



Purchase of Property by Friends of the South Coastal Library

Ms. Fitzgerald, County Librarian, and Ms. McGee representing Friends of the South Coastal Library, discussed a Proposed Joint Agreement between the Sussex County Council and the Friends of the South Coastal Library. Ms. Fitzgerald explained that in 1988, Council entered into an Agreement with the Friends of the South Coastal Library authorizing the Friends to raise money and seek grants to construct the South Coastal Library building. The Town of Bethany Beach donated the land that the library building is located on. The Town of Bethany Beach now wishes to sell the property behind the library. The Friends want to purchase the property as an investment towards the future - for possible expansion. The Proposed Agreement will authorize the Friends to apply for grants and to raise money to fund the purchase of this property. Mr. Stickels, County Administrator, advised that the project is eligible to receive up to 40% in State funding.

M 356 96  
Execute Agreement with Friends of the South Coastal Library

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to authorize the President of the Sussex County Council to execute an Agreement between Sussex County and the Friends of the South Coastal Library, Inc. for the purchase of property to be owned by the Friends.

Motion Adopted: 5 Yea.

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

Local Law Enforcement Block Grant Program Advisory Board

Mr. Stickels, County Administrator, advised that he has received a letter from Ms. Francine Booth, Federal Aid Coordinator, State of Delaware, regarding the County's Local Law Enforcement Block Grant Application. In the letter, Ms. Booth advises that the State of Delaware supports the County's proposal. Mr. Stickels stated that the next step in receiving the federal funding is to appoint a Local Law Enforcement Grant Program Advisory Board to oversee the \$81,739.00 that would be distributed to the local police departments. Mr. Stickels presented for Council's approval a list of seven people who have been recommended by the Sussex County Police Chiefs' Association to serve on the Advisory Board, as follows:

Chief Handley J. Orr  
Chief Harvey Gregg, Jr.  
Chief Leon R. McCabe  
D.A.G. James Atkins  
J.P. Jerry Hagan  
Milton Morozowich  
Rev. Alfred Taylor

Mr. Stickels noted that the Board members will serve as volunteers.

M 357 96  
Appoint  
Advisory  
Board

A Motion was made by Mr. Benson, seconded by Mr. Collins, to appoint the members of the Local Law Enforcement Grant Program Advisory Board.

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. County Office Closing

Sussex County government offices will be closed Monday, September 2, 1996, to allow employees to observe the Labor Day holiday. County offices will reopen Tuesday, September 3, 1996, at 8:30 a.m.

There will not be a County Council meeting on Tuesday, September 3, 1996. The next regularly scheduled meeting will be at 10:00 a.m. on Tuesday, September 10, 1996.

2. Sussex County Airport Grant

The Sussex County Airport has been awarded a grant from the United States Secretary of Transportation in the amount of \$293,455. This grant is phase one of a two-phase project to install medium intensity taxiway lights and airfield guidance signs and to construct a new airfield electrical vault. Sussex County Airport will receive an equal amount of funding next year from FAA to finalize taxiway improvements and allow for the purchase of a tractor with a snowplow attachment and a dump truck with a snowplow for Airport Maintenance.

Cash  
Manage-  
ment  
Account

Mr. Baker, Finance Director, discussed a Proposed Resolution entitled "CASH MANAGEMENT ACCOUNT RESOLUTION". The Proposed Resolution will enable the County's Cash Management Agreement at Wilmington Trust Company to include the account entitled "Sussex County Council, Treasury Division, Escrow Account".

M 358 96  
Adopt  
Resolu-  
tion No.  
R 019 96  
Cash  
Manage-  
ment  
Account

A Motion was made by Mr. Benson, seconded by Mr. Cole, to Adopt Resolution No. R 019 96 entitled "CASH MANAGEMENT ACCOUNT RESOLUTION".

Motion Adopted: 5 Yea.

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

Accounting Software Package

Mr. Baker, Finance Director, advised that on July 30, 1996, Council authorized the negotiation of an agreement for an Accounting Software Package; and further, that this negotiation has been accomplished with J.D. Edwards & Company. Mr. Baker reviewed the advantages of this program: greater efficiency, considerable time savings, improved financial reporting, improved control and regular upgrades. Mr. Baker advised that there are three major aspects to the cost of the program:

Purchase of the Program License	\$ 70,950
Training, Travel, Initial Set-up of Package	Maximum Amount of \$ 44,265
Hardware Upgrade	\$ 32,500
<u>Total</u>	<u>\$147,715</u>
Annual Maintenance Charge for Software	\$ 9,578

Mr. Baker advised that the total cost of \$148,000 will be funded by mortgage bond funds received and Data Processing revenue received to date.

M 359 96 Approve Accounting Software Package/ J. D. Edwards & Company

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that the Sussex County Council approves the Software License, Services and Maintenance Agreement with J. D. Edwards & Company, and the purchase of related hardware to upgrade the County's computer system, as recommended by the Director of Finance, the Director of Accounting, and the Director of Data Processing; the total cost of \$148,000 will be funded by mortgage bond funds received and Data Processing revenue received to date.

Motion Adopted: 5 Yea.

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

Recess At 10:55 a.m., Mr. Dukes declared a five minute recess.

Reconvene At 11:03, Mr. Dukes called Council back into session.

Public Hearing (Moratorium)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE IMPOSING A MORATORIUM UPON APPLICATION FOR CHANGES OF ZONE DESIGNATION, CONDITIONAL USES, OR THE SUB-DIVISION OF LAND PENDING THE ADOPTION OF A COMPREHENSIVE LAND USE PLAN". Numerous correspondence was read into the record and numerous public comments were made. The Public Hearing was closed.

Public  
Hearing  
(con't)

Mr. Schrader, Assistant County Attorney, distributed for Council's consideration a revised Proposed Ordinance with an amendment to Section 2. The amended Proposed Ordinance includes five additional applications that the moratorium will not apply to:

- D. For agricultural subdivisions required by lending institutions where the property will remain in agricultural uses; or
- E. For subdivisions created by testamentary provisions; or
- F. For partition proceedings or other Court ordered applications; or
- G. For public works and utilities; or
- H. For any resubdivision or reconfiguration of property not creating additional lots.

Mr. Dukes questioned if there was any support from the Council to amend the Ordinance to cover only 5 acre subdivisions. There was no consensus from Council.

M 360 96 Amend Proposed Ordinance (Moratorium) A Motion was made by Mr. Cole, seconded by Mr. Collins, to amend the Proposed Ordinance entitled "AN ORDINANCE IMPOSING A MORATORIUM UPON APPLICATION FOR CHANGES OF ZONE DESIGNATION, CONDITIONAL USES, OR THE SUBDIVISION OF LAND PENDING THE ADOPTION OF A COMPREHENSIVE LAND USE PLAN" by adding five exemptions, D through H, to Section 2.

Motion Adopted: 5 Yea.

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

Mr. Stevenson discussed the exemption of Conditional Uses and Changes of Zones. No formal Motion was made.

M 361 96 Adopt Ordinance No. 1101 (Moratorium) A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 1101 entitled "AN ORDINANCE IMPOSING A MORATORIUM UPON APPLICATION FOR CHANGES OF ZONE DESIGNATION, CONDITIONAL USES, OR THE SUBDIVISION OF LAND PENDING THE ADOPTION OF A COMPREHENSIVE LAND USE PLAN", as amended.

Motion Adopted: 3 Yea; 1 Nay; 1 Abstention.

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

M 362 96 At 12:55 p.m., a Motion was made by Mr. Benson, seconded by  
Recess Mr. Cole, to recess until 1:30 p.m. Motion Adopted by Voice  
Vote.

Reconvene Mr. Dukes called Council back into session at 1:55 p.m.

Location The afternoon session was held in the County Council Chambers.

Highview/ Mr. Green, Director of Utility Construction, discussed a  
Agree- Construction Administration and Construction Inspection Agree-  
ments ment between Sussex County Council and Bryce Lingo for sanitary  
sewer facilities to be constructed at Highview, located in the  
Long Neck Sanitary Sewer District.

M 363 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, based  
Execute upon the recommendation of the Sussex County Engineering De-  
Agree- partment, for Sussex County Project No. 81-04, that the Sussex  
ments/ County Council execute a Construction Administration and Con-  
Highview/ struction Inspection Agreement between Sussex County Council  
Long and Bryce Lingo for Sanitary Sewer Facilities to be constructed  
Neck at Highview, located in the Long Neck Sanitary Sewer District.  
SSD

Motion Adopted: 5 Yea.

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

Rolling Mr. Richard Tallman addressed Council on behalf of Rolling  
Meadows Meadows Homeowners Association, asking the County to take  
responsibility for the repair of their roads.

M 364 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, to  
Council- give \$250.00 from Mr. Cole's Councilmanic Account to the  
manic Sussex Coastal Triad for operating expenses.  
Grant

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 96 A Motion was made by Mr. Cole, seconded by Mr. Collins, to  
Council- give \$200.00 from Mr. Cole's Councilmanic Account to the  
manic Lord Baltimore Teacher Association for the 1996 Coastal  
Grant Music and Arts Festival.

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 96 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,  
Council- to give \$500.00 from Mr. Stevenson's Councilmanic Account to  
manic the Georgetown Men's Softball League to help defray expenses  
Grant associated with their trip to Williamsport, Pennsylvania for  
the National 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 367 96 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,  
Council- to give \$100.00 from Mr. Stevenson's Councilmanic Account to  
manic Delaware National Pre-Teen Petite to help defray expenses  
Grant associated with Amanda Arrington's trip to Florida for the  
1996 Nationals.

Motion Adopted: 5 Yea.

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

Change Mr. Archut, Director of Planning and Permits, discussed  
Order Change Order No. 1 to the Ocean Way Estates, Sections I and  
II, Contract.

M 368 96 A Motion was made by Mr. Cole, seconded by Mr. Collins,  
Approve based on the recommendation of the Sussex County Engineering  
Change Department, the Sussex County Council approves Change Order  
Order No. 1 for \$600.00 to the Ocean Way Estates, Sections I and II  
No. 1/ Contract, with no additional time required and with final  
Ocean approval being subject to Rural Development's review.  
Way  
Estates

Motion Adopted: 5 Yea.

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

Computer Mr. Archut, Director of Planning and Permits, advised Council  
Net- that the County received one bid for the Networking Services  
working Contract, as follows:

Services  
Contract Black Oak Computer Services, Inc. \$ 35,000 \*

\* Future on-line support - \$75.00 per hour  
for a limited period of six months.

This Contract will provide computer networking services in  
the County's new Administrative Office Building.

M 369 96 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, Award Contract for Computer Net-working Services that the Sussex County Council hereby approves awarding a contract to Black Oak Computer Services, Inc. for computer networking services in an amount not to exceed \$35,000 and future on-line support in an amount of \$75.00 per hour for a limited period of six months following completion of the building, subject to the approval of 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

Public Hearing (C/Z No. 1283) A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 6.69 ACRES, MORE OR LESS" (Change of Zone No. 1283) filed on behalf of A. Jay Dolby. The Public Hearing was closed.

M 370 96 A Motion was made by Mr. Collins, seconded by Mr. Benson, Adopt Ordinance No. 1102 (C/Z No. 1283) to Adopt Ordinance No. 1102 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 6.69 ACRES, MORE OR LESS" (Change of Zone No. 1283) filed on behalf of A. Jay Dolby.

Motion Adopted: 5 Yea.

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

Findings of Fact The Council found that the change of zone was appropriate legislative action based on the following findings of fact:

1. The applicant established by substantial evidence that the change of zone adjoins an existing commercially developed site, an auto dealership, and shares a common commercial entrance and other amenities with the dealership, all built by the applicant.
2. As a result, the change of zone will have no adverse impact on traffic, the environment, the character of the neighborhood or property values therein. The change of zone is consistent with the character of the neighborhood as it has developed.

Findings  
of Fact  
(con't)

3. The change of zone is consistent with the purposes and goals of the Comprehensive Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Absence

Mr. Cole left the meeting due to a possible conflict with the next application.

Public  
Hearing  
(C/Z

No. 1284)

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 32,384 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1284) filed on behalf of John Bruce Mears. The Public Hearing was closed.

M 371 96  
Adopt  
Ordinance

No. 1103

(C/Z

No. 1284)

A Motion was made by Mr. Benson, seconded by Mr. Collins, to Adopt Ordinance No. 1103 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 32,384 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1284) filed on behalf of John Bruce Mears.

Motion Adopted: 3 Yea, 1 Abstention, 1 Absent.

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

Findings  
of Fact

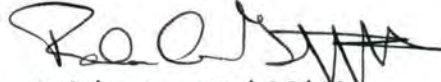
The Council found that the change of zone was appropriate legislative action based on the following findings of fact:

1. The applicant established that the change of zone is necessary because the site is presently zoned MR Medium Density Residential and a conditional use for an office is prohibited in that zone. The change of zone will enable the applicant to operate an office to serve his growing construction business.
2. The applicant, by testimony from his neighbors, established that the change of zone will have no adverse impact on the character of the neighborhood, property values therein, traffic or the environment in the area.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

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M 372 96 A Motion was made by Mr. Benson, seconded by Mr. Collins, to  
Adjourn adjourn at 2:30 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council