



Sussex County Council Agendas & Minutes

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 27, 2004

Call to Order The regular meeting of the Sussex County Council was held Tuesday, April 27, 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 | Assistant County Attorney |

Request to Withdraw Appeal Mr. Stickels announced that a request has been made by Kercher Engineering, Inc., on behalf of Lands of Route 30, LLC, to withdraw the appeal of the decision of the Planning and Zoning Commission on Subdivision #2003-35, Windancer at Jefferson's Crossroads.

M 266 04 Amend and Approve Agenda A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to amend the Agenda by deleting "Subdivision No. 2003-35, Lands of Route 30, LLC, Windancer at Jefferson's Crossroads, Notice of Appeal and Scheduling of Public Hearing, 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 267 04 Approve Minutes A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to approve the minutes of April 20, 2004.

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 read the following correspondence:

LAUREL ALUMNI SCHOLARSHIP FOUNDATION, INC., LAUREL, DELAWARE.

RE: Letter in appreciation of grant.

**Corre-
spondence
(continued)**

JERRY WILLIAMS, ENVIRONMENTAL TRAINING CENTER, DELAWARE TECHNICAL & COMMUNITY COLLEGE, GEORGETOWN, DELAWARE.

RE: Letter announcing that County employees Karlyn Cate and Loran George have been nominated for the Delaware Water and Wastewater Operator of the Year award. An awards ceremony will be held at 11:30 a.m. on May 12, 2004 in the Environmental Training Center at Delaware Technical & Community College, Georgetown.

**Mobile
Home
Demolition
Program**

Kim Hoy, Executive Director of First State Manufactured Housing Association (FSMHA), was present to discuss the Mobile Home Demolition Program which was implemented to recycle abandoned and derelict mobile homes in the County. In March 2001, the County entered into a cooperative agreement with FSMHA to establish this program. At that time, FSMHA expressed their commitment to the program.

Ms. Hoy presented a check in the amount of \$4,000.00 to the County Council. These funds will be matched by the County and will be used for the Mobile Home Demolition Program.

**Adminis-
trator's
Report**

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

1. Sussex County Council Prayer Breakfast

Sussex County Council will host this year's Prayer Breakfast on Monday, May 24, 2004, at the CHEER Center starting at 7:30 a.m. The CHEER Center is located on the corner of East Market Street and Sand Hill Road in Georgetown.

This year's speaker will be Mr. Lenny Moore. For almost a decade, starting in the late 1950's, Mr. Moore was a star for the Baltimore Colts. He was an All-Pro selection five times and appeared in seven Pro Bowls. Mr. Moore will share with us his Christian beliefs.

Tickets may be obtained at the County Administrative Office Building, Georgetown, during normal working hours at a cost of \$12.00 each. The public is invited to attend.

**Group
Hospital
Program
Recommen-**

Mr. Baker, Finance Director; Mr. Cordrey, Personnel Director; and Mr. David Smith, President of Integra Administrative Group (the County's group hospital administrators), reviewed Sussex County's Plan of Benefits and discussed recommended health insurance plan changes to the County's

ation

Group Hospital Program.

Mr. Baker quoted a report from the HayGroup which stated that “medical premiums rose an average 15% in 2003 *after plan reductions*”; that “medical premiums are expected to increase by about 15% for 2004”; and that “there is no “silver bullet” solution to contain medical costs”.

Group
Hospital
Program
Recommen-
dation
(continued)

Mr. Baker reviewed a spreadsheet showing the County’s Group Hospital Fund Status for Fiscal 2004. As of March 31st, the County’s costs were up 23.42 percent on self-funded claims. He noted that there have been five individuals with major claims which account for 33 percent of all of the claims paid.

Mr. Baker discussed several options available to save costs;

- Increase co-pay amount or cost for dependents.
- Incentives for employees.
- Disease management type plan.
- Restructuring health reimbursement account.

Mr. Baker noted that the options would not provide major savings.

Mr. Baker advised that Integra requested proposals from six different insurance companies for reinsurance and that they received quotes from three carriers with various options.

Mr. Baker presented the following information and recommendations for the Group Hospital Plan for the year beginning May 1, 2004 through April 30, 2005:

| | |
|---|---|
| <u>Current Reinsurance Carrier</u> United Healthcare | <u>Recommended Reinsurance Carrier</u> United Healthcare |
| <u>Current Specific Deductible</u> \$75,000 | <u>Recommended Specific Deductible</u> \$85,000 |
| <u>Current Aggregate Specific Deductible</u> -0- | <u>Recommended Aggregate Specific Deductible</u> \$215,000 |
| <u>Current Fixed Costs</u> \$649,590 | <u>Fixed Costs w/recommendation</u> \$665,762 |
| <u>Current Maximum Annual Cost</u> \$6,777,979 | <u>Maximum w/recommendation</u> \$7,521,407 |
| <u>Current Plan Administrator</u> Integra Administrative Group | <u>Recommended Plan Administrator</u> Integra Administrative Group |

Mr. Baker reviewed a spreadsheet showing the monthly County expense rate for individual coverage. In Fiscal 2003 the amount was \$650.00 (\$75,000 deductible) and in Fiscal 2004 it was \$750.00 (\$75,000 deductible).

The Fiscal 2005 proposal is \$900.00 (\$85,000 deductible).

Mr. Baker noted that there are no recommended changes to the Plan of Benefits at this time.

**Group
Hospital
Program
Recommendation
(continued)**

Mr. Stickels noted that the County will pay \$10,800 for every employee and elected official in Fiscal 2005. (This is the amount used for budget purposes.)

Mr. Smith stated that, in preparing the closing reports for the month of April, the end of the plan year, the County ended up \$1 million below the maximum costs. This reflects that the projected claims made last year were on target (below the \$75,000). He noted however, that they have to budget for the small segment of the employees using a large amount of claims.

**M 268 04
Authorize
the
Employee
Health
Plan for
Plan Year
May 1, 2004
to April 30,
2005**

A Motion was made by Mr. Cole, seconded by Mr. Jones, that the Sussex County Council authorizes the following for the Employee Health Plan for the Plan Year May 1, 2004 to April 30, 2005.

- 1. The continuance of Integra Administrative Group as the County's Group Hospital Administrator.**
- 2. The approval of United Healthcare Insurance Company as the provider of the Group Hospital Reinsurance.**
- 3. The approval of the Group Hospital Reinsurance deductible at \$85,000 and aggregate specific deductible of \$215,000.**
- 4. Maintenance of County Group Hospital Program at current benefit levels.**

Motion Adopted: 5 Yea.

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

**Bid
Results/
Vehicle
for
Sheriff's
Department**

Mr. Shade, Purchasing Agent, reported on the bid results for one vehicle for the Sheriff's Department:

| | |
|--------------------------------|--------------------|
| Hertrich Fleet Services | \$19,539.00 |
| I.G. Burton | \$19,998.00 |

Mr. Shade recommended that the bid be awarded to Hertrich Fleet Services.

**M 269 04
Award
Bid/
Vehicle**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, that the Sussex County Council accepts the bid of Hertrich Fleet Services in the amount of \$19,539.00 for one (1) Chevrolet Impala with the equipment specified in the bid package.

**for
Sheriff's
Department**

Motion Adopted: 5 Yea.

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

**Old
Business/
C/U
No. 1545**

The County Council discussed the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS OFFICE, GREENHOUSES, AND MATERIAL AND SUPPLY STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 5.61 ACRES, MORE OR LESS” (Conditional Use No. 1545) filed on behalf of Christopher Valenti.

The Planning and Zoning Commission held a Public Hearing on this application on March 25, 2004 at which time they deferred action. On April 15, 2004 the Commission recommended that the application be approved, with twelve conditions.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s findings and recommendation, which were admitted as part of the County Council’s record.

The County Council held a Public Hearing on April 6, 2004.

Reference was made to Condition No. 4 recommended by the Commission, which stated that “An entrance approval shall be obtained from DelDOT. The north entrance shall be abandoned.” It was discussed that the County Council does not have the authority to require that the north entrance be abandoned and for this reason, it was recommended that the following words be added to Condition No. 4: “if required by DelDOT”.

**M 270 04
Adopt
Ordinance
No. 1684
(C/U
No. 1545)**

A Motion was made by Mr. Rogers, seconded by Mr. Phillips, to Adopt Ordinance No. 1684 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS OFFICE, GREENHOUSES, AND MATERIAL AND SUPPLY STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 5.61 ACRES, MORE OR LESS” (Conditional Use No. 1545) filed on behalf of Christopher Valenti, with the following conditions:

- 1. In accordance with the site plan, the conditional use shall be restricted to greenhouses and a landscaping business.**
- 2. There shall be no retail sales activity on site; all sales shall be wholesale only. This shall be clearly indicated on permitted signage on the property.**

**M 270 04
Adopt
Ordinance
No. 1684
(continued)**

3. The site plan shall be subject to review and approval by the Planning and Zoning Commission upon receipt of all appropriate agency approvals.
4. An entrance approval shall be obtained from DelDOT. The north entrance shall be abandoned, if required by DelDOT.
5. All natural perimeter buffers shall be preserved. A natural buffer shall be planted on the north property line to screen it entirely from neighbors and Route One. This buffer shall be started immediately.
6. All necessary directional and security lighting shall be installed and directed off of surrounding properties and Route One.
7. One sign identifying the business shall be located and lighted roadside. Other signs shall be located on buildings only, identifying the building's purpose (i.e. office, garage).
8. The hours of operation shall be six days a week, Monday through Friday 7:00 a.m. to 6:00 p.m. and Saturdays 7:00 a.m. to 3:00 p.m. All deliveries shall occur during hours of operation.
9. No hazardous chemical materials shall be used or stored in contradiction with any government or regulatory requirements.
10. The property shall not be rented for residential housing or used for employee housing.
11. All greenhouses shall be located to the rear of the property.
12. All landscaping materials such as dirt, mulch, etc. shall be stored either inside of the buildings or within storage bins not over six (6) feet in height.

Motion Adopted: 5 Yea.

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

**Old
Business/
C/Z
No. 1531**

The County Council discussed the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL 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 14.23 ACRES, MORE OR LESS” (Change of Zone No. 1531) filed on behalf of Lake Placid Properties, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on February 12, 2004 at which time they deferred action. On March 11, 2004 the Commission recommended that the application be approved.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s findings and recommendation, which were admitted as part of the County Council’s record.

The Commission's findings are as follows:

**Old
Business/
C/Z
No. 1531
(continued)**

- 1. The project is located within the Environmentally Sensitive Developing Area according to the 2002 Comprehensive Plan Update. The proposal is a neighborhood shopping center or village scale shopping center, which is a preferred design under the 2002 update.**
- 2. The project will not have an adverse impact on the neighboring properties or community. The change of zone will benefit residential developments in the area of Long Neck Road, Bay Farm Road and Route 24.**
- 3. C-1 zoning is appropriate, since the County Zoning Code states that the purpose of such zoning is to provide for retail shopping and personal and miscellaneous service activities, and that such uses should be located along arterial roadways where a general mixture of commercial and service activities now exists. In this case, the project along Route 24 falls within the stated purposes of the C-1 District.**
- 4. The project is located within the Long Neck Sanitary Sewer District and the Sussex County Engineering Department states that there is adequate capacity for the project as proposed.**
- 5. The location of a neighborhood shopping center on this parcel should have the effect of limiting trips on Route 24, since residents in this area may otherwise have to travel farther for their shopping needs.**
- 6. The project is located in an area where other properties are zoned B-1 and C-1 with varying types of commercial activities on them.**
- 7. The Applicant has stated that they will create a deed restriction to provide a 7-foot high solid fence along the Bayshore and Sherwood Forest Subdivisions.**

The County Council held a Public Hearing on March 9, 2004.

Mr. Cole referred to comments made by the Sussex County Engineering Department that they do not support 12 units per acre.

**M 271 04
Amend
Finding**

A Motion was made by Mr. Cole to amend Finding No. 4 of the Planning and Zoning Commission relating to sewer capacity by adding "but not for residential use of the property". The Motion died for the lack of a second.

**M 272 04
Defer
Action**

A Motion was made by Mr. Cole to defer action on Change of Zone No. 1531 filed on behalf of Lake Placid Properties, LLC. The Motion died for the lack of a second.

**M 273 04
Adopt
Ordinance
No. 1685
(C/Z
No. 1531)**

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to Adopt Ordinance No. 1685 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL 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 14.23 ACRES, MORE OR LESS" (Change of Zone No. 1531) filed on behalf of Lake Placid Properties, LLC., with the

findings of fact recommended by the Planning and Zoning Commission.

Motion Adopted: 4 Yea, 1 Nay.

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

**Public
Hearing/
Annual
Assessment
Rates/
Cedar Neck
Expansion
of the
BBSSD**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE ESTABLISHING ANNUAL ASSESSMENT RATES FOR PROPERTY NOT PREVIOUSLY ASSESSED A FRONT FOOT ASSESSMENT CHARGE WITHIN THE CEDAR NECK EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT”.

Mr. Baker discussed the Proposed Ordinance which will establish annual assessment rates for property not previously assessed a front foot assessment charge within the Cedar Neck Expansion of the Bethany Beach Sanitary Sewer District. In May 1997, front foot assessment rates were estimated to be \$7.77 per front foot. In June 1997, the County Council approved the boundary extension for Cedar Neck. In August 2002, rates were estimated to be \$6.99 per front foot. Mr. Baker stated the County is now proposing an annual front foot assessment rate of \$4.14 per front foot, a 47 percent decrease from the May 1997 rates. The primary reasons for the decrease are due to the efforts of the Engineering Department to divide the work into smaller contracts for bidding and to stagger the work, and due to the funding of a major pump station by developers. In addition, favorable financing has been received for the project; a \$3.6 million State grant and a loan from Rural Development. In addition, the County has allocated grant funding for the project.

Mr. Baker stated that, pending approval of the Proposed Ordinance, the Engineering Department would pro-rate the annual assessment rates based on when the hook-ups are allowed. The Engineering Department is planning to allow hook-ups in the Contracts A and B areas on April 28, 2004. The areas of Contracts C and D have not yet been completed. Mr. Baker reported that the first billing will be on the July 2004 property tax bill and will cover a 14-month period (April 28, 2004 – June 30, 2005). As a result, the initial front foot billing will be prorated to cover the two extra months and an assessment charge of \$4.87 per front foot for 14 months will be billed.

Public comments were heard.

Dan Kramer of Greenwood questioned if a person who owns property with 50 feet of frontage will pay the same amount as a person who owns property with 125 feet of frontage. Mr. Stickels responded that they would pay the same amount and that no one will pay more than 125-foot frontage. Mr. Kramer stated that a flat rate should be charged to make it more equitable.

Joseph Buch, a property owner on Sandy Cove Road, questioned whether

the charges proposed are for the amortization of the costs to construct the facility and to pay the interest on the loans incurred. He also questioned what the projected pay-off period is and if there would be any charges after the loan is paid off.

Mr. Baker responded that the bulk of the loans are for forty years at 4 1/2 percent and that over time, improvements will have to be made and assessment rates will still have to be charged.

**Public
Hearing
(continued)**

The Public Hearing was closed.

**Public
Hearing/
Assessment
Rolls/
Cedar Neck
Expansion
of the
BBSSD**

A Public Hearing was held on the Cedar Neck Expansion of the Bethany Beach Sanitary Sewer District Assessment Rolls.

Mr. Baker explained that the sewer district assessment rolls reflect the billing records of the Utility Billing Department that include the billable front footage and EDUs for each property. The records have been available for inspection in the Utility Billing Department and have been subject to appeals heard by the Assessment Review Board.

There were no public comments and the Public Hearing was closed.

**M 274 04
Adopt
Assessment
Rolls/
Cedar Neck
Expansion
of the
BBSSD**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, based on the recommendation of the County Engineering Department and the County Finance Director, that the Sussex County Council hereby adopts the Assessment Rolls for the Cedar Neck Expansion of the Bethany Beach Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

**M 275 04
Adopt
Ordinance
No. 1686/
Ordinance
Establishing
Annual
Assessment
Rates/
Cedar Neck
Expansion**

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1686 entitled "AN ORDINANCE ESTABLISHING ANNUAL ASSESSMENT RATES FOR PROPERTY NOT PREVIOUSLY ASSESSED A FRONT FOOT ASSESSMENT CHARGE WITHIN THE CEDAR NECK EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT".

Motion Adopted: 5 Yea.

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

**Ellendale
SSD/**

Mr. Izzo, County Engineer, presented Change Order No. 2 to Contract C, Collection and Conveyance Contract, for the Ellendale Sanitary Sewer

**Contract C/
Change
Order** **District. Mr. Izzo reported that Change Order No. 2 is the Balancing Change Order. He also reported that the work on this contract, which was performed by A. P. Croll Construction, has been complete since Fall 2003 and the paperwork on various items has now been finalized. Mr. Izzo reported that connections are occurring and people are using the system. The balancing change order is in the credit amount of \$56,526.98.**

**M 276 04
Approve
Change
Order
No. 2/
Ellendale
SSD/
Contract C** **A Motion was made by Mr. Jones, seconded by Mr. Phillips, based upon the recommendation of the Engineering Consultants, Whitman, Requardt and Associates, LLP, and the County Engineering Department, that the final Balancing Change Order (No. 2) for Sussex County Project No. 89-16-C, Ellendale Sanitary Sewer District, Pump Station Nos. 92 and 93 and New Market Village, be approved in the credit amount of \$56,526.98, which establishes the final contract total as \$1,432,065.62.**

Motion Adopted: 5 Yea.

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

**Bid
Results and
Recommen-
dation/
Oak
Orchard
SSD/
Riverdale
Collection
and
Conveyance
System/
Contract B** **Mr. Izzo, County Engineer, reported on the bid results for the Oak Orchard Sanitary Sewer District, Contract 99-19B, Riverdale Collection and Conveyance System, as follows:**

| <u>Contractor</u> | <u>Base Bid</u> | <u>Alternate Bid</u> | <u>Start Date</u> |
|--|-----------------|----------------------|-------------------|
| Bearing Construction Sudlersville, MD | \$3,192,558.10 | \$3,095,257.06 | September 1, 2004 |
| Edward McGinn General Contractors, Inc. West Chester, PA | \$3,467,785.00 | \$3,467,785.00 | July 12, 2004 |
| Teal Construction, Inc. Dover, DE | \$3,668,000.00 | \$3,607,495.00 | October 15, 2004 |
| Engineer's Estimate | \$3,097,000.00 | \$2,942,150.00 | N/A |

(The base bid includes State wage rates.)

Mr. Izzo reported that the project was first bid in Fall 2003 at which time bids were rejected and a form of value engineering was pursued. Prior to rebidding the project, the project was separated into two contracts (collection and conveyance, and pump stations). Also, the Engineering Department attempted to recruit additional contractors including out-of-state contractors. Nevertheless, the bids came in high due to the rising costs of construction.

Mr. Izzo recommended that the bid be awarded to Bearing Construction for the alternate bid amount.

M 277 04
Award Bid/
Oak
Orchard
SSD/
Contract B

A Motion was made by Mr. Jones, seconded by Mr. Cole, based upon the recommendation of the Engineering Consultants, Cabe Associates, Inc. and the County Engineering Department, that Sussex County Project No. 99-19B, Oak Orchard Sanitary Sewer District, Riverdale Collection & Conveyance, be awarded to Bearing Construction, Inc. of Sudlersville, Maryland, at the bid amount of \$3,095,257.06.

M 277 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

Bid
Results and
Recommen-
dation/
Oak
Orchard
SSD/
Pump
Stations/
Contract C

Mr. Izzo, County Engineer, reported on the bid results for the Oak Orchard Sanitary Sewer District, Contract 99-19C, Pump Stations 188 and 189, as follows:

| <u>Contractor</u> | <u>Base Bid</u> | <u>Alternate Bid</u> | <u>Start Date</u> |
|---|-----------------|----------------------|-------------------|
| George & Lynch New Castle, DE | \$1,049,700.00 | \$ 991,700.00 | September 7, 2004 |
| Bearing Construction Sudlersville, MD. | \$1,085,558.00 | \$1,010,887.00 | May 1, 2004 |
| MJK, Industries, Inc. Pottstown, PA | \$1,078,090.00 | \$1,022,559.00 | October 31, 2004 |
| Engineer's Estimate | \$ 790,000.00 | \$ 760,000.00 | N/A |

(The base bid includes a building to house the pump station. Since the bids came in high, an alternate bid was proposed excluding the building.)

Mr. Izzo recommended that the bid be awarded to George & Lynch for the alternate bid amount.

M 278 04
Award
Bid/
Oak
Orchard
SSD/
Contract C

A Motion was made by Mr. Jones, seconded by Mr. Phillips, based upon the recommendation of the Engineering Consultants, Cabe Associates, Inc. and the Engineering Department, that Sussex County Project No. 99-19C, Pump Stations 188 and 189, be awarded to George & Lynch, Inc. of New Castle, Delaware at the bid amount of \$991,700.00.

Motion Adopted: 5 Yea.

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

Milton
Library
Expansion

Mr. Izzo, County Engineer, and Mr. Hawkes, Director of Utility Engineering, discussed the Milton Library Expansion Project.

Mr. Izzo reported that the total funding for the project was \$1,700,000.00;

**Project/
Change
Orders** **\$450,000.00 was provided by Sussex County (\$150,000.00 during FY 2000, FY 2001, and FY 2002), \$400,000 was provided by the Friends Group; and \$850,000.00 was a State matching grant. The original contingency amount was \$46,000.00, which represents 3.5 percent of the construction bid. This amount was set aside for change orders.**

**Milton
Library
Expansion
Project/
Change
Orders
(continued)** **Mr. Hawkes reviewed the scope of work in each change order:**

Change Order No. 2 in the amount of \$7,614.00.

Structural changes found to be necessary after the project was bid, i.e. accessibility to the building and the elevator system, handrails, additional roof dunnage posts, and steel modifications to beams.

Change Order No. 3 in the amount of \$6,150.00

Extra concrete costs as a result of remobilization for the second floor ramp area and modification to storm drainage on the north side of the building.

Change Order No. 4 in the amount of \$5,881.00

Improved access to sanitary back check valve pit, carpet upgrade (requested by library employees and the Friends Group, and roofing modifications.

Councilmembers expressed concern about the carpet upgrade; however, it was noted that the Friends contributed \$400,000.00 to the project.

M 279 04 **A Motion was made by Mr. Rogers, seconded by Mr. Cole, based upon the**
Approve **recommendation of the County Engineering Department, that Change**
Change **Order Nos. 2, 3 and 4 for the Milton Library Expansion Project be**
Orders/ **approved in the cumulative amount of \$19,645.00, which increases the**
Milton **contract total from \$1,331,048.00 to \$1,373,993.55.**

Library
Expansion **Motion Adopted: 4 Yea, 1 Nay.**
Project **Vote by Roll Call: Mr. Phillips, Nay; Mr. Cole, Yea;**
 Mr. Rogers, Yea; Mr. Jones, Yea;
 Mr. Dukes, Yea

Grant **Mr. Stickels presented grant requests for the County Council's**
Requests **consideration.**

M 280 04 **A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$100.00**
Youth **(\$50.00 each from Mr. Jones' and Mr. Rogers' Youth Activity Grant**
Activity **Accounts) to Sussex Central Pop Warner for Nathan Paul to participate in**
Grant **the 2004 Down Under Bowl in Australia.**

Motion Adopted: 5 Yea.

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

M 281 04 Youth Activity Grant A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 (\$250.00 each from Mr. Cole's and Mr. Phillips' Youth Activity Grant Accounts) to the River Soccer Club for the clubhouse and concession stand.

Motion Adopted: 5 Yea.

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

M 282 04 Youth Activity Grant A Motion was made by Mr. Cole, seconded by Mr. Rogers, to give \$1,250.00 (\$250.00 from each Youth Activity Grant Account) to the Boy Scouts of America, Del-Mar-Va Council, Inc. for scouting programs.

Motion Adopted: 5 Yea.

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

M 283 04 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$1,250.00 (\$250.00 from each Councilmanic Grant Account) to the Odyssey of the Mind Boosters, Indian River School District, for the World Finals Competition.

Motion Adopted: 5 Yea.

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

M 284 04 Councilmanic Grant A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 from Mr. Cole's Councilmanic Grant Account to the Bethany Beach 4th of July Parade Committee for parade expenses.

Motion Adopted: 5 Yea.

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

M 285 04 A Motion was made by Mr. Cole to give \$500.00 from his Councilmanic

Motion Withdrawn Grant Account to the Friends of the South Coastal Library, Inc. for the Beach and Bay Cottage Tour Book. Mr. Phillips stated that he would like to contribute also. Mr. Cole withdrew his Motion.

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|-----------------|---|
| M 286 04 | A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 |
| Grant | (\$250.00 each from Mr. Cole's and Mr. Phillips' Councilmanic Accounts) to |
| | the Friends of the South Coastal Library, Inc. for the Beach and Bay |
| M 286 04 | Cottage Tour Book. |

M 286 04 **Cottage Tour Book.**
Council-
manic **Motion Adopted: 5 Yea.**

| | | |
|--------------------|---------------------------|--|
| Grant | | |
| (continued) | Vote by Roll Call: | Mr. Phillips, Yea; Mr. Cole, Yea; |
| | | Mr. Rogers, Yea; Mr. Jones, Yea; |
| | | Mr. Dukes, Yea |

M 287 04 **A Motion was made by Mr. Rogers, seconded by Mr. Jones, to adjourn at**
Adjourn **11:55 a.m. Motion Adopted by Voice Vote.**

Respectfully submitted,

Robin A. Griffith
County Clerk