



Sussex County Council Agendas & Minutes

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 17, 2004

Call to Order The regular meeting of the Sussex County Council was held Tuesday, February 17, 2004 at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes	President
Finley B. Jones, Jr.	Vice President
Lynn J. Rogers	Member
George B. Cole	Member
Vance Phillips	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Alix Robinson	County Attorney

M 126 04 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to amend the
Approve Agenda by deleting “Grant Request – Sussex County Volunteer Firemen’s
Agenda Association”, “Introduction of Proposed Zoning Ordinances” and “Annual Luncheon Meeting – Sussex Conservation District”, and to approve the Agenda, as amended.

Motion Adopted: 5 Yea.

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

M 127 04 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to approve the
Approve minutes of February 3, 2004.
Minutes

Motion Adopted: 5 Yea.

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

M 128 04 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to approve the
Approve minutes of February 10, 2004.

Minutes

Motion Adopted: 5 Yea.

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

Corre- spondence

Ms. Robinson, Assistant County Attorney, read the following correspondence:

**BOYS & GIRLS CLUB OF DELAWARE, WILMINGTON, DELAWARE.
RE: Letter in appreciation of Human Service Grant.**

**REPRESENTATIVE GEORGE R. QUILLEN, STATE OF DELAWARE,
LEGISLATIVE HALL, DOVER, DELAWARE.**

RE: Letter in appreciation of the Tribute adopted by the County Council in his honor.

M 129 04 Suspend Rules of Order

A Motion was made by Mr. Rogers, seconded by Mr. Jones, to suspend the rules of order to allow the County Council to recognize participants in Sussex County's Caroling on The Circle Food Drive.

Motion Adopted: 5 Yea.

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

Caroling on The Circle Food Drive Recogni- tion

Mr. Stickels announced that 21,181 items of food were collected during the December, 2003 food drive. The food was donated to pantries throughout the County.

The following organizations were represented to receive plaques:

Harley Davidson of Rehoboth Beach

Punkin Chunkin Association

H. O. Brittingham Elementary School (raised over 1,500 items of food)

Beacon Middle School (raised over 1,900 items of food)

North Georgetown Elementary School (raised over 2,400 items of food)

First State Manufactured Housing Association and

Sussex County Tenants Association (raised over 9,000 items of food)

Mr. Stickels noted that other participants were Georgetown Elementary School, Sussex Central Key Club, and Cape Henlopen High School.

Delaware State Police

Beatrice Simonds, Director, Delaware State Police Museum, Inc. was present to thank the County Council for the financial assistance provided to the Delaware State Police Museum and Educational Center. She reported

Museum	that the contribution would be utilized in the on-going development of their educational program. Mrs. Simonds explained that some of the things that can be found at the museum are crime scene replicas, patrol cars and motorcycles from the past, sirens, uniforms and weapons, fingerprints, and all of the history of the Delaware State Police. Mrs. Simonds encouraged the Councilmen to visit the museum.
Delaware Safe Kids Coalition Recognition	<p>Mary Betts of the Delaware Safe Kids Coalition and John Lattomus of the Delaware State Fire Marshall's Office were present and stated that the Coalition is a state-wide injury prevention program that is geared towards the prevention of injuries in children ages 14 and under.</p> <p>Mr. Lattomus presented an award to the Sussex County Council for the "2003 Outstanding County Sponsor" for their commitment towards the prevention of unintentional childhood injuries.</p>
International Women's Day	Ms. Rhonda Tuman of Delaware Technical & Community College was present and reported that on Wednesday, March 3, 2004, the International Women's Day Celebration will be held. She noted that this will be the event's 10th Anniversary.
M 130 04 Adopt Proclamation/ Women's History Month	<p>A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Adopt the Proclamation entitled "PROCLAIMING THE MONTH OF MARCH AS WOMEN'S HISTORY MONTH".</p> <p>Motion Adopted: 5 Yea.</p> <p>Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea</p>
Committee Appointment	Mr. Stickels announced that George Couch was recently reappointed to the Board of Assessment Review and, since that time, he has stated that he is unable to serve another five-year term.
M 131 04 Approve Committee Appointment	<p>A Motion was made by Mr. Jones, seconded by Mr. Rogers, to appoint Lester Beachy to the Board of Assessment Review for a term of five years.</p> <p>Motion Adopted: 5 Yea.</p> <p>Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea</p>
Legislative Update	Mr. Stickels discussed an un-numbered Senate Bill that the County Council is being asked to take a position on. The proposed legislation is entitled "AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE ENABLING COUNTIES AND MUNICIPALITIES LOCATED IN

Legislative
Update
(continued)

SUSSEX COUNTY TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO THE IMPACTS OF DEVELOPMENT". The Bill would enable Sussex County and municipalities in Sussex County to take advantage of the opportunity to have redevelopment, infrastructure, and development impact costs financed through the use of tax increment financing (TIF) and the establishment of special development districts (SDD). Mr. Stickels reported that TIF and SDD financing has been provided to the City of Wilmington through the adoption of identical legislation during the last session of the General Assembly. Mr. Stickels noted that the Sussex County Council opposed this legislation last year.

Mr. Phillips commented that it is enabling legislation and he expressed concern that the County's opposition to it might hold up the legislation for any municipalities who are in support of it.

Mr. Jones stated that he would like to read the proposed legislation and asked that action be deferred. It was the consensus of Council that action be deferred until the March 9, 2004 meeting.

Farmland
Preservation
Program
Selection

Mike McGrath of the Delaware Department of Agriculture was present to discuss the Farmland Preservation Program.

Mr. McGrath submitted the following list of farms in Sussex County which are available for preservation using the matching funds program:

Truitt, John Craig & Connie M. Parcel #1-32-9-1	\$185,541.00
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Vanderwende, William W. Parcel #5-30-12-11	\$431,355.00
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Vanderwende, William W. Parcel #1-31-9.00-9.00	\$606,168.00
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J. C. Wells & Sons, L.P. Parcel #2-30-8-8.35	\$4,933,692.90
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Mr. McGrath stated that the total funding available in the amount of \$900,000 would make it possible to preserve all but one of the farms on the list. He reported that funding for the three properties (the Truitt property and the two Vanderwende properties) would be as follows:

\$358,947.43	(State)
\$202,056.00	(Federal)
<u>\$202,056.00</u>	(County)
\$763,059.43	TOTAL

M 132 04

A Motion was made by Mr. Phillips, seconded by Mr. Jones, that the Sussex

Authorize Expenditure for Farmland Preservation Program County Council authorizes the expenditure of \$202,056.00 for easement purchases of the Truitt property (Parcel #1-32-91) and two Vanderwende properties (Parcel #5-30-12-11 and Parcel #1-31-9.00-9.00) and that the Sussex County Council authorizes the carry-over of \$97,944.00 towards the easement purchase of the J.C. Wells & Sons, L.P. property (Parcel #2030-8-8.35), contingent on the State raising sufficient funding for the balance by June 30, 2005.

M 132 04 (continued) Motion Adopted: 5 Yea.

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

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

1. **Public Workshop**

The Delaware Department of Transportation is holding a Public Workshop to solicit public comment regarding plans for improvements at the intersection of US 13, US 13A, and Road 46 in Seaford. The meeting will be held on Monday, February 23, 2004, at the Seaford Middle School Cafeteria, 500 East Stein Highway, Seaford, Delaware. The public is invited to attend any time between 4:00 and 7:00 p.m.

The goal of this project is to improve safety at the intersection by realigning US 13A to the south of Road 46, and by reducing its ingress and egress speeds. Access to US 13A, to and from US 13, will be by a low speed (25 miles per hour) right-in/right-out. Access to the US 13 crossover at Road 46 will still be available. Additionally, a new section of road will be built behind the HabNab Trucking Company, from Road 46 to Dolby Road. Other improvements will be made to drainage along Road 46 and US 13A.

2. **Council Schedule**

The next Sussex County Council meeting will be held Tuesday, March 9, 2004, at 6:30 p.m. There will be three public hearings starting at 7:45 that evening.

The County Council will not meet Tuesday, February 24, 2004, to allow Council to take a winter recess. On March 2, 2004, the meeting will not take place to allow Council members and staff to attend the National Association of Counties Legislative Conference in Washington, D.C.

Draft Mr. Baker discussed a draft ordinance entitled "AN ORDINANCE

Ordinance/ Economic Develop- ment Stimulus Program	AUTHORIZING THE CREATION OF THE SUSSEX COUNTY ECONOMIC DEVELOPMENT STIMULUS LOAN PROGRAM’’. Mr. Baker noted that the town loan program was approved in this year’s budget in the amount of \$1 million. The process will be as follows: applications will be received from interested towns; a loan committee will review the application and make a recommendation to the Council; following Council approval, the loan will be closed and funds will be disbursed to the towns on a reimbursement type basis. The terms of the loans will be a maximum of \$250,000 at an interest rate of 1 percent and a maximum term of ten years.
Draft Ordinance (continued)	The applicant would be responsible for issuance costs. Mr. Baker explained that the purpose of the program is to promote economic development in the County.

Introduction of Proposed Ordinance	Mr. Dukes introduced the Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE CREATION OF THE SUSSEX COUNTY ECONOMIC DEVELOPMENT STIMULUS LOAN PROGRAM”. The Proposed Ordinance will be advertised for a Public Hearing on March 9th.
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Introduction of Proposed Ordinance	<p>Mr. Jones introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ALLOW FOR A TECHNICAL ADVISORY COMMITTEE REVIEW OF RPC DEVELOPMENTS, TO DEFINE A TECHNICAL ADVISORY COMMITTEE, AND TO ALLOW FOR A SCHEDULE OF CONSTRUCTION FOR RPC DEVELOPMENTS”. The Proposed Ordinance will be advertised for Public Hearing.</p>
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Requests **Mr. Stickels presented grant requests for Council's consideration.**

M 133 04 Youth Activity Grant	A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$1,000.00 (\$200.00 from each Youth Activity Grant Account) to Delaware Ducks Unlimited for a Conservation, Public Safety, and Education Program for youth ages 6 to 16.
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Motion Adopted: 5 Yea.

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

M 134 04 Youth Activity Grant	A Motion was made by Mr. Jones, seconded by Mr. Phillips, to give \$300.00 (\$100.00 each from Mr. Dukes', Mr. Jones' and Mr. Phillips' Youth Activity Grant Accounts) to the Delaware Storm Softball Team for sponsorship and operating expenses.
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Motion Adopted: 5 Yea.

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

M 135 04 Councilmanic Grant **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$900.00 (\$180.00 from each Councilmanic Grant Account) to the Sussex County Chiefs' Association for conference expenses.**

Motion Adopted: 5 Yea.

M 135 04 (continued) **Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;
Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea**

M 136 04 Councilmanic Grant **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to give \$500.00 (\$350.00 from Mr. Dukes' and \$150.00 from Mr. Phillips' Councilmanic Grant Accounts) to the Laurel Historical Society for the Studley House Museum Project.**

Motion Adopted: 5 Yea.

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

M 137 04 Councilmanic Grant **A Motion was made by Mr. Phillips, seconded by Mr. Jones, to give \$300.00 (\$150.00 each from Mr. Phillips' and Mr. Dukes' Councilmanic Accounts) to the Laurel Fireworks Celebration for the fireworks display during the Laurel 2004 Independence Day Celebration.**

Motion Adopted: 5 Yea.

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

M 138 04 Adjourn **A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to adjourn at 11:17 a.m. Motion Adopted by Voice Vote.**

Respectfully submitted,

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