

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE, DECEMBER 30, 1991

Call to
Order

The regular meeting of the Sussex County Council was held on Monday, December 30, 1991, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
Ralph E. Benson	Vice President
George B. Cole	Member
George J. Collins	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 539 91
Approval
of
Minutes

A Motion was made by Mr. Collins, seconded by Mr. Benson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-
spondence

Mr. Bayard, County Attorney, read the following correspondence:

BOARD OF DIRECTORS, WOODS ON HERRING CREEK HOMEOWNERS ASSOCIATION
RE: Letter to President Dukes thanking Council for denying the application filed on behalf of Kuhn Family Sussex Partnership.

M 540 91
Authorize
Grant to
Corinthian
House

A Motion was made by Mr. Collins, seconded by Mr. Benson, to authorize the distribution of \$1,000 to the Friends of the Corinthian House; and be it further moved that the funds will be used to construct a handicapped accessibility ramp and entrance. Motion Adopted: 5 Yea.

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

Amendment
Delaware
Code
Title 9
Section
7002(k)

Mr. Stickels, County Administrator, asked that Council give consideration to obtaining an amendment to Title 9, Section 7002(k), of the Delaware Code, regarding meeting procedures. The law requires Council to meet once a week and an amendment would afford Council some flexibility in scheduling meetings.

M 541 91
Amendment
Delaware
Code
Title 9
Section
7002(k)

A Motion was made by Mr. Cole, seconded by Mr. Collins, that Sussex County Council authorize the Sussex County Administrator to obtain an amendment to Title 9, Section 7002(k), regarding meeting procedures. Motion Adopted: 3 Yea, 2 Nay.

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

Agenda
Item
Stricken

The item entitled "Industrial Air Park Lease" was stricken from the agenda.

Adminis-
trator's
Report

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

1. Retirement Dinner

A retirement dinner will be held in honor of George F. Purpur, Jr. at 6:30 p.m. on Saturday, January 25, 1992. The dinner will take place at the Sussex Pines Country Club, Georgetown, Delaware. Cost of the meal will be \$16.95. There will be a choice of prime rib or stuffed flounder. Those wishing to attend to honor Mr. Purpur that evening should notify Mr. Stickel's office by close of business on Monday, January 20, 1992.

Bid
Opening/
Paramedic
Response
Vehicles

The revised bids for the paramedic response vehicles have been reviewed and found to be in order.

M 542 91
Accept Bid
Paramedic
Response
Vehicles

A Motion was made by Mr. Cole, seconded by Mr. Collins, to accept the bid from Austin Pruitt for paramedic response vehicles and to authorize the County Administrator to purchase the four vehicles needed. Motion Adopted: 5 Yea.

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

Bid
Openings/
Project
Nos. 91-14
and 91-15
(Program-
mable
Encoders
and Remote
Siren
Controllers

Mr. Carey, Director of Emergency Preparedness, reviewed the bids opened on December 10, 1991, on Sussex County Project No. 91-14, (2) Programmable Encoders, and Sussex County Project No. 91-15, (23) Remote Siren Controllers, for the Integrated Home Alarm/Siren Encoder Project and recommended rejection of the bids for rebidding at a later time.

M 543 91
Reject Bids
Project
Nos. 91-14
and 91-15

A Motion was made by Mr. Stevenson, seconded by Mr. Collins, to reject the bids on Sussex County Project No. 91-14 and Project No. 91-15 for the Integrated Home Alarm/Siren Encoder Project. Motion Adopted: 5 Yea.

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

Proposed
Ordinance
C/Z #1145

Change of Zone #1145, filed on behalf of Delmarva Properties, Inc., was discussed. A Public Hearing was held on December 10, 1991, at which time record was held open for a period of two weeks for comments concerning the Seaford and Laurel School Districts, the proposed wastewater system, the Greenway program, and Council's review of the Technical Advisory Committee report.

M 544 91
Recess

A Motion was made by Mr. Stevenson to recess for ten minutes. The Motion died for the lack of a second.

M 545 91
Adopt
Ordinance
No. 807
With
Stipula-
tions

A Motion was made by Mr. Cole to Adopt Ordinance No. 807 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL PLANNED COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 475.22 ACRES, MORE OR LESS" (C/Z #1145) filed on behalf of Delmarva Properties, Inc., subject to the following stipulations:

1. The eighteen hole golf course shall be a part of the first phase of the project.
2. The boat ramp and temporary mooring facility at the Nanticoke River shall be for the exclusive use of the residents of the development only. No permanent docking facilities shall be permitted.
3. The total number of units shall not exceed 560, of which only 100 may be multi-family units.
4. Areas set aside for commercial uses shall not exceed 3.0 acres as submitted by the applicants.
5. The boat and recreational vehicle storage area shall be for the exclusive use of the residents in the development and shall not be used commercially.
6. No individual lots shall have access to the Nanticoke River.

7. No septic seepage bed areas shall be located within 1,000 feet of the Nanticoke River.
8. A dry collection system for wastewater is to be installed.
9. Limit conservation district to one unit per acre.

Motion died for lack of a second.

M 546 91
Adopt
Ordinance
No. 807
With
Stipulations

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, to Adopt Ordinance No. 807, entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL PLANNED COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 475.22 ACRES, MORE OR LESS" (C/Z #1145) filed on behalf of Delmarva Properties, Inc., subject to the following stipulations:

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3. The total number of units shall not exceed 560, of which only 100 may be multi-family units.
4. Areas set aside for commercial uses shall not exceed 3.0 acres as submitted by the applicants.
5. The boat and recreational vehicle storage area shall be for the exclusive use of the residents in the development and shall not be used commercially.
6. No individual lots shall have access to the Nanticoke River.
7. No septic seepage bed areas shall be located within 1,000 feet of the Nanticoke River.

Motion Adopted: 3 Yea; 1 Nay; 1 Not Voting

Vote by Roll Call: Mr. Benson; Not Voting; Mr. Cole, Nay;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Findings
of Fact
Ordinance
No. 807
(C/Z #1145)

The Council found that the change of zone was appropriate legislative action based upon the following findings of fact:

1. The applicant established by substantial evidence that the proposed change of zone and preliminary site plan are consistent with the purposes of the Western Sussex Land Use Plan and the Comprehensive Zoning Ordinance.
2. The applicant established by substantial evidence that the proposed change of zone and preliminary site plan will cause no adverse impact on the neighborhood, adjoining properties, property values therein, traffic or the integrity of the environment of the Nanticoke River Watershed and nearby areas.
3. The applicant established by substantial evidence that the proposed change of zone and preliminary site plan will meet a clear need for recreational facilities and related amenities in the Western Sussex area and will provide a variety of housing types for the Western Sussex area.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Certificate
Presenta-
tion
Doris
Rogers

President Dukes presented Doris Rogers, Clerk of the County Council, with a Certificate of Appreciation from the Sussex County Council. Mrs. Rogers is retiring as Clerk of the County Council, effective December 31, 1991.

Georgetown
200 Commit-
tee - Time
Capsule

Rosalee Walls, Georgetown 200 Committee, was present to thank the Council for its support and advised that a time capsule will be buried on December 31st as part of the Georgetown's bicentennial celebration. The Council members were asked to sign a copy of the December 30, 1991, agenda for inclusion in the time capsule.

Article
Sussex
Post
Frankford
Buildings

As a result of the recent article in the Sussex Post regarding the abandoned buildings in Frankford, Mr. Collins asked Mr. O'Day, Director of Building Code, to attend the meeting of the Frankford Town Council scheduled for Monday, January 7, 1992, and report back to Council at the next meeting.

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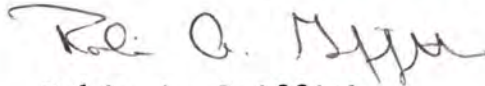
Holiday
Wishes

President Dukes expressed holiday and New Year wishes to those in attendance.

M 547 91
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Collins, to adjourn at 11:45 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council