

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 18, 2001

Call to Order The regular meeting of the Sussex County Council was held Tuesday, September 18, 2001, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

The meeting was opened with Eddy Parker, Assessment Director, singing "God Bless the USA" and with everyone repeating the Lord's Prayer and Pledge of Allegiance to the Flag.

M 518 01 A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to amend the agenda Amend and Approve Agenda by striking "R. Stephen McCabe, Director of Public Works, Resolution to Adopt Final Assessment Roll for Indian River Acres Subdivision, Suburban Community Improvements"; and to approve the agenda, as amended.

Motion Adopted: 5 Yea.

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

M 519 01 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to approve the minutes Approve Minutes of September 11, 2001, as distributed.

Motion Adopted: 5 Yea.

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

Corre- Mr. Bayard read the following correspondence: spondence

RANDALL CASH AND RACHEL PUSEY, CHRISTIAN STOREHOUSE,
MILLSBORO, DELAWARE.

RE: Letter in appreciation of financial support.

Proposed
Resolution
Condemning
the
Cowardly
Acts of
Terrorism

Mr. Stickels read in its entirety a Proposed Resolution entitled “CONDEMNING THE COWARDLY ACTS OF TERRORISM”.

WHEREAS, on September 11, 2001, the United States was suddenly and brutally attacked by foreign terrorists; and

WHEREAS, these terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City and a third into the Pentagon outside Washington, D.C.; and

WHEREAS, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders; and

WHEREAS, these cowardly acts were by far the deadliest terrorist attacks ever launched against the United States, and by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve; and

WHEREAS, these horrific events have affected all Americans, and it is important that we carry on with the regular activities of our lives--terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the United States and their counties to stand tall and proud;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council, having met in public session, condemns the cowardly and deadly actions of these terrorists; and

BE IT FURTHER RESOLVED that the Sussex County Council supports the President of the United States as he works with his national security team to defend against additional attacks and find the perpetrators to bring them to justice; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution will be forwarded to United States Senators Joseph R. Biden, Jr., and Thomas R. Carper and Congressman Michael N. Castle.

M 520 01
Adopt
Resolution

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt the Resolution entitled “CONDEMNING THE COWARDLY ACTS OF TERRORISM”.

Motion Adopted: 5 Yea.

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

M 521 01
County
Council
Grant to
American
Red Cross

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$10,000 from County Council Grants to the American Red Cross for disaster relief.

Motion Adopted: 5 Yea.

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

Presentation
of Check

Mr. Dukes presented the \$10,000 check to Sandy Yates of the American Red Cross, Delmarva Peninsula. Ms. Yates thanked Council for the funding and stated that the monies will be used to support disaster relief at the World Trade Center and Pentagon sites, as well as used to prepare their disaster relief fund for any future tragedies.

Request for
Funding

Mr. Dukes advised Council of a peninsula-wide county government effort to send monetary support to New York City and Washington.

M 522 01
County
Council
Grant

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to contribute \$1,000.00 from County Council Grants to the Disaster Relief Fund for New York City and Washington, D.C., as part of the peninsula-wide county government effort. (The name of the Payee was uncertain at the time this Motion was made. Mr. Dukes will advise as soon as possible.)

Motion Adopted: 5 Yea.

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

Adminis-
trator's
Report

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

1. Delaware Department of Transportation Public Workshop

The Delaware Department of Transportation (DelDOT) is holding two public workshops to present the U.S. Route 13 Corridor Plan in Kent and Sussex Counties, which includes proposed improvements as part of the U.S. Route 13 Corridor Capacity Preservation Program. The Sussex County workshop will be held on Tuesday, December 4, 2001, at the Seaford Middle School from 4:00 to 8:00 p.m., 500 East Stein Highway, Seaford, Delaware.

The workshop will serve as a forum to learn how DelDOT proposes to preserve the ability of U.S. Route 13 to handle increased traffic volumes and accommodate development well into the future. DelDOT planners and engineers will be available to answer questions related to specific transportation or development issues related to this program.

I would encourage Sussex County residents to attend this important workshop.

Adminis-
trator's
Report
(continued)

2. Delaware Department of Transportation Public Workshop

Interested persons will have an opportunity to help shape the Sussex County Long-Range Transportation Plan during a second public workshop to be held October 4, 2001, from 4:00 to 7:00 p.m. at the Sussex County Administrative Office Building located on The Circle in Georgetown. An initial workshop was held in May and solicited input from the public on transportation problems and concerns in Sussex County. The second workshop will present the strategies and actions that the Delaware Department of Transportation, Sussex County, and the Public Advisory Committee have developed to address the problems and concerns identified at the first workshop.

Workshop displays will detail the basic background information gathered, existing and anticipated traffic problem areas throughout the County, and strategies developed to address future transportation issues.

3. County Council Workshop

The Sussex County Council and Delaware Department of Transportation will have a joint workshop on Wednesday, September 19, 2001, starting at 1:00 p.m. in the County Council Chambers, County Administrative Office Building on The Circle in Georgetown. Included with this report is a copy of the agenda for the joint workshop. Time will be allotted for public comments. This meeting will also be accessible on the Internet at www.sussexcounty.net.

Industrial
Park
Lease –
CHPT,
Inc.

Mr. Calio, Director of Economic Development and Industrial Airpark, discussed a Proposed Industrial Park Lease with CHPT, Inc. (Composite High Pressure Technologies) for Lot No. 12 at the Industrial Park. The proposed use for the site will be to support their custom engineering and manufacturing business. Mr. Calio advised that if the lease is approved, CHPT, Inc. plans to construct a new building and they hope to have the facility ready for occupancy by early Summer 2001. The lease is proposed at a cost of \$500.00 per acre (approximately 2 1/2 acres) per year.

M 523 01
Authorize
Lease
Agreement/
CHPT,
Inc.

A Motion was made by Mr. Jones, seconded by Mr. Rogers, authorizing a lease agreement with CHPT, Inc. for Lot No. 12 at the Industrial Park.

Motion Adopted: 5 Yea.

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

Automated
Filing
System/
Bid
Results

Mr. Parker, Assessment Director, advised that bids were opened on Monday, September 17, 2001 for an automated filing system to be used in the Assessment Department. One bid was received, as follows:

F.A. O'Toole Office Systems, Inc.	\$62,155.66
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- Bid
(continued) Mr. Parker recommended that the bid be awarded to F.A. O'Toole Office Systems, Inc.
- M 524 01 A Motion was made by Mr. Jones, seconded by Mr. Rogers, that the Sussex County Council accepts the bid of F.A. O'Toole Office Systems, Inc. in the amount of \$62,155.66 for one Automated Filing System to be installed in the Assessment Department.
Automated Filing Systems
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea
- CDBG Program Applications Mr. Lecates, Director of Community Development and Housing, reported to Council concerning State of Delaware Community Development Block Grant (CDBG) Program applications. In the past, the County has assisted local communities in procuring grants for the purpose of keeping administrative costs down. The County assists with the preparation and administration of the applications. Mr. Lecates requested Council's permission to allow the County Administrator to send letters to the local governments to determine whether or not they are interested in seeking the County's assistance.
- M 525 01 A Motion was made by Mr. Jones, seconded by Mr. Rogers, that the Sussex County Council authorizes the Sussex County Community Development Division to assist local governments in the preparation and administration of Community Development Grant applications.
Authorize Community Development & Housing to Assist Local Governments/
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea
- M 526 01 A Motion was made by Mr. Phillips, seconded by Mr. Jones, to give \$500.00, \$250.00 each from Mr. Phillips' and Mr. Dukes' Councilmanic Accounts, to the Town of Laurel for the Bicentennial Celebration.
Councilmanic Grant
- Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea
- M 527 01 A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$250.00 from Mr. Phillips' Youth Activity Grant Account to the Millsboro Hut, Inc. for expansion plans and/or for the operation and maintenance of the existing hut building.
Youth Activity Grant

M 527 01
(continued)

Motion Adopted: 5 Yea.

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

M 528 01
Council-
manic
Grant

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to give \$250.00, \$50.00 from each Councilmanic Account, to the Pioneer Club of Sussex County/Visually Impaired to help meet their needs for D.A.S.T. (Delaware Administration for Specialized Transportation) for calendar year 2002.

Motion Adopted: 5 Yea.

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

N 529 01
Council-
manic
Grant

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to give \$300.00 from Mr. Rogers' Councilmanic Account to the Ladies Auxiliary of the Milton Fire Department, Inc. for their fundraiser to assist the Department in its operations.

Motion Adopted: 5 Yea.

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

M 530 01
Council-
manic
Grant

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$250.00, \$50.00 from each Councilmanic Account, to the Sussex County Stamp Club for the 10th Annual Stamp Exhibition and Bourse.

Motion Adopted: 5 Yea.

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

M 531 01
Youth
Activity
Grant

A Motion was made by Mr. Phillips, seconded by Mr. Jones, to give \$500.00 from Mr. Dukes' Youth Activity Grant Account to the City of Seaford for the Parks and Recreation Football Program.

Motion Adopted: 5 Yea.

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

M 532 01 Councilmanic Grant (withdrawn) A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$600.00 from Mr. Rogers' Councilmanic Account to the All Denominational Christian Fellowship Day to go toward the cost of paying for the sound system.
Mr. Cole and Mr. Jones withdrew their Motions.

M 533 01 Councilmanic Grant A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to give \$300.00 from Mr. Rogers' Councilmanic Account to the All Denominational Christian Fellowship Day to go toward the cost of paying for the sound system.

Motion Adopted: 5 Yea.

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

Public Hearing/ Proposed Ordinance/ Budget/ Ocean View Expansion of the BBSSD A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2002 TO INCORPORATE PROJECTED REVENUES AND EXPENDITURES FROM THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT". The purpose of this Proposed Ordinance is to include projected revenues and expenditures for the Ocean View Sewer Project in the Fiscal 2002 Budget. The budget is for a total of \$341,669.00; it includes \$214,338.00 for interest and principal payments on the funds borrowed to pay for this project. In addition, \$127,000 is included in the budget to cover operating and maintenance costs. The County expects to borrow a total of \$6.2 million from the State Revolving Fund Loan Program for this project. The total project cost is estimated to be \$7,914,000.00 of which \$1,714,000.00 is estimated to be paid for by a grant from the State of Delaware.

The Ocean View Expansion of the Bethany Beach Sanitary Sewer District became operational on August 30, 2001.

There were no public comments and the Public Hearing was closed.

M 534 01 Adopt Ordinance No. 1489 A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to Adopt Ordinance No. 1489 entitled "AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2002 TO INCORPORATE PROJECTED REVENUES AND EXPENDITURES FROM THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT".

Motion Adopted: 5 Yea.

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

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 FIRE STATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 2.53 ACRES, MORE OR LESS” (Conditional Use No. 1433) filed on behalf of the Lewes Fire Department, Inc. and the Rehoboth Beach Volunteer Fire Company, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY RESIDENTIAL DWELLING STRUCTURES (130 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 17.0 ACRES, MORE OR LESS” (Conditional Use No. 1434) filed on behalf Grady, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Phillips introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL SALES OF FLOORING AND RELATED HOME ACCESSORIES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 13,500 SQUARE FEET, MORE OR LESS” (Conditional Use No. 1435) filed on behalf of Chris and Sherry Cheeseman. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE BUILDING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.77 ACRES, MORE OR LESS” (Conditional Use No. 1436) filed on behalf of Blair A. Jones. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Rogers 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 MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 27.53 ACRES, MORE OR LESS” (Change of Zone No. 1456) filed on behalf of Forest Reach, LLC. The Proposed Ordinance will be advertised for Public Hearing.

Public Hearing/
Proposed Ordinance

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE ESTABLISHING THE ANNUAL SERVICE CHARGE AND ANNUAL ASSESSMENT RATES FOR THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT”. The Proposed Ordinance establishes the following:

Public Hearing/
Proposed Ordinance/
Annual Service Charges & Rates for the Ocean View Expansion of the BBSSD

Annual service charge: \$195.10 per EDU

For collection, an assessment rate per billable front foot: \$2.63

For transmission and/or treatment, an assessment rate per billable front foot: \$1.05

In addition to these charges, there will be a one-time connection fee of \$1,559.00.

Mr. Baker noted that the proposed rates are lower than projected at the Public Hearing held on October 26, 1996.

Public comments were heard. Mr. Spencer Lampiris expressed concern that assessment rates are not fair and equitable; that the assessment rate should also be an EDU charge and not based on front footage.

Mr. Cole concurred with Mr. Lampiris and asked Council to take action towards making the billing structure more fair and equitable.

Mr. Archut, Assistant County Engineer, advised that there would be significant expenses associated with changing the billing structure.

Comments were also heard from another property owner and Mr. Lobb, Town Manager of Ocean View. The Mayor of Ocean View was also present.

Mr. Lampiris was advised that there is an appeal process and that he could contact the Engineering Department for further information relating to that process.

The Public Hearing was closed.

M 535 01
Adopt Ordinance No. 1490

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1490 entitled "AN ORDINANCE ESTABLISHING THE ANNUAL SERVICE CHARGE AND ANNUAL ASSESSMENT RATES FOR THE OCEAN VIEW EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT".

Motion Adopted: 5 Yea.

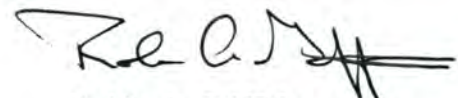
Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

Public Hearing/
Assessment Rolls

A Public Hearing was held on the Assessment Rolls for the Ocean View Expansion of the Bethany Beach Sanitary Sewer District. The assessment rolls contain a record of information regarding each property in the District. The information is available to the public by contacting the Engineering Department. There were no public comments and the Public Hearing was closed.

- M 536 01 A Motion was made by Mr. Cole, seconded by Mr. Jones, that the Sussex County Council adopts the assessment rolls for the Ocean View Expansion of the Bethany Beach Sanitary Sewer District, as presented on September 18, 2001, for the period September 18, 2001 to June 30, 2002.
- Adopt Assessment Rolls/
Ocean View Expansion of the
BBSSD Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea
- Villages of Old Landing Mr. Baker, Utility Construction Division, discussed wastewater facilities constructed in The Villages of Old Landing, Section II.
- M 537 01 A Motion was made by Mr. Rogers, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, for Sussex county Project No. 81-04, Agreement No. 187, that the Sussex County Council grants Beneficial Acceptance for the wastewater facilities constructed in the Villages of Old Landing, Section II, located in the West Rehoboth Sanitary Sewer District.
- Grant Beneficial Acceptance/
Ocean View Expansion of the
BBSSD Motion Adopted: 5 Yea.
- Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea
- M 538 01 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to adjourn at 11:37 a.m.
Adjourn Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council

PUBLIC WORKSHOP
SUSSEX COUNTY COUNCIL
DELAWARE DEPARTMENT OF TRANSPORTATION
SEPTEMBER 19, 2001

A Joint Workshop was held between the Sussex County Council and the Delaware Department of Transportation on Wednesday, September 19, 2001, at 1:00 p.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware.

The following were present from Sussex County:

Dale R. Dukes	President
Finley B. Jones, Jr.	Vice President
George B. Cole	Member
Vance Phillips	Member
Lynn J. Rogers	Member
Robert L. Stickels	County Administrator
Lawrence Lank	Director of Planning and Zoning
Joe Thomas	Director of Emergency Operations

The Honorable Nathan Hayward III, Secretary of Transportation, was in attendance. The following representatives from DelDOT were also present:

Chris Bell	Director, Finance Management & Budget
Terry Gorlich	Director of External Affairs
Gary Laing	Municipal Coordinator, External Affairs
John Gilbert	Director, Highway Operations
Ray Miller	Executive Director, DART First State
Chao Hu	Director, Pre-Construction
Al Guckes	Executive Assistant
Jim Johnson	Chief Engineer
Allan Redden	Chief Engineer, South District
Ralph Reeb	Director of Planning

The Public Workshop was moderated by Secretary Hayward, Mr. Dukes, and Mr. Stickels.

The Public Workshop was a follow-up to the Public Workshop held between Sussex County Council and the Delaware Department of Transportation on Monday, April 2, 2001.

Secretary Hayward stated that he came to the Public Workshop in April with a message – “There is a new Governor, there is a new Secretary of Transportation, there is a new way that we are trying to think about transportation issues and problems – accessibility, responsiveness, and

efficiency” - and the message that is behind the work DelDOT is trying to do is “to make the citizens understand that this is not big, bad DelDOT sitting in Dover making unilateral decisions about their neighborhoods, their livelihoods; rather this is a joint effort, and the joint effort has to be between the people who live where the problems exist and the Department that is charged with the responsibility of helping them fix it”.

Transportation Issues – Questions, Concerns and Comments

Sussex County Long-Range Transportation Plan Update

Mr. Reeb advised that the Plan has been completed and offered to the public for comment. The public has been involved in helping to develop the Plan, as well as technical staff at the County and State levels.

The Public Advisory Committee presented the Plan to DelDOT at the Capital Improvement Program Workshop on September 12th at which time they recommended endorsement.

A second Public Workshop has been scheduled for October 4, 2001 to solicit input from the public. The workshop will be held from 4:00 p.m. to 7:00 p.m. at the Sussex County West Complex Building on Route 113 in Georgetown. This workshop will present the strategies and actions that have been developed by the Delaware Department of Transportation, Sussex County, and the Public Advisory Committee to address the problems and concerns identified at the first workshop.

The Department will consider the comments received at the Public Workshop and will consult with the Technical Advisory Committee and the Public Advisory Committee. Modifications will be made as needed and the Plan will be adopted. The Plan will then become the basis for recommendations regarding projects.

The County will incorporate the Plan (as appropriate) into the update of the Comprehensive Land Use Plan.

Mr. Rogers commented on the Route One Grid Study and asked that DelDOT keep “open ears” on that area. Mr. Rogers also commented on the service roads which are planned for the west side of the County and stated that many citizens are wondering when they will occur.

Public Comments

Comments were heard from Mabel Granke on the \$30 million that is being proposed for SR 1 Grid Improvements from Five Points to Route 24, and she asked the Department to reevaluate the proposal. Ms. Granke expressed that she hopes the evacuation plan comes forth and she expressed her support of Route 113 as a north – south corridor.

Sussex County Council Capital Transportation Improvement Five-Year Mobility Request

Mr. Stickels commented that, according to the 2000 Census, Sussex County's population has increased 38 percent in the last ten years and that, geographically, Sussex County makes up 49 percent of Delaware's land mass. Mr. Stickels pointed out that the census figures are incorrect and that based on the fact that there are 10,000 people in the Hispanic population in the County, the County's population actually increased by 48 percent.

Mr. Stickels outlined the projects included in the report:

1. North-South Limited Access Highway

The County Council is requesting that sufficient funding be included in the CTIP to allow for the development of a limited north-south access highway and that funding be included in this year's CTIP for the first phase of the project in the amount of \$100 million. The Council supports the upgrading of the existing alignment of US 113. It is believed that this would have minimal agricultural and wetlands impacts, with a cost between \$400 and \$500 million and a timetable of five to fifteen years.

2. SR 1 Grid Improvements

The current CTIP contains \$30 million for this project. The County Council is in support of this work; however, they question the placement of a park-and-ride at the Nassau area. The County has suggested that a park-and-ride may be better situated farther north or west of the coastal area.

3. East-West Improvements

The current CTIP includes funding for the development of a network of east-west roads.

- a. SR 36 from US 113 west of Milford to SR 404 east of Greenwood.
- b. SR 16 from SR 36 east of Greenwood to the termination of the road at the Delaware Bay.
- c. SR 404 east of US 113 to Delaware Technical & Community College in Georgetown west of US 113 and east of SR 5 to SR1 west of Lewes.
- d. SR 24 from west of SR 30 to east of the Route 1 intersection north of Rehoboth.
- e. SR 26 from the Assawoman Canal west to US 113.
- f. SR 54 from 58C west to US 113.

The Council requests that additional funding be included to allow improvements for the entire network. Improvements would include resurfacing of shoulders to highway standards and intersection improvements to include illuminating, adding left-hand turn lanes, and directional signage.

The County Council requests \$85 million for east – west improvements over the next five years.

4. SR1 Dewey Beach Improvements from Salisbury Road, Dewey Beach, to Lewes and Rehoboth Canal

This project is currently in the CTIP. The County Council asks that this work be expedited as soon as possible and if at all possible, to be completed by June 2002. Work includes the construction of curb, sidewalks, curb ramps, and landing at SR 1 and Bald Eagle Road; construction of curb, sidewalk, and landing area at the intersection of SR 1 and Church Street and extend the median to provide pedestrian refuge; and construction of sidewalk, crosswalks, and pedestrian signal at Elizabeth and Dodd Avenue, with median modifications.

County Council requests that this work be funded at \$6,460,000.00.

5. SR 30 and SR5.

Resurfacing of SR 5, paving and widening of shoulders where necessary, illuminating key intersections from SR 24 north to the truck bypass over SR 5 around Milton connecting to SR 30, to the connection of SR 30 and SR 1.

County Council requests that this project be funded at \$10,423,000.00. This work includes \$5,423,000.00 that is currently in the CTIP for the Milton Truck Bypass and SR 30 and SR 1 intersection improvements.

6. Stormwater drainage improvements into South Bethany Canal.

South Bethany has a very serious problem of having the canals being polluted by a drainage system installed by DelDOT. Presently, stormwater runoff is being collected in an open ditch and transferred into a large diameter culvert pipe flowing directly into Anchorage Canal.

County Council requests this project be funded at \$250,000.00.

7. Georgetown – Park Avenue

SR 318 east of Georgetown and SR 321 south of SR 9 have been designated as a truck relief route for the Town of Georgetown. The Council does not believe the current road conditions meet national highway safety standards for a truck relief route.

Sussex County has received a grant from the FAA to extend the existing 5,000-foot runway an additional 1,000 feet. This work will require a realignment of a portion of the roadway.

The County Council believes it would be best if efforts were coordinated to upgrade Park Avenue at this time. The upgrade work should include shoulders with a pull-off area, turn lanes where necessary, and illumination of intersections. It is believed that all of this work can be done on County-owned property and within existing DelDOT right of ways.

The County Council requests this project be funded at \$7,500,000.00.

8. US 13 Corridor Capacity Improvements

The Council believes that if the western towns located on US 13 are going to have any economic development growth, it is essential that this program be developed with intergovernmental cooperation. DelDOT has been conducting workshops and studying improvements for Delmar, Laurel, Bridgeville, Seaford, and Greenwood. The Council believes it will be beneficial if greater emphasis is placed on managing existing roadways rather than building new roadways.

The County Council requests that this program be funded at \$11 million.

9. Sussex County Aviation Projects.

The County Council's capital budget calls for expenditures for the Sussex County Airport in the amount of \$14,314,889 from FY '02 to FY '07. Ninety percent of this funding is provided by the Federal government.

The County Council is requesting that the State CTIP include \$771,056 for FY '02 to FY '07. This figure is slightly higher than the five percent figure because the State has already allocated \$75,000 for a fire protection upgrade for FY'02.

Secretary Hayward stated that the projects outlined by Mr. Stickels will cost approximately \$50 million a year and that the total Capital Improvement Program for the entire State will cost approximately \$300 million a year. The Secretary commented on several of the projects individually:

The North – South Limited Access Highway – The Secretary stated that, with the County's concurrence, he wants to get to work on this project right away; that there are some undesignated funds in DelDOT's planning budget; and that that he suggests that a Request for Proposals be prepared and released. The Secretary stated that the Department needs to (1) start identifying what is the most complicated piece of the project in the entire corridor and (2) get started on that piece right away.

Park Avenue Project – The Secretary stated that the proposal seems to be an imminently reasonable solution and it is also sized in a way that the Department can most likely get started on it very quickly.

Stormwater Drainage into South Bethany Canal – The Secretary stated that the Department has approved approximately \$225,000 to get started on this work right away.

US 13 Corridor Capacity Improvements – There is \$11.25 million in this year’s capital budget. Public meetings have been held with the towns and progress is being made.

Councilman Cole expressed concern that such a highway would attract more interstate traffic than already flows through Sussex County and that instead of focusing on the North-South Limited Access Highway as high-priority, shouldn’t DelDOT look at other roads which would more directly benefit residents of Sussex County.

Secretary Hayward and Mr. Reeb responded that it is necessary to start on this project now before development locks out all options.

US 13 Corridor Capacity Preservation Program

Mr. Reeb reported that the total plan for Route 13 is currently going through the public workshop process and that generally, the towns are happy with the proposed plans. A Public Hearing is scheduled for December 4, 2001 in Seaford.

In addition, Mr. Reeb reported that there is work being done in each town on service roads:

- The connection in Delmar is ready to be sent to the road design department at the end of October.
- In Laurel, they are working on four pieces: improvements on Route 9, Road 466, Route 24, Road 462, and improvements to the Five Points intersection.
- The total set of improvements for Seaford will be ready to go to the road design department at the end of December.
- The service road concept and realignment for Bridgeville will be ready to go to the road design department at the end of December.

Mr. Stickels asked that DelDOT provide the County with copies of the proposal for service roads.

Public Comments

Mr. Dan Kramer stated that each parcel of land should have at least one access to the highway.

Mr. Stickels responded that every property has the right to road access, but not necessarily the road they choose.

SR 1 Lewes-Rehoboth Grid Study Update

Mr. Reeb referred to the MOU signed by the Sussex County Council and DelDOT in April, 2001 through which a Public Advisory Committee was created. Mr. Reeb stated that there is concern that the community is growing very fast and when anything is developed or built, it has a potential to eliminate options.

Mr. Reeb advised that a comprehensive traffic count was performed during the summer across the entire County.

Mr. Reeb reported that part of the concern regarding this study has been the third lane. He noted that DelDOT's urgency with the third lane relates to safety; that when they review the accident statistics, they believe they need the extra capacity. Mr. Reeb noted that it is not intended to be an overall solution but a part of the solution.

Mr. Reeb advised that the first Public Workshop will be held in December.

Secretary Hayward acknowledged that this area is one of the worst traffic problems in the State; however, he noted that there is not much that can be done within the existing right-of-way.

The Secretary advised that he has met with a group of people recently, including Mabel Granke and Mike Tyler, to talk about some of the aspects of the Route One corridor and whether the idea of a third lane is a good idea or not.

The Secretary stated that a professional transportation planner believes that the third lane will help; however, if the community does not want it, DelDOT will not do it. He noted further that DelDOT's obligation is to bring options and professional opinions to the community and that it is up to the local leadership to help DelDOT decide what to do.

Public Comments

Mike Tyler spoke on the traffic counts that were conducted, stating that the results are quantitative and not qualitative; that the severity of traffic and speed on three lanes is greater; that a third lane will result in more accidents; that the widening of Route One is uncreative; that pedestrian traffic along Route One is a problem; and that DelDOT hasn't taken all things into consideration.

Dan Kramer recommended an overpass on Route One.

Current Project Status – Upcoming Construction Projects

Mr. Redden reported on the following projects:

- The Route 113 project through Millsboro is scheduled (by contract time) to be done in October; however, it should be done by Memorial Day.

- The next phase of Route 113 is scheduled to start in April, 2002.
- The Route 54 project began this week; the completion date is scheduled to be August, 2003.
- The Nassau and Broadkill River bridge projects should be done with a minimum of delay; there is a tight time-table for these projects and the contractor is under a lot of pressure to get it done.
- There are a lot of paving and overlay projects ongoing.

Mr. Redden stated that there are no dirt shoulders remaining in the County.

Mr. Dukes expressed concern about some roads that have a dangerous drop-off on the shoulders and that when DelDOT is doing tar and chip projects, they are not repairing potholes or shoulders. Mr. Dukes stated that tar and chip has been discontinued in New Castle County and that that he would like to see DelDOT discontinue tar and chip roads in Sussex County.

Mr. Redden advised that his office should be contacted of any road safety hazards (853-1300).

Mr. Guckes advised that it is expensive to convert roads to hot mix and that maintenance of those roads is more expensive than tar and chip roads. He further noted that they are working to improve the process of surface treatment; that surface treatment holds up well on roads with traffic of less than 5,000 vehicles a day. He noted that some surface overlay is still being done in New Castle County.

Mr. Redden reported that there is a hot-mix conversion program funded at \$2 million a year; roads with higher traffic counts are placed in the program.

Mr. Guckes advised that surface treatment costs approximately \$10,000 a mile; hot mix costs \$120,000 to \$160,000 a mile.

Evacuation Routes

Mr. Joe Thomas, Director of Emergency Operations, distributed the "Sussex Evacuation Plan" provided by DelDOT. The draft includes evacuation scenarios based on figures gathered through census information, information on properties in Sussex County, and occupancy rates for hotels and motels. The scenarios provide estimated clearance times for north-south and east-west evacuation routes. Mr. Thomas emphasized that the figures in this plan are preliminary and do not include traffic counts coming into Sussex County from Ocean City, Maryland.

The agencies involved in the discussion and preparation of the plan include Sussex County, DelDOT, DEMA, the State Police, the National Guard, and most recently, the U.S. Army Corps of Engineers.

At the last Public Workshop between Sussex County and DelDOT on April 2nd, Mr. John Gilbert reported that the next thing to be done was for DelDOT to work with Sussex County and DEMA in laying out an evacuation route using reversible lanes and other details related to traffic engineering.

Mr. Thomas reported that during recent meetings, talks shifted from using reversible lanes to utilizing and enhancing existing evacuation routes using traffic flow studies, clearance times, and logistics for manning intersections and manpower.

Mr. Thomas advised that the Director of Emergency Management for Ocean City, Maryland, plans to attend the next meeting scheduled for October 10th to help include the Maryland aspect in Sussex County's evacuation plan.

Bridgeville Tourist Center

Secretary Hayward reported that the General Assembly has ordered DelDOT to purchase the Bridgeville Tourist Center; to transfer the property to the State of Delaware Administrative Services, and for the Governor and the General Assembly to decide the future of the site.

Rehoboth Museum/Visitors Center

The Secretary advised that this project has met with a lot of public controversy and the DRBA has decided not to pursue their potential investment in the project. The Secretary further advised that DelDOT has no further commitment to this project except its standing commitment to make overflow parking available if the project should proceed.

Milton Truck Bypass

Mr. Chao Hu reported that this project has been forwarded from the Planning Division to Pre-construction for design. Construction should begin in 2004.

Laurel Truck Route

Mr. Stickels reported that the Mayor of the Town of Laurel has stated that the Town does not want the new truck route.

Mr. Reeb stated that there is currently a truck route in Laurel that is being used; that DelDOT has worked with the Town to consider all the options to see if there is a better way to take truck traffic through town. During these discussions, it became clear that the cost and consequences of an alternative route were too high and too difficult to manage. As a result, DelDOT is planning some minor improvements in town which will accommodate the traffic adequately; sidewalks will be added and improvements made at Five Points.

Mr. Reeb reported that the improvements at SR 568 and Five Points will be ready to be sent to Engineering next week for design; the rest of the improvements for Laurel will be at the end of the year.

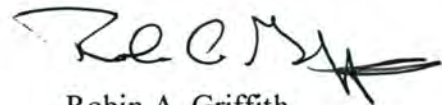
Public Comments

Ms. Mabel Granke stated that the concern for the Transportation Plan Update continues to be environmental; that on the east side of Route One, the whole stream network needs to be addressed; that the intersection at the proposed site for the Museum/Visitors Center in Rehoboth is already too congested; and that the Center is a bad idea and there should not be any public dollars invested in it.

Secretary Hayward closed by saying that the Governor's program for Livable Delaware is intended to try to get everyone to think as cooperatively and as creatively as possible about the impacts of land use decisions on all of the public investments.

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to adjourn at 3:49 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council