

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-NOVEMBER 20, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, November 20, 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 505 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

Mr. Jones, Acting County Attorney, read the following correspondence:

RICHARD E. FOWLER, DIRECTOR, COLLEGE OF AGRICULTURAL SCIENCES, UNIVERSITY OF DELAWARE, NEWARK

RE: Sussex County has been without a Home Economics Extension Agent since the resignation of the previous agent in 1989. A part-time person has been employed to assist with the program through June of 1991, using non-recurring federal funds. The Agent's role will be to coordinate programs focusing on nutrition/health, care of the elderly, food safety, financial management, and balancing work and family. The University is seeking the County's support in helping to restore the position on a full-time basis in the future.

ELESA K. COTTRELL, STATE CONSERVATIONIST, USDA, SOIL CONSERVATION SERVICE, DOVER

RE: Notice of authorized assistance for installation of works of improvement in the Indian River Bay Watershed Project, Sussex County, Delaware, under authority of the Watershed Protection and Flood Prevention Act, Public Law 83-566. The project is sponsored by the Sussex Conservation District, in cooperation with the Delaware Department of Natural Resources and Environmental Control, Division of Soil and Water Conservation. The Indian River Watershed contains 117,000 acres. The primary purpose of the project is water quality improvement.

DELMARVA ADVISORY COUNCIL, SALISBURY, MARYLAND

RE: Their September/October 1990 newsletter.

November 20, 1990

Turnabout
Counseling
Center

Ms. Jackie Luck and Ms. Mary O'Neal were present and explained services provided by the Turnabout Counseling Center. The Center presently operates out of the Thomas Mulligan Memorial Hall, Grace Church, Georgetown, Delaware. They would like to relocate and are asking to lease the County property located at 8 North Race Street. The intended use of the building would be to house their offices where counseling services and treatment would be offered for families and individuals dealing with drug and substance abuse addictions. No on-site housing would be provided for clients at the location. There would be no Sunday hours of operation.

Mr. Stickels, County Administrator, reviewed a lease prepared for execution if the Council wished to approve the request for Turnabout Counseling.

M 506 90
Execute
Lease
Agreement
with
Turnabout
Counseling
Center

A Motion was made by Mr. Cole, seconded by Mr. Benson, authorizing the execution of a lease between the Sussex County Council and the Seaford Action Committee, Inc., commonly referred to as Turnabout Counseling Center, for the premises located at 8 North Street, Georgetown, Delaware, for a sum of \$1,400.00 per month for a twenty-four (24) month period. Motion Adopted: 5 Yea.

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

Western
Sussex
Land
Use
Plan

Mr. Stickels, County Administrator, distributed notes from the Western Sussex Land Use Plan Public Hearing and additional public comments that have been received since the Public Hearing. He asked Council to review the notes in preparation for the Western Sussex Land Use Plan being placed on the Agenda for discussion and possible vote on December 4, 1990. Councilman Cole suggested that a workshop on the Plan should be held prior to the vote. Time will be allowed on the Agenda on December 4, 1990 for discussion and/or workshop.

Proposed
Ordinance

Mr. Stevenson introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY RELATING TO ZONING PROCEDURES". The Proposed Ordinance will be advertised for Public Hearing.

Proposed
Ordinance

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 80 OF THE CODE OF SUSSEX COUNTY, DEALING WITH LOT MAINTENANCE, TO IMPOSE PENALTIES FOR VIOLATIONS OF SAID CHAPTER". The Proposed Ordinance will be advertised for Public Hearing.

November 20, 1990

Intervet
Opinion

Mr. Jones, Acting County Attorney, reviewed his opinion concerning the request by Intervet to have an incinerator installed on their property located southeast of Route 421, on Sussex County tax map 3-33-3, parcel 27. The issues involve whether the "research clinic" being operated by Intervet is proper under the Sussex County Zoning Code, and whether an incinerator is a proper use on the premises. The parcel is located in an AR-1 Agricultural Residential District. The facility has six (6) or seven (7) buildings located within a fenced perimeter and appears to have little or no effect on the surrounding property. Present plans call for the incinerator to be used approximately two (2) days per week for the incineration of chickens, and occasionally dogs and cats. Mr. Jones believes that the Intervet facility, as it is currently being used, is a legitimate use within the AR-1 zoning district and the incinerator which will be used at the facility is accessory to the primary use of the premises and therefore is permissible.

Councilman Cole suggested that a Conditional Use for this facility could establish stipulations concerning the amount of time the incinerator is used and provide future control of the facility in the event of growth.

Mr. Stickels, County Administrator, will contact Intervet and make arrangements for them to address Council concerning their plans for the facility.

Proposed
Proclama-
tion

Mr. Stickels, County Administrator, read a Proposed Proclamation in its entirety entitled "PROCLAIMING THE WEEK OF NOVEMBER 18 THROUGH NOVEMBER 24, 1990 AS A WEEK IN SUSSEX COUNTY, DELAWARE TO HONOR MRS. BETTY LYNCH". Mrs. Lynch retired from the Frankford Public Library after serving as their Librarian from September, 1967 to November, 1990. She worked diligently to increase circulation and services offered the residents by adding story hours, summer reading program activities, and literacy tutoring.

M 507 90
Adopt
Proclama-
tion

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt the Proposed Proclamation entitled "PROCLAIMING THE WEEK OF NOVEMBER 18 THROUGH NOVEMBER 24, 1990 AS A WEEK IN SUSSEX COUNTY, DELAWARE TO HONOR MRS. BETTY LYNCH". Motion Adopted: 5 Yea.

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

November 20, 1990

Adminis-
trator's
Report

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

1. Delmarva Power - Notification from Delmarva Power that they will be asking the Public Service Commission for an electric fuel adjustment effective January 1, 1991. The increase will be 8.6% for the South Coastal Regional Wastewater Facility. The cost for the Courthouse complex will increase 6.7%. The SCRWF increase will cost approximately \$15,000.00. Funds will have to be transferred from the South Coastal Budget Contingency Account to cover the cost for the remaining year. This will most certainly have a direct effect on the FY '92 sewer rates.
2. Wetlands and Aquatic Protection Branch - A memorandum outlining projects that have applied to the Department of Natural Resources for subaqueous and/or wetlands projects.
3. Single Family Building Code Workshop - The Sussex County Building Inspections Office will be conducting a workshop on the Single Family Building Code on Wednesday, November 28, 1990 from 10:00 a.m. until 2:00 p.m. at the Emergency Operations Center in Georgetown. The Single Family Building Code goes into effect in Sussex County on June 30, 1991. This is the second in a series of workshops. It is anticipated that approximately ten (10) contractors will be attending.
4. DelDOT Workshops - The Delaware Department of Transportation will be conducting public workshops for the East-West Corridor Study. The first workshop will be held Tuesday, December 4, 1990 from 4:00 to 8:00 p.m. at Delaware Technical & Community College, Georgetown. The second workshop will be held Wednesday, December 5, 1990 from 4:00 to 8:00 p.m. at the Bridgeville Fire Hall, Bridgeville. Representatives from DelDOT and their consultants will be available to hear public comments and discuss concerns of the residents of Sussex County.

Citizens'
Group
Concern
(SOSC)

At the conclusion of the Administrator's Report, Mr. Lud Seufert, a member of Save Our Sussex County (SOSC), a citizens' group, presented information concerning the western part of the County, namely, Route 404. Additional members of the SOSC committee participating in the presentation included Landy Correll, a Bridgeville farmer and landowner; Ms. Charlotte Cannon, Bridgeville landowner; and Ms. Barbara Seufert, a landowner on Route 404.

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Citizens'
Group
Concern
(Con't.)

The brief presentation by the Save Our Sussex County citizens' group consisted of four (4) parts; namely, (1) a review of the structural organization of DelDOT and the Council of Transportation; (2) an attack on DelDOT's credibility; (3) a review of DelDOT's errors which resulted in the current situation; and (4) asking the local County governing body to intercede and support their efforts to stop the construction of the new Route 404 East-West Corridor. (A copy of the written presentation as presented Council will be filed in the County Council Office.)

SCRWF
Escrow
Account

Mr. Izzo, Assistant County Engineer, discussed the release of monies from an escrow account for the South Coastal Regional Wastewater Facility, Expansion No. 1. The initial contract was with Norflor Construction Corporation. Before the completion of the project, their business was sold to MMR/Wallace Constructors, Inc. and later they filed Chapter 11 of the United States Bankruptcy Code. The Bankruptcy Court assigned the account to Aetna Casualty and Surety Company.

M 508 90
Execute
Indemnifi-
cation
Agreement
SCRWF
Escrow
Account

A Motion was made by Mr. Dukes, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, that Mr. William D. Stevenson, Sr., Sussex County Council President, be authorized to execute the Indemnification Agreement with Wilmington Trust Company for Sussex County Project No. 86-06, South Coastal Regional Wastewater Facility, Expansion No. 1, to allow the release of monies from Escrow Account No. 24729-0, less the value of the remaining training due to be provided by the contractor to the County, to Aetna Casualty and Surety Company, the responsible party assigned by the U. S. Bankruptcy Court. Motion Adopted: 5 Yea.

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

TR4-90
Bids

Mr. Stickels, County Administrator, opened the following bids for TR4-90, Transfer Station No. 4, near Anderson Crossroads:

WHITE LINE, INC., GEORGETOWN

Total Lump Sum Price Per Year \$37,008.00

EASTERN WASTE INDUSTRIES, INC., SALISBURY

Total Lump Sum Price Per Year \$41,812.00

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TR4-90
Bids
(Con't.)

ALL-RITE RUBBISH REMOVAL, INC. FELTON

Total Lump Sum Price Per Year \$41,500.00

The three (3) bids will be reviewed and a recommendation brought back next week.

Agenda
Change

The presentation by R. W. Corby & Company, Inc. was tabled to allow time for more information to be obtained.

M 509 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to give \$500.00, \$250.00 from Mr. Mariner's Councilmanic Account and \$250.00 from Mr. Stevenson's Councilmanic Account, to Sussex County Football Boosters to help purchase jackets for the Sussex Central Junior High School football team. Motion Adopted: 5 Yea.

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

M 510 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to give \$500.00, from Mr. Stevenson's Councilmanic Account, to the Greater Georgetown Chamber of Commerce to help with the 1990 Christmas Parade. Motion Adopted: 5 Yea.

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

M 511 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to give \$1,000.00, from Mr. Mariner's Councilmanic Account, to Laurel Fire Department, Inc. to help with their 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

M 512 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to give \$1,000.00, from Mr. Mariner's Councilmanic Account, to Laurel High School Marching Band to help pay for new uniforms. Motion Adopted: 4 Yea; 1 Abstention.

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M 512 90
(Con't.)

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

M 513 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to give \$1,000.00, from Mr. Mariner's Councilmanic Account, to VFW Sussex Memorial Post No. 7422, Millsboro, to help with repairs and renovations to their Post Home. Motion Adopted: 5 Yea.

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

M 514 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to give \$150.00, from Mr. Mariner's Councilmanic Account, to the Frankford High School Bell Restoration Fund to complete the restoration project. Motion Adopted: 5 Yea.

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

M 515 90
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Benson, to give \$500.00, from Mr. Dukes' Councilmanic Account, to Downtown Seaford Association to help with expenses for their Christmas Parade. Motion Adopted: 5 Yea.

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

M 516 90
Council-
manic
Grant

A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to give \$400.00, from Mr. Benson's Councilmanic Account, to Milton Jaycees to help with expenses for their Christmas Parade. Motion Adopted: 5 Yea.

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

M 517 90
Council-
manic
Grant

A Motion was made by Mr. Benson, seconded by Mr. Cole, to give \$400.00, \$200.00 from Mr. Benson's Councilmanic Account and \$200.00 from Mr. Stevenson's Councilmanic Account, to Milford Senior High School to help offset costs allowing ten (10) of their cheerleaders to attend ICF Cheerleading Camp. Motion Adopted: 5 Yea.

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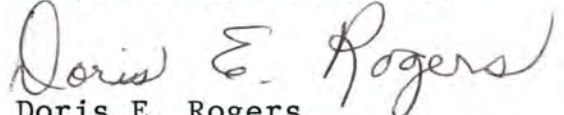
M 517 90
(Con't.)

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

Adjourn

President Stevenson adjourned the meeting at 11:40 a.m.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council