

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 10, 1992

Call to Order The regular meeting of the Sussex County Council was held Tuesday, November 10, 1992, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George B. Cole	Member
George J. Collins	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 468 92 A Motion was made by Mr. Collins, seconded by Mr. Cole, to Approve approve the minutes of the previous meeting dated November 5, Minutes 1992. Motion Adopted by Voice Vote.

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

ALICE E. HENSON, MSW, ACSW, SUSSEX COUNTY THANKSGIVING COORDINATOR, CATHOLIC SOCIAL SERVICES, GEORGETOWN
RE: Request for \$500.00 to cover the cost of turkeys for the county-wide free Thanksgiving dinner for the needy residents of Sussex County to be held at Grace Methodist Church in Georgetown on Thanksgiving Day.

M 469 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to grant Council- \$500.00, \$100.00 from each Councilmanic Account, to Catholic manic Social Services to cover the cost of turkeys for the county-wide Grant free Thanksgiving dinner to be held at Grace Methodist Church in Georgetown on Thanksgiving Day.

Motion Adopted: 5 Yea.

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

Corre- MARK A MCNULTY, ACTING SECRETARY, DEPARTMENT OF TRANSPORTATION, spondence DOVER (con't) RE: Status of Route 54.

MILFORD MEMORIAL HOSPITAL, MILFORD
RE: September/October newsletter entitled "Monitor".

Request to Withdraw C/U No. 1017 Mr. Stickels, County Administrator, advised Council of a letter dated November 3, 1992, from Townsends, Inc. requesting permission to withdraw their application, denominated Conditional Use No. 1017, concerning applying sludge to forest land.

M 470 92 Permit Withdraw of C/U No. 1017 A Motion was made by Mr. Cole, seconded by Mr. Benson, to permit the withdrawal of Conditional Use No. 1017 filed on behalf of Townsends, Inc.

Motion Adopted: 4 Yea, 1 Abstention.

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

U.S. Route 13 Wetland Mitigation Site Mr. Richter and Mr. Wutka, representing the Delaware Department of Transportation, were present to discuss the wetland mitigation site necessary for the dualization of U. S. Route 113 from Milford to Georgetown. DelDOT is required to obtain a permit from the Army Corps of Engineers to fill wetland areas along the project route. Because of national and state policies protecting wetland areas, DelDOT must create new wetlands in an amount equal to those lost due to construction. The discussion included an overview of the site selection review process and the design development process.

Item Stricken The Agenda item entitled "Human Service Grant Awards" was tabled until the November 17th meeting.

M 471 92 Executive Session A Motion was made by Mr. Collins, seconded by Mr. Stevenson, that the Sussex County Council authorizes an Executive Session to be held at 12:00 noon on this date, November 10, 1992, for the purpose of discussing pending litigation.

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, reviewed the following information in his County Administrator's Report:

1. Recyclers of the Month

Dana Godwin of Georgetown, Delaware, and Peter Marcavage, Jr., of Bridgeville, Delaware, were the recipients of the two \$50 U. S. Savings Bonds for participating in the County's Recycling Program for the month of October.

Adminis-
trator's
Report
(con't)

2. Airpark Improvements

Overlay of the taxiway from Runway 22 into the Industrial Park has been completed. The taxiway is approximately 2,000 feet long and 60 feet wide. The overlay of the taxiway also included the reconstruction of a culvert that helps drain the runway and taxiway. Total cost of the project was \$225,000; \$150,000 was made available by the Delaware Department of Transportation and \$75,000 from the Delaware Development Office. The only expense the County incurred was time given to the project from the Engineering Department. The work was completed by A. P. Croll of Georgetown, Delaware.

3. Mildred King Memorial Dinner

The Mildred King Memorial Dinner will once again be held at the Wesley United Methodist Church, East Laurel Street, Georgetown, Delaware, on December 1, 1992. County offices will be closed on that day from 11:45 a.m. to 1:15 p.m. to allow the employees to attend. Employees are asked to bring canned goods for the annual food drive to the dinner.

4. Revenue Act of 1992 - H.R. 11

Notification has been received from the Honorable William V. Roth, Jr., United States Senate, that he has cosponsored the Bentsen/Roth amendment regarding recordkeeping provisions on property taxes. The amendment was accepted by the full Senate, and the recordkeeping provisions on property taxes was not included in H.R. 11. This legislation would have mandated that local governments send notices to taxpayers spelling out which property taxes are deductible under federal tax laws. If this legislation had been passed as presented, it would have had dramatic administrative costs for local governments and school districts in Delaware. A copy of Senator Roth's letter was attached to this report.

Para-
medic
Promo-
tions

Mr. Stevenson, Paramedic Director, introduced the paramedics who were being promoted to Paramedic Supervisors by the Sussex County Paramedic Program. President Dukes presented supervisor badges to Susanne Hagan, Tim Keane and George Torbert.

M 472 92
Council-
manic
Grant

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$1,000.00 from Mr. Stevenson's Councilmanic Account to the Greenwood Volunteer Fire Company to assist in funding the purchase of a thousand feet of five inch hose at a cost of \$5.67 per foot.

Motion Adopted: 5 Yea.

M 472 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 473 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to
Council- give \$300.00 from Mr. Collins' Councilmanic Account to the
manic Frankford Elementary School Parent-Teachers Organization to
Grant assist in funding playground equipment.

Motion Adopted: 5 Yea.

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

Recess At 10:45 a.m., President Dukes declared a recess until 11:00 a.m.

Reconvene President Dukes called Council back into session at 11:00 a.m.

Public A Public Hearing was held on a Proposed Ordinance entitled "AN
Hearing ORDINANCE TO AMEND CHAPTER 99 OF THE CODE OF SUSSEX COUNTY
RELATING TO THE ESTABLISHMENT OF AGRICULTURAL USE PROTECTIONS".
The Public Hearing was closed.

M 474 92 A Motion was made by Mr. Benson, seconded by Mr. Collins, to
Adopt Adopt Ordinance No. 862 entitled "AN ORDINANCE TO AMEND CHAPTER
Ordinance 99 OF THE CODE OF SUSSEX COUNTY RELATING TO THE ESTABLISHMENT OF
No. 862 AGRICULTURAL USE PROTECTIONS".

Motion Adopted: 5 Yea.

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

Public A Public Hearing was held on a Proposed Ordinance entitled "AN
Hearing ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY,
THE ZONING ORDINANCE, TO PROVIDE FOR CIRCUS, CARNIVAL GROUNDS,
AMUSEMENT PARK, OR MIDWAY, PERMANENT OR TEMPORARY, FOR A
SPECIFIED TIME PERIOD, AS A CONDITIONAL USE IN CERTAIN ZONING
DISTRICTS, AND TO PROVIDE FOR TENTS FOR SPECIAL PURPOSES AS
SPECIAL USE EXCEPTIONS IN CERTAIN ZONING DISTRICTS". The Public
Hearing was closed.

M 475 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt
Adopt Ordinance No. 863 entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF
Ordinance THE CODE OF SUSSEX COUNTY, THE ZONING ORDINANCE, TO PROVIDE FOR
No. 863 CIRCUS, CARNIVAL GROUNDS, AMUSEMENT PARK, OR MIDWAY, PERMANENT OR
TEMPORARY, FOR A SPECIFIED TIME PERIOD, AS A CONDITIONAL USE IN
CERTAIN ZONING DISTRICTS, AND TO PROVIDE FOR TENTS FOR SPECIAL
PURPOSES AS SPECIAL USE EXCEPTIONS IN CERTAIN ZONING DISTRICTS".

M 475 92 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

M 476 92 At 11:30 a.m., a Motion was made by Mr. Stevenson, seconded by
Recess Mr. Benson, to recess until 1:30 p.m. Motion Adopted by Voice
Vote.

Reconvene President Dukes called Council back into session at 1:30 p.m.

Public Hearing C/U No. 1019 A Public Hearing was held on a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SMALL ENGINE REPAIRS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.48 ACRES, MORE OR LESS" (C/U No. 1019) filed on behalf of Earl and Lillian Holden. The Public Hearing was closed.

M 477 92 Adopt Ordinance No. 864 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to Adopt Ordinance No. 864 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SMALL ENGINE REPAIRS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.48 ACRES, MORE OR LESS" (C/U No. 1019) filed on behalf of Earl and Lillian Holden, with the following stipulations:

1. The use shall be limited to small engine repair of chain-saws, lawn mowers and similar small engines.
2. One unlighted sign, not exceeding 32 square feet per side or facing, may be permitted.
3. No outside storage of materials, parts, or equipment shall be permitted.
4. The site plan shall be subject to review and approval of the Planning and Zoning Commission.
5. Automobile and large farm equipment repairs are not permitted.
6. Scheduled hours of operation shall be from 7:00 a.m. to 9:00 p.m., Monday through Saturday.
7. Number of employees shall be limited to three.

Motion Adopted: 5 Yea.

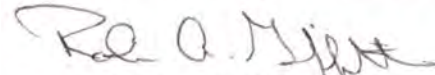
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M 477 92 (con't) Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Findings of Fact The Council found that the conditional use is generally of a public or semi-public character and is essential and desirable for the general convenience and welfare. The findings of fact and the recommendations of the Planning and Zoning Commission are incorporated herein.

M 478 92 Adjourn A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to adjourn at 1:55 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council