

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 7, 1997

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, October 7, 1997, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
George J. Collins	Vice President
George B. Cole	Member
Finley B. Jones	Member
Lynn J. Rogers	Member

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

M 496 97      A Motion was made by Mr. Collins, seconded by Mr. Jones, to Amend and Approve Agenda      amend the Agenda by deleting "Sussex Conservation District - Request for Funds" and "Metrocall Tower Lease", and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

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

M 497 97      A Motion was made by Mr. Collins, seconded by Mr. Jones, to Approve Minutes      approve the minutes of the previous meeting, dated September 30, 1997.

Motion Adopted: 5 Yea.

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

Corre-      Mr. Bayard, County Attorney, read the following correspondence:  
spondence      ISMAEL VITE, ARM CSP, ST. PAUL FIRE AND MARINE INSURANCE COMPANY,  
FAIRFAX, VIRGINIA.  
RE: Tour of the Rehoboth treatment facility.

M 498 97      A Motion was made by Mr. Jones, seconded by Mr. Collins, to Authorize Executive Session      authorize an Executive Session to be held in the County Council Executive Chambers on Tuesday, October 14, 1997, at 9:00 a.m., for the purpose of discussing personnel matters.

Motion Adopted: 5 Yea.

M 498 97 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
(con't) Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

M 499 97 A Motion was made by Mr. Jones, seconded by Mr. Collins, to  
Adopt Adopt the Proclamation entitled "PROCLAIMING OCTOBER 10, 11 &  
Procla- 12, 1997, AS 'LIONS VISION DAYS' IN SUSSEX COUNTY".  
mation

Motion Adopted: 5 Yea.

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

M 500 97 A Motion was made by Mr. Collins to give \$250.00 from each  
Council- Councilmanic Account to the Lions Vision Research Foundation  
manic (L.V.R.F.) for the Laurel Lions Club's "Lions Vision Days"  
Grant campaign. The Motion died for the lack of a second.

M 501 97 A Motion was made by Mr. Collins, seconded by Mr. Cole, to  
Council- give \$500.00, \$250.00 from Mr. Collins' Councilmanic Account  
manic and \$250.00 from Mr. Dukes' Councilmanic Account, to the  
Grant Lions Vision Research Foundation (L.V.R.F.) for the Laurel  
Lions Club's "Lions Vision Days" campaign.

Motion Adopted: 5 Yea.

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

Surplus Mr. Stickels, County Administrator, advised Council of eight  
Vehicles surplus vehicles that are of no further use to the County,  
as follows:

- 3 - 1985 Chevrolet Vans
- 1 - 1987 Chevrolet Van
- 3 - 1981 Dodge Vans
- 1 - 1988 Dodge Pickup

County staff is recommending that these vehicles be sold for salvage. Mr. Stickels recommended that two prices be obtained from local salvage companies.

M 502 97 A Motion was made by Mr. Cole, seconded by Mr. Jones, that  
Authorize the Sussex County Council authorizes the sale of surplus  
Sale of vehicles for salvage.  
Surplus

Vehicles Motion Adopted: 5 Yea.

M 502 97 Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;  
(con't) Mr. Jones, Yea; Mr. Collins, Yea;  
Mr. Dukes, Yea

Proposed Mr. Collins introduced the Proposed Ordinance entitled "AN  
Ordinance ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, TO CREATE A  
HOUSING CODE FOR OWNER-OCCUPIED STRUCTURES". The Proposed  
Ordinance will be advertised for Public Hearing on October  
28, 1997, at 11:30 a.m.

Pension Mr. Stickels advised that an appointment needs to be made  
Committee to the Pension Committee; a member of the Sussex County Council  
Appoint- needs to be appointed to replace Mr. William Stevenson, former  
ment Sussex County Councilman.

M 503 97 A Motion was made by Mr. Rogers, seconded by Mr. Collins, to  
Pension appoint Mr. Finley Jones to the Pension Committee.  
Committee  
Appoint- Motion Adopted: 5 Yea.  
ment

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

Adminis- Mr. Stickels, County Administrator, read the following infor-  
trator's mation in his County Administrator's Report:  
Report

1. Extended Hours

The following hours of activity took place on Wednesday,  
September 24, 1997:

- (a) Assessment/Planning and Zoning - No activity from  
7:30 to 8:30 a.m., one in-ground swimming pool  
permit from 4:30 to 7:30 p.m.;
- (b) Treasury Division - One telephone inquiry and one  
account paid from 7:30 to 8:30 a.m., three accounts  
paid and two telephone inquiries from 4:30 to  
7:30 p.m.;
- (c) Clerk of the Peace - Nine wedding licenses issued  
and one wedding performed from 4:30 to 7:30 p.m.;
- (d) Utility Division - No activity.

2. County Government Closing

Sussex County government offices will be closed Monday,  
October 13, 1997, to allow employees to observe Columbus  
Day. County offices will reopen on Tuesday, October 14,  
1997, at 8:30 a.m. The regularly scheduled Council  
meeting will be held at 10:00 a.m. on Tuesday, October 14.

Lease Agreement with Magee Farms and WJV, L.L.C.

Mr. Powell, District Manager, S.C.R.W.F., discussed a proposed Lease Agreement between Sussex County, Daniel and Ellen Magee, t/a Magee Farms, and WJV, L.L.C. whereby:

- (1) The County agrees to lease to Magee 123 acres, more or less, for the raising of crops. The term of the lease is to begin on January 1, 1998, for a term of five years. At the expiration of the lease term, the lease will automatically renew for successive periods of five years each. The acreage will be utilized by the County for a land treatment system for the agricultural utilization of sludge. Magee will pay to the County an annual lease payment in the amount of \$20.00/acre or \$2,460.00 total.
- (2) At any time during the term of the Agreement, the County may include Sussex County Tax Map 5-33-18, Parcel 44, owned by WJV, as an additional tract of land to be used for a land treatment system for the agricultural utilization of sludge generated by the facility. There will be no rent payable for use of the acreage, but all costs associated with land treatment of sludge shall be borne by the County.

M 504 97 Authorize Lease Agreement with Magee Farms and WJV, L.L.C., as Amended

A Motion was made by Mr. Collins, seconded by Mr. Jones, to authorize the President of the Sussex County Council to execute a Lease Agreement between Daniel and Ellen Magee, t/a Magee Farms, Sussex County, and MJV, L.L.C., with an amendment to the Lease Agreement, as presented, specifying that the term of the lease shall be for ten years with a five year option, based on the approval of the County's Internal Auditor.

Motion Adopted: 5 Yea.

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

Extension to Dagsboro Frankford SSD

Mr. Archut, Assistant County Engineer, advised Council of a letter received from Holly Grazier requesting that her property be included in the Dagsboro-Frankford Sanitary Sewer District. Mr. Archut requested permission to prepare and post notices for the extension of the Dagsboro Frankford Sanitary Sewer District to include this property.

M 505 97 Prepare and Post Notices/ Dagsboro Frankford SSD Proposed Extension

A Motion was made by Mr. Collins, seconded by Mr. Jones, that the Sussex County Engineering Department is authorized to prepare and post notices for the extension of the Dagsboro-Frankford Sanitary Sewer District to include lands of Holly Grazier, as presented on October 7, 1997.

Motion Adopted: 5 Yea.

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

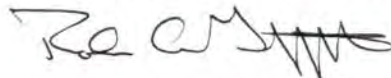
Proposed Ordinance Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CONTRACTOR'S STORAGE YARD AND OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 7.57 ACRES, MORE OR LESS" (Conditional Use No. 1213) filed on behalf of Robert M. Davidson. 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 MINI STORAGE FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 4.99 ACRES, MORE OR LESS" (Conditional Use No. 1214) filed on behalf of W. Donald Clifton for Clifton Canning Co., Inc. The Proposed Ordinance will be advertised for Public Hearing.

Pfies-teria Report Mr. Wolfgang von Baumgart submitted a report to Council entitled "Pfiesteria Commission Hearing - UMES, Nutrient Controls for Toxin Blooms".

M 506 97 Adjourn A Motion was made by Mr. Collins, seconded by Mr. Jones, to adjourn at 11:04 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council