

**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:

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

**M 564 02  
Amend  
and  
Approve  
Agenda**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to amend the 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  
Approve  
Minutes**

A Motion was made by Mr. Rogers, seconded by Mr. Dukes, to approve the 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**

**Adminis-  
trator'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**      **A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to give**  
**Council-**      **\$500.00 (\$250.00 each from Mr. Phillips' and Mr. Dukes' Councilmanic**  
**manic**      **Accounts) to the Bethel Historical Society for the 22nd Annual Heritage**  
**Grant**      **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**      **A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00**  
**Council-**      **(\$250.00 each from Mr. Phillips' and Mr. Cole's Councilmanic Accounts) to**  
**manic**      **the Indian River High School Volleyball Boosters for the girls volleyball**  
**Grant**      **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**      **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give**  
**Council-**      **\$150.00 (\$50.00 each from Mr. Phillips', Mr. Jones', and Mr. Rogers'**  
**manic**      **Councilmanic Accounts) to the Sussex Central Wrestling Boosters to**  
**Grant**      **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**      **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give**  
**Council-**      **\$250.00 from Mr. Phillips' Councilmanic Account to the Southern Sussex**  
**manic**      **Rotary for "Project Dictionary".**  
**Grant**
- Motion Adopted:      5 Yea.**
- Vote by Roll Call:      Mr. Phillips, Yea; Mr. Cole, Yea;**  
                                      **Mr. Dukes, Yea; Mr. Rogers, Yea;**  
                                      **Mr. Jones, Yea**
- South**      **Mr. McCabe, Director of Public Works, reported on the bid results for the**  
**Coastal**      **South Coastal Library Parking Lot Addition, a project which will provide**  
**Library**      **41 additional parking spaces. On August 22nd, three bids were received.**



South  
Coastal  
Library  
Parking  
Lot  
Addition  
(continued)

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.

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.

M 573 02  
Award  
Project/  
South  
Coastal  
Library  
Parking  
Lot  
Addition

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.

Motion Adopted: 5 Yea.

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

Credit  
Change  
Order

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.

M 574 02  
Approve  
Credit  
Change  
Order/  
South  
Coastal  
Library  
Parking  
Lot  
Addition

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.

Motion Adopted: 5 Yea.

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

Phillips  
Landing  
State Park

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:

- 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,

A handwritten signature in black ink, appearing to read 'R. A. Griffith', with a long horizontal flourish extending to the right.

Robin A. Griffith  
Clerk of the Council