grant Account to the Georgetown Little League for operating expenses.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

M 468 01
Council-
manic
Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$250.00 from Mr. Jones' Councilmanic Account to the CARS/Grand Slam Softball Team for tournament expenses.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

Complaint/
Tall Weeds/
Grass

Mr. Dukes stated that he is still receiving complaints regarding tall grass/weeds. Mr. Dukes asked if there was a consensus of Council to have staff and legal counsel look at drafting a proposed ordinance authorizing the County to cut property owners' grass if they fail to do so, and to bill them for doing it.

Concern was expressed relating to private subdivisions, deed restrictions, agricultural areas where there are exemptions for cutting grass; and the burden of enforcing such an ordinance.

Complaint
(continued)

Mr. Bayard advised that he would research what other jurisdictions are doing.

Mr. Cole requested that staff perform the research.

DeIDOT
Five-Year
CIP

Mr. Stickels advised that he is preparing the County's recommendations for DeIDOT's Five-Year Capital Improvement Program. Mr. Stickels asked Council to submit their requests to him as soon as possible.

Weather
Conditions/
Press
Release

Mr. Stickels reported that due to the weather conditions and the forecast for the remainder of the week, the Milton Library, Greenwood Library, South Coastal Library, and the County Administration Building will be open to people who may want some relief from the heat. A Press Release has been distributed.

Park and
Ride
Facility

Mr. Cole reported that he has heard that DeIDOT is looking at Five Points on Route One for a Park and Ride Facility. Mr. Cole expressed his opinion that a facility at this location will not relieve congestion; that the beaches are already full; and that he would rather see DeIDOT spend the money on improvements to Route One. Mr. Stickels advised that DeIDOT is looking at other areas for this facility and has scheduled a workshop on August 28th.

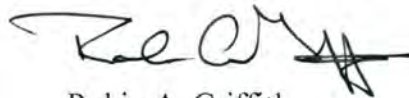
Citizen's
Comments

Mr. Kramer addressed Council regarding the County's Land Use Plan and referred to a Supreme Court ruling.

M 469 01
Adjourn

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to adjourn at 10:55 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council