

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 19, 2000

Call to Order            The regular meeting of the Sussex County Council was held Tuesday, September 19, 2000, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

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

M 462 00            A Motion was made by Mr. Phillips, seconded by Mr. Jones, to approve  
Approve            the Agenda, as amended on September 15, 2000, at 4:20 p.m.  
Agenda

Motion Adopted: 5 Yea.

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

M 463 00            A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve  
Approve            the minutes of the September 12, 2000 meeting, as distributed.  
Minutes

Motion Adopted: 5 Yea.

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

Corre-                Mr. Bayard read the following correspondence:  
spondence

DELAWARE DEVILS GIRLS SOFTBALL TEAM, GEORGETOWN,  
DELAWARE.

RE: Letter in appreciation of grant funding.

DENTON WOODS PROPERTY OWNERS' ASSOCIATION, INC.,  
OCEAN VIEW, DELAWARE.

Corre-  
spondence  
(continued)

RE: Letter commending two County employees, Dorothy Smith and Jeannie Warrington.

R. O. TAYLOR, REHOBOTH BEACH, DELAWARE.

RE: Letter regarding a suggested route for the potential new toll road, Route 1.

WILLIAM V. ROTH, JR., UNITED STATES SENATE,  
WASHINGTON, D.C.

RE: Letter regarding S 2698, the Broadband Internet Access Act of 2000.

M 464 00  
Authorize  
Executive  
Session

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to authorize an Executive Session to be held on this date, at 11:00 a.m., in the Caucus Room of the Sussex County Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, for the purpose of discussing pending litigation and personnel.

Motion Adopted: 5 Yea.

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

Delaware  
Biodiversity  
Symposium

Mr. Stickels asked for Council's consideration of a grant request that was initially brought before Council on September 12, 2000. The grant request, in the amount of \$2,500.00, to the Department of Natural Resources and Environmental Control, is to assist with the Delaware Biodiversity Symposium. At the September 12, 2000 meeting, Council requested additional information. Since that time, an Executive Summary entitled "Protecting Delaware's Natural Heritage: Tools for Biodiversity Conservation" was distributed to Council.

Mr. David Small, of the Department of Natural Resources and Environmental Control, was in attendance and presented an overview of the Delaware Biodiversity Symposium. Mr. Small advised that two of the Department's primary objectives are to: (1) conserve animal and plant resources and (2) promote and provide recreational opportunities. In doing these things, the Department's objective is to preserve the State's biological diversity, as biological diversity and a healthy ecosystem are important for a number of economic, social, and environmental reasons. Mr. Small advised that in 1998, the Department of Natural Resources and Environmental Control, in conjunction with the Delaware Nature Society, the Nature Conservatory, and the Environmental Law Institute, conducted a review of an array of State and federal laws and programs for protecting and conserving the State's living resources. The result was a final report called "Protecting Delaware's Natural Heritage: Tools for Biodiversity Conservation". This

Delaware  
Biodiversity  
Symposium  
(continued)

report contains suggestions to protect, conserve, and restore Delaware's natural resources. Many of the suggestions pertain to consolidating efforts that are currently underway and better coordinating efforts between the State, County, and municipalities. As a result, the Delaware Department of Natural Resources has identified elements they feel are necessary for their strategy in implementing this: address private and public land management issues, insure broad based involvement, foster leadership at high levels in the process, and define goals early. The Department would like to have each of the three counties' participation/cooperation in this Symposium, whether or not they provide funding. Mr. Small advised that, to date, no response has been received from the other two counties.

Councilmembers expressed their concerns over the Symposium: overlapping of what other departments/committees already do; changes to the Comprehensive Land Use Plan; poor mitigation requirements already in place.

Mr. Cole recommended that Sussex County give \$2,500 to the Department of Natural Resources and Environmental Control for the Delaware Biodiversity Symposium, contingent on the same support by the other two counties.

It was the consensus of Council to discuss this at the next Delaware Association of Counties meeting, tentatively scheduled for October 16, 2000.

Mr. Phillips requested that a copy of the Executive Summary be forwarded to the members of the Land Use Advisory Committee.

Mr. Phillips also requested that Mr. Small provide Council with a copy of the budget for the Symposium.

Committee  
Appoint-  
ments

Mr. Stickels advised that several appointments have expired on the Advisory Committee for Handicapped & Aging Citizens of Sussex County.

M 465 00  
Reappoint-  
ments to  
Committee

A Motion was made by Mr. Jones, seconded by Mr. Phillips, that the following be reappointed to the Advisory Committee for Handicapped & Aging Citizens for a term of two years: Albert Clark, Byron E. Cooper, Vance Daniels, Rev. Clarence H. Hays, L. Thomas Shockley, David B. Webb, Jr., and Irvin Aydelotte.

Motion Adopted: 5 Yea.

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

Appointment

It was noted one new appointment needed to be made to replace Mr. Paul A. Lynch.

M 466 00  
Committee  
Appointment

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to appoint Mr. John Williams to the Advisory Committee for Handicapped & Aging Citizens for a term of two years.

Motion Adopted: 5 Yea.

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

Adminis-  
trator's  
Report

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

1. Bridgeville Comprehensive Plan

The Town of Bridgeville, in conjunction with the University of Delaware's Institute for Public Administration, will be conducting a workshop to give residents of the area an opportunity to share their thoughts and ideas about Bridgeville's future. The meeting will take place on Thursday, September 21, 2000, from 7:00 p.m. to 9:00 p.m. at the Woodbridge High School Cafeteria.

2. Laurel Truck Route Study

The Delaware Department of Transportation is holding the second in a series of workshops for the Laurel Truck Route Study. The meeting will be held on Wednesday, September 27, in the Hall at the Laurel Fire Company, 10<sup>th</sup> and Railroad Streets, Laurel, Delaware. The public is invited to attend between the hours of 4:00 and 8:00 p.m.

The objective of the study is to develop alternatives for truck traffic presently traveling along Route 24. The first public workshop displayed a full range of travel options, from upgrading existing roadways through constructing new roads. The second public workshop will display a reduced set of alternatives based on input received during the first meeting. Some alternatives will be studied further and others will be eliminated from further consideration.

3. Disaster Workshop

I would like to give Council advance notice that the Sussex County Emergency Operation Center will be holding a Disaster Workshop on October 26, 2000, at the Rehoboth Convention Center. The workshop will take place from approximately 9:00 a.m. to 3:00 p.m.

Adminis-  
trator's  
Report  
(continued)

Invitations will be sent to town officials, police chiefs, the fire service, and public works supervisors. Presenters will include William Johnson, Division Manager of the Miami-Dade Office of Emergency Management, and Daniel Summers, Director, Office of Emergency Management, New Hanover County, North Carolina.

4. West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

I received notice on Friday, September 15, 2000, from Senator William V. Roth, Jr., that the Senate's budget appropriators have included \$1.2 million in a grant for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. Senator Roth informed me that Delaware is one of 32 states receiving this funding.

David Baker, Director of Finance, and I will investigate what spending requirements will be placed on the \$1.2 million. Our first priority is reducing costs for existing users.

Although this legislation has passed the Senate Committee on Appropriations, it still must pass the full Senate.

5. Public Workshop – Delaware Department of Transportation

The Delaware Department of Transportation is holding a Public Workshop to present facts and solicit public comments regarding the proposed replacement of Bridge 586 on Millsboro Highway (Route 30) over the Pocomoke River, north of Gumboro. The meeting will be held on Thursday, September 21, 2000, at the Dagsboro Fire Company, Engine Bay, Waples Street, Dagsboro, Delaware. The public is invited to attend between 4:00 and 7:00 p.m.

The proposed improvements include replacing the existing rigid frame with a rigid frame bridge. Approximately 130 meters of approach roadway work is also included in this project.

I encourage the residents of the area to attend this workshop and give public input.

Bid  
Results/  
Sweeper  
Truck

Mr. Stickels reviewed the bid results for the project entitled "Sweeper Truck" for use on the runways at the Sussex County Airport. Only one bid was received; the sole bid was received from Mid-Atlantic Waste Systems in the amount of \$58,538.00. Additional costs for the project include administrative costs in the amount of \$1,358.00, for a total project cost of \$59,897.00. The amount budgeted for this project was \$77,000.00

Bid Results/ Sweeper Truck (continued)	The cost of this project will be shared as follows:	
	Federal Share – 90 percent	\$53,907.00
	State Share – 10 percent	\$ 2,995.00
	County Match – 10 percent	\$ 2,995.00

M 467 00 Award Bid/  
Sweeper Truck

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to authorize the awarding of a bid to Mid-Atlantic Waste Systems for the purchase of a Sweeper Truck in an amount not to exceed \$58,537.58.

Motion Adopted: 5 Yea.

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

Draft Ordinance/  
Vendors in C-1  
General Commercial  
Districts

The draft ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY IN ORDER TO ALLOW VENDORS IN THE C-1 GENERAL COMMERCIAL DISTRICT” was discussed. This draft ordinance was previously discussed by Council on September 12, 2000.

Mr. Lank recommended that Council defer action on the introduction of this ordinance. Public Hearings scheduled for September 26, 2000 might give Council some insight on vendors operating as permitted accessory uses in C-1 General Commercial Districts.

Mr. Cole expressed his opinion that the draft ordinance is too broad; that a wide range of products would be allowed under this ordinance; that vendors should be limited to selling food products; and that vendors wanting to sell any other products should have to apply for a conditional use permit.

It was the consensus of Council to defer action on the introduction of this draft ordinance.

SCRWF/  
Change Order

Mr. Marvel, Maintenance Division Manager, reviewed a close-out change order for the Blower and Effluent System Materials Project for the South Coastal Regional Wastewater Facility.

M 468 00 Grant  
Substantial Completion/  
SCRWF Project

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council grant Substantial Completion on Sussex County Project No. 99-18 entitled “South Coastal Regional Wastewater Facility Blower and Effluent System Materials” to the vendor, United Electric Supply, effective September 12, 2000.

M 468 00  
(continued)

Motion Adopted: 5 Yea.

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

United  
Way  
Funding/  
Boy  
Scouts

Mr. Phillips questioned whether the County is providing any funding for the United Way through County resources. Mr. Stickels advised that the County recently implemented a plan for County employees to make a donation to the United Way through payroll deductions; however, no County funds are provided through this plan. Mr. Stickels further advised that the County is currently soliciting funding requests for Human Service Grants and United Way funding will be considered under this program. Mr. Phillips questioned the United Way's decision-making process regarding funding the Boy Scout program. Mr. Stickels responded that there are 1,400 United Way programs nationwide; 6 of the 1,400 have made a decision not to participate in providing funding to the Boy Scouts. The Delaware United Way Executive Committee recently met and did not make a decision as to the way they provide funding for the Boy Scout program. They will be meeting again in October to further consider this funding. It was the consensus of Council to encourage the Delaware United Way to continue to participate in funding the Boy Scout program. Mr. Stickels was directed to send a letter to the Delaware United Way requesting that they continue their policy of supporting the Boy Scouts.

M 469 00  
Youth  
Activity  
Grant

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$750.00 from Mr. Jones' Youth Activity Fund to the Woodbridge Pop Warner for operating expenses.

Motion Adopted: 5 Yea.

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

DelDOT  
CIP  
Public  
Meeting

Mr. Dukes reported that he has been contacted by Mrs. Dolores Slatcher, City Manager of the City of Seaford, regarding the recent Delaware Department of Transportation Capital Improvement Program public meeting. A wrong location was advertised by DelDOT for this meeting. In addition, a quorum of the committee was not present and no court reporter was present.

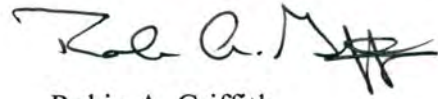
M 470 00  
Council-  
manic  
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to give \$500.00 from Mr. Dukes' Councilmanic Account to the Woodland Ferry Association for improvements to the Woodland Ferry Park South.

Motion Adopted: 5 Yea.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robin A. Griffith". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Robin A. Griffith  
Clerk of the Council