

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 5, 2000

Call to Order The regular meeting of the Sussex County Council was held Tuesday, December 5, 2000, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Lynn J. Rogers	President
Dale R. Dukes	Vice President
George B. Cole	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Eugene Bayard	County Attorney

The meeting was opened by repeating the Lord's Prayer and Pledge of Allegiance to the Flag.

M 597 00 A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to approve
Approve the Agenda, as distributed.
Agenda

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Jones, Absent;
 Mr. Rogers, Yea

M 598 00 A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to approve
Approve the minutes of the November 28, 2000, meeting, as distributed.
Minutes

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
 Mr. Dukes, Yea; Mr. Jones, Absent;
 Mr. Rogers, Yea

Corre- Mr. Bayard read the following correspondence:
spondence

SAMUEL E. DENNIS, FRANKFORD, DELAWARE.
RE: Letter of appreciation for house repairs made possible by the
County's Community Development & Housing Division.

Airport Mr. Stickels read a letter from David Baird, Georgetown Town Manager,
Advisory requesting that the Mayor of the Town of Georgetown or his designee be
Committee appointed to the Sussex County Airport Commission. The Town is
 requesting that this appointment be made due to the fact that the growth

Airport
Advisory
Committee
(continued)

of the airport may impact the Town. Although the airport is located outside of the Town limits, the airport is located within the planning area of the Town and the Town currently provides water and/or sewer services to portions of the airport facility. With this in mind, the Town feels that the appointment of the Mayor or his designee to the Airport Commission will result in continued success for the airport and Town through increased coordination between Sussex County and the Town on future airport and Town planning initiatives.

M 599 00
Appoint
Airport
Advisory
Committee
Member

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to appoint the Mayor of the Town of Georgetown or his designee to the Sussex County Airport Commission.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Absent;
Mr. Rogers, Yea

Draft
Ordinance
Requiring
Additional
Smoke
Detectors

Mr. Stickels presented a draft ordinance entitled "AN ORDINANCE TO ADOPT SECTION 316 OF THE CABO SINGLE FAMILY BUILDING CODE SO AS TO REQUIRE ADDITIONAL SMOKE DETECTORS". The 1992 version of the CABO Code adopted by Sussex County requires smoke detectors to be installed outside of each separate sleeping area in a dwelling. The 1995 version requires that smoke detectors also be installed in each bedroom, in addition to smoke detectors required by the previous code. The more stringent requirements have been recommended by the Delaware State Fire Marshall and the Sussex County Volunteer Firemen's Association. Mr. Milligan, Building Code Supervisor, advised that the 1995 Code included a requirement that smoke detectors be hard-wired and backed up by batteries. The requirement would be for new construction or additions.

Proposed
Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO ADOPT SECTION 316 OF THE CABO SINGLE FAMILY BUILDING CODE SO AS TO REQUIRE ADDITIONAL SMOKE DETECTORS". The Proposed Ordinance will be advertised for Public Hearing on January 2, 2001, at 11:00 a.m.

Mr. Stickels noted that anyone needing a smoke detector should contact his or her local fire company.

Pilot
Program/
Abandoned
Mobile
Homes

Mr. Andy Strine, President of the First State Manufactured Housing Association, and Ms. Phyllis McKinley, Executive Director of the First State Manufactured Housing Association, updated Council on the establishment of a successful and permanent program which has been launched in Kent County to address the identification, clean-up and removal of abandoned, old mobile homes in the County. The idea for

Pilot
Program
(continued)

this project was initiated in 1999 by members of the First State Manufactured Housing Association, working in partnership with Kent County Levy Court and Administration. First State Manufactured Housing Association offered to contribute \$8,000.00 on an annual basis – with the funds to be matched annually by the County – to create a dedicated monetary “seed fund” which would help pay for administration of the program. Mr. Strine reported that the “pilot project” has proven to be extremely successful and has now become a permanent program within Kent County. To date, over 200 violations have been identified, and more than 100 of them have been properly cleaned-up and permanently removed.

Mr. Strine suggested that Council meet with some of the industry representatives and members of Levy Court to discuss the program. Mr. Strine advised that they are committed to contributing \$8,000 annually to this program in Sussex County until the problem is resolved.

Mr. Stickels stated that the County would investigate the possibility of using CDBG funding for demolition costs.

Ms. McKinley will send a formal letter to Council regarding the program.

Mr. Stickels recommended that the program be established by January 1, 2001.

Adminis-
trator's
Report

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

1. Holts Landing Sewer District Assessment Billings

On Saturday, December 2, 2000, the first assessment bills were mailed to Holts Landing Sanitary Sewer District property owners. These initial bills cover the period November 27, 2000, through June 30, 2001. They are billed at an assessment rate of \$1.479 per billable front foot, which reflects the pro rata assessment rate for this time period. These bills are due February 28, 2001. This assessment rate covers interest and principal payments for the loans incurred for the construction of the transmission system for this new sewer district.

2. Milton Public Library

I am pleased to inform the Council that the Friends of the Milton Public Library have been notified by the Longwood Foundation that the trustees have agreed to make a grant to the Friends in the amount of \$200,000 for the expansion of the Milton Library. This funding will be leveraged with the County Council commitment of \$300,000 and a State of Delaware commitment of \$260,000.

Adminis-
trator's
Report
(continued)

3. Department of Transportation Public Workshops

The Delaware Department of Transportation (DelDOT) will be conducting two public workshops. The first will be held on Tuesday, December 12, 2000, at the Laurel Fire Hall from 4:00 to 8:00 p.m. The purpose of this meeting is to hold the third and final workshop on the Laurel Truck Route Study. The objective of the study is to develop a viable solution to truck traffic traveling along Route 24. The first public workshop featured discussion on a full range of travel options that included upgrading existing alignment through new alignment. A reduced set of alternatives was developed and presented at the second public workshop. Environmental constraints and engineering analysis, as well as public input, have been used to arrive at the recommended alternative for Route 24 truck traffic, and that alternative will be displayed and discussed at the final workshop.

The second public workshop will be held on Wednesday, December 13, 2000, from 4:00 to 8:00 p.m. in the cafeteria of the Lord Baltimore Elementary School, Route 26, Ocean View, Delaware, to present planning for the Route 26 Study. During the workshop, DelDOT will present proposed improvements to several roads in eastern Sussex County. The proposed improvements include widening of existing roads to provide 11-foot travel lanes and 5-foot paved shoulders, and intersection improvements, on the following roads:

Powell Farm Road (Road 365)
Burbage Road (Road 353)
Windmill Road (Road 352)
Central Avenue (Road 84)
Beaver Dam Road (368)

As part of the Route 26 Planning Study, the Department is working with a group to identify the needs to improve existing secondary roads to provide an alternative east-west route, improve roadway conditions for local residents, and provide safer routes for bicyclists.

4. Personnel

It is with sadness that I inform the Council of the passing of Raymond Townsend, Sr., on Friday, December 1, 2000. Mr. Townsend had served as a Levy Court Commissioner and was a member of the Advisory Committee for Handicapped and Aging Citizens of Sussex County.

Adminis-
trator's
Report
(continued)

On Sunday, December 3, 2000, Vicki Massey, a current County employee, passed away. Mrs. Massey has been employed with the County since June 16, 1983, and most recently served as a Clerk III in the Recorder of Deeds Office.

China
Trip
Report

Heather Sheridan, Director of Operations for the South Coastal Regional Wastewater Treatment Plant and member of the Water Environment Federation, gave a presentation on her trip to China as part of the People to People Ambassador Program. Ms. Sheridan reported that she visited China along with 24 other delegates from around the Country to share ideas and offer assistance for water and wastewater treatment.

Old
Business/
C/Z
No. 1417

Change of Zone No. 1417 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-2 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.09 ACRES, MORE OR LESS" filed on behalf of Harbour Towne Associates, L.P. was discussed. A Public Hearing was held on this application on October 31, 2000, at which time action was deferred to allow time for the County to receive information from DelDOT regarding a traffic impact study and adequacy of the existing entrance. The record of the Public Hearing remained open for a period of two weeks following receipt of the information from DelDOT to permit the public to respond to the information received.

DelDOT's comments were that they have reviewed the traffic that will be generated by the proposed use and determined that a revised traffic study is not warranted. They withdraw their requirement as expressed in the comments from the Office of State Planning Coordination and stated that the entrance to the site was approved on December 8, 1999, for Savannah East. In other words, DelDOT endorsed the entrance and traffic information.

Mr. Lank reported that no comments were received from Mr. Press or Ms. Savage regarding information received from DelDOT.

The Planning and Zoning Commission held a Public Hearing on this application on October 12, 2000, at which time they recommended that the application be approved.

Mr. Rogers did not participate in this Public Hearing or in the discussion of the application on this date.

Councilmembers discussed deferring action until such time as Mr. Jones could participate in the vote.

M 600 00
Defer
Action
(C/Z
1417)

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to defer action on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-2 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.09 ACRES, MORE OR LESS" (Change of Zone No. 1417) filed on behalf of Harbour Towne Associates, L.P.

Motion Adopted: 3 Yea, 1 Absent, 1 Not Voting.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Absent;
Mr. Rogers, Not Voting

Funds for
Employee
Benefits
Committee
& DVFA

Mr. Stickels presented two checks to the President; one in the amount of \$2,000 to the Sussex County Employee Benefits Committee for the Mildred King Luncheon and one in the amount of \$2,000 to the Delaware Volunteer Firemen's Association for the annual Memorial Service. President Rogers will distribute both of these checks.

M 601 00
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to appropriate funds in an amount not to exceed \$300.00 from Mr. Rogers' Councilmanic Account to the Sussex County Fire Police Association for a Ceremonial County Flag.

Motion Adopted: 4 Yea, 1 Absent.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Jones, Absent;
Mr. Rogers, Yea

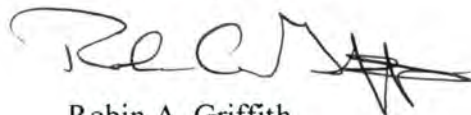
M 602 00
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 11:15 a.m. Motion Adopted by Voice Vote.

Christmas
Luncheon

The Sussex County Council and Sussex County employees attended the Mildred King Christmas Luncheon at the Cheer Center in Georgetown.

Respectfully submitted,



Robin A. Griffith
Clerk of the Council