

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 14, 1999

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, September 14, 1999, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Finley B. Jones, Jr.	President
Lynn J. Rogers	Vice President
Dale R. Dukes	Member
George B. Cole	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney
Dennis Schrader	Assistant County Attorney

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

M 487 99      A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to amend the  
Approve      Agenda by deleting "Old Business – Conditional Use No. 1278 – Silver  
Agenda      Properties, L.L.C." and to approve the Agenda, as presented.

Motion Adopted: 5 Yea.

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

M 488 99      A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to approve the  
Approve      minutes of the previous meeting, dated August 31, 1999.  
Minutes

Motion Adopted: 5 Yea.

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

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

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL, DIVISION OF AIR & WASTE  
MANAGEMENT, DOVER, DELAWARE.

RE: Legal Notice announcing the cancellation of a public hearing on an  
amendment to the Delaware Phase II Attainment Demonstration for  
Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.

Corre-  
spondence

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL, DIVISION OF AIR & WASTE MANAGEMENT, DOVER, DELAWARE.

RE: Legal Notice announcing the cancellation of a public hearing on Regulation No. 39 – NOx Budget Trading Program of the State of Delaware Regulations Governing the Control of Air Pollution.

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.

RE: Notice of Commission Meeting and Public Hearing.

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.

RE: Public Notice soliciting written comments on proposed projects.

AMERICAN CANCER SOCIETY, BALTIMORE, MARYLAND.

RE: Letter in appreciation of \$400.00 grant to the Relay for Life.

EAGLE'S NEST FELLOWSHIP CHURCH, MILTON, DELAWARE.

RE: Invitation to attend the Dedication Service of the Eagle's Nest Family Worship & Learning Center on Sunday, September 12 beginning at 5:00 p.m. Special services continue Monday through Friday, September 13-17, beginning at 7:00 p.m. Recognition will be given to local, County and State leaders on Wednesday evening.

SUSSEX COMMUNITY SWIM TEAM, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of grant.

SUSSEX CENTRAL FOOTBALL BOOSTERS, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of grant.

MIDWAY GIRLS SOFTBALL, NEW CASTLE, DELAWARE.

RE: Letter in appreciation of grant.

BERNICE W. PETTER, FRANKFORD, DELAWARE.

RE: Letter in appreciation of home improvements made possible by Sussex County Community Development.

TOWN OF SELBYVILLE, SELBYVILLE, DELAWARE.

RE: Letter in appreciation of grant.

County  
Revenue  
Sharing/  
Slaughter  
Beach

Mr. Stickels, County Administrator, introduced Bob Clendaniel, the Mayor of the Town of Slaughter Beach. The Mayor was in attendance to accept a check from Council in the amount of \$15,000. The \$15,000 check represents the County's revenue sharing contribution to towns/cities in Sussex County in accordance with Ordinance No. 1247. This Ordinance provides that any incorporated municipality within Sussex County which does not collect a realty

County  
Revenue  
Sharing  
(continued)

transfer tax, or which collects a realty transfer tax but which during its fiscal year receives less than \$20,000 in revenue from its realty transfer tax, shall receive a distribution from the County of \$15,000 from the County's realty transfer tax receipts.

DeIDOT's  
5-Year  
Capital  
Improvement  
Program/  
Sussex  
County's  
Priorities

Mr. Stickels reviewed Sussex County's priority road improvements for inclusion in the Delaware Department of Transportation's 5-Year Capital Improvement Program. It is believed that Sussex County's requests for this year's Capital Transportation Improvement Program will be beneficial in improving efficiency and effectiveness of existing roadways, improve travel safety conditions, and provide travelers with optional roadways. This year's priority requests are as follows: Route 1, Route 36, Route 404, Route 24, Route 17, Route 26, Route 54, and the elimination of tar and chip roads.

### ROUTE 1

The County Council would ask that funding be included to allow for improvements to Route 1 north from the Five Points intersection to the town limits of Dewey Beach. Route 1 has the greatest vehicle density of any road in Sussex County, possibly in the State of Delaware. Improvements to Route 1 should include, but not be limited to:

- Providing for a park-and-ride lot near Five Points.
- New multi-modal roadway connection to serve the proposed park-and-ride near Five Points – the connection links SR 1 and the southern portion of Route 9.
- Five Points intersection improvements to expedite bus movements between the proposed park-and-ride lot and Rehoboth Beach.
- SR 1 third lane widening between Five Points and SR 24 to allow for multi-modal use.
- Bicycle movement between Airport Road and Rehoboth.
- Rehoboth Avenue entrance improvements to facilitate bus movement to Rehoboth.

### **Justification**

Sussex County's population growth is expected to continue to rise, from 113,000 in 1990 to almost 168,000 by the year 2000, a 48 percent increase. In addition to the population, Sussex County also attracts tourists and recreational visitors from surrounding states, as well as the other two counties in Delaware. This all contributes to a seasonal traffic peak. In fact, average daily traffic counts were taken in 1994 at six traffic points along SR 1 and showed an 87 percent traffic increase during the month of August compared to the year-round

Sussex  
County's  
Priorities  
(continued)

averages. Although seasonal tourist traffic peaks in the summer, it is almost year-round due in part to the growing number of retirement communities, the retail outlets, and other area attractions.

**ROUTE 36**

Request resurfacing of the road to include shoulders from Route 113, west of Milford, to Route 404 east of Greenwood. Improvements to intersection at Road 631. This intersection is used primarily for private school. Improvements to intersection at Road 619 and improvements to Route 36/16 from Route 404 to the east town limits of Greenwood.

**Justification**

Route 36 is used by emergency providers for access to Milford Hospital. Route 36 is used as an alternative route to those going to the Delaware Bay beaches. Repaving the surface of Route 36 would also make this more attractive to bicyclists. Improvements to intersection 619 are necessary as there have been several accidents at this location.

**ROUTE 404**

Request resurfacing roadway and shoulders surface from the Maryland line east to the Bridgeville bypass to west of the town limits of Bridgeville. Resurfacing of 404, east of Route 313, to Delaware Technical and Community College west of Route 113. Resurfacing roadway and shoulder at 404, east of Route 5, to Route 1 west of the Town of Lewes. Improvements, in addition to the resurfacing, should include eliminating the east side of the intersection of Road 226 and eliminating the intersection of 265. Improvements at intersection of 265 should also include turning lane.

**Justification**

Route 404 is a very heavily traveled road in Sussex County. Current road surface from the Maryland line to the Bridgeville bypass is deplorable. The surface is constantly being patched, with potholes reoccurring, and shoulders have grass growing in them. Intersection 261 is heavily used. Improvements to this intersection and intersection 265 would accommodate the flow of traffic that is in this area. Resurfacing of this roadway and shoulders from the Maryland line to Route 1 would be beneficial in the event of a major evacuation of the coastal area.

**Route 24**

Request the resurfacing of Route 24, including shoulders where needed, from Route 13, east of the town of Laurel, to Route 1 north of Rehoboth Beach. Improvements should include intersection upgrades where needed to include the current Capital Improvement Program Project safety improvements for

Sussex  
County's  
Priorities  
(continued)

Route 24 and Route 5 intersection in the Long Neck area. Other suggested intersection improvements include intersection 449, where intersection 450 is used to go to Trap Pond State Park. Additionally, several ditches that cross under Route 24 do not have safety guardrails and improvements to existing commercial entrances are needed.

**Justification**

Route 24 could be used for an alternative route to the coastal areas, with the proper signage in the northern and western part of the County. Improvements to Route 24 could help alleviate some of the traffic flows for Route 26 and Route 404. With proper upgrade, Route 24 could be used for an evacuation route.

**Route 17**

Request resurfacing of Route 17 and paving of shoulders from the Roxana intersection at Route 20 the Route 26 intersection, west of Millville. Turning lanes and elimination of key intersections are also requested. Guardrails need to be installed where there are ditch crossings.

**Justification**

Route 17 could be used as an alternative route alleviating traffic flows throughout 54. Resurfacing of the roadway from the Roxana intersection east will compliment the work that has been done from the Roxana intersection west to Selbyville. The completion of this upgrade would also make this roadway more attractive to bicyclists. Upon completion of the surface and the paving of the shoulders, Route 17 could be used as an evacuation route.

**Route 26**

Route 26 is a two lane, east-west, roadway in southern Sussex County. It is the principal roadway in Delaware south of the Indian River Bay, connecting the center of the State with the beach area. The section of Route 26, east of the Assawoman Canal, to Route 1 is scheduled to be improved by the Delaware Department of Transportation to include shoulders and center turn lane. However, Route 26 west of Assawoman Canal also experiences congestion and safety problems. Funding has been allocated to allow for the study of Route 26, west of the Assawoman Canal, to Route 113. Requesting that funding be incorporated with a 5-year capital transportation improvement program. Funding would be made available for: (1) intersection improvements, (2) shoulder widening in certain areas along Route 26, (3) improvements to existing commercial entrances, (4) improvements to existing secondary road network to provide an alternate route for local circulation, and (5) new sidewalks.

Sussex  
County's  
Priorities

**Justification**

Funding of the capital improvements recommended in the Systems Analysis and Needs Report would be beneficial in developing transportation improvements and enhance the efficiency of Route 26. Route 26 is an essential evacuation route for Sussex County beaches.

**Route 54**

Route 54 is a two-lane, east west roadway, and the most southern route in Sussex County. The roadway is very heavily used for access to Fenwick Island and South Bethany, as well as Ocean City, Maryland. Construction is scheduled to start this year on improvements of Route 54, west of Route 1, to State Road 58C. However, County Council is requesting that the Capital Transportation Improvement Program include funding for a Systems Analysis and Needs Report for 54, west of 58C, to the town limits of Selbyville. Council is requesting that the report does not limit itself to just improvements of Route 54, but investigates the possibility of improving alternative roadways in the area.

**Justification**

Not only is Route 54 used as an evacuation route for southeast Sussex County, it is also used by northeast Ocean City. In the event of a major storm, evacuation would be very difficult, especially if Route 26 is not usable. Additionally, two golf courses and 2,800 homes are being planned for the Route 54 corridor.

Mr. Stickels advised that he will submit a full report to the Delaware Department of Transportation at the Capital Improvement Program Public Participation Meeting scheduled for Thursday, September 23, 1999, at the DelDOT South District Office, Conference Room, Georgetown, beginning at 6:00 p.m. Mr. Stickels encouraged the Councilmen to attend the meeting.

M 488A 99  
Endorse  
5-Year  
Capital  
Improve-  
ment  
Program

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to endorse the County's recommendations for the 5-Year Capital Improvement Program, as presented by Mr. Stickels.

Motion Adopted: 5 Yea.

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

Report

Mr. Stickels read the following information in his County Administrator's Report:

Adminis-  
trator's  
Report

1. Sussex County Industrial Airpark

The Delaware Army National Guard will be conducting a statewide emergency communications system implementation test in the event of a declared state of emergency involving commercial communications outages. Testing will take place at the Georgetown Industrial Airpark starting September 11, 1999, through January 2000. All testing will be conducted on Saturdays and Sundays. Testing will be conducted by the 280<sup>th</sup> Signal Battalion.

2. West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District - Phase III

Construction is nearing completion for the Red Mill Pond South contract for Phase III of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. It is proposed that connections to the sewer system may begin on September 24, a date that will be confirmed by the County Engineer when he appears at next week's Council meeting. The Engineering Department will also provide a detailed mailing to all affected customers regarding connection procedures and a deadline for connecting. Communities in the Red Mill Pond South contract area include, but are not limited to, Nesbitt Station, Mallard Point, Edgewater Estates, and Mill Pond Acres. Please note that sewer rates are uniform throughout all phases of the West Rehoboth Expansion area. As a result, Phase III users will pay a one-time capitalization fee ranging from \$250.00 to \$500.00, with annual rates consisting of a \$202.00 per EDU service charge and a \$5.31 per front foot assessment charge.

It is anticipated that assessment charges will be billed on October 1, 1999, for the Red Mill South area. Other Phase III residents will not receive assessment quarterly bills until construction is complete in their area and they are able to hook up.

3. Computer Aided Dispatch System

On Friday, September 10, 1999, at 2:00 p.m. bids were officially opened on the Computer Aided Dispatch (CAD) System in the Council Chambers. Out of 16 bid packets mailed out, four vendors submitted correspondence. Those four vendors were:

**Intergraph Public Safety  
Huntsville, Alabama**

Unable to submit a bid.

Adminis-  
trator's  
Report  
(continued)

**Vision Software, Inc.  
Castle Hayne, North Carolina**

Bid packet incomplete; no price submitted.

**Logistic Systems, Inc. (LogiSys)  
Missoula, Montana**

System Price	\$602,195.20
Optional System Requirements	<u>144,470.00</u>
<b>TOTAL</b>	<b>\$746,665.20</b>

**Printrak International, Inc.  
Boulder, Colorado**

System Price	\$1,011,852.00
Optional System Requirements	<u>127,187.00</u>
<b>TOTAL</b>	<b>\$1,139,039.00</b>

All bids have been turned over to RCC Consultants who will in turn review all bids thoroughly. Joseph R. Thomas, Director of Emergency Operations, and RCC Consultants will make a recommendation to Council within 30 days.

4. County Council Schedule

A reminder that the Sussex County Council meeting on September 21, 1999, will begin at 4:00 p.m. The public hearing on road naming will be held at 6:00 p.m. on September 21. The County Council meeting of September 28, 1999, will not start until 10:30 a.m. to allow County Council members to attend the Ribbon Cutting of the new CHEER Center.

Old  
Business/  
Change of  
Zone  
No. 1313

Change of Zone No. 1313 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 6.4 ACRES, MORE OR LESS OF A 14.3 ACRE TRACT" filed on behalf of Mildred M. Long, was discussed. A Public Hearing was held on this application on September 30, 1997 at which time action was deferred. At the Public Hearing, the applicant stated that she was requesting to downzone her property for agriculture; that the property is tilled; that she has a billboard on the site; that Universal Sign Company planned to replace the billboard with a new billboard; and the billboard is pre-existing.

Old  
Business  
(continued)

The Planning and Zoning Commission recommended that the County Council defer action until the County Board of Adjustment could hold a public hearing and make a decision on the billboard and to establish a lot area for the sign location, if the sign was approved.

Mr. Lank advised that the billboard has now been replaced and exceeds the County's height regulations. The Board of Adjustment found that the new sign is non-conforming and is a replacement of an existing timber sign. The Board denied the special use exception. After the Board rendered its decision, an appeal to the Courts was filed against the Board. The appeal has been ongoing since 1998. The Courts have not yet rendered a decision. On September 9, 1999 the Commission discussed the application and decided that a decision should be made on the application for the zoning change and recommended denial.

M 489 99  
Adopt  
Proposed  
Ordinance  
(C/Z  
No. 1313)

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 6.4 ACRES, MORE OR LESS OF A 14.3 ACRE TRACT (Change of Zone No. 1313) filed on behalf of Mildred M. Long.

Motion Denied: 3 Nay, 2 Abstentions.

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

Abstentions

Mr. Phillips did not participate in the discussion of this application as he was not elected to the Sussex County Council at the time of the Public Hearing. Mr. Rogers abstained from voting due to a possible conflict of interest.

Holts  
Landing  
SSD/  
Proposed  
Service  
Charge  
Rate

Mr. Archut, Assistant County Engineer, discussed the establishment of a service charge for the Holts Landing Sanitary Sewer District for the hauling and treatment of wastewater until the County's new sewer system becomes operational. This service is proposed to begin in October, 1999 and extend to June, 2000. The rate proposed is \$250.00 per EDU annually; however, the residents will only be paying for three quarters. The residents of Bay Colony and Fairways Villa have requested that the County take over this service since the County can provide regular service versus emergency service provided by private haulers. With regular pump-outs, the current system will work more efficiently until such time as the Holts Landing Sanitary Sewer District is operational. Mr. Archut advised that, with Council's approval, a public hearing for the proposed rate and ordinance will be scheduled to begin at 11:00 a.m. on Tuesday, October 5, 1999.

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL SERVICE CHARGE FOR THE HOLTS LANDING SANITARY SEWER DISTRICT". The Proposed Ordinance will be advertised for Public Hearing.

Airport Consultant Selection Mr. Izzo, County Engineer, discussed the selection of a consultant to provide engineering services for aviation related activities for the Sussex County Airport Terminal Building. During the Consultant Selection Procedure, three firms were interviewed: Delta Airport Consultants, Inc., DMJM Aviation, and Tetra Tech. Although all three firms were qualified, Delta Airport was the highest ranked firm.

M 490 99 Select Airport Consultant A Motion was made by Mr. Cole, seconded by Mr. Dukes, based upon the recommendation of the Consultant Selection Team, that Delta Airport Consultants, Inc. be selected to provide engineering services for aviation related activities at the Sussex County Airport for a five-year period, effective September 14, 1999.

Motion Adopted: 5 Yea.

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

Ellendale SSD Contract Amendment Mr. Izzo, County Engineer, discussed a proposed amendment to the Contract between Sussex County Council and Whitman, Requardt and Associates, LLP, to include the services for the design phase of the Ellendale Sanitary Sewer District. The proposed Amendment (No. 2) to the Contract is in the amount of \$416,986.00. It was noted that State and Federal funding is available. Mr. Izzo reported that plans and specifications should be completed by April 15, 2000 and construction should begin around September 1, 2000.

M 491 99 Execute Contract Amendment/ Ellendale SSD A Motion was made by Mr. Cole, seconded by Mr. Rogers, based upon the recommendation of the County Engineering Department, that the President of the Sussex County Council be authorized to execute Amendment No. 2 to its contract with Whitman, Requardt and Associates, LLP, to include design phase services for the Ellendale Sanitary Sewer District, totaling \$416,986.00, contingent upon the approval of the Department of Natural Resources and Environmental Control and/or the Department of Agriculture Rural Utility Service.

Motion Adopted: 5 Yea.

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

Attorney Mr. Bayard left the meeting at this time and Mr. Schrader joined the meeting.

Contract/  
SCADA  
System/  
Change  
Order

Mr. Izzo, County Engineer, discussed Change Order No. 1 to Sussex County Project No. 99-02, SCADA System Improvements, Phase I. SCADA is a wireless communication system with a micro-processor at a main location (South Coastal Treatment Plant) and RTU's (small computers) to be located at remote locations (pumping stations). The main purpose of the system is to provide an alarm system for the pumping systems; however, it will also allow the County to control the pumping stations from the main location. Phase I of the project involves the installation and programming of the main central processor at the South Coastal Treatment Plant and bringing twenty of the County's main pumping stations on line. Mr. Izzo advised that West Rehoboth – Phase III will be coming on line within the next several months resulting in the addition of 20 new pumping stations. The SCADA equipment has been installed in the pumping stations; however, programming is needed which will allow the pumping stations to communicate with the main micro-processor. The need for additional programming is the reason for the change order. Mr. Izzo detailed two options in approving the change order; the change order could be approved to place alarm systems on the 20 pumping stations at a cost of \$5,650.00 or to place alarm systems on 250 pumping stations at a cost of \$39,775.00. It was noted that the 250 pumping stations, if not approved now, will have to be funded some time in the near future due to the fact that the current alarm system is not Y2K compliant and replacement parts are obsolete. In addition, Mr. Izzo reported that there are benefits to having the same contractor providing all the programming for all the pumping stations. Mr. Izzo advised that funds are budgeted to cover the 250 pumping stations.

M 492 99  
Approve  
Change  
Order/  
Contract/  
SCADA  
System

A Motion was made by Mr. Cole, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 1 for Sussex County Project No. 99-02, Phase I, be approved in the amount of \$39,775.00, which increases the contract total from \$354,820.00 to \$394,595.00.

Motion Adopted: 5 Yea.

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

Old Town  
Office Park

Mr. Green, Director of Utility Construction, discussed agreements between Sussex County Council and Race Street, L.L.C. for wastewater facilities to be constructed to serve Old Town Office Park.

M 493 99  
Execute  
Agreement/  
Old Town  
Office Park

A Motion was made by Mr. Cole, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council execute Agreement No. 182, Sussex County Project No. 81-04, Construction Administration and Construction Inspection Agreement between Sussex County Council and Race Street, L.L.C. for wastewater facilities to be constructed to serve Old Town Office Park, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 493 99  
(continued)

Motion Adopted: 5 Yea.

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

Proposed  
Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRICAL CONTRACTORS OFFICE AND TO AMEND THE STIPULATIONS ON CONDITIONAL USE NO. 1280 (ORDINANCE NO. 1307) RELATING TO PARKING AND SIGNAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 20,250 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1313) filed on behalf of Apple Electric, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed  
Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MICRO-NUTRIENT PLANT WITH RELATED TRUCK ENTRANCE AND RAIL SPUR FOR THE PROCESSING AND HANDLING OF POULTRY LITTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 228.88 ACRES, MORE OR LESS" (Conditional Use No. 1314) filed on behalf of Perdue-AgriRecycle, LLC. The Proposed Ordinance will be advertised for Public Hearing.

Proposed  
Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 18,809.90 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1391) filed on behalf of Lawrence K. and Rosalee A. Huber. The Proposed Ordinance will be advertised for Public Hearing.

Proposed  
Ordinance

Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 22,139 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1392) filed on behalf of Thomas Morris. The Proposed Ordinance will be advertised for Public Hearing.

Correspondence

Mr. Cole read the following correspondence:

JUANITA J. MORCH, EXECUTIVE DIRECTOR, CAPE HENLOPEN SENIOR CENTER, REHOBOTH BEACH, DELAWARE.  
RE: Letter in appreciation of grant in the amount of \$650.00.

M 494 99 Councilmanic Grant A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$300.00, \$100.00 each from , Mr. Rogers', Mr. Jones', and Mr. Dukes' Councilmanic Accounts, to Boy Scout Troop No. 584 to cover the 1999-2000 fiscal year deficit.

Mr. Phillips advised that he would also like to give \$100.00 to Boy Scout Troop No. 584.

M 495 99 Councilmanic Grant Mr. Dukes amended his Motion, seconded by Mr. Rogers, to give \$500.00, \$100.00 from each Councilmanic Account, to Boy Scout No. 584 to cover the 1999-2000 fiscal year deficit.

M 496 99 Councilmanic Grant A Motion was made by Mr. Cole to amend Mr. Dukes' Motion, seconded by Mr. Phillips, to give \$400.00, \$100.00 each from Mr. Phillips', Mr. Rogers', Mr. Jones' and Mr. Dukes' Councilmanic Accounts, to Boy Scout Troop No. 584 to cover the 1999-2000 fiscal year deficit.

Motion Adopted: 4 Yea, 1 Nay.

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

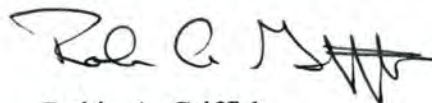
M 497 99 Councilmanic Grant Mr. Jones called for a vote on the Motion to give \$400.00, \$100.00 from Mr. Phillips', Mr. Dukes', Mr. Rogers', and Mr. Jones' Councilmanic Accounts, to Boy Scout Troop No. 584 to cover the 1999-2000 fiscal deficit.

Motion Adopted: 5 Yea.

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

M 498 99 Adjourn A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 12:46 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council