

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-AUGUST 20, 1991

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, August 20, 1991, 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 352 91
Approval
of Minutes

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-
spondence

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

FREDERICK N. VANSANT, EXECUTIVE DIRECTOR, DELAWARE LEAGUE OF LOCAL GOVERNMENTS

RE: Acknowledging payment of the County's FY-92 dues, and thanking Council for their willingness to maintain their voice and vote on matters impacting the villages, townships, towns, and cities in Delaware.

WILLIAM V. ROTH, JR., U.S. SENATE, WASHINGTON

RE: Special announcement to Long Neck residents stating that their community name, Long Neck, will be listed in the National Five Digit Zip Code Directory, using Zip Code 19966.

President Dukes announced that he had received a letter from Mr. Frederick N. VanSant, Executive Director, Delaware League of Local Governments, informing him that he would be resigning from his position September 1, 1991, due to medical problems.

Blades
Sanitary
Sewer
Request

Mr. Stickels, County Administrator, reviewed a request made by Dr. H. Paul Aguilon and Joyce, 200 Sussex Street, Seaford, for permission to connect their residence to the Blades Sanitary Sewer District.

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Blades
Sanitary
Sewer
Request
(Con't.)

A portion of tax parcel 1-32 - 1.11 - 92.01 [Dr. Aguillon's property] is located within and served by the Blades Sanitary Sewer District. However, the residence, located on the same parcel, is not within the District and they are currently experiencing serious problems with the existing septic system. Thus, the request for emergency relief. Dr. and Mrs. Aguillon have verbally agreed to pay all expenses involved for the connection. In addition, they have indicated a willingness to be annexed into the Blades town limits.

It was agreed by Council that the County Administrator request permission from the City of Seaford for an Amendment to the Contract for Blades Wastewater Facilities to permit Sussex County to connect tax parcel 1-32 - 1.11 - 92.01 in its entirety to the Blades Sanitary Sewer District. In addition, he was directed to send a letter to the Town of Blades requesting permission to amend the boundaries of the Blades Sanitary Sewer District to accommodate this connection.

House
Bill No. 3

In accordance with Councilman Stevenson's request, House Bill No. 3 was on the Agenda for discussion and action. The bill, if adopted by the General Assembly, will require all changes in zoning that are denied by the Planning and Zoning Commission at their Public Hearing to have a two-thirds vote by members of the County Council and/or Levy Court to be approved. In Sussex County's case, it would require a four-fifths vote.

M 353 91
Opposition
to House
Bill No. 3

A Motion was made by Mr. Stevenson, seconded by Mr. Collins, that the Sussex County Council go on record opposing House Bill No. 3; in addition, the County Administrator is directed to lobby against passage of the bill. Motion Adopted: 4 Yea; 1 Absent.

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

It was noted that the County Attorney and Planning and Zoning Director are in agreement with Council's decision to oppose the passage of House Bill No. 3.

Site
Survey
Require-
ments

At the July 30, 1991, regularly scheduled Council Meeting, the County Administrator was directed to send a memo to the Planning and Zoning Director seeking the Commission's

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Site
Survey
Require-
ments
(Con't.)

recommendation concerning the adoption of a policy that would require an applicant to submit a site survey before a certificate of occupancy is issued. A letter was read from Mr. Lank, Planning and Zoning Director, stating Commission's recommendation concerning the implementation of this policy. The consensus of the Planning and Zoning Commission on this issue [requiring a site survey before a certificate of occupancy is issued] is that, in most situations, it would create an unnecessary hardship on individuals. The Commission agreed that such a policy may reduce the number of applications brought before the County Board of Adjustment; however, the survey may cost more than the building. An example of this would be the construction of a small shed. The Commission recommended that the present policy be continued, whereby Zoning Inspectors require site surveys when questions arise in reference to setbacks, elevations, or height.

Building
Code
Report

Mr. Stickels, County Administrator, read in its entirety his Building Code Report. A very brief outline of the report follows.

1. Introduction and Background - events leading up to the request for the report and history concerning the Building Code Ordinance and its enactment.
2. Purpose - intended to protect the public safety, health, and general welfare of current inhabitants, as well as future inhabitants.
3. Need - was illustrated by accompanying attachments, including requests for housing rehabilitation grants.
4. Staffing - the current staffing at the Building Inspection Office, plus anticipated staffing needs [illustrated in the report by charts] once the enforcement of single-family dwellings and additions is initiated.
5. Recommendation - the Administrator recommended that Council consider contracting inspection services for single-family homes and additions once enforcement of single-family dwellings and additions is initiated. With this approach, the only additional staff that will be needed is a plan reviewer. The Building Inspection Office would retain the responsibility of plan review and permit issuance. The current fee structure [\$120] should be sufficient to cover all costs. However, after the program has been operational for six months, the fee structure will be reviewed.

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Building
Code
Report
(Con't.)

If Council proceeds with this recommended approach, the County Administrator, County Attorney, and the Director of the Building Inspection Office would draft a request for proposals for inspection services to be advertised. Proposals would be evaluated and firms would be interviewed and graded. Negotiations would be undertaken with the consultant that was selected by the Review Committee.

Although the County Council has never contracted for building code inspection services before, it is believed that it would work much the same as the process that has been used successfully by the Engineering Department since June 16, 1981, for inspection of sewer construction being installed in private subdivisions.

The Administrator believes that by contracting the single-family and additions section of the Building Code, the County Council will be able to provide a program that will be acceptable to the building industry.

President Dukes commended the County Administrator on the collection of facts and information [charts and illustrations] included in the Building Code Report. He also suggested that it be reviewed in depth by the Councilmen and placed on the Agenda in two weeks for consideration and action.

Adminis-
trator's
Report

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

1. County Council Recognition - Wednesday, August 14, 1991, President Dukes accepted a plaque on behalf of the County Council in recognition of the support they have provided to the programs of the University of Delaware College of Agricultural Sciences, Research and Education Center, formerly known as the Substation.
2. Long Neck Bond Rating - Notification has been received from Daniel N. Heimowitz, Executive Vice President and Director, Public Finance Department, Moody's Investors Service, that our bond issuance for the Long Neck Sanitary Sewer Project has received an A 1 rating. By securing this bond rating, we should be able to sell bonds with an interest rate of less than seven percent.
3. Adult/Family Literacy Achievement Awards - The County Administrator has been asked by Lieutenant Governor Dale Wolf to chair the Outstanding Adult/Family Literacy Achievement Awards Review Panel for Sussex County. Literacy programs being offered through private business, local governments, and community based organizations operating in Sussex County will be reviewed and returned to the Lieutenant Governor's Office to be rated against other programs throughout the state.

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Adminis-
trator's
Report
(Con't.)

In addition to the County Administrator, members serving on the Review Panel include: Mr. Jack Hudson, Mayor of Milton; Mr. Bill Satterfield, Delmarva Poultry Industry; Mr. Ron Breeding, Assistant City Manager of Seaford; Mr. Milton Cathell, Nationwide Insurance, Georgetown; Mrs. Dunreath Jefferson, Dagsboro; Mrs. Linda Hudson, Assistant Principal, Georgetown Elementary; Mr. George Schenck, Administrative Assistant, Laurel School District; Mr. John McDonnell, Mayor of Delmar; Mr. Eddy Parker, President, Woodbridge School Board; Mr. Steve Masten, Sussex County Director of Economic Development; and Mr. Frank Calio, Sussex County Director of Airport and Industrial Park Operations.

4. Bookmobile Donation - Mrs. Carol H. Fitzgerald, Director of Sussex County Libraries, accepted a check on behalf of the County Bookmobile on Wednesday, August 14, 1991, from the Perdue Employees Recycling Fund. The donation was in the amount of \$1,025. The funds will be used to purchase visual aids for the Bookmobile.
5. Save Our Sussex County - Douglas L. Miller, Chairman, Save Our Sussex County, has requested the County Council to attend a meeting on Monday, September 9, 1991, at 7:30 p.m. at the Delaware Technical and Community College Theater, Georgetown. Mr. Miller feels that it will be beneficial if all members of the Council attend. In addition to the Council, Mr. Miller has invited all elected County officials of the General Assembly.

Employees
Commended
for work
during
Hurricane
Bob
Warning

President Dukes took the opportunity to commend all County employees who worked Sunday afternoon and through the night at the Emergency Operations Center during the Hurricane Bob warning. President and Mrs. Dukes worked at the Center also, and he felt that the situation was handled very professionally. Three shelters were opened in the County and approximately 500 people took advantage of the facilities provided. The following County employees worked during this period: Mrs. Catherine D. King, Mrs. Elizabeth J. Collins, Ms. Kelly A. Kruger, Mrs. Jean E. Sockriter; Mr. Edwin J. Wise, Mr. Robert A. Coleman, Mr. E. Edward Carey III, and Mr. Robert L. Stickels.

Bid
Results
West Reho.
Expansion
Dewey
Beach
SSD
Phase 1A

Mr. Wood, County Engineer, reviewed results of the bids for West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District Wastewater Collection System Phase 1A: Delaware Route 1 from Route 24 to Five Points. Bids were opened in the Council Chambers at 8:00 a.m. today. Starting with the lowest bidder, the bids are listed in sequence.

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Bid
Results
(Con't.)

Onshore Construction	\$2,859,859.00
Cris-Tec Associates, Inc.	2,942,365.00
R. E. Pierson	2,977,880.00
Bunting & Murray Construction	3,627,492.00
Lisbon Contractors	3,690,093.00
Teal Construction	4,441,232.20
L. A. Merrell Construction	4,999,234.00

The bids for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District Wastewater Collection System Phase 1A will be reviewed and a recommendation brought back to Council at a later time.

South
Bethany
Sanitary
Sewer
District
Upgrade

Mr. Izzo, Public Works Division Director, discussed a request made by Canal Partners and Sea Colony, Inc. to upgrade South Bethany Sanitary Sewer District to provide connection facilities for their developments to the sewer along Muddy Neck Road. All costs for the connection and upgrade will be borne by Canal Partners and Sea Colony, Inc., the developers.

M 354 91
Escrow
Agreements
Canal
Partners
and
Sea
Colony

A Motion was made by Mr. Collins, seconded by Mr. Benson, based upon the recommendation of the Sussex County Engineering Department, that the President of the Sussex County Council execute two separate escrow agreements, with Canal Partners and Sea Colony, Inc. respectively, to complete the facilities design stage to upgrade the South Bethany Sanitary Sewer District and accommodate their connection to the sewer system along Muddy Neck Road. Motion Adopted: 5 Yea.

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

M 355 91
Facilities
Design to
Upgrade
So. Beth.
Sanitary
Sewer
District

A Motion was made by Mr. Benson, seconded by Mr. Collins, based upon the recommendation of the Sussex County Engineering Department, that the President of the Sussex County Council execute a contract with George, Miles, and Buhr to complete the facilities design stage for the upgrade of the South Bethany Sanitary Sewer District to accommodate the connection of Canal Partners and Sea Colony, Inc. properties along Muddy Neck Road. Motion Adopted: 5 Yea.

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M 355 91
(Con't.)

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

Consultant
Contract
Proposed
Ellendale
Sanitary
Sewer
District

Mr. Archut, Planning and Permits Division Director, reported that a Consultant Agreement had been negotiated with Whitman, Requardt and Associates for a preliminary planning study of an alternative wastewater treatment system to serve the Proposed Ellendale Sanitary Sewer District. The Consultant expects to complete the work within four months. Mr. Joseph H. Bourdon, Senior Associate, Whitman, Requardt, and Associates, discussed the responsibilities and scope of work to be performed by the Consultant. The total cost for the project is \$18,210. The Agreement has been reviewed by the County's Assistant Attorney and approved as to form.

It was noted that the Town of Ellendale will not be included in the Proposed Ellendale Sanitary Sewer District. Less than a month ago the Town Mayor confirmed the town's position again, stating that the Town of Ellendale does not want to be included in the Proposed Ellendale Sanitary Sewer District.

It was also noted that the study will benefit the County in the future by providing costs and alternative systems for wastewater in rural areas.

M 356 91
Consultant
Agreement
Proposed
Ellendale
Sanitary
Sewer
District

A Motion was made by Mr. Benson, seconded by Mr. Collins, that the President of the Sussex County Council be authorized to execute an agreement with Whitman, Requardt, and Associates to perform a Preliminary Planning Study of Alternative Wastewater Treatment Systems to serve the Proposed Ellendale Sanitary Sewer District, in an amount not to exceed \$18,210. Motion Adopted: 5 Yea.

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

M 357 91
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to give \$300, from Mr. Cole's Councilmanic Account, to Lord Baltimore Helping Hands 4-H Club to sponsor Courtenay Bauer's trip to a Leadership Conference in Washington, D.C. Motion Adopted: 5 Yea.

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

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M 358 91
Council-
manic
Grant

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to give \$720, \$180 from Mr. Stevenson's, Mr. Benson's, Mr. Collins' and Mr. Cole's Councilmanic Accounts respectively, to Sussex Central Pop Warner Football to assist with purchasing equipment. Motion Adopted: 5 Yea.

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

M 359 91
Council-
manic
Grant

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, to give \$1,000, from Mr. Stevenson's Councilmanic Account, to the Georgetown Men's Softball League to assist with participation in national tournaments. Motion Adopted: 5 Yea.

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

M 360 91
Council-
manic
Grant

A Motion was made by Mr. Benson, seconded by Mr. Cole, to give \$400, from Mr. Benson's Councilmanic Account, to Milford Parks & Recreation Department to assist the Milford based Casablanca modified pitch softball team with travel expenses to represent Delaware in the 1991 Class A Modified Pitch National Softball Championship Tournament. Motion Adopted: 5 Yea.

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

M 361 91
Council-
manic
Grant

A Motion was made by Mr. Collins, seconded by Mr. Cole, to give \$300, from Mr. Collins' Councilmanic Account, to Delmar Public Library to assist in purchasing a copier for their library. Motion Adopted: 5 Yea.

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

M 362 91
Council-
manic
Grant

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to give \$500, \$250 from Mr. Collins' and Mr. Stevenson's Councilmanic Accounts respectively, to Sussex Central Football Boosters for assistance with expenses involved with their athletic program. Motion Adopted: 5 Yea.

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M 362 91
(Con't.)

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

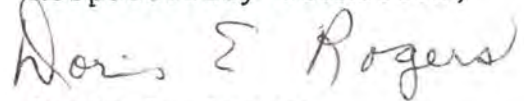
Watermelon
Queen
and
Guests
Introduced

Councilman Collins introduced Ms. Angie Riggan, 1991 Mar-Del Watermelon Queen, Mrs. Charity Phillips, Watermelon Queen Coordinator, and his daughter, Karen Collins Coleman. Ms. Riggan participated in the Watermelon Seed Spitting Contest held in the parking lot after today's Council meeting. Ms. Riggan also gave tips on watermelon selection, plus the nutritional and economic value of the product.

M 363 91
Adjourn

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to adjourn at 11:40 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council