

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 30, 1993

Call to Order The regular meeting of the Sussex County Council was held Tuesday, November 30, 1993, 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.

Attorney Mr. Schrader, Assistant County Attorney, was the Attorney present for the meeting.

M 499 93 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve approve the minutes of the previous meeting dated November 23, Minutes 1993. Motion Adopted by Voice Vote.

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

REPRESENTATIVE GEORGE H. BUNTING, JR., STATE OF DELAWARE, LEGISLATIVE HALL, DOVER.

RE: Thanking County Administrator Robert Stickels and his associates for "the tremendous job they accomplished reducing the Lewes/Rehoboth sewer project cost by 75 percent".

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.

RE: Notice of Commission Meeting and Public Hearing.

Certifi- Mr. Dukes presented Elizabeth S. Beideman with a Certificate cate of of Appreciation from the Sussex County Council for devotion, Apprecia- loyalty, and excellence in serving Sussex County from January tion 3, 1985, to November 30, 1993.

Requests Mr. Stickels, County Administrator, discussed three requests for financial assistance from the following: Pirate PRIDE, Indian River High School Football Boosters, and Dr. Martin Luther King, Jr. Celebration Committee.

M 500 93 A Motion was made by Mr. Benson, seconded by Mr. Cole, to Council- give \$300.00, \$100.00 from Mr. Cole's Councilmanic Account manic and \$200.00 from Mr. Benson's Councilmanic Account, to Pirate Grant PRIDE, Lewes Middle School, to be used for the Substance Abuse Prevention Program.

Motion Adopted: 5 Yea.

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

M 501 93 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$300.00, \$150.00 from Mr. Cole's Councilmanic Account and \$150.00 from Mr. Collins' Councilmanic Account, to the Indian River High School Football Boosters to help defray expenses of the 1993 football season.

Motion Adopted: 5 Yea.

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

M 502 93 Human Service Grant A Motion was made by Mr. Collins, seconded by Mr. Cole, to give \$200.00 from Human Service Grants to the Dr. Martin Luther King, Jr. Celebration Committee to provide financial assistance for the advertising and publicity of their parade scheduled for January 15, 1994.

Motion Adopted: 5 Yea.

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

Sussex County Council Art Purchase Awards Mr. Stickels, County Administrator, displayed the paintings selected for this year's Sussex County Council Art Purchase Awards, as follows:

- (a) Watercolor painting entitled "Windswept" - Margaret Bayalis.
- (b) Watercolor painting entitled "Early Bird Party Boat" - Franklin Woodruff.
- (c) Watercolor painting entitled "Sussex County Court House" - Paula Renard.

These paintings were entered in the 13th Annual Sussex County Fine Art Exhibition.

Contract of Purchase and Sale First State Motors Property Mr. Stickels, County Administrator, discussed the County's need for additional land for the relocation of the County's administrative offices and for additional parking. Mr. Stickels reviewed with Council a proposed Contract of Purchase and Sale between Robert L. Hansen and Lee J. Turek and the County for the purchase of the property formally known as the First State Motors Building located at 124 East Market Street in Georgetown and a vacant lot fronting on East Pine Street in Georgetown. The purchase price of the property is \$350,000.00, contingent on the Council paying \$100,000.00 at settlement and the balance being paid in equal payments over the next three years. The purchase price includes the dismantling and hauling away of the building.

Contract
(con't)

In addition, a warranty will be provided by the seller that the property is environmentally safe. Mr. Stickels proposed that this land be purchased and used for additional parking spaces.

M 503 93
Execute
Contract
of
Purchase
and Sale
First
State
Motors
Property

A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Council authorizes the Sussex County Council President to execute a Contract for the purchase of the property formerly known as the First State Motors Building located at 124 East Market Street and a vacant lot measuring approximately 60 feet by 120 feet, plus or minus, fronting on East Pine Street, Georgetown, Delaware, as shown on Sussex County Tax Map 1-35 14.20, Parcels 223 and 232, for a price of \$350,000, contingent on the Council paying \$100,000 at settlement and the balance being paid in equal payments on December 20, 1994; December 20, 1995; and December 20, 1996. Be it further moved that the Seller agrees to dismantle and haul away from the site any and all portions of the building formerly known as First State Motors, Inc., and to provide the County with a warranty that the property is environmentally safe.

Motion Adopted: 5 Yea.

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

State of
Delaware
Offer to
Purchase
Court-
house

Mr. Stickels, County Administrator, discussed an offer made by the State of Delaware to purchase the Sussex County Courthouse. Also present to discuss the offer were Mr. Ignudo and Ms. Simmons representing the State of Delaware. The offer to purchase is in the amount of \$4.3 million (\$1.7 million to be paid in FY '94 and the balance to be paid in FY '95 and FY '96). The offer to purchase also includes the adjacent parking lot and the Annex building and is contingent on the County vacating the Courthouse by January 1, 1996. Mr. Stickels mentioned several concepts which are being considered for a new County Administration Building, one of which includes the former Georgetown Post Office Building being used as an anchor building to an expanded facility.

M 504 93
Execute
Sale
Agree-
ment
with the
State of
Delaware
for the
Sale of
Court-
house

A Motion was made by Mr. Cole, seconded by Mr. Collins, that the Sussex County Council, having met in public session, authorizes the Sussex County Council President to execute a Sale Agreement for the sale of the property known as the Sussex County Courthouse, adjacent parking lot, and Annex building currently being occupied by the Engineering Department, contingent on the following:

1. The selling price will be \$4.3 million, \$1.7 million to be paid in FY '94 and the balance to be paid in FY '95 and FY '96.

M 504 93
(con't)

2. The State will continue to honor the agreement for the expansion of the Courthouse currently being utilized by Superior Court.
3. All furniture, fixtures, and equipment currently being used by the State will be included in the purchase price.
4. The County will transfer title to the properties and vacate the Courthouse by January 1, 1996.
5. The State will continue to pay lease payments to the County until January 1, 1996.
6. The County will make additional space available as feasible at no additional cost to the State.
7. The County will be permitted to reserve 10 parking spaces for its sole use in the parking lot adjacent to the Courthouse. The County will purchase sufficient neighboring land to provide for additional parking.

Motion Adopted: 4 Yea, 1 Nay.

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

Absence Mr. Cole left the meeting at this time.

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

1. Delaware Solid Waste Authority Public Meeting

The Delaware Solid Waste Authority will be conducting a public meeting on Wednesday, December 1, 1993, at the Bridgeville Town Hall starting at 7:00 p.m. The purpose of the meeting will be to allow for public input on the proposed collection station site. This will be an open forum, and the Solid Waste Authority encourages all concerned citizens to attend this meeting.

2. Road Naming

A public meeting is scheduled for Monday, December 6, 1993, at 7:00 p.m. at the Frankford Fire Hall, Frankford, Delaware, on the Sussex County Road Naming Project. The purpose of the meeting is to allow for public input regarding the roads in the Frankford Fire District. All those interested in providing public input should attend this meeting or contact Mr. Dennis Norwood, Project Coordinator, at 855-7898 prior to December 6, 1993.

Adminis-
trator's
Report
(con't)

3. Mobile Home Study Committee Meetings

The Receivership/Conversion Subcommittee of the Mobile Home Study Committee will be meeting on Friday, December 3, 1993, at 10:00 a.m. in the Senate Majority Caucus Room (Room 215), Legislative Hall, Dover, Delaware.

The Rules and Regulations Subcommittee of the Mobile Home Study Committee will be meeting on Monday, December 6, 1993, at 9:00 a.m. in the House Majority Caucus Room, Legislative Hall, Dover, Delaware. The purpose of the meeting will be to discuss important issues regarding rules and regulations affecting mobile home communities.

4. Mildred King Memorial Luncheon

All County offices will be closed from 11:45 a.m. to 1:15 p.m. on Tuesday, December 7, 1993, to allow employees to attend the Mildred King Memorial Luncheon.

5. Vincent LaCourt

It is with sorrow that I inform Council of the passing of Mr. Vince LaCourt. Vince died on Saturday, November 27, 1993, from complications of a recent stroke. Mr. LaCourt had been employed with the County since 1976. His last position was Chief Operator for the Dagsboro/Frankford Sanitary Sewer District. Mr. LaCourt will be missed by all.

Proposed Mr. Stickels, County Administrator, discussed the introduction of a Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY RELATING TO THE STORAGE OF MANURE AND TO ANIMAL WASTE COMPOSTERS ON AGRICULTURAL FARMLAND OF FIVE (5) ACRES OR MORE. Introduction of the Proposed Ordinance was postponed for one week.

M 505 93 At 11:05 a.m., a Motion was made by Mr. Benson, seconded by Mr. Recess Collins, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

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

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 B-1 #1211) NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.86 ACRES, MORE OR LESS" (C/Z #1211) filed on behalf of Peninsula Oil Co., Inc. The Public Hearing was closed.

M 506 93 A Motion was made by Mr. Benson, seconded by Mr. Collins, to Adopt Ordinance No. 938 entitled "AN ORDINANCE TO AMEND THE Ordinance COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRI- No. 938

M 506 93 CULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS
(con't) DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN
BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.86 ACRES,
MORE OR LESS" (C/Z #1211) filed on behalf of Peninsula Oil
Co., Inc.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Absent;
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 and into
the findings of fact of the Council. The Council found that
the change of zone was appropriate legislative action in that
it promotes the health, safety, moral, convenience, order,
prosperity, and welfare of the present and future inhabitants
of Sussex County.

Public Hearing A Public Hearing was held on the Proposed Ordinance entitled
(C/Z "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX
#1213) COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A
C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND
LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CON-
TAINING 4.53 ACRES, MORE OR LESS" (C/Z #1213) filed on behalf
of Larry H. and Achsah Brasure. The Public Hearing was closed.

M 507 93 A Motion was made by Mr. Collins, seconded by Mr. Benson, to
Adopt Ordinance No. 939 entitled "AN ORDINANCE TO AMEND THE
COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRI-
CULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL
DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN
BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.53 ACRES,
MORE OR LESS" (C/Z #1213) filed on behalf of Larry H. and
Achsah Brasure.

Motion Adopted: 3 Yea, 1 Nay, 1 Absent.

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

Findings of Fact The findings of fact and the recommendations of the Planning
and Zoning Commission were incorporated into the record and
into the findings of fact of the Council. The Council found
that the change of zone was appropriate legislative action in
that it promotes the health, safety, moral, convenience, order,
prosperity, and welfare of the present and future inhabitants
of Sussex County.

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M 508 93 A Motion was made by Mr. Benson, seconded by Mr. Stevenson, to
Adjourn adjourn at 2:05 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council