

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-OCTOBER 23, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, October 23, 1990, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware with the following members present:

| | |
|---------------------------|----------------|
| William D. Stevenson, Sr. | President |
| R. James Mariner | Vice President |
| Ralph E. Benson | Member |
| George B. Cole | Member |
| Dale R. Dukes | Member |

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

M 471 90
Approve
Minutes

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-
spondence

There was no correspondence.

Waste-
water
Request -
Selby-
ville

The Town of Selbyville, represented by Mayor Lynch and Mr. Nilles, Town Administrator, presented their wastewater request. They need to increase their Town's daily discharge into the ocean outfall at the South Coastal Regional Wastewater Facility by 500,000 gallons. They have been approached concerning development in their Town that would provide jobs and economic growth for the Town and County. Presently, they are not in a position to make any commitments that would require extra outfall discharge.

Councilman Cole questioned if the intended use of the South Coastal Regional Wastewater Facility to serve the residential community was being violated by allowing this additional discharge. It was suggested that Selbyville begin long range planning now for their sewer to take care of future needs. The Town Administrator was in agreement with this and assured Council that this action was necessary for Selbyville's continued growth.

A letter from Robert J. Zimmerman, Administrator, Surfacewater Management Section, DNREC, was read supporting Selbyville's requested 500,000 gallon per day additional allocation at the South Coastal outfall.

October 23, 1990

M 472 90
Amend
Outfall
Agreement
with
Selbyville

A Motion was made by Mr. Cole, seconded by Mr. Dukes, based upon the recommendations of the Delaware Development Office and the Department of Natural Resources and Environmental Control, to amend the Ocean Outfall Agreement with the Sussex County Council and the Town of Selbyville to increase the Town of Selbyville's daily discharge from one (1) million gallons per day (MGD) to one and one-half (1.5) million gallons per day (MGD); contingent upon the Town of Selbyville's paying costs attributed to their requested increase to the ocean outfall discharge; and, contingent on receiving all necessary approvals and permits from the Department of Natural Resources and Environmental Control, State of Delaware. Motion Adopted: 5 Yea.

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

Millville
Sign
Ordinance

Ms. Steen, Legal Counsel for the Town of Millville, and three (3) members of the Millville Town Council were present and asked for authority to control the placement of signs in their Town. The Town of Millville has had a Town Ordinance regulating signs since 1968 and at one time they controlled the Town's zoning. In 1972 they relinquished that authority and asked the County to control zoning. Signs are a part of the County's Zoning Ordinance and the Planning and Zoning Office has no official request from Millville asking that they be exempt from the provisions included in the Ordinance.

David Rutt, Legal Counsel for Linder & Company, was present and discussed the validity of the Millville Sign Ordinance and the timing of the date of the permit, 9-14-90, and the date of the violation, 10-19-90 for the "Harbour View" sign which is in question today.

Ms. Steen, Legal Counsel for Millville, will submit a letter to the Planning and Zoning Office declaring their intention to regulate signs in their Town. County permits for signs within the Town will still be required.

Human
Service
Grants

Mr. Stickels, County Administrator, reviewed the recommendations for the 1991 Fiscal Year Human Service Grants.

M 473 90
Authorize
Human
Service
Grants

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, that the Sussex County Council authorize the distribution of \$91,150.00 in Sussex County Human Service Grants as follows:

October 23, 1990

| | | |
|----------------------------|--|-------------|
| M 473 90 (Con't.) | American Cancer Society | \$ 2,500.00 |
| | American Diabetes Association | 1,000.00 |
| Human Service Grants | American Heart Association | 1,000.00 |
| | American Red Cross | 3,000.00 |
| | ANKH, Inc. | 750.00 |
| | Arthritis Foundation, Delaware Chapter | 1,000.00 |
| | Big Brothers/Big Sisters | 1,200.00 |
| | Boy Scouts of America | 800.00 |
| | Cape Henlopen Sea Cadets | 500.00 |
| | Casa San Francisco | 2,500.00 |
| | Catholic Social Services | |
| | Homebound Elderly Rehabilitative Opportunities | 4,000.00 |
| | Thanksgiving Meals | 500.00 |
| | Cheer Centers | |
| | Greenwood | 500.00 |
| | Georgetown | 500.00 |
| | Lewes | 500.00 |
| | Roxana | 500.00 |
| | Oak Orchard | 500.00 |
| | Slaughter Neck | 500.00 |
| | Children's Bureau of Delaware | 1,500.00 |
| | Community Legal Aid Society | 1,000.00 |
| | Contact Delaware, Inc. | 1,000.00 |
| | Colonel David Hall Chapter, DAR | 500.00 |
| | Delaware Agricultural Museum | 1,500.00 |
| | Delaware Hospice, Inc. | 2,000.00 |
| | Delaware Nature Society | 1,500.00 |
| | Delaware Police Chiefs' Council, Inc. | 2,750.00 |
| | Delaware Music School | 1,000.00 |
| | Delaware Society for the Prevention of Cruelty to Animals | 2,000.00 |
| | Delaware Health and Social Services | 1,000.00 |
| | Dry Dock, Inc. | 500.00 |
| | Easter Seal Rehabilitation Center | 1,000.00 |
| | Geriatric Services of Delaware, Inc. | 2,000.00 |
| | Girl Scouts - Chesapeake Bay Council | 1,200.00 |

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M 473 90
(Con't.)
Human
Service
Grants

| | |
|--|---------------------------|
| Kent/Sussex Industries, Inc. | \$ 1,500.00 |
| Jack Lewis | 500.00 |
| Laurel Lions Club | 1,000.00 |
| March of Dimes | 1,000.00 |
| Meals on Wheels - Lewes & Rehoboth | 3,000.00 |
| Parents Anonymous of Delaware, Inc. | 500.00 |
| People's Place II, Inc. | 2,500.00 |
| Possum Point Players | |
| General Operations | 500.00 |
| PPP Theatre Education Project | 250.00 |
| Art Camp for Local Children | 250.00 |
| Pyle Day Care Center | 1,000.00 |
| Rehoboth Day Care Center, Inc. | 1,000.00 |
| Seaford Historical Society | 750.00 |
| Southern Delaware Choral Society | 200.00 |
| Sussex County Arts Council | 1,500.00 |
| Sussex County Senior Services, Inc. | 1,500.00 |
| Sussex County Senior Centers | |
| Bridgeville | 2,500.00 |
| Cape Henlopen | 2,500.00 |
| Indian River | 2,500.00 |
| Laurel | 2,500.00 |
| Lewes | 2,500.00 |
| Milford | 2,500.00 |
| Nanticoke | 2,500.00 |
| Sussex County Crisis Housing Services, Inc. | 2,000.00 |
| Sussex County Community Action Agency, Inc. | |
| Heating Repairs - Coverdale Group Home | 1,500.00 |
| Multi-Purpose Room - Coverdale Group Home | 1,000.00 |
| Repairs to Chair Lift - Laurel Group Home | 1,000.00 |
| Sussex Community Swim Team | 1,000.00 |
| Turnabout Counseling Center | 2,500.00 |
| YMCA of Delaware - Sussex Branch | 2,500.00 |
| The New Hope Recreation and Development Center | 1,000.00 |
| Slaughter Neck Community Action, Inc. | 2,000.00 |
| <u>TOTAL</u> | <u>\$91,150.00</u> |

Motion Adopted: 5 Yea.

October 23, 1990

M 473 90
(Con't.)
Human
Service
Grants
Proposed
Proclama-
tion

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

Mr. Stickels, County Administrator, read in its entirety a Proposed Proclamation entitled "PROCLAIMING OCTOBER 24, 1990 AS UNITED NATIONS DAY".

M 474 90
Adopt
Proclama-
tion

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to Adopt the Proclamation entitled "PROCLAIMING OCTOBER 24, 1990 AS UNITED NATIONS DAY". Motion Adopted: 5 Yea.

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

Adminis-
trator's
Report

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

1. The Department of Transportation will be conducting a public hearing on Monday, November 5, 1990, at 10:00 a.m. in the Conference Room at the Department of Transportation, Division of Highways, Administration Building, located at the intersection of County Road No. 431 and U. S. Route 113, near Georgetown. The topic of discussion will be the proposed Road Vacation of the Sussex County portion of Road 544B, Seaford Hundred. (County Road 544B is located at Hearn's Pond and its possible closing was discussed at the September 11, 1990 Council Meeting.)
2. The Third Circuit Court of Appeals has tentatively scheduled Monday, December 10, 1990, to hear arguments for MacNamara vs. Sussex County Council.
3. The Department of Transportation will be conducting a dedication of the new Gravel Hill Building on Monday, October 29, 1990, at 11:00 a.m. The building will be dedicated in memory of Delaware State Police Corporal Michael A. Hastings.
4. The Board of Supervisors of the Sussex Conservation District will be holding a dedication ceremony at their new building located west of Route 113 on County Road 431. The ceremony will be held on Wednesday, October 31, 1990, at 3:00 p.m. The Conservation District has provided forty-five (45) years of soil and water conservation, leadership, and devotion to Sussex County.

October 23, 1990

Adminis-
trator's
Report
(Con't.)

5. The Council meeting for the week of November 5, 1990 will be held on Thursday, November 8, 1990, at 10:00 a.m.

Possible
Fenwick
Island
Water
District

As a result of the July 31, 1990 Court of Chancery decision which invalidated the 1989 Fenwick Island Water District Referendum, Mr. Archut, Chief of Planning and Permits, was asked to meet with Fenwick Island Town Officials to determine their interest in again supporting the creation of a Fenwick Island Water District. Mr. Archut attended the Fenwick Island Town Council Meeting on September 28, 1990, and at that time a positive vote was taken by the Town Council to support the creation of a water district and allow the County to place pipes for the water system in their Town.

The next step will be the introduction of a Proposed Ordinance to provide for the use of absentee balloting in water and sewer district referendums. The Court of Chancery decision confirmed that the County has the authority to provide for absentee balloting, if the balloting procedures are created and Adopted by County Ordinance.

Councilman Cole questioned if the residents of the unincorporated area of Fenwick Island had been notified concerning the proposed water district. Mr. Archut, Chief of Planning and Permits, advised that Public Meetings and Public Hearings will be held, but at this point the only action that has been taken is obtaining the Town's confirmation that they will support the endeavor.

M 475 90
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Stevenson, to give \$500.00, from Mr. Dukes' Councilmanic Account, to Laurel Pop Warner Football League to help with current expenses. Motion Adopted: 5 Yea.

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

M 476 90
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$500.00, from Mr. Dukes' Councilmanic Account, to Laurel Fire Department, Inc. to help with a new Firemen's Memorial. Motion Adopted: 5 Yea.

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

October 23, 1990

M 477 90
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to give \$500.00, from Mr. Cole's Councilmanic Account, to Rehoboth Beach Downtown Business Association to provide for tourist events. Motion Adopted: 5 Yea.

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

M 478 90
Council-
manic
Grant

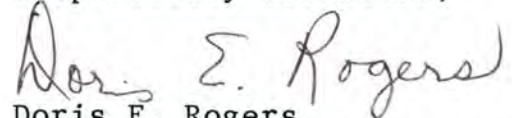
A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to give \$250.00, from Mr. Cole's Councilmanic Account, to the Sussex Chapter of Compassionate Friends, to assist in purchasing materials needed to start the new program. Motion Adopted: 5 Yea.

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

M 479 90
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to adjourn at 11:35 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council