

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 23, 1994

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, August 23, 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 360 94      A Motion was made by Mr. Collins, seconded by Mr. Cole, to Approve      approve the minutes of the previous meeting dated August 16, Minutes      1994. Motion Adopted by Voice Vote.

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

DELAWARE HOSPICE, WILMINGTON, DELAWARE.  
RE: Summer 1994 edition of the newsletter "Communicator".

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.  
RE: Notice to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit. Applicant: Rogers Haven Lagoon Members. Waterway: White Creek.

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.  
RE: Notice to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit. Applicant: Lewes Dairy, Incorporated. Waterway: Lewes and Rehoboth Canal.

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF AIR & WASTE MANAGEMENT, DOVER, DELAWARE.  
RE: (1) Notice of public hearing to be held on September 22, 1994, on a revision to the State of Delaware Regulations Governing the Control of Air Pollution, Section No. 24 - Control of Volatile Organic Compound Emissions. (2) Notice regarding an amendment to the Regulations Governing the Control of Air Pollution, Regulation No. 24 - Control of Volatile Organic Compound Emissions.

THE HONORABLE WILLIAM V. ROTH, JR., UNITED STATES SENATE, WASHINGTON, D.C.  
RE: Letter to Mr. Stickels regarding the Violent Crime Control and Law Enforcement Act of 1993 (the crime bill).

Sussex  
County  
Adminis-  
tration  
Building

Mr. Clendaniel, representing R. Calvin Clendaniel Associates, architect for the new Sussex County Administration Building, was present to review with Council the interior design of the new building. Mr. Clendaniel reviewed the layout of each floor, indicating where each department will be located. Mr. Clendaniel advised that the design is ready to be finalized.

First  
State  
Inspec-  
tion  
Agency  
Status  
Report

Mr. Morrison, representing First State Inspection Agency, Inc., the firm selected for Single Family Building Code inspection services, was present to provide Council with a status report of services provided for the past year. From September, 1993, through August 19, 1994, 4,901 inspections have been made; 992 violations have been cited; 1,627 applications have been received; and total fees collected were \$166,716.50. Mr. Stickels, County Administrator, asked Council to consider amending the Agreement between First State Inspection Agency, Inc. and Sussex County to (1) extend the time the Agreement will remain in effect from two years to three years and (2) to increase the time of notice of termination of the contract from thirty days to one hundred eighty days. These amendments will benefit the County by (1) locking in the price of the Agreement for an additional year and (2) allowing for more time to find another company to provide services should the need arise.

M 361 94  
Amend  
Agreement  
with  
First  
State  
Inspec-  
tion  
Agency

A Motion was made by Mr. Collins, seconded by Mr. Cole, that the Sussex County Council and First State Inspection Agency, Inc., agree to amend Section 12 of the Inspection Agreement dated August 17, 1993, by striking "two (2) years" and inserting three (3) years and striking "thirty (30) days" and inserting one hundred eighty (180) days.

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

Mr. Izzo, Director of Public Works, updated the Council on two recent meetings held regarding the Laurel Landfill. The U.S. Environmental Protection Agency (EPA) conducted a fact finding meeting to discuss the Proposed Remedial Action Plan and to receive public comments about the plan for no action at the site. The Plan will provide for the installation of a public water supply line by Sussex County. Sussex County will monitor residential, monitoring, and irrigation wells determined to be of potential risk. The monitoring will go on for at least five years. Mr. Stickels, County Administrator, advised that he attended a meeting at the Laurel Public Library with approximately fifty residents who asked questions generated as a result

Laurel  
Landfill  
(con't)

of the EPA meeting. Mr. Izzo informed Council that anyone with an agricultural well would be allowed to obtain another well permit and would not have to hook to the central water system should they have problems to develop as a result of the Laurel Landfill. Only five residents are compelled to hook to the central water system when it becomes available. The County has budgeted for additional off-site monitoring wells and will install those as necessary as residential wells connect to the central water system. Construction of the system should commence this calendar year with a scheduled completion date of June 1, 1995.

Public  
Hearing  
Fenwick  
Island  
Sanitary  
Sewer  
District  
Extension

A Public Hearing was held on the question of extending the boundary of the Fenwick Island Sanitary Sewer District to encompass a certain piece, parcel or tract of land owned by Carl Pepper, Ralph Lawrence and Wilma Lee Jones, Clarence G. and Geraldine J. Murray and Peninsula Oil Company, lying contiguous to the Fenwick Island Sanitary Sewer District, situate north of Phases I and II of Keenwick Sound and being in Baltimore Hundred, Sussex County, Delaware. Council was advised that two additional property owners, Grace Cobb and Gladys Swain, were interested in having their properties included in the Fenwick Island Sanitary Sewer District. Due to the fact that these properties were not included in the petition, these requests could not be considered during this Public Hearing. Public comments were heard and the Public Hearing was closed.

M 362 94  
Adopt  
Resolu-  
tion No.  
R 024 94  
Fenwick  
Island  
Sanitary  
Sewer  
District  
Extension

A Motion was made by Mr. Benson, seconded by Mr. Collins, to Adopt Resolution No. R 024 94 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE FENWICK ISLAND SANITARY SEWER DISTRICT TO ENCOMPASS A CERTAIN PIECE, PARCEL OR TRACT OF LAND OWNED BY CARL PEPPER, RALPH LAWRENCE AND WILMA LEE JONES, CLARENCE G. AND GERALDINE J. MURRAY AND PENINSULA OIL COMPANY, LYING CONTIGUOUS TO THE FENWICK ISLAND SANITARY SEWER DISTRICT, SITUATE NORTH OF PHASES I AND II OF KEENWICK SOUND AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE".

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, discussed the following information in his County Administrator's Report:

1. Employee Luncheon

Members of the Sussex County Council will personally sponsor a luncheon for the County employees on Friday,

Adminis-  
trator's  
Report  
(con't)

August 26, 1994, from 11:30 a.m. to 2:00 p.m. Lunches will be staggered to allow all County employees to attend, and no offices will be closed as a result of the luncheon. County Council members personally sponsor the cost of the luncheon in appreciation of the efforts given by the employees to the public during the year.

2. Road Naming Project

A public meeting has been scheduled for the Blades Fire District on Thursday, September 1, 1994, for the purpose of getting public input for the naming of the roads in the Blades Fire District. This will be the ninth fire district hearing held in the County. There are still twelve more districts to have hearings before the project is complete.

3. Council Meeting Schedule

There will not be a Council meeting the week of the Labor Day holiday. The meeting normally would have been scheduled for Tuesday, September 6, 1994.

Change  
Order  
No. 3,  
Contracts  
2 & 3,  
West  
Rehoboth  
Sewer  
Project

Mr. Wood, County Engineer, and representatives of George, Miles & Buhr discussed Time and Material Change Order No. 3, Contracts 2 and 3, for the West Rehoboth Sewer Project. This Change Order will be issued to Northeast Construction Company and will allow for a subcontractor to replace septic tanks and/or drain fields that are damaged during construction of the West Rehoboth Sewer Project. The Change Order also allows for a time extension resulting from such damages. The estimated amount of the Change Order is \$43,177.89.

M 363 94  
Authorize  
Change  
Order  
No. 3,  
Contracts  
2 & 3,  
West  
Rehoboth  
Sewer  
Project

A Motion was made by Mr. Cole, seconded by Mr. Collins, based on the recommendation of the Inspection Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, that Sussex County Council authorizes that a Time and Material Change Order No. 3, be issued to Northeast Construction Company, in the amount of \$43,177.89, for a subcontractor to replace septic tanks and/or drain fields not previously identified on drawings, plus a six (6) calendar day extension, bringing the revised total contract amount to \$3,337,450.29, and a new substantial completion date of September 13, 1994.

Motion Adopted: 5 Yea.

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

Proposed Ordinance Mr Cole introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY DISTRICT TO A MR/RPC MEDIUM DENSITY/RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 83.60 ACRES, MORE OR LESS" (Change of Zone No. 1240) filed on behalf of Indian River Associates, Inc. The Proposed Ordinance will be advertised for Public Hearing.

M 364 94 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Benson, to give \$150.00 from Mr. Cole's Councilmanic Account to the Sussex Central Football Boosters to help offset the cost of t-shirts and shorts for the Sussex Central football team.

Motion Adopted: 5 Yea.

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

M 365 94 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Cole, to give \$500.00 from Mr. Dukes' Councilmanic Account to the City of Seaford, Department of Parks and Recreation, for the Seaford Little League Football Program.

Motion Adopted: 5 Yea.

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

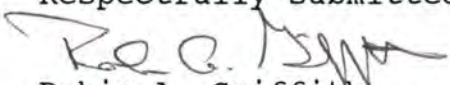
M 366 94 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Benson, to give \$500.00, \$250.00 from Mr. Cole's Councilmanic Account and \$250.00 from Mr. Benson's Councilmanic Account, to the P.A.L. Yellowjacket Wrestling Club to help fund the purchase of a wrestling mat.

Motion Adopted: 5 Yea.

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

M 367 94 Adjourn A Motion was made by Mr. Benson, seconded by Mr. Cole, to adjourn at 12:25 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,

  
Robin A. Griffith  
Clerk of the County Council