



Sussex County Council Agendas & Minutes

Call to Order The regular meeting of the Sussex County Council was held Tuesday, June 22, 2004, at 10:00 a.m. in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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|-----------------------------|-----------------------------|
| Dale R. Dukes | President |
| Finley B. Jones, Jr. | Vice President |
| George B. Cole | Member |
| Lynn J. Rogers | Member |
| Vance C. Phillips | Member |
| Robert L. Stickels | County Administrator |
| David B. Baker | Finance Director |
| James D. Griffin | County Attorney |

The meeting was opened by repeating the Lord's Prayer and Pledge of Allegiance to the Flag.

M 368 04 A Motion was made by Mr. Rogers, seconded by Mr. Jones, to approve the
Approve agenda, as distributed.
Agenda

Motion Adopted: 5 Yea.

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

M 369 04 A Motion was made by Mr. Jones, seconded by Mr. Rogers, to approve the
Approve minutes of the June 8, 2004 meeting, as distributed.
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- Mr. Griffin read the following correspondence:
spondence

JOE FARRELL, MARINE RESOURCE MANAGEMENT SPECIALIST,
UNIVERSITY OF DELAWARE, SEA GRANT COLLEGE PROGRAM,
LEWES, DE
RE: Letter of thanks for Council's sponsorship of their seminar entitled, Town

and Regional Planning to Insure Livability and Profitability", which was held on May 26.

ALICIA HOLLIS, DIRECTOR OF COMMUNITY RELATIONS, KENT-SUSSEX INDUSTRIES, INC.,

RE: Letter of thanks to Mr. Rogers for his recent Councilmanic Grant.

(Con't.)

STEWART W. GRAY, C.A.R.S., INC., P.O. BOX 901, MILLSBORO, DE

RE: Letter to Councilman Dukes in opposition of DelDOT's proposed bypass for the Millsboro area, and its adverse impact on local businesses.

Wastewater Agreement/ Peninsula, Phase IB M 370 04 Mr. Stickels, County Administrator, presented Council with a Fact Sheet regarding Sussex County Project 81-04, Peninsula Phase IB, Agreement No. 351, located on the south end of Bay Farm Road within the Long Neck Sanitary Sewer District, consisting of 262 single family lots. System connection charges total \$631,682. Plan approval by the Sussex County Engineering Department was granted on June 7, 2004. Council's approval is contingent on approval from the Department of Natural Resources and Environmental Control.

M 370 04 Approve Wastewater Agreement/ Sussex County Project No. 81-04/ Peninsula - 1B A Motion was made by Mr. Jones, seconded by Mr. Phillips, that based upon the recommendation of the Sussex County Engineering Department for Sussex County Project No. 81-04, Agreement No. 351, that the Sussex County Council execute a construction administration and construction inspection agreement between Sussex County Council and "Peninsula at Long Neck, L.L.C.", for wastewater facilities to be constructed in the "Peninsula - Phase IB", located in the Long Neck Sanitary Sewer District. Sussex County Council's approval is contingent on approval from the Department of Natural Resources and Environmental Control.

Motion Adopted: 5 Yea.

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

**Adminis-
trator's
Report**

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

1. Kimble's Aviation Services

Kimble's Aviation Services has completed its relocation to the Sussex County Airport in Georgetown. The company specializes in the maintenance of World War II vintage aircraft and is home to a number of vintage Russian military aircraft.

This weekend Kimble's Aviation will be hosting a fly-in at the Georgetown Airport. It is anticipated that upwards of 50 vintage warbirds will be visiting Georgetown on Thursday, Friday, Saturday, and

Sunday. The public is welcome to visit the airport, see the airplanes, and see the start of the Georgetown Air Museum.

For more information about Kimble's Aviation Services, contact Adrian Belinne at 240-375-3423.

2. Beneficial Acceptance

(Con't.)

The Sussex County Engineering Department granted Beneficial Acceptance on June 9, 2004, to The Villas of Five Points, East Village Phase 2 - Phase 1, Sussex County Project No. 81-04, Agreement No. 293. This project consists of 48 townhouses and 61 single-family residential homes. It is located on the east side of Route 1 at Five Points in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. Included with this report is a fact sheet on the project.

FEMA
Flood
Mitigation
Grant
Program

Mr. Brady, Private Roads Coordinator, reviewed Change Order No. 2 and Substantial Completion for the FEMA Flood Mitigation Grant Program, Contract No. 5. As per the March 11, 2003 minutes, "This Federal Program is a one-time deal based on damages from the 1998 storm. The Program involves elevating twelve homes that are in special flood hazard areas to an elevation above the one-hundred year storm. FEMA provides 75 percent of the funding and the homeowners provide 25 percent." The item before Council today is a contract for only one privately owned home (located in Oak Orchard) and is the last home to be completed under this Program.

M 371 04
Approve
Change
Order/Flood Hazard
Mitigation
Grant
Program

A Motion was made by Mr. Jones, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 2 be approved to provide an extension to Venture Crane, Inc. for Sussex County Project No. 01-08, Sussex County Flood Hazard Mitigation Grant Program, Contract No. 5, extending contract time of performance by 189 calendar days to January 5, 2004.

Motion Adopted: 5 Yea.

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

M 372 04
Grant
Substantial
Completion
/ Flood
Hazard
Mitigation

A Motion was made by Mr. Jones, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, that Substantial Completion be granted to Venture Crane, Inc. for Sussex County Project No. 01-08, Sussex County Flood Hazard Mitigation Grant Program, Contract No. 5, effective January 5, 2004 and any held retainage be released.

Motion Adopted: 5 Yea.

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

**Grant
Program**

**Mr. Rogers, Yea; Mr. Jones, Yea;
Mr. Dukes, Yea**

Mr. Izzo, County Engineer, reviewed Change Order No. 3 and Project Completion for the South Coastal Library Parking Lot Addition Project. Mr. Izzo informed Council that the parking lot is now completed and open for use.

**South
Coastal
Library
Parking
Lot
Addition**

**M 373 04
Grant
Substantial
Completion**

A Motion was made by Mr. Jones, seconded by Mr. Rogers, based upon the recommendation of the Sussex County Engineering Department, that Substantial Completion be granted to Melvin L. Joseph Construction Company, Inc., for Sussex County Project No. 01-12, South Coastal Library Parking Lot Addition, effective June 18, 2004, and any held retainage be released. Be it also moved that Change Order No. 3 be approved to balance quantities, providing an increase of \$5.22, thereby raising the final total contract price from \$125,062.00 to \$125,067.22.

**/ South
Coastal
Library
Parking
Lot
Addition**

Motion Adopted: 5 Yea.

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

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$500 from Mr. Jones' Councilmanic Account to the Georgetown Lions Club for their Eye Care Project.

Motion Adopted: 5 Yea.

**M 374 04
Council
manic
Grant/
Georgetown
Lions Club**

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

Mr. Rogers introduced the Proposed Ordinance entitled, "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL AND MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A HI-1 HEAVY INDUSTRIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.60 ACRES, MORE OR LESS" (Change of Zone No. 1565) filed on behalf of Allen Family Foods, Inc. The Proposed Ordinance will be advertised for a Public Hearing.

**Introductio
n
of Proposed
Ordinance**

A Public hearing was held on the Proposed Ordinance entitled, "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2005".

Mr. Stickels presented the Proposed Fiscal 2005 Operating Budget. A booklet and several handouts were distributed to Council offering explanation as to the

addendums to the proposed budget. Mr. Stickels stated that the Proposed Fiscal 2005 Budget totals \$108,757,093, which is an increase of 1.7 percent (\$1.8 million) over last year's budget.

Highlights of the Proposed Fiscal 2005 Budget are as follows:

Public

Hearing/

Proposed

Ordinance/

Fiscal 2005

Budget

- No Tax Increase
- Tax Credit Program - 25% of General Operations Tax
- Sewer Service and Septic Tank Assistance
- 125' Front Foot Assessment Cap
- 5-Year Capital Improvement Program \$171.6 Million
- Additional State Police
- Additional Paramedics
- Increased Funding for the Open Space Program
- Community Investment Program
- \$9.6 Million Wastewater Subsidies
- Increased Funding for Sussex County Volunteer Firemen's Association
- Increased Funding for Local Libraries
- Level and Cost of Living Increase for all Employees
- Cost of Living Increase for all Retirees
- 28 New Employees
- 20-Year Wastewater Capacity Program
- Revenue Sharing with Local Governments
- Economic Development Stimulus Loan Program

(Con't.)

Mrs. Webb, Director of Accounting, presented Council with a handout for additional funding requests that were not fully funded, or not funded at all, in the proposed FY 2005 Budget. These organizations include: Combined Campaign for Justice, Delaware Agricultural Lands, Easter Seals, Slam Dunk to the Beach, First State Community Action, Ronald McDonald House, Delaware First Healthy Choices, and Farmers and Hunters Feeding the Hungry. She also offered explanation as to possible funding sources that may allow the granting of these additional requests. Line items that could be tapped to help fund the requests include the Economic Development Stimulus Loan Program, the proposed Tax Rebate Credit, Open Space Fund, Post-Retirement Fund Contribution, Community Improvements, and the Veteran's Home.

Mr. Baker, Finance Director, presented Council with several charts and offered explanation as to the grants and loans that are included in the County's proposed Fiscal 2005 Budget for sewer and water districts. These grants and loans total \$9,650,000. The County is also proposing a 125' front foot assessment cap for all County sewer and water districts. This cap will affect approximately 1,329 accounts, or 3 percent of the total accounts, and will result in an estimated cost to the County of \$300,000. This cap only applies to residential properties with 1 EDU and does not apply to vacant lots or commercial properties; property owners must also be current with their County property taxes and their sewer and water charges.

Mr. Baker presented Council with a "Summary of System Connection Charges for July 1, 2004 to June 30, 2005". This summary reflects the rate increases proposed for this budget year. These one-time charges are required prior to connection for "new" sewer and water customers only. The goal of these fees is to pay for growth-related infrastructure needed for "new" sewer and water customers. The County is recommending that the annual service and assessment sewer charges remain the same as included in the Fiscal 2004 Budget. With the exception of three districts (North Millville, Long Neck and Ellendale) all increases are based on the estimated inflation rate of 4.98 percent. All proposed increases were reviewed and approved by the County's rate consultant, Larry Peart.

Mr. Stickels presented and reviewed a handout showing the breakdown included in the Fiscal 2005 Budget for "Community Investments for FY 2005" (one addition was made for District 4: Quiet Resorts Charitable Foundation - \$2,500)

DISTRICT 1 - Councilman Dukes

| | | |
|----------|------------------------------------|----------|
| (Con't.) | Western Sussex Boys and Girls Club | \$10,000 |
| | Seaford Historical Society | 5,000 |
| | Laurel Historical Society | 5,000 |
| | Nanticoke Little League | 5,000 |
| | Town of Blades | 5,000 |
| | Laurel Little League | 5,000 |
| | City of Seaford | 3,000 |
| | Seaford Mission | 2,000 |

DISTRICT 2 - Councilman Jones

| | |
|--|----------|
| Abbott's Mill | \$ 2,500 |
| Milford Historical Society | 2,500 |
| Greenwood Historical Society | 5,000 |
| Nutter Marvel Museum | 10,000 |
| Bridgeville Historical Society | 5,000 |
| Historic Georgetown Train Station | 5,000 |
| Boys and Girls Club of Georgetown | 5,000 |
| Sussex Academy of Arts and Science (PTO) | 750 |

DISTRICT 3 - Councilman Rogers

| | |
|--|----------|
| Broadkill Beach Preservation Association | \$ 1,000 |
| Friends of Prime Hook - Volunteers | 1,000 |
| Town of Slaughter Beach | 1,500 |
| Town of Ellendale for Park | 1,500 |
| Ellendale Civic Association | 1,500 |
| The Maul House *Cordie Lee Wilkerson | 2,500 |
| Milton Theatre Project | 2,500 |
| Milton Historical Society | 2,500 |

| | |
|--|-------|
| Town of Milton for Park | 1,500 |
| Lewes Historical Society | 2,500 |
| Milford Historical Society | 2,500 |
| Abbott's Mill Nature Society | 2,500 |
| Children's Beach House - Lewes | 1,500 |
| Rehoboth Film Society | 1,500 |
| Sussex County Center for Arts & Humanities | 2,000 |
| Return's Day Historical Train Project | 1,500 |
| Dry Dock | 5,000 |
| Safe Haven Animal Sanctuary of Sussex | 2,000 |
| Zwaanendael Club of Lewes | 1,000 |

DISTRICT 4 - Councilman Cole

(Con't.)

| | |
|-------------------------------------|----------|
| Town of Dewey Beach | \$ 5,000 |
| City of Rehoboth Beach | 5,000 |
| Rehoboth Historical Society | 5,000 |
| Town of Bethany Beach | 5,000 |
| Town of Ocean View | 5,000 |
| Town of Millville | 5,000 |
| Oak Orchard Boys and Girls Club | 2,500 |
| Ocean View Senior Center | 2,500 |
| Cape Henlopen Senior Center | 2,500 |
| Quiet Resorts Charitable Foundation | 2,500 |

DISTRICT 5 - Councilman Phillips

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|--|----------|
| Town of Selbyville | \$ 5,000 |
| University of Delaware - College of Agricultural Sciences | 10,000 |
| Quiet Resorts Charitable Foundation | 5,000 |
| Sussex Academy of Arts and Sciences (PTO) | 750 |
| Greater Millsboro Chamber of Commerce | 5,000 |
| Children and Families | 5,000 |

Public comments were heard.

Mr. Ron Marvel expressed appreciation on behalf of the Sussex County Volunteer Firemen's Association for the County's continued support and funding. Over the last 20 years, there has been a 318 percent increase in fire alarms and a 288 percent increase in EMS calls. Approximately 15 volunteer firemen were in attendance and were recognized by the Council for their outstanding service to the residents of the County.

Mr. Hugh Martin, a 40-year volunteer with Easter Seals, spoke in support of Easter Seal's funding request of \$500,000 (\$250,000 for both the Fiscal 2005 and Fiscal 2006 Budgets) to assist with the construction costs of a new 25,000 square foot facility on Route 113, near Route 9, which will cost approximately \$7.5

million. Ninety-two percent of all monies received by Easter Seals go into direct services. If Council approves this \$500,000 funding request, Easter Seals will be better able to qualify and receive an additional \$1,000,000 matching grant from the Longwood Foundation. Along with a pending State grant, this will allow Easter Seals to break ground by the Fall of 2004. Mr. Martin stated that this facility would also bring economic benefit to the County, increasing their number of permanent employees in Sussex County from 51 to 76, along with an increased hiring of their professional staff. The Easter Seal's Board of Directors has also committed \$1.5 million to this project. Easter Seal's total yearly budget for Sussex County is approximately \$3 million, with 70 percent representing employee compensation.

Mr. Joseph Conaway, President of the Commissioners of Bridgeville, commended Mr. Stickels, Mr. Baker and Mrs. Webb for their fiscal prudence and restraint, and also spoke in favor of the County's proposed 25 Percent Tax Credit Rebate Program and the positive impact it will have on the residents of Bridgeville.

(Con't.)

Ms. Bernice Edwards, Director of First State Community Action Agency, spoke in favor of their \$100,000 funding request presented to Council during the June 8, 2004 meeting. The requested funding would provide resources to improve and enhance living conditions in two rural communities who are not currently included in the Strong Communities Network, Greentop (in Lincoln) and Polly Branch (in Selbyville). Mr. Stickels presented Council and Ms. Edwards with 9 suggested guidelines for the oversight of this program. Ms. Edwards stated that she would be in favor of all the guidelines proposed by the County.

Ms. Susan Mayer (Development Manager) and Mr. Richard Gessner, Jr. (Board President), both with Ronald McDonald House of Delaware, were in attendance to seek Council's approval of a \$250,000 grant that would support their \$4.9 million capital campaign expansion project. Since 1991, the Ronald McDonald House has served over 3,000 families from Sussex County. During 2003, approximately 20 percent of all families served lived in Sussex. The Ronald McDonald House of Delaware also provides local hospitals with "Ronald Rooms", which allow parents to stay with their ill or injured child while they are being treated. This is their first funding request to Council. Of the \$4.9 million, to date, \$4.3 million has been raised, with another \$250,000 in pending funding from other sources. Their request for funding from Council would help alleviate their current outstanding balance of \$350,000.

Mr. Chip West, with Farmers and Hunters Feeding the Hungry, Inc. (FHFH), requested Council's consideration of a \$10,000 funding request. FHFH encourages hunters to donate excess deer meat for harvesting and distribution to local food banks and agencies that serve the poor and needy. This funding would help defray the butchering costs for the processing of 200 deer, which would, in turn, provide approximately 40,000 meals. Also in attendance was Michael Friel, the Statewide Coordinator for Sportsmen Against Hunger.

Mr. Guy Eberwein, President of The Greens of Indian River Homeowners Association, thanked Mr. Stickels, County Administration, members of the County Council, Sussex County Engineering Department, and Caldera Properties for working with The Greens to provide an innovative approach to providing County sewer service to The Greens. On behalf of the Homeowners Association, Mr. Eberwein expressed their support of the proposed Fiscal 2005 Budget, specifically for the additional funding for emergency services, police, EMS, fire, as well as other County betterment programs. They also believe that the proposed budget will provide some welcomed financial relief for all residents and ease the financial burden of sewer installation within their community.

Mr. John Hollis, representing the Delaware Community Foundation, commended Council for their visionary leadership they have shown in making Sussex County a wonderful place to live. Mr. Hollis expressed approval of the County's proposed budget and expressed his thanks for the opportunity to partner with the County.

(Con't.)

Mr. Carl White, representing Sussex Housing Group, spoke of the great need for affordable housing in Sussex County. Their organization is proposing that the County designate 20 percent, or \$500,000, of the proposed \$2.5 million Tax Credit Rebate Program and apply the money toward the County's Human Service Grant Award Program, specifically earmarked for housing programs in the County. Mr. White stated that current research by the National Low-Income Housing Coalition notes that the hourly wage needed in Sussex County to afford a fair market rent would be over \$12.00 per hour. This same study shows that a fair market rent in Sussex County, for a two-bedroom apartment, is \$624 per month. Only 43 percent of Sussex County renters are able to afford this amount of rent. Mr. White will be accumulating letters of support for his proposal and will forward them to Mr. Stickels.

Mrs. Mabel Granke, who serves on the Advisory Committee of Casa San Francisco, spoke in opposition of the County's proposed Tax Credit Rebate Program. She favors the Council using this money to address the critical housing needs in Sussex County. She noted, in particular, the need of Casa San Francisco to expand its shelter capacity, as well as the great need for transitional housing.

Ms. Carol Williamson, with Children and Families First, presented Council with information regarding their program and services. Ms. Williamson is requesting Council's approval of an additional \$12,000 in funding to allow for the purchase of a minivan to provide for the transportation needs of their Sussex County clients. Their organization serves approximately 9,000 Sussex Countians each year.

Mr. Jim Rasa, representing Delaware First Healthy Choices, was in attendance to readdress some issues raised during his presentation to Council at last week's meeting. Mr. Rasa is seeking Council's approval of \$11,334 in funding to allow for a study to be performed, which he believes will revolutionize the health

delivery system. He believes the major driving force to bring down healthcare costs is to make consumers more directly engaged and accountable for their individual health. The total funding for this study is \$34,000, with the three local hospitals expressing their commitment toward providing one-third of the funding (\$11,334) and the other one-third coming from the State and the County's Chambers of Commerce.

Mr. Richard Faull, President of Sussex County Habitat for Humanity, was in attendance to speak in regard to the County's Proposed Tax Credit Rebate Program, as well as the housing needs in Sussex County. Mr. Faull reported that, presently, 13,000 families live in rental units throughout the County, with 1,400 (11.5%) being substandard. This 11.5 percent compares to 5 percent in Kent County and 7 percent in New Castle County. Mr. Faull believes the \$2,500,000 that the County has designated for the proposed Tax Credit Rebate Program could go far in addressing the housing issues of the County.

(Con't.)

Ms. Janice Johnson, of Millville, spoke in favor of Easter Seal's funding request of \$500,000. Ms. Johnson has a son who greatly benefits from the Day Program provided by Easter Seals at their Millsboro facility. Mr. Stickels added that 9 letters of support have been received, with Mr. Dukes reporting that he has received phone calls offering support as well. Another County resident spoke in favor of the funding request by Easter Seals. Her daughter, as well as their family, have benefited greatly from the services and support offered through Easter Seals. Through the new facility proposed by Easter Seals, it would allow additional services and additional therapists, which are so greatly needed downstate, to become a reality.

Mr. Dan Kramer spoke in opposition of the funding requests that were made today. He feels that the County should not have a surplus of \$12.5 million and also opposes the proposed across-the-board raises for County employees.

The Public Hearing was closed.

Council discussed the proposed 9 additional funding requests brought before Council today. Discussion was held regarding offering the Proposed Tax Rebate Credit to residential property owners only. It was also suggested that the subsidies for sewer be limited to property owners who consider Sussex County as their primary place of residence. Mr. Griffin offered that these suggestions should be addressed through County legislation versus the budget process.

A Motion was made by Mr. Cole to appropriate a total of \$500,000 to Easter Seals (\$250,000 in the Fiscal 2005 Budget and \$250,000 in the Fiscal 2006 Budget). Motion failed for the lack of a Second.

A Motion was made by Mr. Cole, seconded by Mr. Jones, that the Sussex County Council authorizes the increase of funding to Easter Seals from \$50,000 to \$250,000 by reducing the "Economic Development Stimulus Loan Program" by \$200,000 to be used toward the construction of their new facility to be located in

Georgetown.

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

Motion (Easter Seals) **A Motion was made by Mr. Cole, seconded by Mr. Rogers, to appropriate \$100,000 to First State Community Action Agency from "General Fund Contingencies" to allow funding assistance for the Greentop (in Lincoln) and Polly Branch Projects. This Motion is contingent on the implementation of the County's nine guidelines for the oversight of this Program.**

M 375 04
Appropriat
e
\$250,000/
Easter
Seals

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

(Con't.) **A Motion was made by Mr. Cole, seconded by Mr. Phillips, to appropriate \$25,000 to the Ronald McDonald House of Delaware (County Council - Grants) from the "Economic Development Stimulus Loan Program" to be targeted for Sussex County residents and facilities.**

M 376 04
Appropriat
e
\$100,000/
First State
Community
Action
Agency

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

A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to appropriate \$10,000 to Farmers and Hunters Feeding the Hungry (County Council - Grants) from "Reserve for Contingencies" to provide funds needed to cover the butchering costs associated with the harvesting of approximately 200 deer to provide meals to those in need in Sussex County.

M 377 04
Appropriat
e
\$25,000/
Ronald
McDonald
House of
Delaware

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

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to appropriate an additional \$100,000 for a separate Housing Assistance Program account from the "Economic Development Stimulus Loan Program" to help with the critical housing needs of the County.

Motion Adopted: 5 Yea.

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| M 378 04 Appropriate \$10,000/ Farmers and Hunters Feeding the Hungry | Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea |
| | A Motion was made by Mr. Phillips, seconded by Mr. Rogers, to appropriate \$12,000 to Children and Families First (County Council - Grants) from "General Fund Contingencies" for the purchase of a minivan to serve the transportation needs of Sussex County clients. |
| | Motion Adopted: 5 Yea. |
| | Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea; |
| M 379 04 Appropriate \$100,000/ Housing Assistance Program | A Motion was made by Mr. Cole to appropriate \$11,344 to Delaware Healthy Choices from "Economic Development Stimulus Loan Program", contingent on funding from the local hospitals and Chamber of Commerce. Motion Died for the lack of a Second. |
| (Con't.) | A Motion was made by Mr. Rogers, seconded by Mr. Jones, to appropriate an additional \$95,000 to various appropriate salary and benefit accounts from "General Fund Contingencies" to allow County employees to receive the one percent salary increase proposed to occur January 1, 2005, to become effective on July 1, 2004, along with the two percent increase, making for a 3 percent cost-of-living increase to take effect on July 1, 2004, plus a base level increase of \$750. |
| M 380 04 Appropriate \$12,000/ Children & Families First | Motion Adopted: 5 Yea. |
| | Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea |
| | A Motion was made by Mr. Jones, seconded by Mr. Phillips, to appropriate an additional \$5,000 to Delaware District III Little League World Series (County Council - Grants) from "General Fund Contingencies" to help defray costs associated with hosting the Little League World Series on August 15, 2004. |
| M 381 04 Delaware Healthy Choices (Motion Died) | Motion Adopted: 5 Yea. |
| | Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea |
| M 382 04 | Discussion was held to have Mr. Stickels review the Planning and Zoning process and report back to Council with suggestions that would help speed up the |

**Appropriate \$95,000/
Salary and
Benefit
Accounts** **process.**

A Public Hearing was held on the Assessment Rolls for all Sussex County Sanitary Sewer and Water Districts. Mr. Baker stated that the assessment rolls are record of the billable front footage and EDUs for each sewer and water district account. These records have been made available for public inspection in the Utility Billing office, and are subject to individual appeals via the Assessment Review Board.

Mrs. Joan Brown, of Rehoboth, stated that she and her husband have a lot with an approximate 125' foot assessment and pay \$900 in sewage fees. She spoke in opposition of the current system of basing fees on front footage and would prefer being charge on actual usage.

**M 383 04
Appropriate
\$5,000/
Delaware
District III
Little
League** **Mr. Stickels entered into the record a letter received from Patricia R. Fraiser, of Rehoboth Beach, in opposition of front footage assessment charges.**

Mr. Dan Kramer spoke in opposition of front footage assessment charges and in favor of an actual usage charge.

The Public Hearing was closed.

**Planning &
Zoning
Process** **A Motion was made by Mr. Jones, seconded by Mr. Phillips, that based on the recommendations of the County Engineer and County Finance Director and for the reasons stated during the Public Hearing, the Sussex County Council hereby adopts the assessment rolls for all Sussex County Sanitary Sewer and Water Districts, as presented on June 22, 2004, for the period July 1, 2004 to June 30, 2005.**

**Public
Hearing/
Assessment
Rolls for
Sanitary
Sewer and
Water
Districts** **Motion Adopted: 5 Yea.**

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

A Public Hearing was held on the Proposed Ordinance entitled, "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS".

Mr. Baker distributed the following:

- Exhibit 1 - Summary of costs to be recovered by the annual service and assessment charges. The total cost of service to be recovered is \$17,781,292; \$9.3 (operating expense) and \$8.4 (capital cost).**

- M 384 04
Adopt
Assessment
Rolls for
Sanitary
Sewer and
Water
Districts**
- **Exhibit 2 - Summary of the proposed service charge and assessment rates. The proposed recommendation is for the total service charge rates and total assessment rates to remain unchanged.**
 - **Exhibit 3 - Summary of the proposed connection charges, which reflect some increases. The proposed rates have been reviewed and approved by Larry Peart, the County's rate consultant.**
 - **Exhibit 4 - Summary of a septic installation fee, which only affects the Holt's Landing Sewer District. This fee also represents an inflationary increase of 4.98 percent.**

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

**Public
Hearing/
Proposed
Ordinance/
Charges for
all Water
and Sewer
Districts**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1698 entitled, "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS".

Motion Adopted: 5 Yea.

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

(Con't.)

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1699 entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2005, as AMENDED" by increasing funding in the amount of \$200,000 for Easter Seals; by increasing funding in the amount of \$100,000 for the First State Community Action Agency; by increasing funding in the amount of \$25,000 for the Ronald McDonald House of Delaware; by increasing funding in the amount of \$10,000 for Farmers and Hunters Feeding the Hungry; by increasing funding in the amount of \$100,000 for the Housing Assistance Program; by increasing funding in the amount of \$12,000 for Children and Families First; by increasing funding in the amount of \$95,000 to fund an employee cost-of-living increase; by increasing funding in the amount of \$5,000 to Delaware District III Little League World Series; by reducing Reserve for Contingencies by \$322,000; by reducing the Economic Development Stimulus Loan Program by \$225,000; and including a property tax rate of \$.4450 per \$100.00 of taxable assessed valuation, a capitation rate of \$3.00 per capita; and a Firemen's Enhancement Funding rate of one-quarter of one percent (.25%) of building costs; and requiring not less than a 4/5 vote of the members of the Sussex County Council to approve transfers from the Undesignated General Fund Balance.

**M 385 04
Adopt
Ordinance
No. 1698**

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**

**At 12:57 p.m., a Motion was made by Mr. Jones, seconded by Mr. Dukes, to
adjourn. Motion Adopted by Voice Vote.**

**M 386 04
Adopt
Ordinance
No. 1699/
Adopt
Fiscal 2005
Budget**

Respectfully submitted,

**Nancy J. Cordrey
Assistant Clerk of the County Council**

(Con't.)

**M 387 04
Adjourn**