



Sussex County Council Agendas & Minutes

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 10, 2006

**Call to
Order**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, October 10, 2006 at 6:30 p.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
Finley B. Jones, Jr.	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Rebecca Trifillis	Assistant County Attorney

**M 678 06
Amend
and
Approve
Agenda**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to amend the Agenda by deleting "Approval of Minutes" and "Old Christ Church League" listed under "Grant Requests" and to approve the Agenda, as amended.

Motion Adopted: 4 Yea, 1 Absent.

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

**Corre-
spondence**

Mr. Griffin read the following correspondence:

**BRUCE COLLINS, PRESIDENT, SUSSEX CENTRAL SOCCER
BOOSTERS, LAUREL, DELAWARE.**

RE: Letter in appreciation of the Council's \$300.00 grant.

**Holiday
Schedule**

Mr. Baker presented the proposed 2007 Holiday Schedule, the proposed dates that the County Council would not meet in 2007, and the proposed 2007 night meeting schedule.

**M 679 06
Approve
2007
Schedule**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, that the Sussex County Council, having met in public session, adopts the 2007 Holiday Schedule, the 2007 No Council Meeting Schedule and the 2007 Night Meeting Schedule, as follows:

**M 679 06
Approve
2007
Schedule
(continued)**

2007 Holiday Schedule

<u>Holiday</u>	<u>State Observance</u>	<u>County Observance</u>
New Year's Day	January 1 (Monday)	January 1 (Monday)
Martin Luther King, Jr.'s Day	January 15 (Monday)	January 15 (Monday)
Presidents' Day	February 19 (Monday)	February 19 (Monday)
Good Friday	April 6 (Friday)	April 6 (Friday)
Memorial Day	May 28 (Monday)	May 28 (Monday)
Independence Day	July 4 (Wednesday)	July 4 (Wednesday)
Labor Day	September 3 (Monday)	September 3 (Monday)
Columbus Day	October 8 (Monday)	October 8 (Monday)
Veterans' Day	November 12 (Monday)	November 12 (Monday)
Thanksgiving Day	November 22 (Thursday)	November 22 (Thursday)
Day After Thanksgiving	November 23 (Friday)	November 23 (Friday)
Christmas Eve		December 24 (Monday)
Christmas Day	December 25 (Tuesday)	December 25 (Tuesday)

2007 – No Council Meetings

January 2, 2007	-	New Year's Holiday
February 20, 2007	-	Winter Holiday
March 6, 2007	-	NACo Conference
April 10, 2007	-	Easter Holiday
May 29, 2007	-	Memorial Day Holiday
July 3, 2007	-	Independence Day Holiday
July 10, 2007	-	Summer Holiday
August 28, 2007	-	Summer Holiday
September 4, 2007	-	Labor Day Holiday
November 20, 2007	-	Thanksgiving Holiday
December 25, 2007	-	Christmas Holiday

2007 Night Meeting Schedule

January 9, 2007	July 17, 2007
February 13, 2007	August 14, 2007

March 13, 2007

September 11, 2007

April 17, 2007

October 9, 2007

May 8, 2007

November 13, 2007

June 12, 2007

December 11, 2007

**M 679 06
(continued)**

Motion Adopted: 4 Yea, 1 Absent

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

**Request to
Withdraw
C/U
No. 1617
(Glen R.
Jones)**

Mr. Baker presented a request from Glen R. Jones to withdraw Conditional Use No. 1617, an application for the expansion of an existing RV campground. On August 2, 2005, the Sussex County Council held a public hearing on the application at which time they deferred action. On May 1, 2006, the property was annexed into the Town of Laurel. Mr. Lank, Director of Planning and Zoning, advised that since the property has been annexed into the Town of Laurel, the County no longer has zoning jurisdiction.

**M 680 06
Permit
Withdraw
of C/U
No. 1617**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to allow Glen R. Jones to withdraw his application for conditional use (C/U No. 1617).

Motion Adopted: 4 Yea, 1 Absent

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

**Weekly
Report to
Council**

Mr. Baker read the following information in his Weekly Report:

1. Proposed Johnson's Corner Sanitary Sewer District

The Sussex County Engineering Department has postponed the public hearing previously scheduled to occur on Saturday, October 14, 2006, at 9:00 a.m. at the Roxana Fire Hall. The purpose of the meeting was to establish the boundaries of the proposed Johnson's Corner Sanitary Sewer District. The Sussex County Engineering Department is in the process of obtaining additional information concerning the engineering, design, boundaries, and construction requirements for the proposed district that will be presented during the hearing. As a result, the hearing will be postponed until that information becomes available, for the benefit of any interested parties.

For more information, please contact the Sussex County Engineering Department at 302-855-7719.

2. Beneficial Acceptance

The Engineering Department granted Beneficial Acceptance on October 6, 2006, to Woods Cove, Agreement No. 381. The developer is Country Life Homes, and the project is located on County Road 275 in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, consisting of 185 multi-family dwellings. Included with this report is a fact sheet on the project.

Weekly
Report to
Council
(continued)

3. Nor'easter Storm – October 6 and October 7

The Emergency Operations Center was activated on October 6 and October 7, 2006, for the nor'easter storm. Tide heights were over two feet above normal in some locations, especially in the Oak Orchard area. Some beach erosion was experienced. There was flooding of roadways and corridors in the Long Neck, Oak Orchard, Dewey Beach, and Bethany Beach areas. Damage to County sewer and water infrastructure was minimal. Intermittent power outages affect, and continue to affect, pump stations due to salt on power lines.

4. County Telephone System

The new County Administration Building telephone system went on line October 4, 2006. Overall the telephone system has worked well. Training was provided to each employee. The County Information Systems Department is handling problems and changes to the system.

Wastewater
Agreement

Mr. Godwin, Assistant to the County Administrator, presented a wastewater agreement for the Council's consideration.

M 681 06
Execute
Wastewater
Agreements/
K Hovanian
Homes of
Delaware

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 511-1, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and K Hovanian Homes of Delaware LLC, for wastewater facilities to be constructed in Nassau Grove, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

Motion Adopted: 4 Yea, 1 Absent

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

Local Law Enforcement Grant Requests

Mr. Godwin, Assistant to the County Administrator, presented a request for funding through the Revenue Sharing for Local Law Enforcement Grant Program:

Ocean View	\$3,755.00	Police Exhibit Equipment/ Emergency Preparedness
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Milford	\$9,991.22	Police Motorcycle
Ellendale	\$25,000.00	Police Car and 800 Megahertz Radio System w/Installation

Requests (continued)

M 682 06 Approve Local Law Enforcement Grant Request

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to approve the Local Law Enforcement Grants, as presented on October 10, 2006.

Motion Adopted: 4 Yea, 1 Absent

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

Grant Requests

Susan Webb, Director of Accounting, presented grant requests for the Council's consideration.

M 683 06 Community Improvement Grant

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to give \$5,000.00 from Mr. Phillips' Community Improvement Grant Account to the Dagsboro Boys & Girls Club for their after-school program.

Motion Adopted: 4 Yea, 1 Absent

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

M 684 06 Community Improvement Grant

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to give \$3,000.00 from Mr. Jones' Community Improvement Grant Account to the Boy Scouts of America, Del-Mar-Va Council, Inc. for the *Sussex District Community Family Friends of Scouting Campaign*.

Motion Adopted: 4 Yea, 1 Absent

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

M 685 06 Youth

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to give \$300.00 (\$100.00 each from Mr. Dukes', Mr. Jones' and Mr. Phillips' Youth Activity Grant Accounts) to the Delaware Storm Baseball Team for

**Activity
Grant**

expenses.

Motion Adopted: 4 Yea, 1 Absent

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

**M 686 06
Community
Improvement
Grant**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to give \$500.00 from Mr. Jones' Community Improvement Grant Account to the Coverdale Crossroads Community Council for their "Fun Night" for the children and families of Coverdale Community.

Motion Adopted: 4 Yea, 1 Absent

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

**M 687 06
Councilmanic
Grant**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to give \$85.00 from Mr. Jones' Councilmanic Grant Account to Georgetown EMS, Station 93, for an advertisement for their annual fundraiser.

Motion Adopted: 4 Yea, 1 Absent

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

**M 688 06
Councilmanic
Grant**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$200.00 (\$100.00 each from Mr. Jones' and Mr. Phillips' Councilmanic Grant Accounts) to Sussex Central High School for Erika Brittingham's travel expenses to the Tourney Sport USA National Softball Championship.

Motion Adopted: 4 Yea, 1 Absent

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

**M 689 06
Community
Improvement
Grant**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to give \$10,000.00 from Mr. Dukes' Community Improvement Grant Account to the Blades Economic Development Corporation (BEDCO) for marina projects.

Motion Adopted: 4 Yea, 1 Absent

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Absent;

**Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea**

M 690 06 Councilmanic Grant A Motion was made by Mr. Dukes, seconded by Mr. Jones, to give \$600.00 from Mr. Dukes' Councilmanic Grant Account to Central Worship Center for six students from Epworth Christian School to participate in a Teen Challenge building project in Jamaica (\$100.00 for each student).

M 690 06 (continued) Motion Adopted: 4 Yea, 1 Absent
Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Absent;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea

M 691 06 Community Improvement Grant A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to give \$10,000.00 from Mr. Dukes' Community Improvement Grant Account to the Boys & Girls Club of Western Sussex (for Seaford) for building upkeep and program costs.
Motion Adopted: 4 Yea, 1 Absent

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

Additional Business Under *Additional Business*, Mr. Bono and Mr. Wilfox advised the Council that a Committee has been established to incorporate the Town of Lincoln and that they are asking for any information or guidance that the County can offer. They stated that they plan to attend other town meetings and the County Council meetings on a regular basis to learn how other governments operate.

Under *Additional Business*, Dan Kramer questioned how many lots have been approved to be developed in the County. Mr. Stickels responded "approximately 16,000".

Intro-duction of Proposed Zoning Ordinance Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES (4 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 17,500 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1722) filed on behalf of West Rehoboth Community Land Trust. The Proposed Ordinance will be advertised for Public Hearing.

Intro-duction of Proposed Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A C-1 GENERAL COMMERCIAL DISTRICT FOR A MINI-STORAGE FACILITY TO BE

**Zoning
Ordinance**

LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 9.93 ACRES, MORE OR LESS” (Conditional Use No. 1723) filed on behalf of John Willey, c/o Peninsula Oil. The Proposed Ordinance will be advertised for Public Hearing.

**M 692 06
Adjourn**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 7:20 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**