

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 24, 1992

Call to Order The regular meeting of the Sussex County Council was held Tuesday, November 24, 1992, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

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 487 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Approve Minutes approve the minutes of the previous meeting dated November 17, 1992. Motion Adopted by Voice Vote.

Letters Mr. Bayard, County Attorney, read the following correspondence:

JOSEPH R. BIDEN, JR., UNITED STATES SENATOR, WASHINGTON, D.C.
RE: Recent congressional action on combatting illiteracy.

CDBG Appli- Mr. Stickels, County Administrator, and Mr. Lecates, Director of Community Development and Housing, reported to Council concerning State of Delaware Community Development Block Grant Applications. In the past, the County has assisted communities in procuring grants for the purpose of keeping administrative costs down. Mr. Stickels requested permission from Council to continue this service.

M 488 92 A Motion was made by Mr. Collins, seconded by Mr. Cole, that CDBG Appli- the Sussex County Council authorizes the Sussex County Community Development Division to assist local governments in the preparation and administration of Community Development Block Grant Funds.

Motion Adopted: 4 Yea, 1 Absent.

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

Lift Frankford Zoning and Building Permits Moratorium Mr. Stickels, County Administrator, advised Council of a letter from Tempe B. Steen, Attorney for the Town of Frankford, dated November 13, 1992, informing Council that the Town Council of the Town of Frankford enacted a zoning ordinance and zoning map on Thursday, November 12, 1992. The Town Council is requesting that the County Council lift its moratorium on zoning and building permits for the Town of Frankford. Mr. Stickels read in its entirety a Proposed

(con't) Resolution entitled "RESOLUTION REPEALING THE TOWN OF FRANKFORD ZONING AND BUILDING MORATORIUMS".

M 489 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution No. R 028 92 entitled "RESOLUTION REPEALING THE TOWN OF FRANKFORD ZONING AND BUILDING MORATORIUMS".

Adopt
Resolu-
tion
No.
R 028 92 Motion Adopted: 4 Yea, 1 Absent.

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

Road Vacating: Washington Avenue, Butler Avenue, Fourth Street
Mr. Stickels, County Administrator, discussed a letter from James Griffin, Attorney representing Milford School District, advising Council that the School District plans to petition Superior Court for an Order to vacate and abandon portions of the platted but unconstructed rights-of-way of Washington Avenue, Butler Avenue, and Fourth Street. This petition is in accordance with stipulations placed on the Adoption of Ordinance No. 844 passed by the County Council on July 14, 1992. It was the consensus of Council that Superior Court will be notified that the County Council has no objection to this vacating.

Road Vacating: Third Street
Mr. Stickels, County Administrator, discussed a letter from James Waehler, Attorney for the City of Seaford, advising Council that the City of Seaford plans to petition Superior Court for an Order to vacate a portion of Third Street and a fifteen foot wide alley within the corporate limits of the City of Seaford. The petition is to close the street and alley in order that such vacated property will become the sole property of St. John's United Methodist Church. It was the consensus of Council that Superior Court will be notified that the County Council has no objection to this vacating.

Nanticoke Watershed Alliance
Mr. Stickels, County Administrator, discussed the Nanticoke Watershed Alliance. The Nanticoke Watershed Alliance is a group of concerned individuals, organizations and government agencies from both Maryland and Delaware, who have joined together to cooperatively devise a long term strategy to conserve the important resource values of the Nanticoke watershed. Mr. Collins represents the County Council on this Alliance. The goal of the Nanticoke Watershed Alliance is to conserve the outstanding natural, cultural, and recreational resources of the Nanticoke River. A video was shown concerning the safeguarding of the Nanticoke River.

Adminis-
trator's
Report

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

1. County Government Offices Closing

The Sussex County Government Offices will be closed on Thursday, November 26, and Friday, November 27, 1992, in observance of Thanksgiving. Offices will reopen at 8:30 a.m. on Monday, November 30, 1992.

2. Carolling On The Circle

The Mayor and the Town Council of Georgetown will be hosting "Carolling On The Circle" in Georgetown on Monday, December 14, 1992, at 7:00 p.m. in front of the Sussex County Courthouse. In case of inclement weather, "Carolling On The Circle" will be held on Thursday, December 17, 1992. As has been in the past, it is tradition for the Sussex County Council to lead a Christmas carol.

3. Comprehensive Conservation and Management Plan

The Fourth Vision Workshop for the CCMP for the Delaware Inland Bays has been scheduled for Thursday, December 3, and Friday, December 4, 1992. The workshop will be held at the Gold Leaf Resort, Dewey Beach, Delaware. Several important issues will be discussed at this workshop; for example, land use issues concerning State versus County roles, need for State Planning Office, State management of freshwater wetlands, land use restrictions including shoreline building setback line for tributaries, and how to minimize development impacts. Council may wish to plan on attending the day-and-a-half workshop.

4. Subdivision Approval

The Planning and Zoning Department has approved the Lakewood Estates Phase II Subdivision. Lakewood Estates Phase II is located in Dagsboro Hundred, Sussex County, Delaware, south of County Road 412. 16.9± acres were subdivided into 24 AR-1 zoned lots. Access to all lots is to be from subdivision streets. Maintenance of streets within the subdivision will be the responsibility of the developer, the property owners within the subdivision, or both. The State and County assume no responsibility for future maintenance of these streets. All lots will be serviced with on-site wells and septic systems.

Adminis-
trator's
Report
(con't)

5. Books for Tots

Sussex County Libraries have launched their third annual "Books for Tots" program. New and used children's books and videos may be deposited in collection boxes at the community libraries, the Sussex County Department of Library Office, and the Sussex County Courthouse lobby. Gifts will be accepted at any time, however, to be able to be utilized for Christmas, it would be best that all gifts and cash donations be received by Friday, December 18, 1992. Included in this report is a copy of the locations where items can be accepted.

Change
Order

Mr. Green, Director of Utility Construction, reviewed a recapitulation to date, including Change Order No. 10, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, Phase 1A.

M 490 92
Change
Order
No. 10
West
Rehoboth
Expan-
sion of
Dewey
Beach
Sanitary
Sewer
District

A Motion was made by Mr. Stevenson, seconded by Mr. Cole, that based on the recommendation of the Inspection Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, that the Sussex County Council authorizes the President of the Sussex County Council to approve Change Order No. 10, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, Phase 1A, to Onshore Construction Co., Inc., for removal and replacement of a storm water pipe at manhole number 92, for an amount of \$1,590.62, increasing this contract amount to \$2,903,498.30.

Motion Adopted: 4 Yea, 1 Absent.

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

Change
Orders

Mr. Green, Director of Utility Construction, reviewed a recapitulation to date, including Change Order Nos. 2 and 3, for the Dagsboro/Frankford Sanitary Sewer District.

M 491 92
Change
Order
No. 2
Dagsboro/
Frankford
Sanitary
Sewer
District

A Motion was made by Mr. Cole, seconded by Mr. Collins, that based on the recommendation of the Inspection Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, that the Sussex County Council authorizes the President of the Sussex County Council to issue Change Order No. 2 for the Dagsboro/Frankford Sanitary Sewer District, to David A. Bramble, Inc., for land preparation and seeding of the spray site, and relocation of the electrical service for an amount of \$13,059.98, decreasing this contract amount to \$1,936,819.98.

Motion Adopted: 4 Yea, 1 Absent.

M 491 92 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Absent

M 492 92 A Motion was made by Mr. Collins, seconded by Mr. Cole, that
Change based on the recommendation of the Inspection Engineer, George,
Order Miles & Buhr, and the Sussex County Engineering Department,
No. 3 that the Sussex County Council authorizes the President of the
Dagsboro/ Sussex County Council to issue Change Order No. 3 for the
Frankford Dagsboro/Frankford Sanitary Sewer District, to David A. Bramble,
Sanitary Inc., for installation of a concrete screening basin and six (6)
Sewer concrete pipe bollards, for an amount of \$4,151.27, for a
District contract amount of \$1,940,971.25.

Motion Adopted: 4 Yea, 1 Absent.

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

Grant Mr. Izzo, Public Works Division Director, discussed grant
Fundings fundings from the U.S. Department of Agriculture, ASCS office
U.S. (Agriculture Stabilization Conservation Service), ACP
Depart- (Agriculture Conservation Program). Funding will be used for
ment of two Sussex County sites: (1) James Farm and (2) Williams-
Agri- ville - South Coastal Regional Wastewater Facility sludge
culture application site. Specifically, funds will be used to provide
perimeter buffers, to enhance wildlife values, and to eliminate
mowing of open field areas. ACP is a cost share program that will
reimburse the applicant sixty-five percent of approved costs.
Mr. Izzo asked that Council grant him the authority to
make application on behalf of Sussex County Council for the
grant fundings.

M 493 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, that
Grant based upon the approval of the Sussex County Council, that
Power of Michael A. Izzo, Public Works Division Director, be granted
Attorney Power of Attorney to execute documents on behalf of Sussex
County associated with conservation programs administered by
the U.S. Department of Agriculture, Agricultural Stabilization
and Conservation Service.

Motion Adopted: 4 Yea, 1 Absent.

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

Expenses Mr. Collins discussed with Council expenses that must be incurred by the County for the cost of maps and for the advertisement of public hearings concerning Agricultural Lands Preservation District applications.

M 494 92 A Motion was made by Mr. Cole, seconded by Mr. Collins, to Council- give \$700.00 from Mr. Cole's Councilmanic Account to the Grant City of Rehoboth Beach to help fund a small playground at Silver Lake Park in the Country Club Estates area.

Motion Adopted: 4 Yea, 1 Absent.

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

M 495 92 A Motion was made by Mr. Stevenson, seconded by Mr. Cole, Council- to give \$500.00, \$250.00 from Mr. Collins' Councilmanic Grant Account and \$250.00 from Mr. Stevenson's Councilmanic Account, to the Sussex Central Football Boosters to help offset the cost of the purchase of jackets for the Sussex Central Ninth Grade Football Team and the Sussex Central Middle School Football Team.

Motion Adopted: 4 Yea, 1 Absent.

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

M 496 92 A Motion was made by Mr. Stevenson, seconded by Mr. Collins, Council- to give \$1,000.00 from Mr. Stevenson's Councilmanic Account, Grant to the Greenwood Police Department to help fund the DARE (Drug Abuse Resistance Education) program.

Motion Adopted: 4 Yea, 1 Absent.

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

M 497 92 A Motion was made by Mr. Collins, seconded by Mr. Stevenson, Council- to give \$300.00 from Mr. Benson's Councilmanic Account to The Grant New Hope Recreation and Development Center.

Motion Adopted: 4 Yea, 1 Absent.

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

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M 498 92 Councilmanic Grant A Motion was made by Mr. Collins, seconded by Mr. Cole, to give \$250.00 from Mr. Benson's Councilmanic Account to the Milton Town Council Economic Development Committee to assist with the Town's effort to revitalize its downtown.

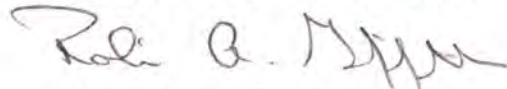
Motion Adopted: 4 Yea, 1 Absent.

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

Absence Mr. Stickels, County Administrator, advised that Councilman Dukes' absence was due to his being ill.

M 499 92 Adjourn A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to adjourn at 11:30 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council