

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 15, 1994

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, November 15, 1994, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
George J. Collins	Vice President
Ralph E. Benson	Member
George B. Cole	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 465 94      A Motion was made by Mr. Collins, seconded by Mr. Cole, to Approve      approve the minutes of the previous meeting dated November 1, Minutes      1994. Motion Adopted by Voice Vote.

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

CAROL L. McARROY, FRANKFORD PUBLIC LIBRARY, FRANKFORD, DELAWARE.  
RE: Letter to Mr. Collins expressing appreciation for his \$350.00 Councilmanic Grant.

DELAWARE TECH SOUTHERN CAMPUS ALUMNI ASSOCIATION, GEORGETOWN, DELAWARE.

RE: Invitation to attend an International Holiday Brunch on Saturday, December 10, 1994, at 11:00 a.m.

BARBARA KAUFFMAN, PRESIDENT, BETHANY-FENWICK AREA CHAMBER OF COMMERCE, BETHANY BEACH, DELAWARE.

RE: Urging Council and the General Assembly to reduce the Gross Receipts Tax and the public utility tax for all businesses in Delaware.

SKIP VALIANT, PRESIDENT, SEA COAST REALTY, INC., BETHANY BEACH, DELAWARE.

RE: Letter in support of the County's proposed tax map service.

DON EDGINGTON, PRESIDENT, LEWES LITTLE LEAGUE, LEWES, DELAWARE.

RE: Letter to Mr. Cole and Mr. Collins soliciting councilmanic funds to be used for a new little league park.

DANIEL R. GRIFFITH, DIRECTOR/STATE HISTORIC PRESERVATION OFFICER, DIVISION OF HISTORICAL AND CULTURAL AFFAIRS, DOVER, DELAWARE.

RE: Letter regarding the management summary of the Phase II work on the new County Administration Building site submitted by Dames & Moore. The Division concurs with their conclusion that the site lacks significant, interpretable deposits related to the early hotel and therefore, the Eagle Hotel site is not eligible for listing in the National Register of Historic Places and will not require any further excavation.

Corre- SUSSEX CENTRAL HIGH SCHOOL BAND, GEORGETOWN, DELAWARE.  
spondence RE: Letter to Diana Pettyjohn in appreciation of the invitation  
(con't) to attend the 1994 Return Day Breakfast.

JANET M. SCHUMANN, EXECUTIVE DIRECTOR, BEEBE MEDICAL FOUNDATION,  
LEWES, DELAWARE.

RE: Solicitation of funds for the new Clinical Building.

Human Mr. Stickels, County Administrator, discussed a request for a  
Service Human Service Grant from Junior Achievement of Delaware, Inc.  
Grant It was noted that a request had been mailed prior to the dead-  
Request line for receipt of all requests; however, the request was never  
received.

M 466 94 A Motion was made by Mr. Benson, seconded by Mr. Collins, to  
Human give a \$1,000.00 Human Service Grant to Junior Achievement of  
Service Delaware, Inc.  
Grant

Motion Adopted: 5 Yea.

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

Request Mr. Stickels, County Administrator, discussed a request from  
for Catholic Social Services for funding in the amount of \$500.00  
Funding for the purchase of turkeys for the county-wide, free Thanks-  
giving Dinner sponsored by the Church of God and Saints of  
Christ, Seaford, Delaware, in cooperation with Sussex County  
Senior Centers, Catholic Social Services, First State Community  
Action Agency, and Cheer Programs. This service will provide  
seventeen hundred meals to needy individuals and families  
throughout Sussex County.

M 467 94 A Motion was made by Mr. Collins, seconded by Mr. Benson, to  
Council- give \$500.00, \$100.00 from each Councilmanic Account, to  
manic Catholic Charities for the purchase of turkeys for the  
Grant county-wide, free Thanksgiving Dinner.

Motion Adopted: 5 Yea.

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

M 468 94 A Motion was made by Mr. Collins, seconded by Mr. Benson,  
Executive that the Sussex County Council authorizes an Executive Session  
Session to be held on this date, November 15, 1994, immediately follow-

M 468 94 ing the conclusion of the morning session, to discuss land  
(con't) acquisition and 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

Adminis- Mr. Stickels, County Administrator, discussed the following  
trator's information in his County Administrator's Report:  
Report

1. Carolling on The Circle

The Sussex County Council will be sponsoring a food drive and Carolling on The Circle to take place on Monday, December 12, 1994. Carolling will start at 7:00 p.m. in front of the Courthouse. Canned goods and non-perishable food items will be accepted that evening. Anyone wishing to donate items prior to that evening should contact Richard Banks at 855-7777.

Following Carolling on The Circle there will be a reception at the Georgetown Fire Hall.

2. Milton Fire Department

A public hearing will be held on Tuesday, November 29, 1994, at 11:00 a.m. regarding the borrowing of funds by the Milton Fire Department for the purchase of a new ladder fire truck. Under Section 150 of the Internal Revenue Code, in order for the Milton Fire Department borrowing to be accorded favorable Federal income tax treatment, the Milton Fire Department must have a written agreement with the County Council to provide firefighting services in the area. The public hearing will allow for residents to give input prior to the Milton Fire Department borrowing the funds.

The borrowing of the funds for the purchase of the fire truck does not constitute a debt or promise of payment by the County Council.

3. Strong Communities Summit

A Strong Communities Initiative Summit will take place starting on Thursday, November 17, 1994, at 5:00 p.m. at Jones Hall, Wesley United Methodist Church on East Laurel Street in Georgetown. The summit will continue on Friday, November 18, starting at 8:00 a.m. and Saturday, November 19, starting at 8:00 a.m.

Adminis-  
trator's  
Report  
(con't)

The purpose of the Strong Communities Initiative is to create a working partnership which fosters communication within and between communities and local, county, and state government. This partnership will plan for and design the future of participating communities.

Included in the Strong Communities Initiative for Sussex County are the following areas: The Hole near Ellendale; Martin's Swamp, Milton; West Rehoboth; Coverdale Crossroads near Bridgeville; and Lazy Lagoon, Shockleytown, Twin Cedars, and Pepper Ridge, all in the Frankford area.

It is Mr. Stickels' understanding that there are approximately eighty participants in the three-day event. Governor Thomas R. Carper will open the Strong Communities Initiative on Thursday.

4. Sussex County Volunteer Firemen's Association Monthly Meeting

The Sussex County Volunteer Firemen's Association monthly meeting is scheduled for Tuesday evening, November 22, 1994, at 7:00 p.m. at the Seaford Fire Department. Awards will be presented to fire prevention essay and/or poster winners in pre-kindergarten through eighth grade.

Quar-  
terly  
Tax  
Billing  
Proce-  
dure

Mr. Baker, Finance Director, discussed a new quarterly tax billing procedure, as follows:

- o County tax bills will be mailed in early July for May 1 through April 30. (Current procedure.)
- o Quarterly tax bills will be mailed in early August for new construction during May through July, billed at 75 percent of current tax rate. (Current procedure.)
- o Quarterly tax bills will be mailed in early November for new construction during August through October, billed at 50 percent of current tax rates.
- o Quarterly tax bills will be mailed in early February for new construction during November through January, billed at 25 percent of current tax rates.

Currently, the County is not billing property taxes for new construction after the month of August. No action was necessary by Council. The County will proceed with this new procedure.

Tax  
Sale  
Results

Mr. Baker, Finance Director, advised Council of the results of a tax sale held on October 25, 1994. The County sold eight properties, as follows:

Tax  
Sale  
Results  
(con't)

<u>Name and Town</u>	<u>Net Amount After Payment of School Taxes, School Penalty, County Taxes, County Penalty, Legal Fees and Sheriff Costs</u>
A. Conaway, Georgetown	\$ 6,611.41
N. Deshields, Seaford	(\$ 1,001.49)
L. Franklin, Millsboro	\$ 5,065.85
A. McAllister, Ocean View	\$ 5,942.77
E. Phan, Laurel	\$ 1,686.34
J. Riffin, Seaford	\$ 6,187.16
Unknown owner, Laurel	(\$ 1,043.84)
Unknown owner, Laurel	(\$ 1,049.42)

The net amount recovered for County taxes and fees was \$1,988.49.

Bank  
Loans  
for  
Sewer  
Hook-ups

Mr. Baker, Finance Director, discussed the availability of bank loans for financing sewer hook-ups. Interest rates on these loans are currently ranging from seven percent to fifteen percent. A lengthy discussion was held regarding funding assistance for low income households for expenses associated with sanitary sewer service. It was noted that the County continues to look for funding/grants to lower sewer costs.

Tax  
Maps

Mr. Parker, Director of Assessments, discussed the tax map proposal that was submitted to Council for consideration at the November 1st meeting.

M 469 94  
Approve  
Tax  
Map  
Proposal

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, that the Sussex County Council hereby authorizes the Sussex County Assessment Division to produce and offer for lease to the public a reduced version of the Sussex County tax maps.

Motion Adopted: 4 Yea, 1 Nay.

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

Proposed  
Ordinance

Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A 46 LOT ADDITION TO AN EXISTING MANUFACTURED HOME PARK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 25.0563 ACRES, MORE OR LESS" (Conditional Use No. 1098) filed on behalf of Layton's Riviera, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed  
Ordinance

Mr. Collins introduced a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL

Proposed Ordinance (con't) COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 31,355 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1247) filed on behalf of Elton Ray Beauchamp. The Proposed Ordinance will be advertised for Public Hearing.

M 470 94 Councilmanic Grant A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to give \$400.00 from Mr. Stevenson's Councilmanic Account to the Greenwood Police Department for the purchase of new uniforms.

Motion Adopted: 5 Yea.

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

M 471 94 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Cole, to give \$1,000.00, \$700.00 from Mr. Benson's Councilmanic Account and \$300.00 from Mr. Cole's Councilmanic Account, to the Lewes Little League for the new little league park building fund.

Motion Adopted: 5 Yea.

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

M 472 94 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to give \$300.00, \$150.00 from Mr. Collins' Councilmanic Account and \$150.00 from Mr. Dukes' Councilmanic Account, to Charity Hope Lodge No. 27 to help fund their program of lending hospital and sick room equipment.

Motion Adopted: 5 Yea.

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

M 473 94 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to give \$500.00 from Mr. Collins' Councilmanic Account to the Laurel Fire Department for new fire equipment.

Motion Adopted: 5 Yea.

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

M 474 94 Councilmanic Grant A Motion was made by Mr. Benson, seconded by Mr. Collins, to give \$500.00 from Mr. Dukes' Councilmanic Account to the Town of Blades for communication and safety equipment for the Block Watch Association.

M 474 94 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 475 94 At 11:05 a.m., a Motion was made by Mr. Stevenson, seconded by  
Recess Mr. Collins, to recess until the Executive Session. Motion  
Adopted by Voice Vote.

Executive An Executive Session of the Sussex County Council was held on  
Session Tuesday, November 15, 1994, at 11:10 a.m., in the Council  
Chambers, Courthouse, Georgetown, Delaware, for the purpose of  
discussing land acquisition and pending litigation. The  
Executive Session concluded at 12:00 noon.

M 476 94 A Motion was made by Mr. Benson, seconded by Mr. Collins, to  
Recess recess until 1:30 p.m. Motion Adopted by Voice Vote.

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

Attorney Mr. Jones, Assistant County Attorney, was the attorney present  
for the afternoon session.

Public A Public Hearing was held on the Proposed Ordinance entitled  
Hearing "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX  
(C/Z COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A M  
No. 1242) MARINE DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING  
IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 18.28 ACRES,  
MORE OR LESS" (Change of Zone No. 1242) filed on behalf of  
Vines Creek Marina, L.P. The Public Hearing was closed.

M 477 94 A Motion was made by Mr. Cole, seconded by Mr. Benson, to  
Amend amend Change of Zone No. 1242 entitled "AN ORDINANCE TO  
Change AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM  
of Zone AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A M MARINE  
No. 1242 DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN  
and Adopt BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 18.28 ACRES,  
Ordinance MORE OR LESS" filed on behalf of Vines Creek Marina, L.P.,  
No. 990 and to Adopt Ordinance No. 990 entitled "AN ORDINANCE TO  
AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN  
AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A M MARINE DISTRICT  
FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE  
HUNDRED, SUSSEX COUNTY, CONTAINING 17.78 ACRES, MORE OR LESS"  
(Change of Zone No. 1242) filed on behalf of Vines Creek  
Marina, L.P.

Motion Adopted: 5 Yea.

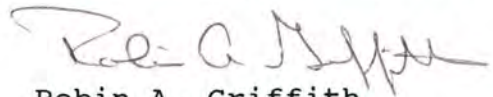
Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;  
Mr. Collins, Yea; Mr. Stevenson, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The findings of fact and recommendations of the Planning and Zoning Commission were incorporated into the record. The County Council found that the change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County. The Council found that the change of zone would bring an existing, non-conforming marina in compliance with existing regulations. Pursuant to the request of the applicant, the Council approved a reduced parcel of 17.78 acres.

M 478 94 A Motion was made by Mr. Benson, seconded by Mr. Collins, to  
Adjourn adjourn at 1:55 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the County Council