



Sussex County Council Agendas & Minutes

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 19, 2006

Call to Order

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, December 19, 2006 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
Finley B. Jones, Jr.	Member
Vance Phillips	Member
David Baker	County Administrator
Susan M. Webb	Finance Director
Rebecca Triffilis	Assistant County Attorney

M 822 06 Approve Agenda

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to amend the Agenda by deleting the grant requests from the Town of Dewey Beach and the Cape Henlopen High School and by deleting "Introduction of Proposed Zoning Ordinances" and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

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

M 823 06 Approve Minutes

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to approve the minutes of November 30, 2006.

Motion Adopted: 5 Yeas.

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

Corre- spondence

Mr. Griffin read the following correspondence:

JOSEPH'S STOREHOUSE, DAGSBORO CHURCH OF GOD,

DAGSBORO, DELAWARE.

RE: Letter in appreciation of the Council's donation to the Emergency Food Pantry.

SUSSEX FAMILY YMCA, REHOBOTH BEACH, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

**Corre-
spondence
(continued)**

HUDSON HEALTH SERVICES, INC., SALISBURY, MARYLAND.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

DELAWARE AGRICULTURAL MUSEUM AND VILLAGE, DOVER, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

FOOD BANK OF DELAWARE, NEWARK, DELAWARE.

RE: Letter in appreciation of the Council's \$500.00 grant.

DELAWARE NATURE SOCIETY, HOCKESSIN, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

GEORGETOWN BOYS & GIRLS CLUB, GEORGETOWN, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

KINFOLK, WILMINGTON, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

KENT-SUSSEX INDUSTRIES, MILFORD, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

DIAMOND STATE COMMUNITY LAND TRUST, DOVER, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

BRIDGEVILLE SENIOR CENTER, BRIDGEVILLE, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

DELAWARE GUIDANCE SERVICES FOR CHILDREN & YOUTH, INC., WILMINGTON, DELAWARE.

RE: Letter thanking the Council for funds received through the Human

Service Grant Program.

DELAWARE ECUMENICAL COUNCIL ON CHILDREN AND FAMILIES, WILMINGTON, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

**Corre-
spondence
(continued)**

CAPE HENLOPEN SENIOR CENTER, REHOBOTH BEACH, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

DELAWARE MUSIC SCHOOL, MILFORD, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

INDIAN RIVER SENIOR CENTER, MILLSBORO, DELAWARE.

RE: Letter thanking the Council for funds received through the Human Service Grant Program.

**Council
Technology
Report and
Demon-
stration**

As a result of the Council's interest in paperless packets and access to additional information during Council meetings, the County's Information Systems staff has come up with a proposal to provide touch-screen monitors/PCs for each Councilman at the Council table. Currently, one touch-screen monitor/PC has been purchased for demonstration purposes.

Eddie Sparpaglione gave a demonstration on what information could be accessed by the Councilmen during meetings, including digital maps – aerial land use and zoning maps, tax information, press packets, and information distributed to the Council by mail prior to a meeting being held. Mr. Sparpaglione reported that the estimated cost of this equipment is \$20,000.00, which includes touch-screen monitors for each Councilman, computers for Mr. Baker and Mrs. Webb, and a projection monitor and screen for audience viewing. Mr. Sparpaglione stated that, once proposals have been obtained, he would report back to the Council with an implementation schedule.

**M 824 06
Approve
Purchase
of Computer
Equipment**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, that the Sussex County Council authorizes the Information Systems Department to proceed with the purchase of computer equipment to be placed in the Council Chambers for use by the Sussex County Council, the Planning and Zoning Commission, and the Board of Adjustment.

Motion Adopted: 5 Yeas.

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

**Adminis-
trator's
Report**

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

1. **Jeffrey C. Shockley – Certified Floodplain Manager**

We are pleased to announce that Jeffrey C. Shockley, CFM, our Environmental Planner in the Planning and Zoning Department, has successfully completed an exam to become a Certified Floodplain Manager. The exam by the Association of State Floodplain Managers covers programs and standards regarding flooding issues. It is my understanding that Jeff is now one of three Certified Floodplain Managers in the State of Delaware. We wish to congratulate Jeff on this important accomplishment.

2. **Holiday Schedule**

Due to the Christmas and New Year holidays, the next scheduled meeting of the Sussex County Council will occur on January 9, 2007, at 6:30 p.m. Prior to the January 9 County Council meeting, a swearing-in ceremony will occur at 5:30 p.m. in the County Council Chambers.

Sussex County offices will be closed on Monday, December 25, and Tuesday, December 26, 2006, for the Christmas holiday. Offices will reopen at 8:30 a.m. on Wednesday, December 27, 2006. Offices will also be closed on Monday, January 1, 2007, for the New Year's Day holiday and will reopen on Tuesday, January 2, 2007, at 8:30 a.m.

We would like to take this opportunity to wish everyone a Merry Christmas and Happy New Year.

3. **Annual Food Drive**

The County's annual food drive to help needy Sussex County families has received approximately 27,000 food items to be distributed to 11 food County Administrator's Report pantries in Sussex County. We would like to thank everyone who has contributed to this effort to help many families in our community.

**Land
Acquisition
Proposal**

Mr. Izzo, County Engineer, presented a land acquisition proposal for a 7.6 acre parcel of land adjacent to the Bridgeville Landfill site. The 7.6 acre parcel is currently part of a 95 acre parcel owned by O. A. Newton & Son Co., who are proposing a new development on that property. The County contacted the landowner, advising them of the County's interest in purchasing the property for the purpose of providing a buffer to the landfill site. Mr. Izzo advised that the County had an appraisal performed on the 7.6 acres; the property was appraised at \$15,000.00 per acre. The County made an offer to the landowner at the appraised value (approximately \$115,000.00) and they accepted the offer.

M 825 06
Approve
Purchase
of Land
Adjacent to
Landfill

A Motion was made by Mr. Jones, seconded by Mr. Phillips, that the Sussex County Council approves the purchase of 7.68 acres of land adjacent to the Bridgeville Landfill, in accordance with the contract of sale with O. A. Newton & Son Co. and authorizes the Assistant County Attorney to complete the transfer of the properties.

M 825 06
(continued)

Motion Adopted: 5 Yeas.
Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea

Miller
Creek
SSD
Collection
and
Conveyance
Project/
Bid Results

Mr. Izzo reported on the Bid Results for Sussex County Project No. 06-01B, Miller Creek Sanitary Sewer District Collection & Conveyance, as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Bid Alternate With Asphalt Index</u>
American Paving Corp Salisbury, Maryland	\$3,028,981.20	\$3,028,981.20
R.E. Pierson Construction Co. Pine Grove, NJ	\$3,218,870.00	\$3,218,870.00
Joao & Bradley Construction Co. Bethlehem, PA	\$3,511,395.00	\$3,645,000.00
Teal Construction Dover, DE	\$3,660,000.00	\$3,645,000.00
Underground Utilities Corp. Linden, NJ	\$3,650,590.00	\$3,650,590.00
Pact Construction Inc. Ringoos, NJ	\$3,668,170.00	\$3,645,895.00
Bunting & Murray Construction Corp. Selbyville, DE	\$3,813,243.23	\$3,799,137.73
Ed McGinn Contractors West Chester, PA	\$3,981,620.00	\$3,981,620.00
Metra Industries Little Falls, NJ	\$4,103,475.00	\$4,094,275.00
George & Lynch, Inc. Dover, DE	\$4,724,712.00	\$4,733,383.50
Mumford & Miller Concrete, Inc.	\$4,652,920.00	\$4,586,920.00

Middletown, DE

Dixie Construction Company, Inc.	\$14,426,122.50	\$14,435,937.50
<u>Engineer's Estimate</u>	<u>\$4,430,120.00</u>	<u>\$4,411,420.00</u>

**Bid
Results
(continued)**

Mr. Izzo noted that the project was previously split into two contracts and Contract A was previously awarded to Edward McGinn of West Chester, Pennsylvania.

Mr. Izzo advised that the Engineering Department recommends that the bid be awarded to American Paving Corporation, the low bidder, at the base bid amount.

**M 826 06
Award
Bid/
Miller
Creek
SSD
Collection
and
Conveyance
Project**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, based upon the recommendation of the Engineering Consultants, Whitman, Requardt & Associates, LLP, and the Engineering Department, that Sussex County Project No. 06-01B, Miller Creek Sanitary Sewer District Collection & Conveyance, be awarded to American Paving Corporation of Eden, Maryland, at the base bid amount of \$3,028,981.20, contingent upon the receipt of approval from the Delaware Department of Natural Resources and Environmental Control and/or Rural Utility Service.

Motion Adopted: 5 Yeas.

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

**New
Adminis-
trative
Annex
Building/
Needs
Assessment
Proposal**

Mr. Archut, Assistant County Engineer, asked for the Council's approval to move forward with a study by the County's architectural consultants, StudioJaed, who were selected to do the architectural work for the new County Administrative Annex Building and the County's libraries. Mr. Archut stated that they would like to do a Needs Assessment of the County's facilities, specifically, in Georgetown. The study would take a look at the current needs of the County, the existing shortcomings, and the future needs. Interviews would be scheduled with the Department Heads, Administration, and the Council members. The consultants would look at the inter-relationships of all the departments to determine which ones should be located near each other. They would also look at staffing needs, parking issues, and available land. Mr. Archut advised that, when the study is done, the consultants will recommend new space requirements and recommend how existing facilities may be used to best serve the efficiency of the County government and the public it serves. The study will also include looking at the records storage needs of the County. The consultants will also provide direction on the design of the new County Administrative Annex Building. Mr. Archut advised that the proposal does include

oversight throughout the process by County Administration. The study is scheduled for completion by March 2007.

M 827 06
Approve
Contract/
StudioJaed

A Motion was made by Mr. Jones, seconded by Mr. Dukes, that the Sussex County Council hereby approves a contract with StudioJaed to perform a needs assessment for the new Administrative Annex Building in an amount not to exceed \$20,252.01.

M 827 06
(continued)

Motion Adopted: 4 Yeas, 1 Absent.

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

Mr. Phillips was out of the room during the vote.

Holly Oak
Subdivision
Repavement
Project/
Bid Results

Julie Cooper, Project Engineer, presented the bid results for the Holly Oak Subdivision Repavement Project, a Suburban Community Improvements Project, as follows:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate Bid With Asphalt Index</u>
Jerry's Inc.	\$154,453.25	\$151,768.25
Pennsy Supply	\$205,759.25	\$195,519.25
George & Lynch	\$219,307.50	\$212,281.00
Delmarva Paving	\$250,226.50	\$228,497.00
<u>Engineer's Estimate</u>	<u>\$200,112.00</u>	<u>N/A</u>

Ms. Cooper advised that the Engineering Department recommends that the bid be awarded to Jerry's Inc., the low bidder, at the base bid amount.

M 828 06
Award
Bid/
Holly Oak
Subdivision
Repavement
Project

A Motion was made by Mr. Dukes, seconded by Mr. Jones, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project No. 06-06, Suburban Community Improvements, Holly Oak Subdivision Repavement, be awarded to Jerry's Inc., for the base bid of \$154,453.25.

Motion Adopted: 4 Yeas, 1 Absent.

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

Mr. Phillips was out of the room during the vote.

- Requests** Susan Webb presented grant requests for the Council's consideration.
- M 829 06 Youth Activity Grant** A Motion was made by Mr. Jones, seconded by Mr. Dukes, to give \$300.00 (\$100.00 each from Mr. Jones', Mr. Dukes' and Mr. Rogers' Youth Activity Grant Accounts) to the People to People Ambassador Program for Heather Buda, a student at Sussex Technical High School.
- M 829 06 (continued)** Motion Adopted: 4 Yeas, 1 Absent.
- Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Absent;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea
- Mr. Phillips was out of the room during the vote.
- M 830 06 Youth Activity Grant** A Motion was made by Mr. Dukes, seconded by Mr. Jones, to give \$300.00 (\$100.00 each from Mr. Jones', Mr. Dukes', and Mr. Rogers' Youth Activity Grant Accounts) to the People to People Ambassador Program for Malachijah Maria Clark, a student at Sussex Technical High School.
- Motion Adopted: 5 Yeas.
- Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea
- M 831 06 Go Into Executive Session** At 11:08 a.m., a Motion was made by Mr. Dukes, seconded by Mr. Phillips, to recess the Regular Session and to go into Executive Session for the purpose of discussing land acquisition.
- Motion Adopted: 5 Yeas.
- Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;
Mr. Rogers, Yea
- Executive Session** At 11:09 a.m., an Executive Session of the Sussex County Council was held in the Caucus Room of the Council Chambers for the purpose of discussing land acquisition. The Executive Session concluded at 11:18 a.m.
- M 832 06 Reconvene Regular Session** At 11:19 a.m., a Motion was made by Mr. Dukes, seconded by Mr. Phillips, to come out of Executive Session and to reconvene the Regular Session of the Sussex County Council.
- Motion Adopted: 5 Yeas.
- Vote by Roll Call: Mr. Cole, Yea; Mr. Phillips, Yea;
Mr. Dukes, Yea; Mr. Jones, Yea;

Mr. Rogers, Yea

**M 833 06
Adjourn**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 11:20 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**