

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 20, 1998

Call to Order The regular meeting of the Sussex County Council was held Tuesday, October 20, 1998, 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
George J. Collins	Member
Lynn J. Rogers	Member

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

M 463 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to Approve Agenda approve the Agenda, as presented.

Motion Adopted: 4 Yea, 1 Absent.

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

M 464 98 A Motion was made by Mr. Collins, seconded by Mr. Jones, to Approve Minutes approve the minutes of the previous meeting, dated October 13, 1998.

Motion Adopted: 4 Yea, 1 Absent.

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

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

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

RE: Legal notices regarding:

(1) Legal Notice of a Public Hearing on October 29, 1998, on a proposed regulation, Accidental Release Prevention Regulation.

(2) Legal Notice of an application filed by Port Contractors, Inc., to construct a materials handling and storage area where 140,000 tons of petroleum coke will be stockpiled.

(3) Legal Notice of a Public Hearing on November 10, 1998, on applications filed by Dupont Experimental Station,

Corre- Wilmington to incorporate changes in the permit limits to reflect
spondence the results of the 1996 Trial Burn and 1997 Confirmation Test of
(con't) the RCA incinerator.

JOYCE L. STANCELL, LAUREL, DELAWARE.

RE: Letter in appreciation of the help received from the
Community Development and Housing Division.

DAVID S. HUGG, III, STATE PLANNING COORDINATOR, CABINET
COMMITTEE ON STATE PLANNING ISSUES, STATE OF DELAWARE, DOVER
DELAWARE.

RE: Notice of the first meeting of the Delaware Geographic
Data Committee to be held on October 21, 1998.

Mr. Rogers joined the meeting at this time.

Surplus Mr. Stickels, County Administrator, advised that the County
County currently has two vehicles that have been declared unusable
Property and unsafe; a 1985 Chevrolet Van and the old bookmobile. Mr.
Stickels recommended that these vehicles be disposed of and
price quotes obtained for the disposal of the vehicles as
scrap.

M 465 98 A Motion was made by Mr. Jones, seconded by Mr. Collins, to
Authorize authorize the disposal of a 1985 Chevrolet Van and the book-
Disposal mobile as scrap.

of
Surplus Motion Adopted: 5 Yea.

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

Cover- Mr. Stickels, County Administrator; Ms. McNair, Division of
dale Natural Resources and Environmental Control; and Mr. Wright,
Cross- First State Community Action Agency; highlighted the accom-
roads plishments of Phase I of the Coverdale Crossroads Community
Update Revitalization Project including septic improvements; housing
demolition, replacement and improvements; installation and
repair of utilities; removal of stray dogs; removal of
abandoned cars; housing repairs; removal of garbage and new
garbage collection provided. Partnering agencies in this
project are Coverdale Community Council, DNREC, First State
Community Action Agency, Sussex County Community Development,
and Sussex County Boot Camp. The following organizations
supported this project with financing, staff, and manpower:

DNREC - \$450,000 and staff

Greenwood Trust - \$30,000

Coverdale
Crossroads
Update
(con't)

State of Delaware Division of Family Services
Safe & Stable Families Family Preservation and
Support Program - \$8,000

First State RC&D, c/o Delaware State Housing
Authority Grant - \$100,000

Sussex County Council - \$12,000

First State Community Action Agency Fiscal administrating
agency for Greenwood Trust Company, PNC, and Division
of Family Services contributions, and coordinating
agent for Boot Camp and staff

Soil and Water Conservation District - \$30,000

Boot Camp labor - \$\$ priceless

Coverdale Community volunteers - \$\$ priceless

First State Manufactured Home Association
(outreach to members for donated homes)

The total cash outlay for Phase I of the Coverdale Crossroads
Community Revitalization Project is estimated at \$330,000.

Ms. McCabe of the Delaware State Housing Authority reported
that the Housing Authority has allocated \$700,000 for a rehab
program within Coverdale Crossroads. This loan program offers
a 3 percent interest loan, simple interest, and payments
can be deferred until the home is sold or the home is no longer
a primary residence. To date, four families have taken advan-
tage of this program and four applications are currently being
processed; \$525,000 is still available.

Mr. Stickels, County Administrator, reported that the County's
Community Development Office is the process of developing the
CDBG application for next year and is going to target the
Coverdale Crossroads area for grant money.

Mr. Wright of the First State Community Action Agency reported
that he has been working with Councilman Finley Jones in the
development of a recreational area (ballfield) in the Coverdale
Crossroads area. Delaware Electric Cooperative and the
Conservation District are assisting in this endeavor.

Mr. Stickels, County Administrator, noted that although many
accomplishments have been achieved in Coverdale Crossroads,
there are still some outstanding issues/concerns, including
road conditions, streetlighting, and sidewalks. Mr. Stickels
will be meeting with Mr. Reed of the Delaware Department of
Transportation regarding road conditions. Representative
Ewing has committed suburban street money for improvements
to the roads in Coverdale Crossroads.

Draft Ordinances

Mr. Stickels, County Administrator; Mr. Lank, Director of Planning and Zoning; and Mr. Abbott, Assistant Director of Planning and Zoning; discussed three draft ordinances. The first draft ordinance, relating to large scale commercial development, was developed as a supporting ordinance of the Comprehensive Land Use Plan. The draft ordinances relating to aquaculture and parking were developed at the request of Councilman Rogers and Councilman Cole, respectively.

Proposed Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO AMEND THE PROVISIONS RELATING TO DEVELOPMENT IN THE C-1 GENERAL COMMERCIAL ZONING DISTRICT, AND THE B-1 NEIGHBORHOOD BUSINESS ZONING DISTRICT, TO ADD A NEW PROVISION RELATING TO LARGE SCALE COMMERCIAL USES, TO AMEND THE PROVISIONS RELATING TO OFF-STREET PARKING AND OFF-STREET LOADING, TO AMEND SET-BACK PROVISIONS, AND TO BRING OTHER PROVISIONS OF CHAPTER 115 IN CONFORMITY WITH THESE AMENDMENTS". The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO AMEND THE PROVISIONS RELATING TO AQUACULTURE". The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO AMEND THE PROVISIONS RELATING TO OFF-STREET PARKING FOR MULTI-FAMILY RESIDENTIAL DWELLINGS AND TOWNHOUSES", with the following amendments (for the purpose of introduction):

"SECTION 3." will read "Under-residence, under-unit or stand-alone garage parking shall not be considered in the calculation of parking spaces per dwelling unit."

"SECTION 4." will read "This Ordinance shall take effect upon its adoption by the majority of all members of the County Council of Sussex County, Delaware."

The Proposed Ordinance will be advertised for Public Hearing.

Administrator's Report

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

1. Troop 4 Status Report - Month of September

The following hours of duty and enforcement were compiled by the uniformed patrol officers at Troop 4, Georgetown, Delaware, during the month of September 1998:

Total Hours on Duty	4,396.5
Hours Assisted Other Agencies	47.5
Total Traffic Arrests	920
Total DUI Arrests	28

Administrator's
Report
(con't)

Accident Reports:	Property Damage	40
	Personal Injury	<u>19</u>
	Total Accident Reports	59
Criminal Arrests:	Felony	40
	Misdemeanor	<u>120</u>
	Total Criminal Arrests	160
Total 10-29 P's (wanted persons)		90
Total Number of Complaints		752

2. Public Workshop

The Delaware Department of Transportation is holding a Public Workshop to present facts and solicit public comments regarding the Delaware Route 1 Corridor Preservation Program. The Preservation Program affects Route 1 between Dover Air Force Base and south to Nassau, Sussex County, Delaware. The meeting will be held October 21, 1998, between the hours of 4:00 p.m. and 8:00 p.m. in the Milford High School "Cafetorium", 1019 North Walnut Street, Milford, Delaware. I would encourage the general public to attend this meeting.

3. Immigration and Naturalization Service (INS) Monthly Meeting

The INS will be occupying Council's Caucus Room on Wednesday, October 21, 1998, for the purpose of assisting non-U.S. citizens with INS information. Anyone desiring additional information may contact William Horn, Special Agent for the INS, at 302-730-9311.

Pepland, Mr. Green, Director of Utility Construction, discussed a Construction Administration and Construction Inspection Agreement between Sussex County Council and Pepland, Inc.

M 466 98 Authorize Agreements/Pepland, Inc. A Motion was made by Mr. Jones, seconded by Mr. Collins, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Pepland, Inc. for wastewater facilities to be constructed to serve Pep-Up, located in the Long Neck Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

Proposed Ordinance Mr. Collins introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING USE (2 UNITS)

Proposed Ordinance (con't) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.5054 ACRES, MORE OR LESS" (Conditional Use No. 1263) filed on behalf of Jay and Judy Bestpitch. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Collins introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RETAIL STONE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 3.11 ACRES, MORE OR LESS, OF A 15.81 ACRE TRACT" (Conditional Use No. 1264) filed on behalf of Louis Lee Vickers, Jr. and Lori Leigh Vickers. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Collins introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.23 ACRES, MORE OR LESS" (Change of Zone No. 1360) filed on behalf of Billy C. Jones, Jr. The Proposed Ordinance will be advertised for Public Hearing.

M 467 98 Councilmanic Grant A Motion was made by Mr. Rogers, seconded by Mr. Collins, to give \$250.00 from Mr. Rogers' Councilmanic Account to the Milton Fire Department, Inc. for the Milton Community Christmas Parade.

Motion Adopted: 5 Yea.

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

M 468 98 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Rogers, to give \$500.00, \$250.00 each Mr. Rogers' and Mr. Cole's Councilmanic Accounts, to the Seashore Striders for hosting the 1998 AAU Regional Cross Country Championships.

Motion Adopted: 5 Yea.

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

M 469 98 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Jones, to give \$400.00 from Mr. Collins' Councilmanic Account to the Greater Millsboro Chamber of Commerce for Millsboro's Christmas Visions '98 Parade.

M 469 98 Motion Adopted: 5 Yea.

Council-
manic
Grant

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

M 470 98 A Motion was made by Mr. Collins, seconded by Mr. Jones,
Council- to give \$600.00, \$300.00 each from Mr. Dukes' and Mr.
manic Collins' Councilmanic Accounts, to the Laurel Pop Warner
Grant Pee Wee Cheerleaders for the Regional Competition to be
held at the Inner Harbor in Baltimore, Maryland.

Motion Adopted: 5 Yea.

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

M 471 98 A Motion was made by Mr. Collins, seconded by Mr. Cole, to
Council- give \$1,000.00 from Mr. Collins' Councilmanic Account to
manic the Oak Orchard-Riverdale Boys & Girls Club for the capital
Grant building project.

Motion Adopted: 5 Yea.

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

M 472 98 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to
Council- give \$200.00 from Mr. Jones' Councilmanic Account to the
manic Greenwood Lions Club for the purchase of wheelchairs.
Grant

Motion Adopted: 5 Yea.

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

M 473 98 A Motion was made by Mr. Collins, seconded by Mr. Rogers,
Council- to give \$500.00 from Mr. Dukes' Councilmanic Account to the
manic Laurel Senior Center, Inc. for the Nutrition Program.
Grant

Motion Adopted: 5 Yea.

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

M 474 98 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to
Council- give \$1,000.00 from Mr. Dukes' Councilmanic Account to the
manic Seaford Mission for construction of the Emergency Housing
Grant Shelter.

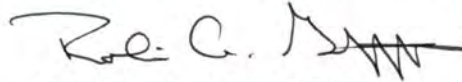
October 20, 1998 - Page 8

M 474 98 Motion Adopted: 5 Yea.
(con't)

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

M 475 98 A Motion was made by Mr. Cole, seconded by Mr. Collins, to
Adjourn adjourn at 11:12 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council