

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 16, 1997

Call to Order The regular meeting of the Sussex County Council was held Tuesday, December 16, 1997, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
George J. Collins	Vice President
George B. Cole	Member
Finley B. Jones	Member
Lynn J. Rogers	Member

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

M 614 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to Approve Agenda approve the Agenda, as presented. Motion Adopted by Voice Vote.

M 615 97 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Approve Minutes approve the minutes of the previous meeting, dated December 9, 1997.

Motion Adopted: 4 Yea, 1 Absent.

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

Mr. Cole joined the meeting at this time.

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

MICHAEL MCGRATH, DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION, DOVER, DELAWARE.

RE: Notice of meeting at which the County's application for an Agricultural Preservation District will be given final consideration by the Delaware Agricultural Lands Preservation Foundation.

SUSSEX COUNTY ALLEY CATS, GEORGETOWN, DELAWARE.

RE: Request for funding.

DELAWARE DIAMONDS, GEORGETOWN, DELAWARE.

RE: Request for funding.

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.

RE: Notice of Commission Meeting and Public Hearing.

Corre-
spondence
(con't)

DIVISION OF AIR & WASTE MANAGEMENT, DEPARTMENT OF NATURAL
RESOURCES AND ENVIRONMENTAL CONTROL, DOVER, DELAWARE.
RE: Notice of Public Hearing on the 1999 Rate-of-Progress-
Plan.

JANET REGAN, MILLVILLE, DELAWARE.
RE: Petition for a noise ordinance in Sussex County.

SUSAN LLOYD, EXECUTIVE DIRECTOR, DELAWARE HOSPICE, GEORGETOWN,
DELAWARE.
RE: Letter in appreciation of Human Service Grant.

JOSEPH DUFFY, EXECUTIVE DIRECTOR, BIG BROTHERS BIG SISTERS OF
DELAWARE, INC., GEORGETOWN, DELAWARE.
RE: Letter in appreciation of Human Service Grant.

KATHY D. MINOR, EXECUTIVE DIRECTOR, INTERFAITH MISSION OF
SUSSEX COUNTY, INC., GEORGETOWN, DELAWARE.
RE: Letter in appreciation of Human Service Grant.

GAIL D. OLSEN, DIRECTOR, THE PIONEER CLUB OF SUSSEX COUNTY/
VISUALLY IMPAIRED, GEORGETOWN, DELAWARE.
RE: Letter in appreciation of Human Service Grant.

JUDI TULAK, DELAWARE HOSPICE, GEORGETOWN, DELAWARE.
RE: Letter in appreciation of Human Service Grant.

RICH POKORNY, HOME OF THE BRAVE FOUNDATION, LINCOLN, DELAWARE.
RE: Letter in appreciation of Human Service Grant.

CAROL LEWIS, SUSSEX COUNTY EMPLOYEES BENEFIT COMMITTEE,
GEORGETOWN, DELAWARE.
RE: Request for funds for the "Needy Families Outreach".

Letter
of Resig-
nation/
Donald
Ralph

Council was advised of a letter of resignation received
from Donald T. Ralph, Planning & Zoning Commission member.
In his letter, Mr. Ralph explained that his resignation is
due to his declining health. Mr. Ralph was first appointed
to the Planning & Zoning Commission in July, 1979.

Appoint-
ment

Mr. Collins recommended that John J. Hastings complete the
term of Donald T. Ralph on the Planning & Zoning Commission.

M 616 97
Appoint-
ment to
Planning
and
Zoning
Com-
mission

A Motion was made by Mr. Collins, seconded by Mr. Jones, to
appoint John J. Hastings to fill the Planning & Zoning
Commission seat vacated by Donald T. Ralph.

Motion Adopted: 4 Yea, 1 Abstention.

Vote by Roll Call: Mr. Cole, Abstained; Mr. Rogers, Yea;
Mr. Jones, Yea; Mr. Collins, Yea;
Mr. Dukes, Yea

M 617 97 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to
Adopt Adopt the Proclamation entitled "HONORING BRAXTON G. BELL,
Procla- NATIONAL PRESIDENT OF RURITAN".
mation

Motion Adopted: 5 Yea.

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

Proposal Mr. Stickels, County Administrator, discussed a Contract of
to Sale between the Town of Milton and Sussex County for the
Purchase property known as the Milton Civic Center, Parcel 182 of
Milton Sussex County Tax Map 2-35-14.19, located at 123 Union
Civic Street, containing approximately 11,050 square feet of
Center land, in the Town of Milton, Sussex County, Delaware. The
purchase price, in the amount of \$25,000, will come from
the State Revolving Fund. This purchase will enable the
County to expand the Milton Library.

M 618 97 A Motion was made by Mr. Rogers, seconded by Mr. Collins, to
Authorize authorize the purchase of the property known as the Milton
Purchase Civic Center for the amount of \$25,000.

of
Milton Motion Adopted: 5 Yea.
Civic
Center

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

Extended Mr. Stickels, County Administrator, discussed the limited
Hours amount of activities that take place during extended Wednesday
hours. Due to the lack of activity, Mr. Stickels recommended
that Wednesday hours be amended; from 7:30 a.m. - 7:30 p.m.
to 8:30 a.m. - 6:00 p.m.; the Clerk of the Peace will determine
the hours for his office. Wednesday hours will be reconsidered
in June, 1998. It was the consensus of Council to support Mr.
Stickels recommendation. The new hours will begin January 7,
1998; extended hours will not be observed on December 24 and 31,
1997.

Legis- Mr. Stickels, County Administrator, requested Council's support
lation to lobby for legislation which would allow the County to submit
a minimum bid requirement for monition tax sales and/or allow
the County to reject any and all bids received.

M 619 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Authorize authorize the County Administrator to obtain legislation re-
Legis- lating to minimum bids and rejection of bids for monition tax
lation sales.

Motion Adopted: 5 Yea.

M 619 97 (con't) Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea; Mr. Collins, Yea;
Mr. Dukes, Yea

Surplus Government Property Mr. Stickels, County Administrator, advised Council of a Notice of Surplus Determination - Government Property received from the Property Disposal Division. The property, identified as Mispillion River Light, Milford, Delaware, has been determined to be surplus government property. The property is located off County Road 203 in Milford where Mispillion River empties into the Atlantic Ocean.

M 620 97 Notify Property Disposal Division of County's Position on Surplus Property A Motion was made by Mr. Collins, seconded by Mr. Jones, to authorize the County Administrator to notify the Property Disposal Division that Sussex County is not interested in the Mispillion River Light property and Sussex County encourages the State of Delaware to consider acquiring the property for the Parks & Recreation Department.

Motion Adopted: 5 Yea.

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

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

1. Carolling on The Circle

Included with this report is a list of the donors who made Carolling on The Circle on Monday, December 8, 1997, the most successful ever in 14 years. To date, 27,282 items of food have been collected. These items will be distributed to benefit Sussex County residents. I would like to thank the Committee members--Harvey Gregg, Robin Griffith, Dale McDowell, Diana Pettyjohn, Kevin Short, Helen Walls, and Ray Webb--for their help with this production.

2. Extended Hours

The following activities took place on Wednesday, December 3, 1997:

- (a) Assessment/Planning and Zoning - No activity from 7:30 to 8:30 a.m., one tax release and four building permits issued from 4:30 to 7:30 p.m.
- (b) Utility Division - No activity.
- (c) Planning and Permits - No activity from 7:30 to 8:30 a.m., one building permit approved from 4:30 to 7:30 p.m.

Adminis-
trator's
Report
(con't)

- (d) Treasury Division - No activity.
- (e) Recorder of Deeds - No activity from 7:30 to 8:30 a.m., two public information requests and three document recordings from 4:30 to 7:30 p.m.
- (f) Clerk of the Peace - Two marriage licenses issued and one wedding performed from 4:30 to 7:30 p.m.

3. Holiday Schedule

County government offices, including the libraries, will be closing at 1:00 p.m. on Wednesday, December 24, 1997, for the starting of the Christmas holidays. Office will reopen at 8:30 a.m. on Monday, December 29, 1997. There will not be a Council meeting on Tuesday, December 23, 1997. The next regularly scheduled meeting will be Tuesday, December 30, 1997, at 12:00 noon in the Council Chambers. Offices will close at 4:30 p.m. on Wednesday, December 31, 1997, and reopen at 8:30 a.m. on Friday, January 2, 1998.

Old
Business
(C/Z
No. 1318)

Change of Zone No. 1318 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 6.75 ACRES, MORE OR LESS" filed on behalf of Sirman D. and Anna M. McAllister, Trustee, was discussed. A Public Hearing was held on this application on December 2, 1997, at which time the Public Hearing was recessed. The Public Hearing was reopened; there were no public comments. Mr. Lank, Director of Planning & Zoning, advised of a letter from the applicants requesting permission to withdraw their application.

M 621 97
Authorize
Withdraw
of C/Z
No. 1318

A Motion was made by Mr. Collins, seconded by Mr. Jones, authorizing the withdrawal of Change of Zone No. 1318 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 6.75 ACRES, MORE OR LESS" filed on behalf of Sirman D. and Anna M. McAllister, Trustee.

Motion Adopted: 5 Yea.

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

M 622 97
Council-
manic
Grant

A Motion was made by Mr. Collins, seconded by Mr. Jones, to give \$500.00, \$100.00 from each Councilmanic Account, to the Sussex County Employees Benefit Committee for the Needy Family Outreach.

M 622 97 Motion Adopted: 5 Yea.
(con't)

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

Public
Hearing/
CDBG
Program

A Public Hearing was held to give all citizens an opportunity to participate in the development of an application to the State of Delaware Community Development Block Grant Program for a grant under the provisions of the Community Development Act of 1977. The primary objective of the Community Development Program is the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.

Mr. Stickels, County Administrator, advised that Sussex County will be applying for \$1,900,000. A Proposed Resolution entitled "ENDORISING PROJECTS TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING ROBERT L. STICKELS, COUNTY ADMINISTRATOR, TO SUBMIT APPLICATIONS". The Proposed Resolution lists the following projects to be submitted to the State of Delaware Division of Housing for funding:

Application No. 1:

Rural Middleford	\$ 30,000	Housing Rehab
Rural Selbyville	28,840	Housing Rehab/Hookups
Rural Dagsboro/Millsboro	105,000	Housing Rehab
Scatter Site	285,000	Housing Rehab
	118,160	Hookups
Pine Town/New Hope	40,000	Septic
Administration	<u>93,000</u>	
Total	700,000	

Application No. 2:

Milford	59,726	Housing Rehab
	70,274	Infrastructure

Application No. 3:

Greenwood	52,000	Housing Rehab
	317,600	Infrastructure

Application No. 4:

Bridgeville	75,000	Housing Rehab
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Public
Hearing/
CDBG
Program
(con't)

Application No. 5:

Georgetown	9,000	Demo
	26,000	Code Enforcement

Application No. 6:

Milton	21,722	Housing Rehab
	58,278	Infrastructure

Application No. 7:

Laurel	135,000	Housing Rehab
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Application No. 8:

Frankford	75,000	Housing Rehab
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Application No. 9:

Millsboro	48,000	Housing Rehab
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Application No. 10:

Selbyville	48,000	Housing Rehab
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Application No. 11:

Rehoboth Beach (West Rehoboth)	65,500	Infrastructure/Hookups
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Application No. 12:

Seaford	135,000	Housing Rehab
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Application No. 13:

Blades	50,000	Housing Rehab/Demo
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Application No. 14:

Dagsboro	45,000	Housing Rehab
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There were no public comments and the Public Hearing was closed.

M 623 97
Adopt
Resolu-
tion No.
R 039 97

A Motion was made by Mr. Cole, seconded by Mr. Collins, to Adopt Resolution No. R 039 97 entitled "ENDORISING PROJECTS TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING ROBERT L. STICKELS, COUNTY ADMINISTRATOR, TO SUBMIT APPLICATIONS".

M 623 97 Motion Adopted: 5 Yea.
(con't)

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

Recess At 11:10 a.m., Mr. Dukes declared a five minute recess.

Reconvene Mr. Dukes called Council back into session at 11:17 a.m.

Public Hearing/ Issuance of General Obligation Debt/ Phase A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION DEBT OF SUSSEX COUNTY TO EXPAND THE WASTEWATER COLLECTION SYSTEM TO PROVIDE SEWER SERVICES FOR THE AREAS IN PHASE III OF THE WEST REHOBOTH EXTENSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT; AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH". Adoption of this Proposed Ordinance would authorize a low interest loan, in an amount up to \$12,000,000, from the State Revolving Fund to finance a portion of the cost of the design, construction, and equipping of Phase III of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. The loan will be for a 21-year term; the interest rate will be approximately 3.21%. Mr. Baker highlighted the advantages of the SRF Loan versus a public offering of bonds: a lower interest rate; one-year interest-only period; lower closing costs. Those in attendance to discuss the Proposed Ordinance were Mr. Gefaell of Corby Northbridge; Mr. McDowell of Potter, Anderson & Corroon; Mr. Deputy of the Department of Natural Resources and Environmental Control; and Mr. Bozick of George, Miles & Buhr. Public comments were heard; comments centered around the system selected for Phase III and proposed calculations and fees. The Public Hearing was closed.

M 624 97 Adopt Ordinance No. 1190 A Motion was made by Mr. Collins, seconded by Mr. Jones, to Adopt Ordinance No. 1190 entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION DEBT OF SUSSEX COUNTY TO EXPAND THE WASTEWATER COLLECTION SYSTEM TO PROVIDE SEWER SERVICES FOR THE AREAS IN PHASE III OF THE WEST REHOBOTH EXTENSION OF THE DEWEY BEACH SANITARY SEWER DISTRICT; AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH".

Motion Adopted: 5 Yea.

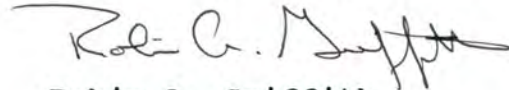
Vote by Roll Call: Mr. Cole, Yea; Mr. Rogers, Yea;
Mr. Jones, Yea; Mr. Collins, Yea;
Mr. Dukes, Yea

Announcement/ Councilman George Collins Mr. Collins announced that he will not seek a third term for the 5th Councilmanic District. Mr. Collins is presently serving his second term; he was elected in 1990 and reelected in 1994. Mr. Collins and his wife, Marlene, plan to pursue their interest in traveling abroad.

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M 625 97 A Motion was made by Mr. Collins, seconded by Mr. Jones, to
Adjourn adjourn at 12:38 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council