

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-DECEMBER 11, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, December 11, 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 534 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:

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, USDA,
SUSSEX COUNTY OFFICE, GEORGETOWN
RE: The November newsletter.

THE TOWN COUNCIL, FENWICK ISLAND
RE: A copy of the Fenwick Island newsletter.

DENNARD HILL, PARADE CHAIRPERSON, DOWNTOWN SEAFORD ASSOCIATION
RE: Expressing gratitude for the monetary contribution to the Seaford Christmas Parade.

T. J. BROCK, SECRETARY, LAUREL POP WARNER, LAUREL
RE: Thanks for the check and support given the Laurel Pop Warner Football League.

Bid
Results
Pumping
Stations
Oceanway
Estates

Mr. Wood, County Engineer, reviewed the results of the bids that were opened on December 4, 1990 at 8:30 a.m. for Pumping Stations 100 and 10 for Oceanway Estates Force Main. The Pump Stations will service Oceanway Estates and the installation expense will be borne by the developer. The Engineering Department and Legal Department are evaluating the bids. Once the evaluation is completed, a recommendation for the successful bidder will be brought to the Council. At that time, the developer will be notified to establish an escrow account covering the costs.

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Bid
Results
(Con't.)

Bids and Bid Bonds for Pumping Stations 100 and 10, Oceanway Estates Force Main were recorded as follows:

Ernest J. Renda Contracting Co., Inc.	\$442,634.00
Mumford & Miller, Inc.	511,238.00
Willow Oak Construction Co.	533,533.00
L. A. Merrell Construction Co.	574,219.20
Daisey Construction Co.	577,280.00
Teal Construction Co.	597,500.00
Onshore Construction Co.	597,935.00
Lance J. Eller Construction Co.	729,187.50

Once the Oceanway Estates Force Main Pumping Stations are complete, ownership and maintenance will revert to the County.

Subdivi-
sion No.
88-9

The Plat Plan for Subdivision No. 88-9, L & W Country Estates, was submitted for approval. Allowing a General Residential subdivision consisting of one hundred and forty-six (146) lots and being located approximately five (5) miles from the nearest fire company without a fire hydrant or any planned program for fire protection was questioned. It was a consensus of Council that provisions for fire protection should have been made at the time of the installation of the central water system for the subdivision.

M 535 90
Subdivi-
sion
No. 88-9

A Motion was made by Mr. Benson, seconded by Mr. Cole, to send the Plat Plan for Subdivision No. 88-9, L & W Country Estates back to the Planning and Zoning Commission with the request that they review the water system. Motion Adopted: 4 Yea; 1 Nay.

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

M 536 90
Approve
Subdivi-
sion
No. 86-17

A Motion was made by Mr. Dukes, seconded by Mr. Benson, to approve the Plat Plan for Subdivision No. 86-17, Dogwood Estates. Motion Adopted: 5 Yea.

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

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M 537 90 A Motion was made by Mr. Dukes, seconded by Mr. Benson,
Approve to approve the Plat Plan for Subdivision No. 89-19, Piney
Subdivi- Neck Estates. Motion Adopted: 5 Yea.

No. 89-19 Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Dukes, Yea; Mr. Mariner, Yea;
Mr. Stevenson, Yea

C/Z #1097 Change of Zone No. 1097, filed on behalf of Charles R. and
Marie E. Bradley, was discussed. The Public Hearing was
held on November 27, 1990 and action was deferred.

M 538 90 A Motion was made by Mr. Dukes, seconded by Mr. Benson,
Adopt to Adopt Ordinance No. 738 entitled "AN ORDINANCE TO AMEND
Ordinance THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1
No. 738 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD
C/Z #1097 BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND
BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING
1.526 ACRES, MORE OR LESS" (C/Z #1097) filed on behalf of
Charles R. and Marie E. Bradley. Motion Adopted: 4 Yea;
1 Nay.

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

Findings The Council reviewed the findings and recommendations of
of Facts the Planning and Zoning Commission, which were incorporated
C/Z #1097 into the record. The Council reviewed the evidence which
was submitted to the County Council hearing, both in favor
of and in opposition to the proposed change of zone. After
considering the same, the Council found that the change
of zone was an appropriate legislative action based upon
its findings that the proposed land use promotes the health,
safety, morale, convenience, order, prosperity, and welfare
of the present and future inhabitants of Sussex County.
In particular, the Council found that the change of zone
will allow improvements to the pre-existing commercial use
on the parcel. The Council found that the rezoning could,
in fact, result in increased property values in the area.
The Council found that the rezoning would help to alleviate
an existing dangerous traffic situation. The Council found
that there has been a commercial use on the site for many
years, and the change of zone will not negatively affect
the surrounding area.

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Adminis-
trator's
Report

Mr. Stickels, County Administrator, and Mr. Lank, Director, Planning and Zoning, reviewed the recommendations made by the Planning and Zoning Commission for the Western Sussex Land Use Plan. As each recommendation was discussed, an apparent consensus was reached on several issues in the "Implementation" section of the Plan. Additional time will be required to continue the discussion and it will be placed on the Agenda again next week.

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

1. Courthouse Holiday Schedule - Sussex County offices will be closed on Monday, December 24, 1990, Tuesday, December 25, 1990, and Tuesday, January 1, 1991.
2. Paramedic Vehicles - The final bid for the two paramedic vehicles is \$38,769.00 per vehicle. Council had authorized the spending of up to \$41,032.00 at last week's Council meeting. The lower bid was accomplished by separating the package. Townsend Brothers, Inc. will be furnishing the vehicles at a price of \$22,487.00 per vehicle. Diamond State will provide the conversion package at \$16,282.00 per vehicle. By separating the bids, we were able to save \$4,526.00 on the two vehicles.

Proposed
Ordinance
Amend
Chapter
115

Mr. Stevenson introduced Proposed Ordinance entitled "AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, DELAWARE, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 69, TITLE 9, DELAWARE CODE. This Proposed Ordinance will be advertised for a Public Hearing.

M 539 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to give \$400.00, from Mr. Mariner's Councilmanic Account, to Millsboro Public Library, to help in purchasing books. Motion Adopted: 5 Yea.

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

M 540 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to give \$400.00, from Mr. Mariner's Councilmanic Account, to Laurel Senior Center, Inc., to assist in the purchase of a safe for their Center. Motion Adopted: 5 Yea.

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

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M 541 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to give \$300.00, from Mr. Mariner's Councilmanic Account, to Millsboro Hut, Inc., to help with electrical work and outside renovations needed for the building that houses the Scouting activities. Motion Adopted: 5 Yea.

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

M 542 90
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$700.00, from Mr. Dukes' Councilmanic Account, to Laurel Chamber of Commerce, \$200.00 for the Christmas parade and \$500.00 for Christmas lighting. Motion Adopted: 5 Yea.

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

Borrow
Pit
Question

A question about the equipment being used at the Stockley borrow pit was raised. Mr. Lank, Director of Planning and Zoning, determined it was a legal use in accordance with our Comprehensive Zoning Ordinance. The opponents to the use of the equipment, have filed an appeal with the Board of Adjustment.

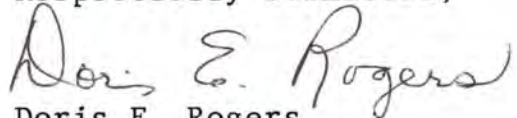
Political
Signs

Political signs still in the area were discussed. This will be investigated.

M 543 90
Adjourn

A Motion was made by Mr. Benson, seconded by Mr. Dukes, to adjourn at 12:15 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council