

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-DECEMBER 18, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, December 18, 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 544 90
Approval
of 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:

LAKE BETHANY COMMUNITY ASSOCIATION
RE: 1990 Winter Newsletter dated December 14, 1990.

DELAWARE NATURE SOCIETY, HOCKESSIN, DELAWARE
RE: Delaware Nature Society News for Fall, 1990.

DELAWARE DEPARTMENT OF TRANSPORTATION
RE: The Sussex East-West Corridor Study Newsletter for November, 1990. (Mr. Stickels, County Administrator, reported that he is attempting to schedule a meeting for Council in January of 1991 with State Senator Thurman Adams, Jr., Representative J. Benjamin Ewing, and Secretary of Transportation Kermit H. Justice regarding this study.)

Public
License
Agreement/
Enhanced
911 Center

Mr. Carey, Director of Emergency Preparedness, appeared before Council in reference to the Public License Agreement for operation of the Enhanced 911 Emergency Reporting Center between the State of Delaware and the Sussex County Council which will expire December 31, 1990. The State is requesting extension of the existing agreement for a period not to exceed two (2) years. Sussex County has experienced no problems with this agreement to date.

M 545 90
Extend
Public
License
Agreement/
Enhanced
911 Center

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to extend the present Public License Agreement between the State of Delaware and the Sussex County Council for operation of the Enhanced 911 Emergency Reporting Center for a period of two (2) years, December 31, 1990 to December 31, 1992. Motion Adopted: 5 Yea.

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M 545 90
(Continued)

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

Proposed
Ordinance/
Mobile Home
Use and
Setbacks

Mr. Lank, Director of Planning and Zoning, reviewed for Council the provisions of Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO AMEND ZONING PROVISIONS REGARDING MOBILE HOME USE AND SETBACKS IN TRAILER PARKS OR MOBILE HOME PARKS".

Proposed
Ordinance/
Mobile Home
Use and
Setbacks

Mr. Stevenson introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO AMEND ZONING PROVISIONS REGARDING MOBILE HOME USE AND SETBACKS IN TRAILER PARKS OR MOBILE HOME PARKS". This Proposed Ordinance will be advertised for a Public Hearing.

Change
Orders/
Long Neck
Sanitary
Sewer
District

Mr. Green, Chief of Utility Construction, County Engineering Department, appeared before Council regarding change orders for the Long Neck Sanitary Sewer District, along with Mr. Albert W. Madora, Senior Vice-President of Kidde Consultants, Inc. (Inspection Engineer for the project), who was very instrumental in the preparation of same. The change orders relate to Soil Compaction and Concrete Cylinder Testing and the Relocation of Pump Stations to areas where easements are more accessible to the County in the Long Neck Sanitary Sewer District.

M 546 90
Authorize
Change
Order/
Long Neck
Sanitary
Sewer
District

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, that based on the recommendation of the Inspection Engineer, Kidde Consultants, Inc., and the Sussex County Engineering Department, the Sussex County Council authorize the President of the Sussex County Council to issue Change Order No. 3 for the Long Neck Sanitary Sewer District, Contract No. 6, to L. A. Merrell Construction Co., Inc. for Soil Compaction and Concrete Cylinder Testing for an additional amount of \$5,870.35, increasing this contract amount to \$5,188,804.17. Motion Adopted: 5 Yea.

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

M 547 90
Authorize
Change
Order/
Long Neck
Sanitary
Sewer
District

A Motion was made by Mr. Benson, seconded by Mr. Dukes, that based on the recommendation of the Inspection Engineer, Kidde Consultants, Inc., and the Sussex County Engineering Department, the Sussex County Council authorize the President of the Sussex County Council to issue Change Order No. 2 for the Long Neck Sanitary Sewer District, Contract No. 4, to Teal Construction, Inc. for Relocation of Pump Station

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M 547 90
(Continued)

Nos. 70, 71, and 79 for an additional amount of \$8,130.27, increasing this contract amount to \$4,318,440.27. Motion Adopted: 5 Yea.

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

M 548 90
Authorize
Change
Order/
Long Neck
Sanitary
Sewer
District

A Motion was made by Mr. Dukes, seconded by Mr. Benson, that based on the recommendation of the Inspection Engineer, Kidde Consultants, Inc., and the Sussex County Engineering Department, the Sussex County Council authorize the President of the Sussex County Council to issue Change Order No. 1 for the Long Neck Sanitary Sewer District, Contract No. 5, to Renda Contracting Co., Inc. for Relocation of Pump Station Nos. 81 and 82 for an additional amount of \$18,659.55, increasing this contract amount to \$2,199,754.55. Motion Adopted: 5 Yea.

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

Private
Activity
Bond
Volume
Cap for
1990

Mr. Stickels, County Administrator, reported that a letter has been received from Stephen T. Golding, Secretary of Finance, State of Delaware, dated December 10, 1990, regarding Reassignment of Remaining 1990 Volume Cap Allocation. In order to maximize usage of its Private Activity Bond Volume Cap for 1990, the State is suggesting that any portion of the Volume Cap assigned to Sussex County which will not be allocated either to a qualified project prior to year-end or identified as eligible for carryforward be reassigned to the Delaware State Housing Authority for the purpose of issuing single family mortgage bonds at a future date. The State assigned \$15,000,000 to Sussex County for Industrial Revenue Bonds in 1990. The funds are restricted to manufacturing only and there are no applications pending in Sussex County at this time. Another \$15,000,000 will be allocated to Sussex County as of January 1, 1991 for qualified projects.

M 549 90
Authorize
Reassign-
ment of
Private
Activity
Bond Volume
Cap for
1990

A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council authorize the reassignment of the unused Private Activity Bond Volume Cap for 1990 in the amount of \$15,000,000 to the Delaware State Housing Authority for the purpose of issuing single family mortgage bonds. 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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Blood
Pressure
Screenings
Offered
by Sussex
County
Paramedic
Office

Mr. Stickels, County Administrator, advised Council that the Sussex County Paramedic Office will be offering Blood Pressure Screening in the Lobby at the Market Street entrance of the Sussex County Courthouse for County employees and the general public on Thursday, December 27, 1990 from 10:00 a.m. to 2:00 p.m. Sussex County Paramedics will also be providing Blood Pressure Screening on Wednesday, December 19, 1990 at Southern States in Dagsboro from 10:00 a.m. to 1:00 p.m. The screenings are being conducted in conjunction with the American Heart Association.

Board of
Directors
Meeting/
Delaware
Solid
Waste
Authority

Mr. Stickels, County Administrator, reported that the Board of Directors of the Delaware Solid Waste Authority will be meeting on December 18, 1990 at 5:00 p.m. in the Conference Room of the Delaware Reclamation Plant at 1101 Lambson Lane, New Castle, Delaware. Discussion is anticipated regarding the possible operation of an incinerator at the Southern Solid Waste Facility in Sussex County, due to the fact that a study is to be completed by December 31, 1990 regarding this issue. Mr. Izzo, Assistant County Engineer, will be representing Sussex County at this meeting.

Seaford
Earth Day
Committee/
Town of
Laurel

Councilman Dukes reported that he recently attended a meeting of the Seaford Earth Day Committee and commended the committee for taking the initiative and working together to protect the environment of Sussex County. In addition, the Town of Laurel has developed a Recycling Program for which it is to be commended as well.

Recycle
Delaware
Centers

On the subject of recycling, Mr. Stickels, County Administrator, informed Council that the County's Transfer Stations were not included in the first fifteen (15) Recycle Delaware Centers established by the Delaware Solid Waste Authority. It is hoped the Delaware Solid Waste Authority will take advantage of the County's strategically located Transfer Stations for use as Recycle Delaware Centers in selecting the next fifteen (15) sites to be established.

Proposed
Ordinance
C/U #958

Mr. Benson introduced Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A THREE HUNDRED TWENTY-FIVE FOOT (325') RADIO TOWER ANTENNA TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.23 ACRES, MORE OR LESS" (C/U #958) filed on behalf of Dennis N. O'Neal. This Proposed Ordinance will be advertised for a Public Hearing.

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Proposed
Ordinance
C/Z #1111

Mr. Mariner introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 39,763 SQUARE FEET, MORE OR LESS" (C/Z #1111) filed on behalf of Jessie Armwood, Jr. This Proposed Ordinance will be advertised for a Public Hearing.

Proposed
Ordinance
C/Z #1112

Mr. Stevenson introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 6.5 ACRES, MORE OR LESS" (C/Z #1112) filed on behalf of Curtis Alston Harmon. This Proposed Ordinance will be advertised for a Public Hearing.

Proposed
Ordinance
C/Z #1113

Mr. Mariner introduced Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.9 ACRES, MORE OR LESS" (C/Z #1113) filed on behalf of Maplewood Industries, Inc. This Proposed Ordinance will be advertised for a Public Hearing.

M 550 90
Councilmanic
Grant/
Millsboro
Little
League,
Inc.

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to grant \$200.00 (from Mr. Mariner's Councilmanic Account) to Millsboro Little League, Inc. for operation expenses. Motion Adopted: 5 Yea.

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

M 551 90
Councilmanic
Grant/
Millsboro
Historical
Society

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to grant \$600.00 (from Mr. Mariner's Councilmanic Account) to the Millsboro Historical Society for the Godwin School Restoration Project. Motion Adopted: 5 Yea.

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

M 552 90
Councilmanic
Grant/Town
of Laurel

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to grant \$300.00 (from Mr. Mariner's Councilmanic Account) to the Town of Laurel for the Laurel Park and Recreation

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M 552 90 Committee's sponsoring of the 4th of July Fireworks Display.
(Continued) Motion Adopted: 5 Yea.

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

M 553 90 A Motion was made by Mr. Mariner, seconded by Mr. Stevenson,
Councilmanic to grant \$300.00 (from Mr. Mariner's Councilmanic Account)
Grant/ to the Laurel Alumni Association towards providing
Laurel scholarships for graduates. Motion Adopted: 5 Yea.
Alumni

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

Recess Council President Stevenson declared a five (5) minute recess
at 10:55 a.m.

Reconvene Council reconvened at 11:05 a.m.

Public A Public Hearing was held on Proposed Ordinance entitled
Hearing/ "AN ORDINANCE TO AMEND CHAPTER 80 OF THE CODE OF SUSSEX
Lot COUNTY, DEALING WITH LOT MAINTENANCE, TO IMPOSE PENALTIES
Maintenance FOR VIOLATIONS OF SAID CHAPTER". The Public Hearing was
closed.

M 554 90 A Motion was made by Mr. Cole, seconded by Mr. Stevenson,
Adopt to adopt Ordinance No. 739, As Amended, entitled "AN ORDINANCE
Ordinance TO AMEND CHAPTER 80 OF THE CODE OF SUSSEX COUNTY, DEALING
No. 739, WITH LOT MAINTENANCE, TO IMPOSE PENALTIES FOR VIOLATIONS
As Amended OF SAID CHAPTER". Motion Adopted: 3 Yea; 2 Nay.
(Lot

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

Continued Mr. Lank, Director of Planning and Zoning, appeared before
Review of Council to continue review of the proposed Western Sussex
Western Land Use Plan as prepared by Whitman, Requardt and Associates.
Sussex Discussion began with Page 45 of the proposed plan and
Land Use included the following topics: Transportation Issues and
Plan Major Arterial Corridor Preservation; Groundwater Supply
and Wastewater Treatment and Disposal; Public Facilities
and Services; Zoning Ordinance; and Subdivision Regulations.

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Recess

At 12:04 p.m., Council President Stevenson declared a recess until 1:30 p.m.

Reconvene

Council reconvened at 1:47 p.m.

Western
Sussex
Land Use
Plan Review
Concluded

Upon conclusion of Council's review of the proposed Western Sussex Land Use Plan, Mr. Lank, Director of Planning and Zoning, was instructed to incorporate the suggested revisions in final form for Council's consideration at its next meeting on Thursday, December 27, 1990.

M 555 90
Adjournment

A Motion was made by Mr. Dukes, seconded by Mr. Benson, to adjourn at 2:36 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,

Susan W. Webb

Susan W. Webb
Acting Clerk of the County Council