

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 17, 2002

Call to Order The regular meeting of the Sussex County Council was held Tuesday, September 17, 2002, 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
George B. Cole	Member
Dale R. Dukes	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney

M 564 02 A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to amend the **Amend Agenda** by deleting the following:

- Sussex County Airport Terminal Building Balancing Change Order and Substantial Completion
- Bethany Lakes Regional Pump Station Agreements
- Introduction of Proposed Zoning Ordinances

; and, to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

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

M 565 02 A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to approve the **Approve Minutes** minutes of September 10, 2002, as distributed.

Motion Adopted: 5 Yea.

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

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

**Administrator's
Report
(continued)**

1. Airport Meeting

The next regularly scheduled Sussex County Airport Committee meeting will be held on Wednesday, October 2, 2002, at the Sussex County Administrative Office West Complex, DuPont Highway, Georgetown, Delaware, at 10:00 a.m. All Airport Committee meetings are open to the media and the public.

**Wastewater
Facilities**

Mr. Green, Director of Utility Construction, discussed the construction of wastewater facilities.

**M 566 02
Grant
Beneficial
Acceptance/
Bayville
Shore**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 257, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Bayville Shore, Phase III, located in the Fenwick Island Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

**M 567 02
Grant
Beneficial
Acceptance/
Village of
Five
Points**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 281, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Village of Five Points – Village Shopping Center, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

**M 568 02
Grant
Beneficial
Acceptance/
Stable
Farm**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department for Sussex County Project No. 81-04, Agreement No. 252, that the Sussex County Council grant Beneficial Acceptance for the wastewater facilities constructed in Stable Farm, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Requests **Mr. Stickels presented funding requests for Council's consideration.**

M 569 02 **Council-**
manic
Grant **A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to give \$500.00 (\$250.00 each from Mr. Phillips' and Mr. Dukes' Councilmanic Accounts) to the Bethel Historical Society for the 22nd Annual Heritage Day.**

Motion Adopted: **5 Yea.**

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

M 570 02 **Council-**
manic
Grant **A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 (\$250.00 each from Mr. Phillips' and Mr. Cole's Councilmanic Accounts) to the Indian River High School Volleyball Boosters for the girls volleyball team's program expenses.**

Motion Adopted: **5 Yea.**

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

M 571 02 **Council-**
manic
Grant **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$150.00 (\$50.00 each from Mr. Phillips', Mr. Jones', and Mr. Rogers' Councilmanic Accounts) to the Sussex Central Wrestling Boosters to sponsor their golf tournament which will benefit Sussex Central wrestling activities.**

Motion Adopted: **5 Yea.**

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

M 572 02 **Council-**
manic
Grant **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$250.00 from Mr. Phillips' Councilmanic Account to the Southern Sussex Rotary for "Project Dictionary".**

Motion Adopted: **5 Yea.**

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

South
Coastal
Library **Mr. McCabe, Director of Public Works, reported on the bid results for the South Coastal Library Parking Lot Addition, a project which will provide 41 additional parking spaces. On August 22nd, three bids were received.**

South Coastal Library Parking Lot Addition (continued)	<p>The bid results were presented to the County Council on August 27, 2002. On that date, it was reported that the low bidder was Melvin Joseph Construction Co.; however, it was noted that the low bid of \$142,738.00 was considerably higher than the Engineering Estimate of \$104,734.18.</p> <p>Mr. McCabe reported that the Engineering Department met with the contractor and had the project value engineered. It was concluded that the project can be value engineered down to meet the budget.</p>
M 573 02 Award Project/ South Coastal Library Parking Lot Addition	<p>A Motion was made by Mr. Cole, seconded by Mr. Dukes, based upon the recommendation of the Engineering Department, that Sussex County Project No. 01-12, South Coastal Library Parking Lot Addition, be awarded to Melvin Joseph Construction Co. of Georgetown, Delaware, at the bid amount of \$142,738.00.</p> <p>Motion Adopted: 5 Yea.</p> <p>Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Rogers, Yea; Mr. Jones, Yea</p>
Credit Change Order	<p>Mr. McCabe advised that, since the project was awarded and value engineered down, there is a credit change order for the difference in the contract.</p>
M 574 02 Approve Credit Change Order/ South Coastal Library Parking Lot Addition	<p>A Motion was made by Mr. Cole, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 1 for Sussex County Project No. 01-12, South Coastal Library Parking Lot Addition, be approved in the credit amount of \$21,750.00, which decreases the contract total from \$142,738.00 to \$120,988.00.</p> <p>Motion Adopted: 5 Yea.</p> <p>Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Dukes, Yea; Mr. Rogers, Yea; Mr. Jones, Yea</p>
Phillips Landing State Park	<p>Mr. Phillips read a letter from the “Concerned Residents of Phillips Landing Estates, White River Estates, White Owl Landing and Phillips Landing Road” regarding conditions at Phillips Landing State Park. The letter referred to the lack of trash receptacles, public consumption of alcohol and off-road, unlicensed, two and four wheel vehicles that have degraded the terrain and destroyed foliage. In the letter, the residents submitted the following list of suggestions:</p> <ul style="list-style-type: none">• Repeal the trash in – trash out program.• Reinstall trash facilities.• Enforce the no alcohol and no unlicensed vehicle laws.

Phillips
Landing
State
Park
(continued)

- Have increased state trooper patrols, especially at different times of day and night.
- Make arrests and issue summons on an accelerated scale.
- Construct a permanent sanitary facility at Phillips Landing.
- Have inmates from Sussex County Correctional scheduled on a weekly basis.
- Post speed limit, no littering, Smokey the Bear, no off-road driving and any other messages that may help.

Included with the letter was a list of signatures of people petitioning the State of Delaware and the Sussex County for actions and concerns stated in the letter of grievance.

Mr. Cole stated that he has recently heard the same concerns regarding cutbacks in services at other State Parks in Sussex County: that enforcement is down; dumpsters have been removed and trash is overwhelming; bathrooms are not taken care of; and the Carry-In/Carry-Out Program is not working. Mr. Cole stated that the State Parks have cut services and he recommended that the County Council encourage the State of Delaware to once again provide services at State Parks. Mr. Cole suggested that Mr. Stickels write a letter to State officials.

Mr. Stickels advised that he will write to the Division of Parks and Recreation, Department of Natural Resources and Environmental Control, urging the Division to repeal the Carry-In/Carry-Out Trash Program; suggesting that trash facilities be reinstalled; asking that the areas have increased State Police patrols, and asking that alcohol and unlicensed vehicle rules be enforced as well. Mr. Stickels cautioned that with the State experiencing budget shortfalls, a letter may not do any good.

Mr. Cole stated that it is his understanding that funds generated by State Parks stay within the State Park program. He expressed concern that revenue being generated in Sussex County may be supporting parks outside of the area that it is collected in.

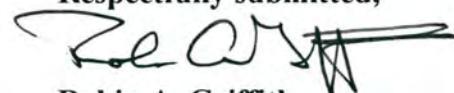
Bayville
Shores
Develop-
ment

The County Council heard from Patrick McFall, a resident of Swann Point in Swann Keys, adjacent to the Bayville Shores property. Mr. McFall expressed his displeasure about areas in the neighboring Bayville Shores development being elevated causing flooding in Swann Keys. Council advised Mr. McFall that they do not approve elevations and recommended that Mr. McFall contact the Sussex Conservation District.

M 575 02
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Rogers, to adjourn at 10:38 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council