

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-JUNE 4, 1991

Call to
Order

The regular meeting of the Sussex County Council was held on Tuesday, June 4, 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 239 91
Approval
of Minutes

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, 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:

G. TIMOTHY KAVEL, DEAN OF DEVELOPMENT, DELAWARE TECHNICAL & COMMUNITY COLLEGE SOUTHERN CAMPUS, GEORGETOWN
RE: Thanks for opportunity to appear before Council on Tuesday, May 28, 1991, to discuss possible avenues for funding the Child Care Center at its campus.

NORMAN AMENDT, JR., PRESIDENT, SUSSEX COUNTY FIREMEN'S ASSOCIATION
RE: Thanking Council for financial assistance making it possible for him to attend the International Fire Instructors Conference in Cincinnati, Ohio.

JAMES E. CROALL, MAJOR, SPECIAL FORCES, DEPARTMENT OF THE ARMY, COMPANY C, 1ST BATTALION, 20TH SPECIAL FORCES GROUP (AIRBORNE), FORT BRAGG, NORTH CAROLINA
RE: Thanking Council for its unwavering patriotic support of employee, Captain William Stevenson, during his period of federal military service.

EDWARD E. FERGUSON, ACTING EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF COUNTIES, WASHINGTON, DC
RE: Enlisting support in a nationwide campaign being kicked off on July 25 by Jim Brady entitled "Calling On America". The purpose of the campaign is to increase the acceptance and participation of people with disabilities in the life of their communities.

June 4, 1991

Corre-
spondence
(Con't.)

LAURA, JOEY, RYAN, NICHOLAS, BILLY, SAM, AND SABRINA, H. O.
BRITTINGHAM ELEMENTARY SCHOOL, MILTON
RE: Student letters concerning the Anti-Drug Abuse Management
(ADAM) Program.

EDDY J. PARKER, PRESIDENT, AND ROBERT C. SUTTON, EXECUTIVE
SECRETARY, WOODBRIDGE BOARD OF EDUCATION, WOODBRIDGE SCHOOL
DISTRICT, BRIDGEVILLE

RE: Opposition to the present tax rate increase proposed
by the Legislature for the funding of full-time vocational
education at Sussex Vo-Tech.

TR5-91
Contract

Mr. Stickels, County Administrator, reported that the bids
received May 21, 1991, for Contract No. TR5-91, Operation
and Maintenance of Transfer Station No. 5, near Laurel,
have been reviewed and all bids were found to be in order.

M 240 91
Award
Contract
TR5-91

A Motion was made by Mr. Benson, seconded by Mr. Cole, that
the Sussex County Council authorize the awarding of Contract
No. TR5-91, for the operation and maintenance of Sussex
County Transfer Station No. 5, near Laurel, to Eastern Waste
Industries, Inc., the low bidder, for a lump sum fee of
\$20,268 annually. Motion Adopted: 5 Yea.

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

Library
Advisory
Board

Mr. Stickels, County Administrator, reviewed for Council's
consideration the names of members of the Library Advisory
Board whose terms will expire June 30, 1991. In accordance
with the Sussex County Code, they are eligible for
reappointment.

M 241 91
Library
Advisory
Board
Reappoint-
ments

A Motion was made by Mr. Cole, seconded by Mr. Benson, that
the Sussex County Council authorize the reappointment of
Mrs. Patricia Schulte of Ocean View, Delaware, and Mr. Irvin
Aydelotte of Delmar, Delaware, to serve three year terms
on the Library Advisory Board beginning July 1, 1991. Motion
Adopted: 5 Yea.

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

June 4, 1991

Proposed
Resolution

Mr. Stickels, County Administrator, discussed a Proposed Resolution authorizing the substitution of securities in the escrow for the County's Single Family Mortgage Revenue Bonds, 1979 Series A. Mr. Harold Salmons, Bond Attorney, Potter Anderson & Corroon, explained the purpose of the Resolution as follows: it will enable the County to substitute one security for another; it is a better investment; a gain of \$50,000 will be realized and deposited in the County Employees' Pension Fund; and, there will be no downside, risk or exposure to the County.

M 242 91
Adopt
Resolution
R 014 91

A Motion was made by Mr. Cole, seconded by Mr. Benson, to Adopt Resolution No. R 014 91 entitled "A RESOLUTION AUTHORIZING THE SUBSTITUTION OF SECURITIES IN THE ESCROW FOR THE COUNTY'S SINGLE FAMILY MORTGAGE REVENUE BONDS, 1979 SERIES A." Motion Adopted: 5 Yea.

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

Proposed
Ordinances

Mr. Stickels, County Administrator, and Mr. Harold Salmons, Bond Attorney, discussed two Proposed Ordinances. One proposal addresses Amending Ordinance No. 686, relating to Sussex County's General Obligation Bonds, Series 1990, and the other addresses Amending Ordinance No. 752, relating to 1991 General Obligation Bonds. The amendments, if adopted, would change only the distribution of construction costs within the Bonds and keep the Bond issues in compliance with the 1986 Tax Act.

Introduce
Proposed
Ordinance -
Amend
Ord. 686

Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NO. 686 RELATING TO SUSSEX COUNTY'S \$3,740,000 GENERAL OBLIGATION BONDS, SERIES 1990." The Proposed Ordinance will be advertised for Public Hearing.

Introduce
Proposed
Ordinance -
Amend
Ord. 752

Mr. Dukes introduced Proposed Ordinance entitled "AN ORDINANCE RELATING TO PROPOSED GENERAL OBLIGATION BONDS OF SUSSEX COUNTY." The Proposed Ordinance will be advertised for Public Hearing.

Adminis-
trator's
Report

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

June 4, 1991

Adminis-
trator's
Report
(Con't.)

1. Public Hearing - Town of Georgetown - The Town Council of Georgetown will be conducting a public hearing on Wednesday, June 26, 1991, at 7:30 p.m. for the proposed annexation of Parcel 74 on Sussex County Tax Map 1-35-20.00; owned by Patricia L. Thompson and Anne L. Layton. The Town is proposing to annex and zone the property LI-2 Light Industrial. This property was subject to a public hearing before the County Council last year. The application was withdrawn by the applicant. Since LI-2 Light Industrial zoning would be compatible with the adjoining area, Sussex County Industrial Park, the County Administrator sees no reason for Council to oppose the Town's plan to annex and rezone the property.
2. Recyclers of the Month - Doris Johnson and Joyce E. Schaefer, both of Seaford, were the winners of the two \$50.00 U.S. Savings Bonds for participating in the County's Recycling Program. 1,247 people participated during the month of May compared to 1,208 in April.

Long
Neck
SSD

Mr. Wood, County Engineer, reviewed proposed Change Order No. 2, Contract No. 2, Long Neck Sanitary Sewer District, to supply additional stone. A recapitulation of the contract to date was available for Council's review.

M 243 91
Change
Order -
Long
Neck
SSD

A Motion was made by Mr. Benson, seconded by Mr. Cole, based upon the recommendation of the Inspection Engineer, KCI Technologies, Inc., and the Sussex County Engineering Department, that the Sussex County Council President be authorized to issue Change Order No. 2, Contract No. 2, Long Neck Sanitary Sewer District, to R. E. Pierson Construction Company, Inc., for additional #57 stone to stabilize areas of the trench as deemed necessary by the Engineer for the amount of \$19,704.88, increasing this contract amount to \$5,316,929.88. Motion Adopted: 5 Yea.

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

Long
Neck
SSD

Mr. Wood, County Engineer, discussed Change Order No. 10, Contract No. 6, Long Neck Sanitary Sewer District. This change order addresses seven changes in the contract and creates a credit.

June 4, 1991

M 244 91
Change
Order -
Long
Neck
SSD

A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon the recommendation of the Inspection Engineer, KCI Technologies, Inc., and the Sussex County Engineering Department, that the Sussex County Council President be authorized to issue Change Order No. 10, Contract No. 6, Long Neck Sanitary Sewer District, to L. A. Merrell Construction Company, Inc. for: (a) extending 20" force main; (b) rerouting 12" force main to north irrigation field; (c) delete work boat; (d) use EMT conduit; (e) Ambric Testing invoice - 1; (f) substitute Aquaguard Bar Screen; and (g) move emergency generator, for a combined net credit amount of \$11,967.77, decreasing this contract amount to \$5,183,945.11. Motion Adopted: 5 Yea.

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

Public
Hearing -
Fiscal
1992
Budget

At 11:00 a.m., a Public Hearing was held on the Sussex County Fiscal 1992 Budget For General Fund, Bond Issues, Community Development Programs, Sewer and Water Districts and Capital Improvement Program Forecasts as Proposed May 14, 1991. Mr. Stickels, County Administrator, reviewed Fiscal 1992 Budget Adjustments as requested by Council. Public comments were heard. The Public Hearing was closed.

M 245 91
Transfer
Tax
(Died)

A Motion was made by Mr. Cole to eliminate the \$25 annual fee for depositing waste at County landfills (created by Ordinance No. 765), and impose a County Transfer Station Tax at 1.2¢ per \$100.00 of assessed valuation. Motion Died for lack of a second.

M 246 91
Budget
Change
(Died)

A Motion was made by Mr. Cole to give an additional \$15,000 to CHEER'S Meals Program in the Fiscal 1992 Budget; money to be taken from the Appropriated Reserve Fund. Motion Died for lack of a second.

M 247 91
Fiscal
1992
Budget
Change

A Motion was made by Mr. Benson, seconded by Mr. Collins, to give an additional \$5,000 to CHEER'S Meals Program - raising its total grant to \$25,000 in the Fiscal 1992 Budget; the \$5,000 to be taken from the Appropriated Reserve Fund. Motion Adopted: 5 Yea.

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

June 4, 1991

M 248 91
Fiscal
1992
Budget
Change

A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to increase the Sussex County Council, General Fund, Fiscal 1992 Budget, County Council Line Item No. 44, Dues and Subscriptions, by \$4,900.20, to pay the County's assessed dues to Delmarva Advisory Council. Motion Adopted: 4 Yea; 1 Abstention.

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

M 249 91
Adopt
Fiscal
1992
Budget
As Amended

A Motion was made by Mr. Collins, seconded by Mr. Benson, that the Sussex County Council Adopt the "SUSSEX COUNTY FISCAL 1992 BUDGET FOR GENERAL FUND, BOND ISSUES, COMMUNITY DEVELOPMENT PROGRAMS, SEWER AND WATER DISTRICTS" as proposed May 14, 1991, with the following amendments:

CHANGES RELATIVE TO SINGLE FAMILY HOUSING CODE:

General Fund Revenues

Page 1. Total Anticipated Revenue

General Fund

Strike [\$13,366,565] and insert in lieu thereof
\$13,240,165

TOTAL REVENUE

Strike [\$52,891,098] and insert in lieu thereof
\$52,764,698

Page 2. Building Inspection Fees

Strike [\$245,064] and insert in lieu thereof \$118,664

Page 4. Total Revenues

Strike [\$13,366,565] and insert in lieu thereof
\$13,240,165

General Fund Expenses

Page 4. Building Inspection

Strike [\$303,990] and insert in lieu thereof \$177,590

June 4, 1991

M 249 91
(Con't.)
Fiscal
1992
Budget
Amendments

Page 6. TOTAL EXPENSES

Strike [\$13,366,565] and insert in lieu thereof
\$13,240,165

Page 15
and 16. Finance - Building Inspection

Regular Salaries

Strike [\$189,274] and insert in lieu thereof \$114,274

Vision Plan

Strike [\$576] and insert in lieu thereof \$288

Dental Plan

Strike [\$2,304] and insert in lieu thereof \$1,152

FICA Taxes

Strike [\$14,479] and insert in lieu thereof \$8,742

Group Hospital

Strike [\$42,336] and insert in lieu thereof \$21,168

Pension Plan

Strike [\$14,877] and insert in lieu thereof \$8,982

Boards and Commissions

Strike [\$2,500] and insert in lieu thereof \$1,500

Printing and Binding

Strike [\$3,617] and insert in lieu thereof \$167

Office Supplies

Strike [\$1,500] and insert in lieu thereof \$1,000

Dues and Subscriptions

Strike [\$275] and insert in lieu thereof \$215

Permanent Record Books

Strike [\$787] and insert in lieu thereof \$637

June 4, 1991

M 249 91
(Con't.)
Fiscal
1992
Budget
Amendments

Page 15
and 16. Finance - Building Inspection (Con't.)

Mileage

Strike [\$23,000] and insert in lieu thereof \$11,000

Total Building Inspection

Strike [\$303,990] and insert in lieu thereof \$177,590

Total General Fund Expenditures

Page 54. Strike [\$13,366,565] and insert in lieu thereof
\$13,240,165

PARTIAL SHIFT OF ECONOMIC DEVELOPMENT ADVERTISING BUDGET
TO INDUSTRIAL PARK:

General Fund Expenses

Page 4. Economic Development

Strike [\$136,160] and insert in lieu thereof \$126,160

Industrial Park

Strike [\$395,541] and insert in lieu thereof \$405,541

Page 30. Economic Development

Advertising

Strike [\$15,000] and insert in lieu thereof \$5,000

Total Economic Development

Strike [\$136,160] and insert in lieu thereof \$126,160

Page 31
and 32. Economic Development - Industrial Park

Advertising - Strike [-0-] and insert in lieu thereof
\$10,000

Total - Economic Development-Industrial Park

Strike [\$395,541] and insert in lieu thereof \$405,541

June 4, 1991

M 249 91
(Con't.)
Fiscal
1992
Budget
Amendments
and
Adoption

INCREASE FUNDING FOR DELMARVA ADVISORY COUNCIL DUES

County Council General Fund - Expenses

Page 7. Dues and Subscriptions

Strike [\$7,000] and insert in lieu thereof \$11,900.20

Page 4

and 8. Total-County Council

Strike [\$240,471] and insert in lieu thereof
\$245,371.20

INCREASE FUNDING FOR CHEER'S MEALS PROGRAM

Grant-In-Aid Programs

Page 11. CHEER'S Meals Program

Strike [\$20,000] and insert in lieu thereof \$25,000

Page 4

and 11. Total Grant-In-Aid Programs

Strike [\$832,331] and insert in lieu thereof \$837,331

CORRESPONDING CHANGE TO APPROPRIATED RESERVE

Page 5

and 53. Appropriated Reserve

Strike [\$525,845] and insert in lieu thereof \$515,945

Motion Adopted: 5 Yea.

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

Commen-
dation

President Dukes commended the County Administrator, Finance Director, Accounting Director, and Department Heads for their cooperation and work on the Fiscal 1992 Budget.

June 4, 1991

M 250 91
Adopt
Fiscal
1992
Tax
Rates

A Motion was made by Mr. Collins, seconded by Mr. Stevenson, that the Sussex County Council Adopt the Sussex County Tax Rates for Fiscal Year 1992 as follows:

County Property Tax Rate - 34.84¢ per \$100.00 of Assessed Valuation;

County Library Tax Rate - 4.33¢ per \$100.00 of Assessed Valuation;

County Property Tax Rate - 5.33¢ per \$100.00 of Assessed Valuation for Redemption of County Bonds and Interest;

County Capitation Tax - \$3.00.

Motion Adopted: 5 Yea.

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

Public
Hearing -
Assessment
Rolls -
Sewer &
Water
Districts

A Public Hearing was held on "Assessment Rolls for Dewey Beach Water District, Dewey Beach Sanitary Sewer District, Bethany Beach Sanitary Sewer District, South Bethany Sanitary Sewer District, Fenwick Island Sanitary Sewer District, Blades Sanitary Sewer District, and Henlopen Acres Sanitary Sewer District." The Public Hearing was closed and action was deferred.

The County Attorney was asked to research the legality of the County's policy concerning the establishment of rates within one district in accordance with Delaware Code. Presently, rates are set in accordance with the actual costs incurred being borne by users as an addition is phased in. The question of equalization of rates within each district was discussed at length.

M 251 91
Board of
Adjustment
Appointment

A Motion was made by Mr. Collins, seconded by Mr. Cole, that Leon William Wheatley, Bridgeville, be appointed to serve on the Sussex County Board of Adjustment for a term of three years, beginning July 1, 1991. Motion Adopted: 5 Yea.

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

June 4, 1991

M 252 91
Planning
& Zoning
Appoint-
ment

A Motion was made by Mr. Collins, seconded by Mr. Cole, that Donald T. Ralph, Laurel, be reappointed to serve on the Sussex County Planning and Zoning Commission for a term of three years, beginning July 1, 1991. Motion Adopted: 5 Yea.

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

M 253 91
Planning
and Zoning
Appoint-
ment

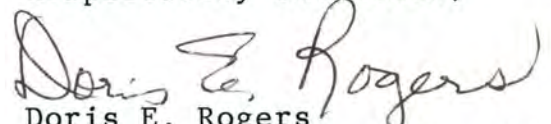
A Motion was made by Mr. Collins, seconded by Mr. Cole, that Daniel W. Magee, Williamsville, be appointed to serve on the Sussex County Planning and Zoning Commission for a term of three years, beginning July 1, 1991. Motion Adopted: 3 Yea; 2 Nay.

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

M 254 91
Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Collins, to adjourn at 12:58 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,


Doris E. Rogers
Clerk of the County Council