

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-JULY 1, 1998

Call to  
Order

A special meeting of the Sussex County Council was held Wednesday, July 1, 1998, 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
George J. Collins	Member
Lynn J. Rogers	Member

Purpose  
of Meeting

The special meeting was called for the purpose of reconvening the Public Hearing on a Proposed Ordinance introduced June 10, 1998, relating to the realty transfer tax. The Public Hearing was recessed on Tuesday, June 30, 1998, pending action necessary by the Delaware General Assembly for Council to proceed with the Proposed Ordinance.

Reconvene  
Public  
Hearing  
on Proposed  
Ordinance  
Relating  
to Realty  
Transfer  
Tax

Mr. Bayard, County Attorney, reconvened the Public Hearing on Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 103 OF THE CODE OF SUSSEX COUNTY TO INCREASE THE RATE OF THE REALTY TRANSFER TAX, TO PROVIDE FOR THE TRANSFER OF FUNDS TO CERTAIN MUNICIPALITIES, AND TO SPECIFY PERMISSIBLE USES FOR TRANSFER TAX REVENUES." Mr. Bayard requested that a copy of House Bill No. 757, passed by the Delaware General Assembly and signed into law by the Governor, be made a part of the record of the hearing, as it accurately and correctly states what changes are needed to permit adoption of the Proposed Ordinance before Council. House Bill No. 757 decreases the State realty transfer tax from two percent to one-and-a-half percent and increases the level of tax that county and municipal governments may impose on real property transfers from one percent to one-and-a-half percent. However, county and municipal action to increase their individual rates is still necessary. Should a county or municipal government levy a transfer tax of less than one-and-a-half percent, the State would continue to collect a two percent tax on real property transfers. House Bill No. 757 also broadens the permissible uses of transfer tax revenue to include economic development, capital and infrastructure projects, and debt reduction. Public comments were heard and the Public Hearing was closed.

M 306 98  
Adopt  
Ordinance  
No. 1247  
As Amended

A Motion was made by Mr. Collins, seconded by Mr. Rogers, to adopt Ordinance No. 1247, entitled "AN ORDINANCE TO AMEND CHAPTER 103 OF THE CODE OF SUSSEX COUNTY TO INCREASE THE RATE OF THE REALTY TRANSFER TAX, TO PROVIDE FOR THE TRANSFER OF FUNDS TO CERTAIN MUNICIPALITIES, AND TO SPECIFY PERMISSIBLE USES FOR TRANSFER TAX REVENUES" as amended by deleting in Section 5, [This Ordinance shall take effect on July 1, 1998,] and inserting in lieu thereof: This Ordinance shall not become effective until the later of the time: i) when the conditions permitting such reduction in the State's rate of transfer tax,

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M 306 98  
(con't)

as set forth in Title 30, § 5425 of the Delaware Code, are met with respect to the Series 1991 and Series 1993 State of Delaware Realty Transfer Tax Revenue Bonds (Land and Water Conservation Trust Fund Program) or ii) July 1, 1998,.

Motion Adopted: 4 Yea, 1 Absent.

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

M 307 98  
Adjourn

A Motion was made by Mr. Collins, seconded by Mr. Jones, to adjourn at 10:21 a.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Susan W. Webb  
Acting Clerk of the County Council