

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 25, 1992

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, August 25, 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 366 92      A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve Minutes      approve the minutes of the previous meeting dated August 18, 1992. Motion Adopted by Voice Vote.

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

UNITED STATES DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, SUSSEX COUNTY ASCS OFFICE, GEORGETOWN  
RE: August newsletter entitled "The Farmers Corner".

KIMBERLY J. KOLLOCK, DIRECTOR, SENIOR COMPANION PROGRAM, SUSSEX COUNTY COMMUNITY ACTION AGENCY, INC., GEORGETOWN  
RE: Appreciation for support of their request for financial assistance from the State of Delaware.

Proposed Ordinance Relating to Tents      Mr. Stickels, County Administrator, discussed a Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, THE ZONING ORDINANCE, TO PROVIDE FOR CIRCUS, CARNIVAL GROUNDS, AMUSEMENT PARK, OR MIDWAY, PERMANENT OR TEMPORARY FOR A SPECIFIED TIME PERIOD AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS, AND TO PROVIDE FOR TENTS FOR SPECIAL PURPOSES AS SPECIAL USE EXCEPTIONS IN CERTAIN ZONING DISTRICTS", as drafted by Mr. Lank, Planning and Zoning Director, and himself. The drafting of this Proposed Ordinance is a result of complaints received regarding the County's present Ordinance pertaining to restrictions on tents. The Proposed Ordinance will be forwarded to the Planning and Zoning Commission for consideration prior to introduction.

Request to Withdraw C/U No. 1012      Mr. Stickels, County Administrator, advised Council that Mr. Lank, Planning and Zoning Director, is in receipt of a letter from Margaret Eby requesting permission to withdraw Conditional Use No. 1012 filed on behalf of Margaret R. and Roy Z. Eby. A Public Hearing on this Conditional Use was held on July 14, 1992, at which time action was deferred. In accordance with County Ordinance No. 804, a petition may be withdrawn following the holding of the Public Hearing for good cause shown if a majority of the members of the County Council shall vote to allow such withdrawal.

M 367 92 A Motion was made by Mr. Cole, seconded by Mr. Benson, to deny the  
Deny request of Margaret Eby to withdraw Conditional Use No. 1012, due  
Request to the fact that the applicant failed to show good cause.  
to With-  
draw C/U Motion Adopted: 4 Yea; 1 Nay.  
No. 1012

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

Utility Mr. Stickels, County Administrator, discussed utility billing for  
Billing the Long Neck Sanitary Sewer District. Mr. Stickels advised that  
Long in the Long Neck Sanitary Sewer District, unlike other sewer  
Neck districts, tenants are billed first. If payment is not received  
Sanitary within thirty days, the property owners are billed. Residents in  
Sewer the Long Neck Sanitary Sewer District have asked that County  
District Council consider granting additional time, until the fifth of the  
month, before payment is due.

M 368 92 A Motion was made by Mr. Collins, seconded by Mr. Cole, that the  
Due Dates Sussex County Council authorizes the following dates as the last  
Long due date for the Long Neck Sanitary Sewer District:  
Neck

Sanitary For the Tenants:  
Sewer

District November 5, February 5, May 5 and August 5;

For the Land Owners:

December 5, March 5, June 5, and September 5;

or in the event a due date falls on a Sunday, the first working  
day thereafter.

Motion Adopted: 5 Yea.

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

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

1. Sussex County Council Open House

The second annual Sussex County Council Open House has been  
scheduled for Tuesday, October 27, 1992. The Open House will  
be from 6:30 p.m. to 10:00 p.m. Service organizations will be  
notified and encouraged to make October 27th their meeting  
night. In addition to department heads being available to

Adminis-  
trator's  
Report  
(con't)

answer questions and explaining their responsibilities of government, County employees will also be on hand to give guided tours.

2. Courthouse Closing

County government offices will be closed on Monday, September 7, 1992, in observance of Labor Day.

Developer  
Negotia-  
tion  
Ordinance

Mr. Archut, Planning and Permits Division Director, and Dennis Schrader, Assistant County Attorney, discussed a revised Developer Negotiation Ordinance. A Public Hearing on the original Developer Negotiation Ordinance entitled "ORDINANCE AMENDING CHAPTER 110 OF THE CODE OF SUSSEX COUNTY, DELAWARE, RELATING TO EXTENSION OF PUBLIC WATER AND/OR SEWER SYSTEMS" was held on December 17, 1991, at which time action was deferred for further review by Mr. Schrader and Black & Veatch. The portion of the Proposed Ordinance which is different from that which was originally heard is in Section 3 and relates to the method by which reimbursement is to be made to the developer. The method proposed in this Proposed Ordinance is a cash credit against the transmission connection charges first, then if the reimbursement is greater than the transmission connection charge, the developer and the County Engineer shall negotiate the time and method of payment to the developer. If the reimbursement is less than the transmission connection charge, the difference shall be paid by the developer to the County. This Proposed Ordinance will be placed on the agenda to be voted on at a later date.

M 369 92  
Council-  
manic  
Grant

A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$500 from Mr. Cole's Councilmanic Account to the YMCA of Delaware, Sussex Family Branch, for the Teenage Development 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 370 92  
Council-  
manic  
Grant

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to give \$800 from Mr. Collins' Councilmanic Account to the Town of Frankford for financial aid for planning and zoning expenses. These expenses include legal counsel and administrative costs.

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 371 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, that Sussex Executive County Council authorizes an Executive Session to be held on Session Tuesday, September 1, 1992, at 9:30 a.m., in the Sussex County Council Chambers, for the purpose of discussing pending litigation.

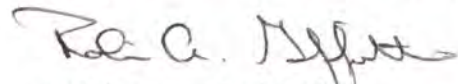
Motion Adopted: 5 Yea.

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

Birthday Wishes Everyone present wished Councilman Stevenson a Happy Birthday and, in celebration, a cake was presented to Mr. Stevenson and shared by all.

M 372 92 A Motion was made by Mr. Collins, seconded by Mr. Cole, to adjourn Adjourn at 11:05 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council