

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 7, 1993

Call to Order The regular meeting of the Sussex County Council was held Tuesday, December 7, 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.

M 509 93 A Motion was made by Mr. Collins, seconded by Mr. Benson, to Approve Minutes approve the minutes of the previous meeting dated November 30, 1993. Motion Adopted by Voice Vote.

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

ANN B. LEE, CHEERLEADER MOTHER, POP WARNER CHEERLEADERS, LAUREL.
RE: Thank you letter to Mr. Dukes for recent donation.

GEORGETOWN FIRE COMPANY, INC., GEORGETOWN.
RE: Invitation to a Christmas Celebration on Monday, December 20, 1993, at 7:00 p.m.

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF AIR & WASTE MANAGEMENT, DOVER.
RE: (1) Legal Notice regarding the following Secretary's Orders: (a) Control of Volatile Organic Compound Emissions, (b) Control of Nitrogen Oxide Emissions, (c) Regulations Governing the Control of Air Pollution, (d) Control of Nitrogen Oxide Emissions and (e) Control of Volatile Organic Compound Emissions; (2) Legal Notice regarding Regulations Governing the Control of Air Pollution; (3) Notice of Public Hearing and Comment Period on a proposed low emission vehicle program to be recommended to the U.S. Environmental Protection Agency under Section 184(c) of the Clean Air Act.

Proposed Mr. Stickels, County Administrator, and Mr. Clendaniel of R. Agreement Calvin Clendaniel Associates discussed a Proposed Agreement (Architectural architectural engineering services for the alteration and Services) renovation of the old post office building located on The New Circle in Georgetown and an addition to the post office County structure of approximately 44,000 square feet. A fixed fee Adminis- of \$299,000 will be charged for these services, excluding tration reimbursable expenses not to exceed \$8,000. The estimated Building total area of both structures is 50,000 square feet. The completed structures will house the County's Administrative Offices. Cost estimates and a project schedule were reviewed with Council.

M 510 93 A Motion was made by Mr. Cole, seconded by Mr. Collins, that
Execute the Sussex County Council authorizes the Sussex County Council
Agreement President to execute an agreement between Sussex County, a
(Archi- political subdivision of the State of Delaware, and R. Calvin
tectural Clendaniel Associates for architectural engineering services
Services) for the alteration and renovation of the old post office
New building located on The Circle in Georgetown for a fixed fee
County of \$299,000 and reimbursable expenses not to exceed \$8,000.

Adminis- Motion Adopted: 5 Yea.
tration
Building

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

Settle- Mr. Stickels, County Administrator, advised Council that he
ment has been notified by the United States Postal Service that
Old settlement for the former post office building located on The
Post Circle in Georgetown will be postponed for approximately thirty
Office days. The time extension is needed in order that the State
Building Historic Preservation Officer has a chance to review the
covenants which are included in the Deed of Transfer.

Proposed Mr. Dukes introduced a Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY
RELATING TO AGRICULTURAL FARMLAND OF FIVE (5) ACRES OR MORE".
The Proposed Ordinance will be advertised for Public Hearing.

Staff Mr. Stickels, County Administrator, advised Council of the
Changes following Emergency Operations staff changes effective
Emergency December 16, 1993:

- Opera- tions
- (1) Glenn A. Gillespie from Acting Director of Emergency Preparedness and Acting Chief Dispatcher to Director of Emergency Preparedness and Chief Dispatcher.
 - (2) Elizabeth "Betty" Collins from Administrative Secretary to Assistant Director of Emergency Preparedness.
 - (3) Joseph L. Thomas from Dispatcher to Assistant Chief Dispatcher.

Congratulations were expressed to the three individuals.

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

1. Public Hearing Dates

Included with this report is a copy of the hearing dates for calendar year 1994 for the Board of Adjustment, Planning and Zoning Commission, and the Sussex County Council.

Adminis-
trator's
Report
(con't)

2. Holiday Schedule

County government offices will be closed Friday, December 24, 1993, and Monday, December 27, 1993, for the Christmas holiday. Offices will also be closed Friday, December 31, 1993, for the New Year holiday.

3. Public Hearing

The Sussex County Commercial, Industrial, and Agricultural Revenue Bond Review Committee will be meeting on Monday, December 20, 1993, at 10:00 a.m. in the Sussex County Council Chambers, Courthouse, Georgetown, Delaware. The purpose of the public meeting is to consider an application for the issuance of First State Poultry, Inc., revenue bonds. First State Poultry, Inc., a Delaware corporation, is considering \$1.5 million in tax-exempt revenue bond financing to purchase equipment and to construct an 11,200 square foot building on leased land at the Sussex County Industrial Park to process whole chicken breasts into boned, skinless breast meat for distribution to commercial markets. In addition to reviewing the application, the Committee will receive public comments at this time on the application.

Copies of the application may be inspected and written comments may be submitted in advance of the meeting by contacting Stephen T. Masten, Sr., Assistant Director of Economic Development, at (302) 855-7770.

Donation
of
Emergency
Vehicle

Mr. Stevenson, Paramedic Director; Mr. Dixon, President of the Sussex County Volunteer Ambulance Association; and Ms. Marvel, Assistant Director of the Sussex County Volunteer Ambulance Association, discussed a Proposed Memorandum of Agreement between Sussex County Council and the Sussex County Volunteer Ambulance Association. The Association has acquired a vehicle to be utilized for large scale medical emergencies and is seeking assistance for the equipping and on-going maintenance of the vehicle. Mr. Stevenson, Paramedic Director, recommended that the vehicle be donated to Sussex County. Sussex County would then be responsible for managing and utilizing the vehicle and, with the help of the State, stocking the vehicle. The Association has agreed to donate the vehicle to Sussex County Council for a Sussex County Emergency Response Unit, subject to conditions. Council will review the Proposed Memorandum of Agreement for action at the next meeting.

Public
Hearing
Delaware
Health
Corpor-
ation

At 10:49 a.m., a Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING \$32,000,000 HEALTHCARE FACILITY REVENUE BONDS (DELAWARE HEALTH CORPORATION)". Delaware Health Corporation, a Delaware nonprofit corporation, is requesting that the Sussex County Council give initial

Public Hearing (con't)

approval to the issuance of up to \$32,000,000 of tax-exempt bonds to finance the acquisition of Harbor Healthcare and Rehabilitation Center, a 179 bed nursing facility located in Lewes, Delaware, and Parkview Nursing Center, a 150 bed nursing facility located in Wilmington, Delaware. The proceeds of the bonds will be loaned to Delaware Health Corporation which will repay the loan at times and in amounts sufficient to pay all amounts due on the bonds. The Bonds will be limited obligations of Sussex County which would be payable solely from the revenues of Delaware Health Corporation derived from the two nursing facilities and will not be secured by the general credit or revenues of the County. Public comments were heard and responded to. The Public Hearing was closed.

M 511 93 A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to Adopt Ordinance No. 940 entitled "AN ORDINANCE AUTHORIZING \$32,000,000 HEALTHCARE FACILITY REVENUE BONDS (DELAWARE HEALTH CORPORATION)".

Motion Adopted: 5 Yea.

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

Agenda Item

The agenda item entitled "Hudson Pond Acres Street Lighting District" was tabled for one week.

Proposed Ordinance Pre-liminary and Final Plat Requirements

A Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 99, THE CODE OF SUSSEX COUNTY, RELATING TO PRELIMINARY AND FINAL PLAT REQUIREMENTS" was discussed. A Public Hearing was held on this Proposed Ordinance on August 31, 1993, at which time action was deferred. Mr. Schrader, Assistant County Attorney, reviewed the sections of the Delaware Code that were referenced by the opposition to the amendments regarding landscape architects and found that the statutes require the involvement of professional engineers and land surveyors where roads are involved. At this time the Delaware Code does not include landscape architects in the requirement. A revised Proposed Ordinance was recommended for approval by the Planning and Zoning Commission, with the revision as follows:

A. Plans shall show the seal and signature of a registered Delaware land surveyor or registered Delaware professional engineer, and shall be prepared at a minimum scale of one (1) inch equals one hundred (100) feet.

M 512 93 Adopt Ordinance No. 941

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Ordinance No. 941 entitled "AN ORDINANCE TO AMEND CHAPTER 99, THE CODE OF SUSSEX COUNTY, RELATING TO PRELIMINARY AND FINAL PLAT REQUIREMENTS", as amended.

Motion Adopted: 5 Yea.

M 512 93 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
(con't) Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Proposed Mr. Cole introduced a Proposed Ordinance entitled "AN ORDINANCE
Ordinance TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX 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 DAGSBORO
HUNDRED, SUSSEX COUNTY, CONTAINING 1.97 ACRES, MORE OR LESS"
(C/Z #1217) filed on behalf of David L. and Charlotte T. Larson.
The Proposed Ordinance will be advertised for Public Hearing.

Proposed Mr. Collins introduced a Proposed Ordinance entitled "AN
Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRI-
CULTURAL RESIDENTIAL DISTRICT FOR A PARTS STORAGE AND TRUCK
FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND
BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 9.90 ACRES,
MORE OR LESS" (C/U #1061) filed on behalf of Gregory P. Mitchell.
The Proposed Ordinance will be advertised for Public Hearing.

Proposed Mr. Dukes introduced a Proposed Ordinance entitled "AN ORDINANCE
Ordinance TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESI-
DENTIAL DISTRICT FOR AN OFFICE FOR AN EQUIPMENT LEASING COMPANY
TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN
BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 4.40 ACRES, MORE
OR LESS" (C/U #1062) filed on behalf of Excel Leasing Corporation.
The Proposed Ordinance will be advertised for Public Hearing.

M 513 93 A Motion was made by Mr. Cole, seconded by Mr. Collins, to give
Council- \$125.00 from Mr. Cole's Councilmanic Account to Brownie Troop 1172
manic of Ocean View to help sponsor a needy family during the Christmas
Grant 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 514 93 A Motion was made by Mr. Cole, seconded by Mr. Benson, to give
Council- \$500.00 from Mr. Cole's Councilmanic Account to Riders Across
manic America, Inc., in their effort to raise money for flood victims.
Grant

Motion Adopted: 5 Yea.

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

Corre- Mr. Cole read the following correspondence:
spondence

ANN DRUMMOND, PRESIDENT, VILLAGE IMPROVEMENT ASSOCIATION,
REHOBOTH BEACH.

Corre- RE: Thanking Mr. Cole for his Councilmanic Grant to help
spondence purchase Christmas decorations for the City of Rehoboth
(con't) Beach's Annual Christmas Islands Display.

M 515 93 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to
Council- give \$400.00, \$200.00 from Mr. Benson's Councilmanic Account and
manic \$200.00 from Mr. Stevenson's Councilmanic Account, to the 1994
Grant Miss Georgetown Pageant scholarship fund.

Motion Adopted: 5 Yea.

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

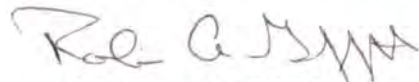
M 516 93 A Motion was made by Mr. Benson, seconded by Mr. Collins, to
Council- give \$300.00 from Mr. Benson's Councilmanic Account to the
manic Seashore Striders to help send twelve area children to the
Grant National Junior Olympic Cross Country Championships.

Motion Adopted: 5 Yea.

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

M 517 93 A Motion was made by Mr. Collins, seconded by Mr. Benson, to
Adjourn adjourn at 11:50 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council