

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 7, 1996

Call to Order The regular meeting of the Sussex County Council was held Tuesday, May 7, 1996, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

George J. Collins	Vice President
Ralph E. Benson	Member
George B. Cole	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 203 96 A Motion was made by Mr. Cole, seconded by Mr. Benson, to Approve Minutes approve the minutes of the previous meeting dated April 30, 1996. Motion Adopted by Voice Vote.

M 204 96 Mr. Stickels, County Administrator, advised Council of a Proposed Amend- ment to Agenda proposed amendment to the Agenda, as follows:
Under Michael A. Izzo, Director of Public Works, delete "South Coastal Area Planning Study - Contract Amendment No. 1".

M 205 96 A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Agenda Adopt the Agenda, as amended.

Motion Adopted: 4 Yea, 1 Absent.

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

Corre- Mr. Bayard, County Attorney, read the following correspondence: spondence

TOWN OF FENWICK ISLAND, FENWICK ISLAND, DELAWARE.
RE: Spring/Summer 1996 Newsletter.

ODYSSEY OF THE MIND TEAMS, MILTON MIDDLE SCHOOL, MILTON, DELAWARE.
RE: Letter in appreciation of Mr. Benson's Councilmanic Grant.

RAYMAR CORPORATION, CHEVY CHASE, MARYLAND.
RE: Copy of a letter sent to Sewer Class Action regarding opposition to the Sewer Class Action lawsuit.

ODYSSEY OF THE MIND TEAMS, CAPE HENLOPEN SCHOOL DISTRICT, LEWES, DELAWARE.

RE: Letter in appreciation of Mr. Cole's Councilmanic Grant.

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

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Report
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1. Sussex Central Prom

Sussex Central High School will be utilizing the balcony of the Courthouse again this year on May 18, 1996, for the Grand March as part of their prom activities.

2. Office of the Assistant Secretary of Defense, Delaware Committee for Employer Support

Mr. Dale R. Dukes, President of the Sussex County Council, will be participating with representatives from the Delaware Committee for Employer Support of the National Guard in an exercise on May 7 through May 9, 1996. Mr. Dukes will leave Dover Air Force Base at approximately 11:00 a.m. on Tuesday, May 7, and arrive at McCord Air Force Base in Washington at approximately 2:00 p.m. While on the trip, Mr. Dukes will visit military installations, be briefed on National Guard activities, and observe Guard members performing their responsibilities.

3. Sussex County Nineteenth Annual Prayer Breakfast

Sussex County Council will be hosting the Nineteenth Annual Prayer Breakfast on Thursday, June 6, 1996. This year's breakfast will be held at the Higher Education Building, Delaware Technical & Community College, Jack F. Owens Campus, Georgetown, Delaware. Breakfast will be served at 7:45 a.m. This year's speaker will be Reverend Denzil Cheek of Federalsburg, Maryland. Musical selections will be provided by Mrs. Carol Calloway and Mrs. Brenda Moore of Delmar, Delaware.

Anyone wishing to purchase tickets to the Prayer Breakfast should contact the County Administrator's Office at 855-7743. Tickets may be purchased up until noon Monday, June 3, 1996. The cost of this year's breakfast will be \$8.00 per person.

4. Legislative Update

Mr. Stickels updated the Council on several Federal and State pieces of legislation that would affect Sussex County.

- a. Immigrations - On Thursday, May 2, 1996, the U.S. Senate passed an immigration bill that would tighten border controls and make it tougher for illegal aliens to get jobs in the United States. The measure increases the number of border guards by approximately 5,000, authorizes pilot projects that would let employees easily verify whether a worker is eligible

Adminis-
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Report
(con't)

for a job in the United States, and increases penalties for document fraud and alien smuggling. This legislation passed ninety-seven to three.

The Senate's version of the immigration legislation will be sent to a legislative conference committee where negotiators will attempt to resolve differences between the Senate and House versions of the bill. It is Mr. Stickels' understanding that President Clinton is supportive of this legislation and will sign it into law once a compromise between the House and Senate has been reached.

Included with this report is a copy of a letter to Commissioner Doris Meissner of the Immigration and Naturalization Service from Congressman Michael N. Castle. Congressman Castle is requesting Commissioner Meissner's assistance in studying the feasibility of opening an Immigration and Naturalization Service office in Sussex County. Hopefully, with the help of all of our congressional representatives, this can be accomplished.

- b. House Bill No. 517 - On Wednesday, May 8, 1996, Mr. Stickels will testify before the State of Delaware House of Representatives, Committee on Finance Revenues, regarding House Bill 517. This legislation would exempt State, local, and federal governments from paying utility tax. Currently, the State collects \$1,470,000 for the 4.25 percent tax that is levied for utilities. Mr. Stickels' believes this tax is counterproductive because the State pays to itself \$880,000 of the \$1,470,000 that it collects. This money is paid by State agencies and school districts. Local governments pay \$290,000, and the federal government pays \$300,000.
- c. Senate Bill No. 217 - Senate Bill No. 217 would require the counties to reassess properties every five years and conduct computerized adjustments of values every year. It is Mr. Stickels' understanding that this legislation is stalled in the Senate Committee. There is major opposition from the Delaware Realtors Association. Representatives from the Delaware Realtors Association served on the Assessment Practice Review Committee, who made the recommendations for Senate Bill No. 217. However, they were not pleased with the recommendations, so they are choosing to oppose the bill on their own.

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Report
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Senator Robert J. Voshell, primary sponsor of the bill, is expected to reconvene members to work out a compromise. Mr. Stickels does not think it is realistic to think that anything will be done this calendar year.

5. Per Capita Income

Included with this report was a copy of each state and the District of Columbia's average per capita income. During recent public hearings, testimony has been heard on how low the income is of residents of Sussex County. Mr. Stickels thought the Council may be interested in seeing figures that were produced by the Department of Commerce. The listing shows that Delaware ranks eleventh in the nation, with per capita income of \$24,124. This is a 5.3 percent increase from calendar year 1994. If Alaska and Hawaii are removed from the figures, Delaware would be ninth in the continental United States.

6. Election Signs

Please let this serve as a reminder that the Zoning Code of Sussex County, Chapter 115, Article XXI, Section 115-60, Subsection A(11), states:

"Signs in connection with any candidate for elected office, special election or referendum issue may be erected and maintained, provided that the size of any such sign is not in excess of thirty-two (32) square feet per side or facing and shall contain no more than two (2) sides or facings, back to back. Any such sign shall not be erected more than ninety (90) days prior to any contested election or referendum and removed within thirty (30) days after the election or referendum date."

Anyone in violation of this Ordinance could be fined up to \$100 per day for violation.

Primary signs for this year's election shall not be posted prior to June 9, 1996, and general election signs shall not be posted until August 9, 1996. Notification has been sent to the Sussex County Board of Elections, the Republican Party, and the Democrat Party.

Bid
Results

Mr. Archut, Director of Planning and Permits, and Mr. Baker of the Engineering Department, reviewed bid results for Sussex County Project No. 94-08, Oceanway Estates, Sections I and II, as follows:

Bid Results (con't)	BIDDER	BASE BID	ALTERNATE NO. 1	ALTERNATE No. 2
	Willow Oak		\$382,940.00	\$428,090.00
Teal Construction		\$330,172.00	\$372,172.00	\$456,172.00
A. P. Croll		\$362,457.00	\$400,257.00	\$453,417.00
David G. Horsey & Sons		\$455,380.31	\$499,543.31	\$589,036.31
Bunting & Murray		\$364,224.00	\$405,027.00	\$465,264.00

(Base Bid - Dirt; Alternate No. 1 - Crusher Run; Alternate No. 3 - Hot Mix)

M 206 96 Award Bid/Ocean-Way Estates/Sections I & II A Motion was made by Mr. Cole, seconded by Mr. Benson, based on the recommendation of the County Engineering Department, to authorize the President of the Sussex County Council to enter into a construction contract for Alternate No. 2 with A. P. Croll and Son, Inc., the low bidder for construction of Ocean-way Estates, Sections I and II, of the Bethany Beach Sanitary Sewer District, in the amount of \$453,417.00, contingent upon the review and approval of the contract bid documents by Rural Economic and Community Development.

Motion Adopted: 4 Yea, 1 Absent.

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

It was noted that the County is responsible for the roads constructed for the one year warranty period only.

Change Order Mr. Green, Director of Utility Construction, discussed Change Order No. 4, to Contract E, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 207 96 Issue Change Order No. 4/Contract E/West Rehoboth A Motion was made by Mr. Cole, seconded by Mr. Benson, based on the recommendation of the Inspection Engineer, George, Miles & Buhr, and the Sussex County Engineering Department, that the Sussex County Council authorizes the President of the Sussex County Council to issue Change Order No. 4, for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District, Contract E, Design Areas 5A and 21, to Teal Construction, Inc., for a credit amount of \$37,496.00, for deletion of fences and landscaping, and addition of locks and hasps, with an unrevised substantial completion date of December 28, 1995, and decreasing this contract amount to \$1,843,673.96, contingent on the approval

M 207 96 of the following agencies: Rural Economic and Community Develop-
(con't) ment and Department of Natural Resources and Environmental Con-
trol.

Motion Adopted: 4 Yea, 1 Absent.

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

M 208 96 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to
Council- give \$300.00 from Mr. Stevenson's Councilmanic Account to the
manic Friends of the Greenwood Public Library for the Greenwood
Grant Public Library's building fund.

Motion Adopted: 4 Yea, 1 Absent.

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

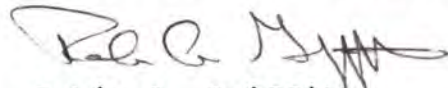
M 209 96 A Motion was made by Mr. Benson, seconded by Mr. Stevenson,
Council- to give \$500.00 from Mr. Benson's Councilmanic Account to the
manic Memorial Fire Company of Slaughter Beach for the fireworks
Grant display on the Fourth of July.

Motion Adopted: 4 Yea, 1 Absent.

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

M 210 96 A Motion was made by Mr. Benson, seconded by Mr. Stevenson,
Adjourn to adjourn at 10:46 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council