

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 20, 1994

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, September 20, 1994, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
George J. Collins	Vice President
Ralph E. Benson	Member
George B. Cole	Member
William D. Stevenson, Sr.	Member

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

M 391 94      A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve Minutes      approve the minutes of the previous meeting dated September 13, 1994. Motion Adopted by Voice Vote.

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

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.  
RE: Notice of Commission Meeting and Public Hearing on applications for approval of several projects, none of which are located in Sussex County.

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

RE: Notice of a public hearing to be held on October 12, 1994, in the DNREC Auditorium, regarding the revision to the State of Delaware REGULATIONS GOVERNING THE CONTROL OF AIR POLLUTION, Regulation No. 24 - CONTROL OF VOLATILE ORGANIC COMPOUND EMISSIONS (VOCs) to add a new section, Section No. II - MOTOR VEHICLE REFINISHING.

MARVIN B. HITCH, CHIEF, CARLISLE FIRE COMPANY, INC., MILFORD, DELAWARE.

RE: Commending Mr. Glenn Gillespie, Director of Emergency Operations, for his assistance and quick response on September 14, 1994, following a house fire/explosion.

LISA MARINO, PROJECT MANAGER, REGION, III, ENVIRONMENTAL PROTECTION AGENCY, AND KEITH ROBERTSON, PROJECT MANAGER, DNREC SUPERFUND BRANCH, PHILADELPHIA, NEW CASTLE.

RE: Letter to the Editor of the News Journal published on September 18, 1994, regarding the Laurel landfill.

Change  
Order  
No. 4  
West  
Rehoboth

Mr. Wood, County Engineer, and Mr. Rohm of George, Miles & Buhr, discussed Change Order No. 4, to Contracts 2 and 3 of the West Rehoboth Sewer Project, in the amount of \$149,650.00, to Northeast Construction Company. Mr. Wood explained that there are approximately sixteen to eighteen traffic control signal support poles with concrete foundations on the project. DelDOT made the determination after the project was bid that if a sewer line was closer than ten feet to a foundation, the pole needed to be protected by steel sheeting to be left in place. Due to logistics, bore and jack casings were used. As a result of this direction from DelDOT, eleven steel casings have been or will be installed to carry the sewer pipe past the DelDOT poles. The additional jacking and boring past the DelDOT traffic signal poles will require a time extension of sixty-two days.

M 392 94  
Authorize  
Change  
Order  
No. 4  
West  
Rehoboth

A Motion was made by Mr. Collins, seconded by Mr. Benson, that based on the recommendation of the Consulting Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, the Sussex County Council authorizes Change Order No. 4, to Northeast Construction Company, in the amount of \$149,650.00, and a time extension of sixty-two calendar days for additional jacking and boring past DelDOT traffic signal poles, bringing the revised total contract amount to \$3,487,100.29, and a new substantial completion date of November 17, 1994.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Agenda  
Item

The agenda item entitled "George, Miles & Buhr - Design Contract Change Order" was tabled.

1994  
B.A.S.S.  
Eastern  
Divi-  
sional  
Tourna-  
ment

Mr. Masten, Assistant Director of Economic Development; Ms. Small, Executive Director of Sussex County Convention and Tourism Commission; Mr. Corkran, Director of the National B.A.S.S. Federation; and Mr. Moore, President of the Delaware B.A.S.S. Federation; were in attendance to discuss the 1994 B.A.S.S. Eastern Divisional Tournament currently taking place in Sussex County. This fishing tournament is a competitive catch and release tournament between thirteen eastern states. The tournament will have an economic impact on the County as well as promote tourism to the County. Sussex County is the host sponsor of the tournament.

Pole Shed Contract Mr. Jones, Engineer III, and Mr. Powell, Farm Manager, discussed Change Order No. 1, in the amount of \$3,885.12, for Sussex County Project No. 94-09, Pole Shed Contract.

M 393 94 Change Order No. 1 Pole Shed Contract A Motion was made by Mr. Cole, seconded by Mr. Collins, that based on the recommendation of the Engineering Department, that Change Order No. 1 be approved for Sussex County Project No. 94-09, materials for and construction of a pole shed, in the amount of \$3,885.12, increasing the amount of the contract to \$43,285.12.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Clearwater Development Mr. Green, Director of Utility Construction, discussed an Agreement between Sussex County Council and Clearwater Development for Construction Administration and Construction Inspection Services for wastewater facilities to be constructed in the South Bethany Sanitary Sewer District.

M 394 94 Execute Agreement with Clearwater Development A Motion was made by Mr. Cole, seconded by Mr. Benson, that the President of the Sussex County Council execute an Agreement between Sussex County Council and Clearwater Development for Construction Administration and Construction Inspection Services for wastewater facilities to be constructed and referenced as Clearwater Development Offsite, located in the South Bethany Sanitary Sewer District.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Clearwater Development Mr. Green, Director of Utility Construction, discussed Beneficial Acceptance of wastewater facilities constructed in Clearwater Development - Phase 1, located in the South Bethany Sanitary Sewer District.

M 395 94 Beneficial Acceptance Clearwater Development A Motion was made by Mr. Cole, seconded by Mr. Benson, that based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council grant Beneficial Acceptance in accordance with the executed Maintenance Agreement, dated September 20, 1994, for the wastewater facilities constructed in Clearwater Development - Phase 1, located in the South Bethany Sanitary Sewer District.

M 395 94 Motion Adopted: 5 Yea.  
(con't)

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Rehoboth Mr. Green, Director of Utility Construction, discussed  
Beach Conditional Acceptance of wastewater facilities constructed  
Yacht and in Rehoboth Beach Yacht and Country Club, located in the  
Country West Rehoboth Expansion of the Dewey Beach Sanitary Sewer  
Club District.

M 396 94 A Motion was made by Mr. Cole, seconded by Mr. Benson, that  
Execute based upon the recommendation of the Sussex County Engineering  
Main- Department, for Sussex County Project No. 81-04, the Sussex  
tenance County Council grant Conditional Acceptance in accordance with  
Agree- the executed Maintenance Agreement, dated September 20, 1994,  
ment for the wastewater facilities constructed in Rehoboth Beach  
Rehoboth Yacht and Country Club, Agreement 106, located in the West  
Beach Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Yacht and Motion Adopted: 5 Yea.  
Country Club

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Funding Mr. Stickels, County Administrator, discussed a request from  
Request the Southern Delaware Choral Society for funding in the amount  
Southern of \$1,500.00 for an original composition by internationally  
Delaware recognized composer and native Delawarean, Dr. Lee Mitchell.  
Choral The complete concert piece would be comprised of three move-  
Society ments emphasizing the natural beauty of Sussex County. Dr.  
Mitchell's commission fee is \$5,000.00; the Delaware Division  
of the Arts has awarded a \$1,500.00 grant and the Southern  
Delaware Choral Society has secured an additional \$1,500.00  
in private support.

M 397 94 A Motion was made by Mr. Stevenson, seconded by Mr. Cole,  
Grant to give \$1,500.00 from Grants to the Southern Delaware Choral  
Southern Society to partially fund an original composition by inter-  
Delaware nationally recognized composer and native Delawarean, Dr.  
Choral Lee Mitchell.  
Society

Motion Adopted: 4 Yea, 1 Nay.

Motion Adopted: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Nay

Funding Request Delaware Police Chiefs' Council Mr. Stickels, County Administrator, discussed a request from the Delaware Police Chiefs' Council, Inc. that the County provide partial reimbursement of expenses associated with Mr. Martin Johnson, Local Police Coordinator, attending the International Association of Chiefs of Police Annual Conference in Albuquerque, New Mexico.

M 398 94 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to give \$500.00, \$100.00 from each Councilmanic Account, to the Delaware Police Chiefs' Council, Inc. for expenses associated with Mr. Martin Johnson, Local Police Coordinator, attending the International Association of Chiefs of Police Annual Conference in Albuquerque, New Mexico.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

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

1. State Capital Improvement Fund Request

Included with this report is a copy of the Engineering Department's request to the State for funding assistance for the Capital Improvement Program for FY '96 through FY '98. The cost for the six projects totals \$12,329,050. The six projects include the Proposed Ellendale Sanitary Sewer District, Rehoboth/Dewey Beach Denitrification Project, Route 13 Corridor Sewer Planning Study, Cedar Neck Expansion of the Bethany Beach Sanitary Sewer District, Route 26 Pump Station and Force Main, and Oceanway Estates Sewer Project. The State's participation in these projects will help make the user cost more affordable. Please do not hesitate to contact Mr. Stickels for a copy of the full application.

2. October 4 Council Meeting

Just a reminder that the October 4 County Council meeting will be held in the Seaford City Hall starting at 10:00 a.m. Mr. Stickels has sent letters to service organizations and elected officials reminding them of the meeting and encouraging them to attend. Ample time will be allotted on the agenda for discussion of items that may be of particular interest to the Seaford area.

M 399 94 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to give \$450.00, \$150.00 from Mr. Benson's Councilmanic Account, \$150.00 from Mr. Collins' Councilmanic Account, and \$150.00 from Mr. Stevenson's Councilmanic Account, to the Sussex Central Pop Warner Football Program for operating expenses.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

M 400 94 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Cole, to give \$350.00 from Mr. Collins' Councilmanic Account to the Laurel Little League for expenses associated with the new ballpark.

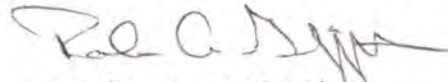
Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Land Use Plan Workshop A workshop to be conducted by Whitman, Requardt & Associates for the new land use plan was scheduled for this date at 12:00 noon at the Emergency Operations Center.

M 401 94 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to adjourn at 11:12 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council