

## COUNTY COUNCIL

DOUGLAS B. HUDSON, PRESIDENT  
JOHN L. RIELEY, VICE PRESIDENT  
JANE GRUENEBaum  
MATT LLOYD  
STEVE C. McCARRON



# Sussex County

DELAWARE  
sussexcountyde.gov  
(302) 855-7743

## SUSSEX COUNTY COUNCIL

### AGENDA

February 3, 2026

10:00 AM

#### Call to Order

#### Approval of Agenda

#### Approval of Minutes - January 13, 2026 & January 27, 2026

[Draft Minutes 011326](#)

[Draft Minutes 012726](#)

#### Reading of Correspondence

#### Public Comments

#### Todd Lawson, County Administrator

1. **Recognition of Retiree – Gordon Serman**
2. **Public Interview for Board of Adjustment Nominee – Chuck McClure**
3. **Public Interview for Planning & Zoning Commission Nominee – David Pettyjohn**
4. **Presentation – Bradley Owens, Director, Prescription Opioid Settlement Distribution Commission**
5. **Library Advisory Board Appointment**
6. **Administrator's Report**



## Hans Medlarz, Project Engineer

1. **Lewes Board of Public Works (LBPW)- Sussex County Partnership**
  - A. **Approval of GHD's Amendment 31; Preliminary Studies for the Wolfe Neck RWF Upgrade and Expansion**  
[GHD Amd 31](#)
2. **SCRWF Treatment Process Upgrade No. 3 - Inland Bays Extension**
  - A. **BW Electric, Inc. Change Order No. IB-001**
  - B. **Direct Equipment Purchase Order for Actuated Valves**  
[IB Exp BW CO 1](#)
3. **Professional Environmental Services**
  - A. **RK&K – 5 Year Wetland Data Collection Implementation Modification**  
[RKK Wetland Data Revision](#)

## Old Business

1. [Change of Zone No. 2021 filed on behalf of Crosswinds Landing, LLC](#)

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN AR-1 - RPC AGRICULTURAL RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY (352 DWELLINGS) FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 183.19 ACRES, MORE OR LESS” (properties are lying on the southwest side of Lighthouse Road [Rt. 54], and on the west side of Dickerson Road [S.C.R. 389], approximately 310 feet northwest of the intersection of Lighthouse Road [Rt. 54] and Dickerson Road [S.C.R. 389]) (911 Address: 33080 Lighthouse Road & N/A) (Tax Map Parcels: 533-18.00-63.00 & 56.00)

[Old Business CZ2021](#)

## Grant Requests

1. **Eastern Shore AFRAM Festival for their Martin Luther King Day of Celebration**  
[Eastern Shore AFRAM Festival](#)
2. **Tether Foundation for their Camp Abilities Delaware Winter Camp**  
[Tether Foundation](#)
3. **East Sussex Public Broadcasting, Inc. for equipment upgrades**  
[East Sussex Public Broadcasting](#)
4. **Clothing Our Kids for their Clothe a Kid program**  
[Clothing Our Kids](#)

## Introduction of Proposed Zoning Ordinances

[Ord Intros CU2533 CU2546 CU2549 CU2614](#)

**Council Members' Comments**

**Executive Session - Land Acquisition & Pending & Potential Litigation pursuant to 29 Del.C. §10004(b)**

**Possible action on Executive Session Items**

**Adjourn**

**-MEETING DETAILS-**

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on January 27, 2026 at 4:00 p.m. and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.

The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

**Conference Number: 1-302-394-5036**

**Conference Code: 570176**

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/county-council>.

*Any person who intends to present a digital presentation or document, including PowerPoint files, for electronic display during County meetings shall submit said file(s) in advance, no later than one (1) business day before the respective public meeting. Files may be sent electronically to [councilpackets@sussexcountyde.gov](mailto:councilpackets@sussexcountyde.gov) or delivered by hand to County Administration, located in the Sussex County Administrative Offices, 2 The Circle, in Georgetown. No external storage devices shall be permitted to connect to County equipment.*

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 13, 2026**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 13, 2026, at 1:00 p.m., in Council Chambers, with the following present:**

<b>Douglas B. Hudson</b>	<b>President</b>
<b>John L. Rieley</b>	<b>Vice President</b>
<b>Jane Gruenebaum</b>	<b>Councilwoman</b>
<b>Matt Lloyd</b>	<b>Councilman</b>
<b>Steve C. McCarron</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>J. Everett Moore, Jr.</b>	<b>County Attorney</b>

**The Invocation and Pledge of Allegiance were led by Mr. Hudson.**

**Call to  
Order**

**Mr. Hudson called the meeting to order.**

**M 026 26  
Approve  
Agenda**

**A Motion was made by Mr. McCarron, seconded by Mr. Rieley, to approve the Agenda, as presented.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Rules of  
Procedure/  
Zoning  
Hearings**

**Mr. Lawson then presented a revision to the rules of procedure for County Council zoning hearings. Mr. Lawson reported that a compromise has been reached since the last meeting. The paragraph currently reads “After that any persons who oppose or question the applicant will be allowed to state the reasons for their opposition or questions. There will be no rebuttal by the application. After the Opposition has had an opportunity to speak, Council may ask the applicant and/or the applicant’s team a follow-up question or to respond to matters stated by the Opposition”. The proposed change is to strike the sentence “There will be no rebuttal by the applicant” and leaving the rest of the paragraph.**

**M 027 26  
Approve  
Amendment  
to the Rules  
of  
Procedure/  
Zoning  
Hearings**

**A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, to strike the language that states “There will be no rebuttal by the applicant”.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

- Minutes**            **The minutes from December 16, 2025 were approved by consensus.**
- Corre-  
spondence**        **Mr. Moore reported that correspondence was received from Boys & Girls Club of Delaware and Cancer Support Community of Delaware thanking Council for their support.**
- Public  
Comments**        **Public comments were heard, and the following people spoke:**
- Ms. Wendy Taylor spoke about the land use process for applications.**
- Ms. Kate Fallon spoke about growth and planning.**
- Mr. Gary Vorsheim spoke about infrastructure and compliance of the code.**
- Mr. David Stein spoke about quality of life, specifically affordable housing and traffic.**
- Ms. Linda Vorsheim spoke about how HOA should submit their input regarding land use and zoning decisions.**
- Mr. Greg Linder spoke about overgrowth and rapid development.**
- Ms. Jen Palowski spoke about offshore wind and SB159.**
- Recognition/  
Board**            **Mr. Bob Wheatley and Mr. Brian Butler were recognized for their service on the Planning & Zoning Commission. Mr. Kevin Carson, Mr. John Travis Hastings and Mr. Jeff Chorman were recognized for their service on the Board of Adjustments.**
- Adminis-  
trator's  
Report**            **Mr. Lawson read the following information in his Administrator's Report:**
- 1. Sediment Control and Stormwater Management Ordinance Update**
- Representatives from the Sussex Conservation District and the County met recently to discuss the pending Sediment Control and Stormwater Management Ordinance that was considered during the December 9, 2025, public hearing. During the meeting, specific details related to the Ordinance were discussed including the sediment capture recommendations, volume limitations, and limit of disturbance. The meeting was productive, and I believe a compromise has been reached on the pertinent issues. The Conservation District is reviewing the Ordinance changes now and will provide their feedback after their next Board meeting. We will schedule the Ordinance to be back in front of Council during one of its February meetings for review and possible action.**
- 2. County Meeting/Holiday Schedule**

County offices will be closed on Monday, January 19<sup>th</sup> for the Martin Luther King Jr. Holiday. Offices will reopen on Tuesday, January 20<sup>th</sup> at 8:30 a.m. Council will not meet on January 20<sup>th</sup>. The next regularly scheduled Council meeting will be on Tuesday, January 27<sup>th</sup>.

[Attachments to the Administrator's Report are not attached to the minutes.]

**SCWRF  
Equipment  
PO** Hans Medlarz, Project Engineer, presented a request for a direct equipment purchase order for intermediate pumping equipment for South Coastal WRF process upgrade no. 3 for Council's consideration.

**M 028 26  
Approve  
Equipment  
PO/SCWRF** A Motion was made by Mr. Rieley, seconded by Mr. McCarron, be it moved based upon the recommendation of the Sussex County Engineering Department, that County Council approve a purchase order to Sydnor Hydro, Inc., in the amount of \$466,700.00 for immediate and recirculation pumping equipment associated with the Inland Bays Extension project.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Old  
Business/  
CZ2037** Under Old Business, Jamie Whitehouse, Planning & Zoning Director presented a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-4 PLANNED COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 73.5 ACRES, MORE OR LESS" filed on behalf of Mulberry Knoll Associates, LLC.

The County Council held a Public Hearing on the application at the meeting on October 21, 2025. At the conclusion of the meeting, Council deferred action on the application, holding the public record open for the limited purpose of obtaining additional information from State Agencies, including DelDOT and DNREC, by close of business on November 18, 2025. Following receipt of the responses, they would be reported to the County Council, after which members of the public and the applicant would have an additional 14 calendar days to comment on the responses received from the State Agencies. The Public Record automatically closed at 4:30 p.m. on December 23, 2025.

**M 029 26  
Adopt  
CZ2037/  
DENIED** A Motion was made by Ms. Gruenebaum, seconded by Mr. McCarron to Adopt a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-4 PLANNED

**M 029 26**            **COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 73.5 ACRES, MORE OR LESS” for the reasons given by the Planning & Zoning Commission.**

**Adopt  
CZ2037/  
DENIED  
(continued)**

**Motion DENIED:    5 Nays**

**Vote by Roll Call:    Ms. Gruenebaum, Nay; Mr. McCarron, Nay;  
Mr. Lloyd, Nay; Mr. Rieley, Nay;  
Mr. Hudson, Nay**

**The Members voted nay based on the reasons provided by Ms. Gruenebaum.**

**Introduction  
or Proposed  
Ordinances**

**Mr. McCarron introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE NO. 2270 (ORDINANCE NO. 3070) REGARDING THE HOURS OF OPERATION FOR AN EXISTING OUTDOOR RACETRACK TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 35.00 ACRES, MORE OR LESS” filed on behalf of Greg Mitchell.**

**Ms. Gruenebaum introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.5739 ACRES, MORE OR LESS” filed on behalf of 1534 Savannah Road, LLC.**

**The Proposed Ordinances will be advertised for a Public Hearing.**

**CM  
Comments**

**Mr. McCarron commented about growth in Sussex County and lack of investment. He added the lack of infrastructure needed to support such projects as the one voted on today. Additionally, he commented about growth areas and the state’s investment regarding road improvements. Mr. McCarron also discussed state strategies map.**

**Mr. Rieley stated that he agreed with Mr. McCarron’s comments.**

**Rules**

**Mr. Moore read the rules of procedure for public hearings.**

**Public  
Hearing/  
CU2586**

**A Public Hearing was held on Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITIONAL USE NO. 705 TO ALLOW FOR AN EXPANSION OF AN EXISTING CAMPGROUND TO BE LOCATED ON CERTAIN**

**Public  
Hearing/  
CU2586  
(continued)**

**PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY CONTAINING 21.93 ACRES, MORE OR LESS” (properties are lying on the southwest side of Coastal Highway [Rt. 1], approximately 0.70 mile north of Broadkill Road [Rt. 16]) (911 Address: 12984 Coastal Highway & 13177 Eagles Nest Trail, Milton) (Tax Map Parcels: 235-8.00-35.02 & 35.03 (P/O)) filed on behalf of Preston & Mason Dyer.**

**Jamie Whitehouse, Planning & Zoning Director, presented the application.**

**The Planning & Zoning Commission held a Public Hearing on the application on November 19, 2025. At the meeting of December 10, 2025, the Planning & Zoning Commission recommended approval of the application for the 8 reasons of approval and subject to the 9 recommended conditions of approval as outlined.**

**The Council found that Mr. Preston Dyer, a member of Campground Holdings, LLC, spoke on behalf of his Application; that also present were Mr. Mason Dyer, who is involved in the operation and management of the campground, as well as Mr. Mark Davidson, P.E., with Pennoni. Mr. Preston Dyer stated that the original Conditional Use for the property dated back to 1982; that the approved Conditional Use was for 150 overnight camp sites for mobile campers, tents, camp trailers and touring vans; that the campground has been in business for 43 years; that the campground includes campsites, cabins, central water and wastewater, camp store, office, inground swimming pool, bath house, playground, maintenance yard and chapel; that they have an excellent relationship with the Eagles Nest Church and the Sammons family; that when they purchased the property, they were aware that the 10 acre parcel was slated for development; that they purchased the Sammons’s residences that fronts Route 1; that the application seeks to replace and to restore the uses, the structures and the activities that were present on the adjoining 10 acre parcel; that they are seeking to add a two acre parcel, which was originally the Sammons’s residential parcel, to C/U 705 for Deep Branch Campground.**

**The Council found that Mr. Mark Davidson, Principal Land Planner with Pennoni Associates, spoke on behalf of the application. Mr. Davidson stated that Conditional Use No. 705 was approved in 1982; that Conditional Use No. 705 was approved for 150 campsites for overnight mobile campers, tents, camp trailers, touring vans and alike; that the campground was improved to have campsites, cabins, central water, wastewater, a camp store, and office, inground swimming pool, bath houses, playground, maintenance yard, and a chapel; that the campground has been operating for about 43 years; that the addition of the two properties, improved with the existing dwelling and the septic systems will provide for the purpose of the uses intended primarily compatible within an existing campground; that on the submitted Site Plan, he had indicated what had been relocated, as part of that 10 acres being developed with the assisted living facility; that he had outlined the assisted living facility on the back**

**Public  
Hearing/  
CU2586  
(continued)**

**five acres, which is zoned C-1 (General Commercial); that the front five acres are zoned AR-1 (Agricultural Residential), which is the location of the one acre piece is; that the two acre parcel would merge into the adjacent parcel; that per the 2045 Future Land Use Map of the Sussex County Comprehensive Plan, the property is identified as being within the Low Density Area, and Existing Development Area; that the 2020 Delaware Strategies for State Policies and Spending shows the site within Investment Level 4; that the proposed Conditional Use is subject to the provisions of Articles IV through Article XXIV, §115-§22 of the Sussex County Zoning Code; that the purpose of the Conditional Use is to provide for these certain uses, which cannot otherwise be well adjusted to their environment, in particular location with full protection offered to surrounding properties or rigid application and district regulations; that the subject application being submitted to Sussex County is to request the approval to add 3.01 acres +/- to the existing campground; that there is an exiting septic system; that the proposed use will not alter the character of the surrounding area in any manner, which would substantially limit, impair or preclude the use of the surrounding properties; that the Conditional Use is compatible with the surrounding low density uses, which include residential, commercial, institutional, agricultural and recreational areas; that access to Zion Church Road, which is classified as a local road, according to DelDOT's Highway Functional Classification Map; that right-of-way, dedications and permanent easement dedications have been dedicated; that they were dedicated as part of the assisted living facility process; that the campground has an existing access easement, which had been granted to them over the years, which comes up from Zion Church Road; that this is a recorded deed easement, which is 50 feet wide, and comes up to the back of the property; that this easement will be the primary access for the addition of the two properties for the campground; that the existing access, located off Zion Church Road, will be the primary access for the campground and the associated amenities; that they are proposing to present to DelDOT to use the existing driveway as an emergency access, designated for emergency services only; that the emergency access will be gated with a Knox box to provide an alternate way of leaving the site in the case of an emergency; that DelDOT felt that the proposed Conditional Use would not adversely affect the congestion of the roads; that they deemed the proposed use to be diminutive in the context of the agreement with Sussex County; that DelDOT did not require a Traffic Impact Study (TIS) for the application; that there are wetlands located on the property; that a Wetland Delineation is required to be shown along the wetland area; that there are no threatened or endangered species on the properties being added; that there is no need for public water for the application; that parcel no. 35.02 has an existing well, which had been permitted through DNREC, which serves the existing dwelling; that the existing campground currently has an existing commercial well which services the property; that the one acre parcel is located within Flood Zone X, which is located outside of the 500 Year Floodplain; that a Flood Zone AE, with elevation of 8, impacts**

**Public Hearing/  
CU2586  
(continued)**

portions of Parcel No. 35.02 and Parcel No. 35.03; that the property is located within the Milton Fire Department Service Area; that he has one requested change for Condition G; that Condition G states “A permanent opaque fence of at least 6 feet in height shall be erected and maintained all the common boundary with Parcel No. 35.09 to provide a visual screen and buffer between the two properties. The location and type of fencing shall be shown on the Final Site Plan.”; that the County Code states that a six-foot fence cannot be placed in the front yard setback; that they are requesting that some language be added to the condition to stop the six-foot fence in the front yard setback.

**Public comments were heard.**

**Mr. James Grant spoke in favor of the application.**

**Mr. Tim Parker spoke in favor of the application.**

**The Public Hearing and public record were closed.**

**M 030 26  
Amend  
Condition  
G/CU2586**

A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum to amend Condition G for the first sentence to read “A permanent opaque fence of at least 6 feet in height shall be erected in compliance with Sussex County Planning & Zoning regulations along the common boundary with Parcel No. 35.09 to provide a visual screen and buffer between the two properties”.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**M 031 26  
Adopt  
Ordinance  
No. 4038/  
CU2586**

A Motion was made by Mr. McCarron, seconded by Mr. Lloyd to Adopt Ordinance No. 4038 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITIONAL USE NO. 705 TO ALLOW FOR AN EXPANSION OF AN EXISTING CAMPGROUND TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY CONTAINING 21.93 ACRES, MORE OR LESS” for the reasons and conditions given by the Planning & Zoning Commission as follows and as amended by this Council:

1. Conditional Use No. 705 was approved in 1982 for 150 campsites for overnight mobile campers, tents, camp trailers, touring vans, and the like. The campground was improved to have campsites, cabins, central water and wastewater, a camp store and office, an inground swimming pool, bathhouses, playground, maintenance yard, chapel, and other similar features. The campground has been operating for

**M 031 26  
Adopt  
Ordinance  
No. 4038/  
CU2586  
(continued)**

- the past 43 years.
2. This application seeks to add two properties to the existing Conditional Use. One of the properties includes a dwelling, and the other includes a portion of the septic system that serves the existing campground.
  3. The existing campground is immediately adjacent to a property that is zoned C-1 (General Commercial), which was part of an application for a Senior Care Facility that was recently approved. The approved site plans for that use forced the removal of the campground's clubhouse, office, and swimming pool. The addition of the additional two parcels that are the subject of this application will add those uses back into the campground.
  4. The addition of these two parcels will not materially increase the total area of the campground, as it was approved in 1982.
  5. The replacement of the removed uses on these new additional parcels is consistent with the campground requirements set forth in Section 115-172H of the Sussex County Zoning Code.
  6. This application will not alter the character of the surrounding area or adversely affect neighboring properties or roadways. DeDOT has stated that these additional parcels will have a "diminutive" impact on area roadways. The use is just a continuation of the longstanding operation of the campground.
  7. These additional properties will have access through the existing campground access to Zion Church Road.
  8. The one-acre portion of Parcel 35.03 that is a part of this application lies within an excellent groundwater recharge area. Any disturbance within this portion of the property will be required to follow the criteria contained in Chapter 89 of the Sussex County Code regarding Source Water Protection.
  9. This recommendation is subject to the following conditions:
    - a. Conditional Use No. 705 shall remain in effect for the entire campground and for Parcel No. 35.03 except as specifically modified by these conditions.
    - b. These additional properties shall be used as (1) a campground for mobile campers, recreational vehicles, tents, camp trailers, and touring vans consistent with the adjacent approved campground; (2) a residence and/or office for the campground manager; (3) a meeting area and small retail businesses, clubhouse and pool intended primarily for occupants of the campground; and (4) utilities as needed and necessary for the safe operation of the campground.
    - c. One lighted on-premises sign, not to exceed 32 square feet of sign area per side, shall be permitted. The lighting for the sign shall not shine on any neighboring properties or roadways.
    - d. All security lighting shall be screened so that it does not shine on neighboring properties or roadways.
    - e. The applicant shall comply with all DeDOT requirements, including any entrance or roadway improvements. In addition,

**M 031 26  
Adopt  
Ordinance  
No. 4038/  
CU2586  
(continued)**

and subject to the coordination and approval of DeIDOT, the existing driveway from the subject property to Route 1 shall remain available for emergency use and access via a Knox Box or similar form of restrictive access. This driveway entrance shall remain locked and shall not be used by the public for access to or from the campground except in cases of emergency. This restricted entrance shall be noted on the Final Site Plan and with signage on the site itself.

- f. All trash and recycling containers shall be screened from view of the adjacent properties and area roadways.
- g. A permanent opaque fence of at least 6 feet in height shall be erected in compliance with Sussex County Planning & Zoning regulations along the common boundary with Parcel No. 35.09 to provide a visual screen and buffer between the two properties. The location and type of fencing shall be shown on the Final Site Plan.
- h. A violation of these conditions may result in the termination of this conditional use.
- i. The Final Site Plan showing this additional area and incorporating the entire existing campground shall be subject to the review and approval of the Planning and Zoning Commission.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**M 032 26  
Adjourn**

**A Motion was made by Mr. Rieley, seconded by Mr. McCarron to adjourn at 2:20 p.m.**

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Respectfully submitted,**

**Tracy N. Torbert  
Clerk of the Council**

*{An audio recording of this meeting is available on the County's website.}*

**SUSSEX COUNTY COUNCIL**

**WORKSHOP**

**JANUARY 27, 2026**

The Sussex County Council held a Budget Workshop on January 27, 2026, beginning at 9:30 a.m. at the Sussex County Public Safety Complex in Georgetown for the purpose of discussing County Code Updates focused on Land Use Reforms.

The following were present:

<b>Douglas B. Hudson</b>	<b>President</b>
<b>John L. Rieley</b>	<b>Vice President</b>
<b>Matt Lloyd</b>	<b>Councilman</b>
<b>Jane Gruenebaum</b>	<b>Councilwoman</b>
<b>Steve McCarron</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Vince Robertson</b>	<b>Assistant County Attorney</b>

Jamie Whitehouse, Planning & Zoning Director was also present.

**Call to  
Order**

Mr. Hudson called the workshop to order.

**M 033 26  
Approve  
Agenda**

A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, to approve the agenda as presented.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Presentation**

A presentation was given relating to County Codes updates that focused on land use reforms.

**Public  
Comments**

Public comments were heard; members of the public spoke about affordable housing, changes in building codes, infrastructure and the Henlopen TID.

No action was taken.

**M 034 26  
Adjourn**

A Motion was made by Mr. McCarron, seconded by Mr. Lloyd to adjourn at 1:30 p.m.

**Motion Adopted: 5 Yeas**

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;  
Mr. Lloyd, Yea; Mr. Rieley, Yea;  
Mr. Hudson, Yea**

**Respectfully submitted,**

**Tracy N. Torbert  
Clerk of the Council**

*{An audio recording of this meeting is available on the County's website.}*

## ENGINEERING DEPARTMENT

MIKE HARMER, P.E.  
SUSSEX COUNTY ENGINEER

(302) 855-7370 T

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mike.harmer@sussexcountyde.gov



# Sussex County

DELAWARE  
sussexcountyde.gov

## Memorandum

TO: Sussex County Council  
The Honorable Douglas B. Hudson, President  
The Honorable John L. Rieley, Vice President  
The Honorable Jane Gruenebaum  
The Honorable Matthew R. Lloyd  
The Honorable Steven C. McCarron

FROM: Hans Medlarz, P.E., Director of Special Projects

RE: ***Lewes Board of Public Works (LBPW)- Sussex County Partnership***

***A. Approval of GHD's Amendment 31; Preliminary Studies for the Wolfe Neck RWF Upgrade and Expansion***

DATE: February 3, 2026

GHD, Inc., held the County's engineering services contract associated with the South Coastal RWF since December 7, 2001. Council reaffirmed GHD as the "Engineer of Record" for South Coastal in September of 2016 and again on May 14, 2019, at which time Council also included professional services associated with the City of Rehoboth Beach's Wastewater Treatment Plant. On July 16, 2024 County Council expanded GHD, Inc.'s reaffirmation as "Engineer of Record" for the County's wastewater treatment process related projects at all facilities through June 30, 2029.

In July of 2016, County Council authorized agreement negotiations with other wastewater service providers for the utilization of existing unallocated wastewater treatment capacity. On September 20, 2016, Council approved the initial agreement with the Lewes Board of Public Works (LBPW) for wastewater treatment and disposal. It allowed for the transmission of a year-round base flow rate of up to 75,000 gallons per day into the BPW's system with a seasonal ramp up to 300,000 gallons per day during the fall/winter season at an initial rate of \$2.40/1,000 gallons.

As per LBPW's request, the County utilized George, Miles & Buhr, Inc., the Board's Engineer of Record for the design of the transmission improvements. After design completion and permitting Council approved on August 29, 2017, LBPW's assistance request under the FY18 General Labor & Equipment Contract for a joint capital implementation project.

In March of 2018, the LBPW requested an amendment to the Agreement allowing LBPW's service area tie-in(s) to the County's system and on March 20, 2018, Council approved



Amendment No. 1 allowing wastewater to be transmitted and treated in the most cost-effective manner with the billing to be accomplished on a net zero metering basis.

On September 26, 2018, the County presented a request for a 25% increase in both the base and seasonal flow contributions in exchange of payment of the associated impact fees at a Board meeting. Subsequently, the Board instructed their Counsel to draw up Amendment No. 2, which was accepted by County Council on January 8, 2018.

As early as 2020, LBPW was pursuing a long-range plan for the wastewater treatment plant's future needs. The possible cooperation presented an opportunity to significantly reduce LBPW's future long-term capital costs concerning sustainability of the wastewater treatment plant, especially compared to other potential options. Therefore, the Board held a workshop for public discussion and input on March 31, 2022. As a result of the input, a proposal from GHD, Inc., the consultant already representing both entities, was requested to evaluate the following three (3) options with variations:

1. Maintain wastewater treatment facility in its current flood plain location at its current capacity while "hardening" the perimeter to deal with climate change.
2. Relocate wastewater treatment facility outside of the flood plain, increase capacity to meet ultimate demand and investigate (2a) land treatment disposal, (2b) continued Canal discharge and (2c) ocean outfall.
3. Relocate wastewater treatment facility to Wolfe Neck in a partnership with County using the same capacity assumptions while investigating (3a) continued piped Canal discharge versus (3b) biological polishing.

On May 24, 2022, County Council approved to fund 50% of GHD's long-range study cost in the amount of \$124,250.00. The results of the study were presented to County Council on December 6, 2022 and on January 23, 2023 to the LBPW. Subsequently the LBPW held workshops on February 10<sup>th</sup>, March 22<sup>nd</sup>, April 12<sup>th</sup>, May 17<sup>th</sup> and June 14<sup>th</sup> of 2023 to continue the open decision-making process.

In late June of 2023 Sussex County was informed by DNREC officials of significant findings during a Phase 1 archeological study at the Wolfe Neck RWF. The impact has created uncertainty for biological polishing under option 3b as well as the proposed spray facility conversion from center pivot irrigation to a fixed-head irrigation in managed forests.

During the BPW workshop on August 9<sup>th</sup>, 2023 the concept of an ocean outfall from the Wolfe Neck RWF emerged as Option 3c. Under this scenario the County would construct a new 5.00 MGD treatment facility relying mainly on the outfall and only spray irrigate at agronomically required rates using the exiting irrigation systems.

Due to archeological findings, any Wolfe Neck treatment expansion can only occur in one of the existing treatment lagoons requiring urgent removal of the accumulated biosolids. As a precursor of the removal, all incoming flows must be transferred to treatment lagoons 2 & 3. For the support of the biosolids removal and dewatering equipment a new electrical service

and power distribution center had to be installed to accommodate both the immediate power needs as well as the future plant expansion.

Therefore, Council approved GHD's Amendment 22 on August 15, 2023 for the Advanced Electrical Design in the amount of \$427,138.72 and Amendment 23 for the expansion of LBPW's long-range study to include Option 3c in the amount of \$95,000.00.

City of Rehoboth Beach and Sussex County had a long-standing successful wastewater partnership since the 1970s with the current 25-year agreement dating to 2017. It contains a 42% county capacity allocation which can be increased to 50%. The debt service is based on the reserve allocation while the operational and maintenance expenses are based on percentage of flow. Given this partnership background and the archeological findings at the Wolfe Neck RWF, the County jointly with LBPW approached the City in the spring of 2024 with a proposal to purchase 5.0 MGD of unused ocean outfall capacity for \$20 million in lieu of constructing another outfall off Wolfe Neck. The offer was ultimately rejected by the City's Commissioners effectively shutting down the three-party regional.

However, under any outfall option the County and the LBPW would have had to expeditiously either update previous ocean studies or initiate new ones off Wolfe Neck. In order to accomplish this task, the Engineering Department requested GHD prepare Amendment 28 to conduct sampling events and reports of the near field benthic zone associated with an ocean outfall. On January 14, 2025 Council approved GHD's Amendment 28 in the initial amount of \$474,000.00 allowing for immediate scheduling of the first four (4) rounds of ocean sample collections. After the City of Rehoboth Beach's rejection of the joint offer the effort shifted to a two-stage benthic study of the Lewes-Rehoboth Canal. The first pre-dredging stage will wrap in the spring of 2026 the second one will start immediately after the dredging is completed in the fall of 2026.

During their March 18<sup>th</sup>, 2025 Public Workshop the LBPW reduced their options to (i) continue operation at a "hardened" facility while discharging to the Lewes-Rehoboth Canal at existing location or (ii) transmit flow to a future joint facility with a relocated discharge to the Lewes-Rehoboth Canal at the Wolfe Neck RWF.

Following the March 2023 workshop a series of joint staff meetings were conducted which allowed the LPBW to tentatively select the latter option during their October 28<sup>th</sup>, Public Workshop. However, they continued to solicit public input, kept the topic on the agenda of the monthly board meetings and posted draft agreements on their website and on December 10<sup>th</sup>, 2025 LBPW approved both agreements.

The first Agreement associated with the new Wolfe Neck RWF is loosely based on the ones with the Cities of Seaford and Rehoboth Beach. However, it took months of negotiation to refine it to the point both parties felt equally represented. The second Agreement, replacing the current agreement for services is equally important because it facilitates the implementation of the first one by maximizing the County's flow contribution to the LBPW's facility without payment of impact fees but with an adjusted rate based on actual treatment cost escalation. County Council approved both agreements on January 6, 2026.

While the negotiations were ongoing the County was able to conclude a multi-year effort to exchange land with the State of Delaware at Wolfe Neck. Hereby obtaining land right to >20 acres immediately adjacent to the effluent storage lagoon. Control over this land does keep the option of wetland polishing prior to final effluent discharge into Wolfe Glade open if it can be cleared in a phase II archeological study.

With County Council's approval of both LBPW's agreements, the Engineering Department solicited a proposal from GHD for the following scope:

1. Baseline benthic and water quality testing for the Lewes-Rehoboth Canal
2. Archeological investigation of the area obtained via the land exchange with the State of Delaware for potential construction of wetland prior to discharge.
3. Management and Permitting for USACE of the Lewes – Rehoboth Canal dredge spoil material for potential beneficial reuse
4. Assessment of Lewes-Rehoboth Canal's hydrodynamic behavior at the two potential discharge locations
5. Wolfe Neck RWF treatment process evaluation envisioned in the Agreement

In order to accomplish these tasks, the Engineering Department requested the attached Amendment 31. Scope item 1. above will reduce Amendment 28's budget by more than \$200,000.00. Given the timing of the scientific subconsultant's report, GHD will keep Amendment 28 open, until such time when the report and the associated invoice is finalized before closing out Amendment 28.

In summary, the Engineering Department recommends approval of GHD's Amendment 31 in the not to exceed amount of \$1,050,000.00.

## **SOUTH COASTAL REGIONAL WASTEWATER FACILITIES**

### **SUSSEX COUNTY, DELAWARE**

#### **CONTRACT AMENDMENT NO. 31**

This contract amendment, **Contract Amendment No. 31** dated \_\_\_\_\_, **2026** amends our original contract dated December 7, 2001, between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and GHD Inc., a State of Maryland Corporation, hereinafter referred to as CONSULTANT, whose address is 16701 Melford Boulevard, Suite 221, Bowie, Maryland 20715. Except as specifically amended herein, the provisions of the Original Contract dated December 7, 2001, as thereafter amended, remain in effect and fully valid.

By execution of this Amendment, the following sections are hereby added as new sections to the Original Contract, as respectfully numbered below.

#### **ARTICLE FOUR**

##### **FEE STRUCTURE**

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 30** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated December 7, 2001.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Preliminary Engineering Services for the for the Wolfe Neck RWF Upgrade and Expansion** as set forth in **Attachment A**, which is attached hereto and incorporated by reference, shall not exceed **One Million Fifty Thousand dollars (\$1,050,000.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

#### **ARTICLE FOURTEEN**

##### **INCORPORATED DOCUMENTS**

- 14.2 **Attachment A: Consultant's Scope of Services, Preliminary Engineering Services for the for the Wolfe Neck RWF Upgrade and Expansion. (Contract Amendment No. 31).**

By execution of this Agreement, the following sections are amended as set forth below:

- 2.4 The CONSULTANT shall perform the Scope of Services attached hereto as Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment A.
- 4.3 The COUNTY shall pay the CONSULTANT for the satisfactory completion of the Scope of Services specified herein before in Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment, based on and limited to the following method of determination....”

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. **31** to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:  
SUSSEX COUNTY

\_\_\_\_\_  
President, Sussex County Council

PREVIOUSLY APPROVED FORM

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Sussex County Council

FOR THE CONSULTANT:

GHD Inc.



\_\_\_\_\_  
Vince Maillard, P.E.

WITNESS:

  
\_\_\_\_\_

Your ref:  
Our ref: 12688304

January 28, 2026

Hans Medlarz P.E.,  
Sussex County  
2 The Circle  
Georgetown, DE 19947

## Preliminary Studies for the Wolfe Neck RWF Upgrade and Expansion

Dear Mr. Medlarz

GHD is pleased to submit this proposal to complete preliminary studies for the planned Wolfe Neck RWF (WNRWF) Upgrade and Expansion.

### Introduction

Sussex County and the Lewes Board of Public Works have agreed to upgrade and expand the WNRWF and decommission the existing Lewes WWTP. The existing load allocation for the Lewes WWTP is planned to be transferred to Sussex County to allow treated effluent from the upgraded and expanded WNRWF to be discharged to the Lewes-Rehoboth Canal. GHD has assisted Sussex County and the Lewes Board of Public Works in numerous preparatory tasks for this expansion project.

### Scope of Services

GHD will provide the following services:

1. Baseline Benthic and Water Quality Testing in the Lewes-Rehoboth Canal
  - a. Completion of up to four instances of benthic and water quality testing, and associated reporting, in the Lewes-Rehoboth Canal with anticipated mobilizations in May 2026, October 2026, May 2027, and October 2027. This will provide a second year of baseline data prior to USACE dredging the canal, and one year of baseline data after USACE dredging. Study scope includes benthic assemblages, fish communities, water column characteristics, water chemistry, and sediments. Refer to the subconsultant proposal for details of the sampling, analysis and reporting program. Note that it is intended to add a biological constituent to the water quality analysis, to be selected after further consultation with the subconsultant and subject matter experts to ensure adequate consideration of logistics impacts, costs, and data value.
  - b. This amendment includes the base costs included in the subconsultant proposal in addition to allowances for weather delays, the additional biological constituent, potential adjustment following DNREC review, and GHD markup, management, and critical review. The total amount included for the subconsultant is \$330,000.00.

2. Archaeological Investigation in Recently Acquired Sussex County Land
  - a. Completion of an investigation to determine the extent of archaeological deposits within the roughly 23 acres acquired by Sussex County using geophysical and archaeological methods. Refer to the subconsultant proposal for details of the investigation. The land acquired by Sussex County via land exchange with the State of Delaware is located generally to the northeast of the WNRWF effluent storage lagoon as shown in the subconsultant proposal.
  - b. This amendment includes an allowance for subconsultant costs and GHD markup and management. The total amount included for the subconsultant is \$55,000.00.
3. Management and Permitting for USACE Dredge Material
  - a. DNREC Liaison and Permitting Assistance: The Delaware Administrative Code sets requirements for closure or abandonment of a wastewater treatment facility, including the development and submission of a closure and abandonment work plan with procedures on how the facility will be abandoned by the responsible party for review and approval by DNREC. In addition, USACE is actively working to obtain permits for utilizing Lagoon 1 at WNRWF as a disposal site for dredge material. GHD will support the USACE effort to obtain permits for utilization of the lagoon as the disposal site and liaise with DNREC to determine what predisposal activities might be required after the completion of the current sludge removal contract to make the site suitable for use. This could include:
    - i. Liaise with DNREC to confirm expectations for the work plan
    - ii. Develop a draft work plan for County review.
    - iii. Finalize the work plan and submit to DNREC for review and approval
    - iv. Work with Sussex County to provide the sludge removal contractor (Denali) with instructions for treating the residual soil to satisfy DNREC requirements for decommissioning and hazard reduction.
    - v. Work with Sussex County to implement any water quality monitoring programs required after completion of soil modification.
    - vi. Work with USACE to develop materials for submission to DNREC to support the disposal site permitting effort.
  - b. Project Planning
    - i. High level capacity analysis to confirm receiving volume of the disposal area, estimated to be approximately 150,000 cubic yards.
    - ii. High level assessment of the disposal area and any improvements needed to receive dredge material and be able to discharge overflow into the adjacent creek (e.g. addition of weirs, berm stability, etc.)
    - iii. Explore the potential to offload additional material from the existing USACE Dredge Material Management Areas (Lewes DMPF Cell 1 or Cell 2)
    - iv. Liaison with Sussex County, USACE representative, and/or USACE contractor as needed.
  - c. Evaluation for beneficial reuse
    - i. Evaluating suitability of dredged material based on anticipated bearing pressures for the WWTP structures.
    - ii. Review of existing USACE summary geotechnical data (derived from Aptim, Anchor QEA, TetraTech investigations), and recommendations on potential location of various material within the lagoon footprint and/or ground improvement technologies (e.g. mixing, augmentation, water management spreading, etc.) that could be deployed during disposal or upon completion of dewatering. Additional geotechnical sampling and analysis is not anticipated to be required and is therefore excluded from this scope of services.

- d. On site representation
  - i. Deployment of a GHD Resident Project Representative (RPR) to advocate for Sussex County during execution of the USACE contract. GHD's RPR is not anticipated to have any contractual authority over the USACE Contractor, but will monitor the discharge of dredge material into the WNRWF lagoon, provide direction regarding the placement of material, and alert Sussex County and/or the USACE representative in the event that the USACE contractor's activities are not in alignment with the agreed plan or otherwise contrary to Sussex County interests.
  - ii. It is assumed that the RPR will work out of the existing WNRWF administration building or another facility provided by Sussex County. It is anticipated that inspection will be provided as needed to suit execution of the USACE dredging contract and typically on a part-time basis. This engineering services proposal allows for a total of 100 hours of onsite inspection.
  - iii. Sussex County will provide furnished office space at WNRWF to serve as the GHD RPR's field office. Sussex County will provide high speed internet access for use by the GHD RPR.

4. Assessment of Lewes-Rehoboth Canal Hydrodynamic Behavior at Potential Discharge Locations

- a. Review channel bathymetry data at key locations:
  - i. Existing discharge location from the Lewes WWTP near the Theo C Freeman Memorial Hwy (approximately 220ft wide, depth 6ft)
  - ii. Proposed discharge location from Wolfe Neck RWF into the Lewes-Rehoboth Canal (approximately 286ft wide, depth 6ft)
  - iii. One intermediate location to be determined in consultation with Sussex County.

Review bathymetry from historical survey data available on the USACE ehydro website, the most current survey data which is from February 2024, and the proposed dredge footprint. Determine variation in cross sectional area, and therefore channel capacity, over an envelope of conditions (dredged and accumulated).

- b. Current and Flow Study
  - i. For this study, deploying a continuous velocity data logger at each of the three canal locations represents the most effective approach for understanding how flow is partitioned between the northern and southern pathways. Continuous measurements capture the full range of tidal reversals, low flow conditions, and episodic variations that influence net transport. This provides a long duration dataset needed to reliably compare the hydrodynamic behavior at both sites and potentially inform future modeling efforts that may be needed for regulatory approval. We propose collecting one month of data to ensure a full neap-spring tidal cycle is captured. In addition to deployment and decommissioning, we anticipate one day of maintenance midway through the monitoring period to confirm data capture and secure mounting.
  - ii. GHD will review different equipment and procurement options and confirm the most cost-effective option for Sussex County and the project. Xylem has a few continuous current profilers available for purchase. The most applicable for this scenario appears to be the SonTek-IQ PLUS. This proposal is based on purchasing three of these units, and associated equipment for power and mounting. It is assumed that deployment will utilize a rented boat and captain.
  - iii. This amendment includes an allowance for equipment and boat costs (purchase and/or rental costs), GHD markup on equipment and boat costs, and travel expenses. The total amount included for equipment and boat costs is \$105,000.00. Travel expenses will be billed at cost.
- c. Analysis of the results above to provide clear insight into how flow is split between north and south portions of the canal.

5. Wolfe Neck RWF Expansion Treatment Process Technology Evaluation
  - a. Design Criteria
    - i. Influent Characterization
      - A. Review and analyze three years of Discharge Monitoring Reports (DMRs) from Lewes WWTP and Wolfe Neck RWF and determine a flow weighted influent mass loading to the new facility.
      - B. Evaluate influent BOD<sub>5</sub>, TSS, ammonia, TN, and TP concentrations and identify seasonal and diurnal variations critical to process design.
    - ii. Effluent Requirements Definition
      - A. Develop effluent concentration targets based on current waste load allocation in the Lewes canal discharge permit factoring in projected design capacity of the new facility.
      - B. Establish these limits as the design drivers for treatment technology screening, evaluation, and sizing.
    - iii. Operational Priorities
      - A. Incorporate Sussex County operational goals emphasizing low-labor, low-maintenance, and operator-friendly processes.
      - B. Consider available staffing, existing SCADA and control system capabilities, and operator training levels.
  - b. Assessment of Treatment Process Alternatives: The evaluation will include a assessment of biological treatment technologies capable of achieving the required TN and TP limits. The evaluation will include conventional suspended and attached growth biological systems as well as emerging ENR technologies.
    - i. Suspended Growth Systems: Suspended growth systems use microorganisms suspended within the mixed liquor to perform biological treatment. These are proven, flexible, and scalable configurations suitable for Wolfe Neck's flow and load projections. Technologies to be considered include:
      - A. Plug-Flow Activated Sludge (BNR): Conventional multi-zone process (anaerobic–anoxic–aerobic) that enables nitrification, denitrification, and biological phosphorus removal (EBPR). Configurations such as step-feed or modified Ludzack-Ettinger (MLE) will be assessed.
      - B. Oxidation Ditch BNR: Extended-aeration process with inherent stability, providing alternating aerobic/anoxic conditions for TN removal. Ideal for low operator intensity.
      - C. Cyclically Aerated Lagoon Activated Sludge: Extended-aeration activated sludge process that operates at a long sludge age, providing inherent stability under variable loading conditions with minimal operator intervention. Through the integrated cyclic aeration technology and a moving aeration chain, the system creates multiple oxic and anoxic zones within a single basin, achieving efficient total nitrogen removal with reduced energy demand and low, well-stabilized excess sludge production.
    - ii. Attached Growth Systems: Attached growth (biofilm) systems promote biological activity on a fixed medium. These systems offer compact footprints and high-rate nitrification, though they can be more complex to integrate for full ENR. Technologies to be considered include:
      - A. Moving Bed Biofilm Reactor (MBBR): High-rate biofilm process suitable for nitrification polishing.
      - B. Integrated Fixed-Film Activated Sludge (IFAS): Combines biofilm media with activated sludge in the aerobic zone, increasing nitrification capacity.

- iii. Emerging Technology: Hybrid systems integrate suspended and attached growth processes to enhance process stability and nitrification performance within limited footprints. Technologies to be considered include:
  - A. Mobile Organic Biofilm (MOB): A variation of IFAS designed for high-rate nitrification and low operational complexity.
  - B. Membrane-Aerated Biofilm Reactor (MABR): Emerging technology that enables simultaneous nitrification and denitrification within a single biofilm layer using gas-permeable membranes. MABR offers excellent oxygen transfer efficiency and reduced energy use.
  - C. Aerobic Granular Sludge (AGS): Compact hybrid process forming dense microbial aggregates that enable simultaneous nitrification, denitrification, and phosphorus removal; evaluated as a long-term emerging technology option. The Lewes BPW has gathered a body of data for AGS systems, which will be reviewed and utilized by GHD to the extent possible.

GHD will provide a high level qualitative screening of the process treatment alternatives described above and prepare a recommendation for Sussex County and the Lewes Board of Public Works of three process treatment alternatives to shortlist. Based on initial understanding of the County's goals, we believe the most likely three shortlisted technologies will be plug flow conventional activated sludge followed by denitrification filters, cyclically aerated lagoon activated sludge followed by denitrification filters, and Carousel style oxidation ditch technology followed by effluent filters. Each of these has been demonstrated in the region to achieve similar effluent limits with simplistic operation and low maintenance requirements. It is assumed that the discharge from each technology will be to the existing storage lagoon, and that the NPDES permit compliance point will be prior to entering the lagoon.

- c. Multi-Criteria Analysis (MCA): GHD will develop a MCA comparison for the three shortlisted process treatment alternatives. The MCA evaluation criteria will consider:
  - i. Site Area Requirements
  - ii. Energy Efficiency
  - iii. Operational Complexity and Staffing Requirements
  - iv. Maintenance Requirements
  - v. Constructability and Phasing Potential
  - vi. Process Robustness and Reliability
  - vii. Demonstrated Long-Term Performance at Similar Facilities
  - viii. Alignment with Sussex County Experience

The MCA scoring will be documented in the Process Study Memorandum.

- d. Develop Capital and Lifecycle Cost Analysis: Develop capital cost estimates for the three shortlisted process technologies and perform a comprehensive lifecycle cost evaluation. The lifecycle cost assessment will include estimated capital cost and present worth of estimated 20-year operations and maintenance costs.
- e. Recommendation and Implementation Strategy
  - i. Summarize findings and identify the preferred process alternative(s) based on MCA results.
  - ii. Develop a conceptual implementation plan including:
    - A. Process flow schematics and layout concepts
    - B. Phasing and constructability considerations
    - C. Preliminary capital and O&M cost estimates

- f. Deliverables and Coordination
  - i. Conduct a virtual kickoff meeting to confirm objectives, understand influent data availability, and discuss operational priorities.
  - ii. Prepare an Interim Technical Memorandum summarizing influent/effluent characterization and preliminary treatment process screening.
  - iii. Facilitate a virtual workshop to review the Interim Technical Memorandum where the 3 processes for further evaluation will be selected.
  - iv. Develop a Draft Treatment Process Technology Evaluation Technical Memorandum presenting the recommended process alternative.
  - v. Facilitate a virtual workshop to review the Draft Treatment Process Technology Evaluation Technical Memorandum
  - vi. Finalize the Treatment Process Technology Evaluation Technical Memorandum to incorporate comments.

**Schedule**

1. Notice to Proceed: No later than February 16, 2026
2. Baseline Benthic and Water Quality Testing in the Lewes-Rehoboth Canal: Mobilizations between May 2026 and October 2027. Subconsultant will provide annual reporting.
3. Archeological Investigation in Recently Acquired Sussex County Land: Mobilization in March 2026 and completion of reporting by end of May 2026.
4. Management of USACE Dredge Material: Dredging is expected to be completed in the upcoming window set by environmental constraints, which is October 1, 2026 to March 1, 2027.
5. Assessment of Lewes-Rehoboth Canal Hydrodynamic Behavior at Potential Discharge Locations: Mobilization date dependent on weather and procurement times. Mobilization duration 30-40 days.
6. Wolfe Neck RWF Expansion Treatment Process Technology Evaluation: Final TM within approximately 9 months of NTP.

**Subconsultants**

1. Benthic Study: Versar, Inc.
2. Archeology: Edward Otter, Inc.

**Engineering Fee**

GHD proposes to provide engineering services based on direct hourly payroll costs paid to technical staff engaged on the project plus FAR overhead costs of 1.75 times actual payroll costs billed, plus profit of 10% on direct costs plus FAR overhead costs and a 10% markup on subconsultant costs. Payroll rates presented on invoices will be constrained by the maximums specified in the attached rate schedule. This rate schedule is valid until June 30, 2027, and subject to adjustment at that time and on an annual basis thereafter. Total cost for this amendment shall not exceed the total identified in the following table. However, these costs are considered preliminary estimates only, especially given the early stage of interactions with DNREC. If the cost of total services reaches the budget of this amendment, a future amendment would be required to cover the costs of remaining services.

*Table 1 Engineering Fee*

Description	Cost
Baseline Benthic and Water Quality Testing in the Lewes-Rehoboth Canal	\$400,000.00

Description	Cost
Archeological Investigation in Recently Acquired Sussex County Land	\$60,000.00
Management and Permitting for USACE Dredge Material	\$200,000.00
Assessment of Lewes-Rehoboth Canal Hydrodynamic Behavior at Potential Discharge Locations	\$200,000.00
Wolfe Neck RWF Expansion Treatment Process Technology Evaluation	\$190,000.00
Total	\$1,050,000.00

## Enclosures

1. Versar, Inc. proposal
2. Edward Otter, Inc. proposal
3. GHD rate schedule.

Please contact me if you have any questions or comments regarding this proposal.

Regards

**Steven Clark**  
Project Manager

(443) 875-5061  
steven.clark@ghd.com

# **Lewes and Rehoboth Canal Baseline Study 2026-2027**

Prepared for

Steven Clark <Steven.Clark@ghd.com>  
GHD  
16701 Melford Boulevard Suite 221  
Bowie, MD 20715

Prepared by



Versar Global Solutions  
9200 Rumsey Rd Suite 1  
Columbia, MD 21045  
410-964-9200

January 2026

This proposal contains confidential commercial and financial information as defined under the Maryland Public Information Act. This information shall not be disclosed outside GHD and shall not be duplicated, used, or disclosed, as a whole or in part, for any purpose other than to evaluate this proposal. This statement is justified for the following reasons. The proposal, including specific project experience and approaches, includes proprietary information concerning original technical procedures developed and considered proprietary by Versar Global Solutions. Names and qualifications of our personnel are confidential, given the commercial and competitive nature of our business. This restriction does not limit the client's right to use information contained in these data if it is obtained from another source without restriction.

## INTRODUCTION

GHD has contracted with Versar Global Solutions (Versar) for professional services to conduct a baseline biological and water quality study for the planned upgrades and discharge modifications at Sussex County Wolfe Neck Regional Wastewater Facility along the Lewes and Rehoboth Canal (the Canal). Currently, wastewater is treated and discharged via outfall into the Canal from the Lewes City Sewage Plant located approximately two miles northwest of the Wolfe Neck facility, as well as via broadcast system over fields at the Wolfe Neck facility; both facilities will be decommissioned, with an upgraded facility built at Wolfe Neck to treat and discharge effluent from both locations. Treated effluent is planned to be discharged into Wolfe Glade, just northwest of the current Wolfe Neck facility, via a cascading outfall system. Effluent discharge will be increased at the outfall.

A general scope of services to establish pre-baseline study conditions was provided in May 2025. The present scope of work describes services for baseline sampling in Year 2 (2026) and post-USACE dredging in Year 3 (2027). All sampling activities in 2026 would be prior to the start of construction and operation activities at Wolf Neck and before planned dredging in the Canal. The U.S. Army Corps of Engineers recently awarded a contract to conduct dredging in the Lewes and Rehoboth Canal but the timeline for this activity has not yet been determined. It is assumed that the USACE dredging activity will occur between the Fall 2026 and Spring 2027 sampling events. If the dredging timeline changes, a modification to this scope of services may be necessary. Versar's plans for the 2027 post-dredging surveys would be similar in scope to the 2026 sampling but that plan could be revised based on the 2026 results. This anticipated schedule will provide an opportunity to examine baseline conditions before and after dredging in the Canal and establish baseline conditions prior to the construction of the Wolfe Neck Facility.

## SCOPE OF WORK

### *Sampling Design*

This proposal describes the baseline survey to assess biological and water quality conditions prior to the upgrade of the Wolf Neck Regional Wastewater Facility and prior to planned dredging activities in the Canal. Data collected in 2025 under the pre-baseline study are henceforth incorporated into this baseline survey as Year 1 of the survey. Year 2 expands on data collected in 2025 to cover assessments of benthic assemblages, fish communities, water column characteristics, water chemistry, and sediments.

In Year 1 of the study, 14 stations were established and sampled on May 20 and October 21, 2025 (Figure 1). Ten stations were located along the Canal, one station approximately every one mile; three stations were located within the mouths of the surrounding glades, one each in Wolfe, Holland, and Gordons Pond glades; and one last station was located outside of Roosevelt Inlet. Water column characteristics, sediments, and benthic macro-invertebrates were sampled at each station. The October sampling also included water chemistry analysis.

Preliminary analysis of the benthic macro-invertebrate data revealed differences in species

abundance and composition in May 2025 (Figure 2). Most notably, Canal Stations 1 through 6 differed from Canal Stations 7 through 10, with Stations 9 and 10 (previously dredged in 2022) forming a separate group. Canal stations in the vicinity of the glades were indistinguishable from the glade stations. The Canal and glade stations provided useful baseline data; however, the Roosevelt Inlet station was a high energy wave site that did not provide useful data relevant to the study objectives. Therefore, Versar proposes to retain Canal and glade stations only and omit the Roosevelt Inlet station from sampling in Year 2 of the study.

Glade stations are important because of their proximity to the discharge location and they serve as a source of benthic invertebrate seed to Canal sites. An assumption of this component is that the three glade stations are representative of the benthic fauna of the creeks where they are located. To assess the representativeness of these stations, we propose to sample three additional glade stations in Year 2 of the study, one in each of Wolfe, Holland, and Gordons Pond glades with locations further upstream from the current stations, as depth allows. An analysis of data will be conducted to assess homogeneity of benthic macro-invertebrate communities among the six glade stations in 2026. Therefore, the total number of stations in Year 2 of the baseline study will be 16: ten Canal stations and six glade stations.

In Year 3 (2027) of the baseline study, sampling is expected to be similar and would take place after USACE dredging has been completed; however, the plan may be revised based on the results from Year 2 (2026).

### *Sampling Parameters*

At each sampling site, sediment samples (one sample per site) will be collected and analyzed for benthic community abundance, composition, and biomass; sediment grain size; particulate organic and inorganic carbon; and particulate nitrogen. Fish trawls (two trawls per site) will be conducted at three sites in the Canal. Water temperature, conductivity, salinity, dissolved oxygen, pH, and turbidity will be measured at the surface and near the bottom of the water column during macro-invertebrate and fish sampling. Observations of tidal stage and flow direction will also be recorded at the time of sampling. At each sampling site—except the fish sites—water samples will be collected and analyzed for total nitrogen (nitrate/nitrite and total Kjeldahl nitrogen), ammonia nitrogen, total phosphorus, orthophosphate, total suspended solids (TSS), chlorophyll-*a*, and biological oxygen demand (BOD). Additionally, three Per- and Polyfluoroalkyl Substances (PFAS) sediment samples will be collected at locations determined by the Delaware Department of Natural Resources and Environmental Control (DNREC).

In Year 3 (2027) of the baseline study, sampling parameters are expected to be similar and would take place after USACE dredging has been completed; however, the plan may be revised based on the results from Year 2 (2026).

### *Field Sampling*

Sampling will be conducted in May and October at the same locations that were sampled in 2025 except that the Roosevelt Inlet station will be discontinued (Figure 1). Three more stations will be added in the glades. A total of 16 stations will be sampled.

Sampling will be conducted from a 23-ft or 25-ft research vessel equipped with an electric winch, depth finder, VHF radio, and differential GPS. Sediment samples will be collected with a Young-modified Van Veen grab with a sediment surface sampling area of 440 cm<sup>2</sup> (0.04 m<sup>2</sup>) capable of sampling to a depth of 10 cm below the sediment surface. Separate grabs for benthic macro-invertebrates and sediment composition will be collected at each sampling site. Benthic samples will be sieved through a 500-micron screen (0.5 mm) in the field and preserved in a 10% buffered formaldehyde solution. For sediment composition, the top two centimeters of sediment will be collected and placed in labeled sediment bags for grain size and carbon and nitrogen analysis. A total of three PFAS samples will be independently collected at locations determined by Sussex County, in accordance with standard operating procedures as provided by the laboratory,

Fish trawls will be conducted with a 4.85-m semi-balloon otter trawl using a 3.75-cm stretch mesh body fitted with a 12.5-mm stretch mesh liner in the cod-end. Two replicate trawls will be taken at each of the three locations within the Canal: (1) between Stations 7 and 8 (representative of sources of fish from the north), (2) between Stations 5 and 6 (representative of sources of fish from the south), and (3) between Stations 6 and 7 (representative of fish in the Canal near Wolf Glade). Each trawl will be towed along the bottom for 6-10 minutes at speeds of 1.5-2 kts, covering a distance of 300-400 meters. All fish will be identified to species, counted, and measured for length (mm). In the event of high abundance capture, total fish volume will be calculated, and sub-sampled for metric collection; this sub-sampling will be implemented to limit mortality of captured individuals during processing time. Fish counts will be standardized to number of fish/1,000 m<sup>2</sup>.

Water column characteristics will be measured with either a Yellow Springs Instrument (YSI) or Ott/Hydromet multi-parameter water quality sonde. Water samples for nutrient and chemistry analysis will be collected concurrently with the benthic samples by hand and preserved in cleaned glass jars provided by Martel Laboratories JDS, Inc. Samples will be collected from the water column at approximately 0.3 meters from the surface.

In Year 3 (2027) of the baseline study, field sampling is expected to be similar and would take place after USACE dredging has been completed; however, the plan may be revised based on the results from Year 2 (2026).

### *Laboratory Methods*

Benthic macro-invertebrates will be sorted under a dissecting microscope and enumerated and identified to the lowest practical taxonomic level (usually species). Quality control procedures to assess sorting and taxonomic identification accuracy will be conducted on 10 percent of the samples. Biomass will be measured on a taxon-specific basis by drying each taxon at 60 °C, weighing, ashing at 500 °C, and re-weighing to obtain ash-free dry weight.

Sediments will be analyzed to determine percent composition by particle size. Samples will be wet-sieved to separate the sand fraction of the sediment (particles < 63 microns) from the silt/clay fraction (particles > 63 microns). Pipetting will be used to obtain percent silt/clay. Sand will be oven-dried and sieved over nested mesh screens to obtain percent sand-size categories in the Wentworth grade scale. Particulate organic carbon (POC), particulate inorganic carbon (PIC),

and total nitrogen (PN) will be determined by combustion in a CE-440 Exeter Elemental Analyzer followed by thermal conductivity detection. The carbon and nitrogen analysis will be conducted by the Nutrient Analytical Services Laboratory, University of Maryland Center for Environmental Science, Chesapeake Biological Laboratory in Solomons, Maryland.

Water chemistry analysis will be performed by Martel Laboratories JDS, Inc, Baltimore, Maryland, using the Standard Methods for the Examination of Water and Wastewater:

Parameter	Analysis Method
Total Nitrogen	4500NH3 and 4500NO3
Ammonia Nitrogen	4500NH3-C
Total Kjeldahl Nitrogen	4500NH3-C
Total Phosphorous	4500P-E
Orthophosphorous	4500P-E
Total Suspended Solids (TSS)	2540-D
Chlorophyll-a	10020H2
Biological Oxygen Demand (BOD)	5210-B

Samples to be tested for PFAS will be analyzed using EPA Method 1633A by a certified laboratory.

All laboratory analysis and reporting limits are expected to remain the same throughout all sampling years of the program: however, adjustments could be made after evaluating results during each year of the study.

### *Data Analysis and Reporting*

All data will be entered into a relational Microsoft Access database. Abundance (fish and macro-invertebrates), biomass, and diversity measures will be computed, examined, and plotted. The data will be organized so that an areas-by-time factorial analysis of variance can be conducted later to evaluate the potential impacts from increased effluent at the outfall. Sediments will be examined for mean and median grain size, central tendency, degree of spread, and degree of asymmetry, and compared. All data will be summarized in a report that will include tabular summaries of the benthic and fish species that occur at the project site, and characteristics of the sediments and water column chemistry.

## KEY PERSONNEL

**Roberto Llansó** (Ph.D., Marine Science, The College of William and Mary, 1990) will be Versar’s proposed Principal Investigator. **David Wong** (B.S., Marine Biology, University of Maryland, 1999) will be the Project Manager, Laboratory Manager, and Field Coordinator. **Suzanne Arcuri** (B.S., Biology, Pennsylvania State University, 1987) will be the Senior Benthic Taxonomist (>35 yrs. experience).

## **ANTICIPATED SCHEDULE**

Field sampling is expected to take five days (3 days for macro-invertebrate, sediment, and water chemistry sampling; 2 days for fish trawls) in each of the May and October sampling periods. Sampling for PFAS will occur once a year at the direction of Sussex County. A standby rate for inclement weather applies. Benthic sample processing is typically completed within 120 days of collection (the industry standard). Individual sample processing time is dependent on the number of organisms in the sample and the physical characteristics of the sediments (amount of detritus). During each sampling year, Spring and Fall sampling events, Versar proposes submitting one formal report incorporating both sampling events, with a summary of results—via a teleconference meeting—provided after each sampling event.



Figure 1. Lewes and Rehoboth Canal baseline sampling stations. LRC=Canal, WGO=Wolfe Glade, HGO=Holland Glade, GPO=Gordons Pond, RIO=Roosevelt Inlet

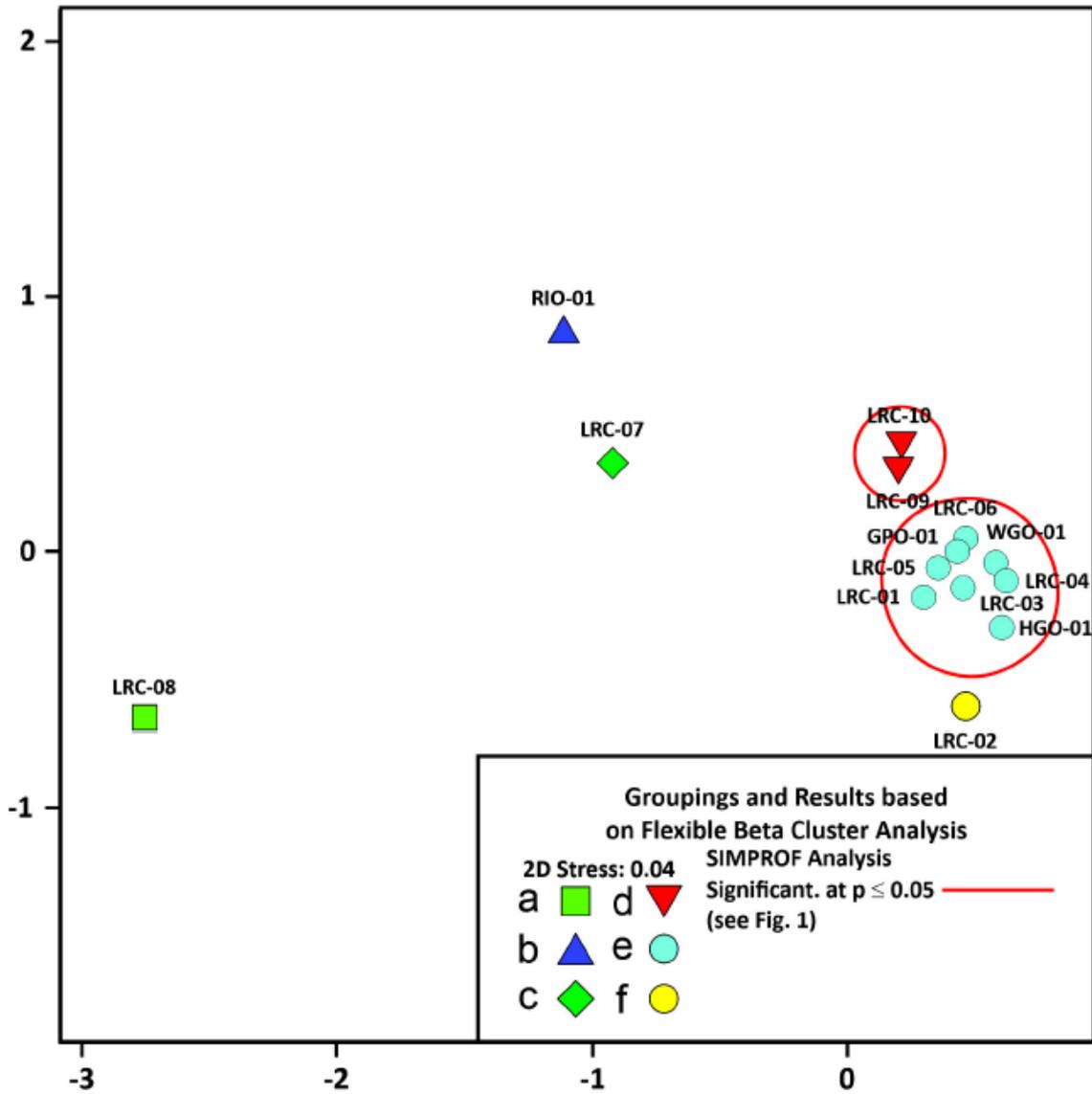


Figure 2. Non-metric multidimensional scaling (MDS) of stations for the Lewes-Rehoboth Canal May 2025 baseline period with groupings based on the results of cluster analysis of benthic macro-invertebrate abundance data. Group separations were statistically significant by analysis of the cluster similarity profiles (SIMPROF,  $p \leq 0.05$ )

## ESTIMATED PROJECT BUDGET

Versar is providing the following prices based on the proposed scope of work outlined above and assumptions based on previous benthic surveys. Prices are estimated and will be adjusted and finalized once the scope of work is approved by GHD. Year 3 (2027) prices are estimated based on a 3% escalation, but may require adjustments based on results from Year 2 (2026).

Category	Estimated Effort	Cost	
		2026 (Year2)	2027 (Year 3)
<b>Benthic Sediment Water Sampling</b>	<i>Mobilization and Field collection of benthic and water samples from 16 locations in the Spring and Fall of each year</i>	<b>\$29,732.16</b>	<b>\$30,624.13</b>
<b>Fisheries Sampling</b>	<i>Mobilization and Fisheries sampling during the Spring and Fall of each sampling year</i>	<b>\$25,326.05</b>	<b>\$26,085.83</b>
<b>Benthic Laboratory Analysis</b>	<i>Sorting, enumeration, taxonomy, and biomass (per sample); Grain Size (per sample); Sediment Nutrient Analysis Preparation (per sample) for Total Carbon and Total Nitrogen Analysis</i>	<b>\$32,592.98</b>	<b>\$33,482.49</b>
<b>Water Chemistry Analysis</b>	<i>Laboratory Analysis of Water Chemistry Parameters</i>	<b>\$10,533.96</b>	<b>\$10,585.13</b>
<b>PFAS Sampling and Analysis</b>	<i>Sampling, Shipping, and Analysis of three PFAS samples</i>	<b>\$6,226.58</b>	<b>\$6,413.38</b>
<b>Data Analysis, Reporting &amp; Management</b>		<b>\$43,247.28</b>	<b>\$44,544.69</b>
<b>GRAND TOTAL (each Standby Day* Additional)</b>		<b>\$147,659.01</b>	<b>\$151,735.65</b>

Category	Estimated Effort	Cost
*Standby Day on Site		
<b>Standby Daily Rate</b>		<b>\$2,713.00</b>

Proposal  
Archaeological Investigation  
Wolfe Neck Regional Wastewater Facility Expansion  
Wolfe Neck Road, Lewes Sussex County, Delaware.

August 10, 2024

Prepared by  
Edward Otter, Ph.d  
Edward Otter, Inc.  
1704 Camden Ave.  
Salisbury, Md. 21801

Prepared for  
GHD

## Introduction

This proposal for archaeological investigation, prepared by Edward Otter, Inc. is provided to GHD. in response to a request for proposals. Sussex County is party to a land swap with the State of Delaware. The land is on Wolfe Neck adjacent to the existing Wastewater treatment facility. Wolfe Neck is known to contain numerous archaeological sites, both precontact and historic.

## Project Area

This project is located at the east end of Wolfe Neck Road, Lewes, Sussex County, Delaware (Figure 1). Parcel 334-7.00-30 consists of 642 acres of land owned by the State of Delaware. Enclosed within this parcel is tax parcel 334-7.00-30.01 which contains 100 acres owned by Sussex County (Figure 2). The plan is for the county to acquire approximately 23 acres on the northeast side of their parcel. In exchange, the State of Delaware will take possession of parts of parcel 30.01 that are on the northwest and southwest sides of the existing wastewater facility (Figure ).

There are 17 known archaeological sites within the 742 acres that comprise the two parcels. Archaeological work has been conducted on several occasions. The most recent work was conducted in 2024 (report not available). That work followed up on a survey conducted in 2020 (Gerhardt 2020).

Members of the Archaeological Society of Delaware and the Sussex Society for Archaeology and History conducted studies on Wolfe Neck. The most notable work was conducted at the Moore Shell Heap (7S-D-10) (Weslager 1939; Marine et al 1965, Marine, Bryn & Bell 1965). Archaeological work was conducted prior to construction of the wastewater facility (Hoffman & Heite 1997).

Archaeological site 7S-G-141 was located in the northeast portion of the proposed wastewater facility. That placement is adjacent to the new proposed land acquisition. Artifacts were found across the area and Phase II testing identified intact Early Woodland deposits. Data recovery was conducted prior to facility construction. Intact cultural deposits with organic preservation provided important information on the Early Woodland. Considering the proximity of this project, similar deposits may be anticipated.

## Goals

The goal of this project is to determine the extent of archaeological deposits within the roughly 23 acres to be acquired by the county. To achieve this goal, geophysical and archaeological methods will be combined.

## Field Work

Geophysical prospection is seen as a key element to this study. Two types of equipment will be used. Magnetometry reads magnetic signatures of the soil. Areas of burning and soil disturbance can be detected. This would include precontact hearth areas and pit features. This technology can also detect shell middens although the signature can be confused with natural soil strata. Ground penetrating radar detects disruptions of soil strata. It is well suited to finding foundations, burials, and pit features. Used together, these technologies can provide information about subsurface anomalies previously only detectable through extensive excavation.

The geophysical investigation will be conducted by Dr. Timothy Horsley of Horsley Archaeological Prospection. Dr. Horsley is trained as a geophysicist and archaeologist. His high level of work is well known with project at Cahokia Mounds in Illinois, St. Maries City, Maryland and elsewhere. Dr. Horsley has worked with Dr. Otter on several projects in Sussex County including the St. Georges AME Cemetery in Lewes and the search for the 1631 fort.

Dr. Horsley conducts his own data recording and interpretation. A report of the geophysical work will be completed. The report will detail the equipment used, methods employed and the results. A series of maps will be produced as part of the report.

Following the geophysical work, archaeological field work will be conducted. This work will involve surface survey and excavations to be conducted by Edward Otter, Inc. The ground should be plowed and disked. After a substantial rain, the entire project area will be walked looking for artifacts. Artifacts will be first flagged, then mapped using GPS. During mapping the artifacts will be cataloged. Some materials will be collected. Materials likely to be collected would be recognizable tools or ornaments and larger pieces of pottery. A range of temporally diagnostic artifacts will be collected.

Along with the surface survey, some shovel tests will be excavated to test soils and stratigraphy in different locations. Maps indicate stream heads to the north and south. Associated with these areas may be locations where top soil has filled previously lower areas. This type of soil movement has been documented resulting from historic agriculture practices. If filled areas exist, there is potential for there to be buried precontact strata and features.

A shovel test is an excavation about 18 inches across. Soils are removed in stratigraphic layers and screened through ¼-inch mesh hardware cloth to search for artifacts. Tests are dug into sterile subsoil so depths may vary. The soil profile is recorded as is the location. Artifacts are either noted or bagged for further study. The location of all shovel tests will be mapped.

The final stage of field work will be a series of test excavation units. These will be placed for various purposes. Some tests will be placed to ground-truth specific anomalies identified during the geophysical survey. Other units will investigate artifact concentrations noted during the surface survey. A couple units will be placed in areas seemingly away from cultural deposits to verify that interpretation. In all, a total of 10 five foot by five foot units will be dug. These may be executed as smaller units (four 2.5-foot units = one 5-foot unit).



Figure 1. Project Location. 2019 U.S. G.S. Topographic Map. Rehoboth, De. Quadrangle

Wolfe Neck Expansion  
Edward Otter, Inc.



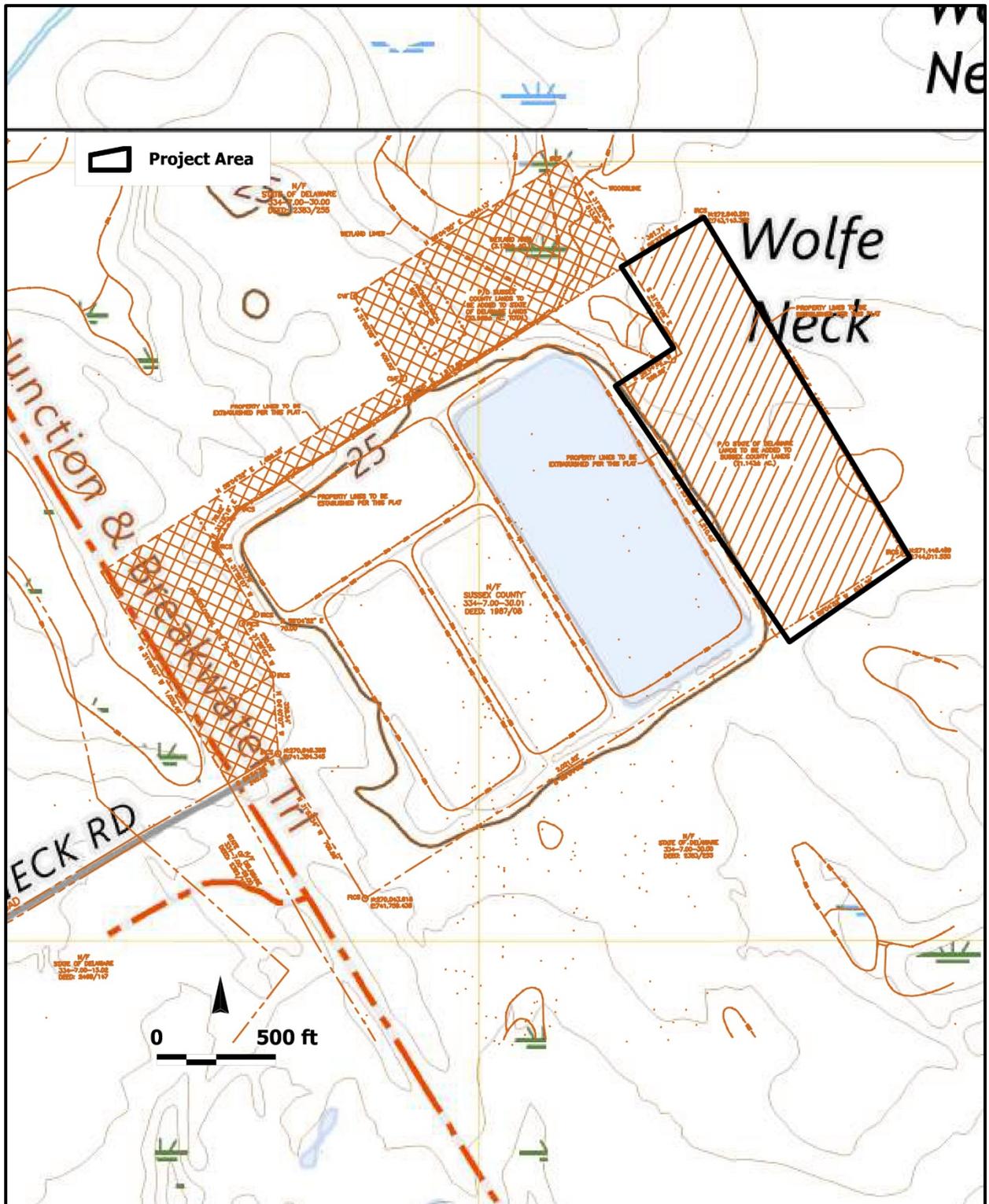


Figure 3. Archaeological Project Area

## Laboratory

Collected artifacts that are to be curated will be prepared according to guidelines established by the State of Delaware. All material will be washed, and cataloged. Assuming sites are defined, the artifacts will be marked with site accession numbers and packed in archival bags and boxes.

## Product

The results of this study will be a report that describes the goals, methods, and conclusions of the study. Maps will be produced that show locations of identified cultural resources and the locations of all shovel tests. Paper and electronic versions of these maps will be produced. A catalog of all recovered artifacts will be part of the final report. Recommendations about mitigation measures will be included if warranted.

## Schedule

Dr. Horsley has stated he could conduct his portion in late March. The field can then be plowed to facilitate the surface collection. That work needs to be conducted within a week or so after the fields have been rained on. The field survey will require about three days. Shovel testing will be done during or after the surface survey and will require about two days. The placement of excavation units will depend on analysis of the geophysical study and the surface survey. To analyze that work will take a couple weeks. Once initiated, the units will require about 2 weeks to complete.

Once field work is complete, laboratory cleaning and analysis will be completed. Compiling data and producing a report will require about three weeks after the completion of the field work. Dr. Otter will be available for meetings and questions at all times during this project.

## Cost

For this level of study, the cost is \$51,100. This includes all labor, supplies, equipment, and materials required for the project. The geophysical work will be \$26,000 including both the magnetometer and ground penetrating radar. The archaeological portion of the project will cost \$25,100. Map work can be done in consultation with engineers/cad personnel in order to produce compatible graphic formats. Any meetings required for the project are included in the cost.

## References

Gerhardt, Juliette

2020 Phase I Archaeological Survey of the Wolfe Neck (Spray Facility) Trail Cape Henlopen State Park, Lewes, Sussex County, Delaware

Hoffman, Robert F.

1997 Archaeological Data Recovery at a Single Component Woodland I Prehistoric Site Located on Wolfe Neck, Near the Town of Rehoboth in Sussex County, Delaware.

Hoffman, Robert F. & Edward F. Heite

1997 Phase I and II Archaeological Investigations Performed in Association with the Wolfe Neck WWTP, West Rehoboth Sanitary Sewer Expansion Sussex County, Delaware

Marine, David, H. H. Hutchinson, O. H. Peets, and J. L. Parsons

1965 Preliminary Report on a Shell Deposit in Wolfe's Neck Archaeological Complex. Archeolog Volume XVII no. 1.

Marine, David, S. Bryn and R. Bell

1966 Further Work on a Shell Deposit in the Wolfe Neck Archaeological Complex (7S-D-10). Archeolog Volume XVIII no 1.

Weslager, C. A.

1939 An Original Shell heap Near Lewes, Delaware. Bulletin of the Archaeological Society of Delaware Vol 3 no.2

**GHD, Inc.**  
**Hourly Direct Rate Ranges By Classification**  
**Amendment 31**

Personnel Category	Hourly Rate (\$/Hr)	
	Minimum	Maximum
Principal	75.00	90.00
Associate	62.00	86.00
Senior Engineer	62.00	84.00
Project Manager	45.00	74.00
Project Engineer	42.00	62.00
Engineer	26.00	42.00
Managing Designer	48.00	68.00
Senior Designer	38.00	48.00
Designer	28.00	38.00
Drafter	20.00	28.00
Senior Rep	35.00	48.00
Project Rep	24.00	35.00
Administrative Assistant	22.00	35.00

Rates are subject to annual adjustment  
First adjustment on 7/1/2027  
Rates do not include overhead and profit

## ENGINEERING DEPARTMENT

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# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

TO: Sussex County Council  
The Honorable Douglas B. Hudson, President  
The Honorable John L. Rieley, Vice President  
The Honorable Jane Gruenebaum  
The Honorable Matthew R. Lloyd  
The Honorable Steven C. McCarron

FROM: Hans Medlarz, P.E., Project Manager

RE: ***SCWRF Treatment Process Upgrade No.3 – Inland Bays Extension***  
***A. BW Electric, Inc. Change Order No. IB-001***  
***B. Direct Equipment Purchase Order for Actuated Valves***

DATE: January 13, 2026

The multi prime South Coastal RWF Treatment Process Upgrade No.3 was designed and bid in conjunction with the Rehoboth Beach WTP Capital Improvement Program, Phase 2. The **General Construction Project C19-11** was awarded on December 17, 2019, to M.F. Ronca & Sons, Inc. Since then, County Council authorized a series of change orders, granted Substantial Project Completion for the Rehoboth Beach WTP Capital Improvement Program, Phase 2 on November 14, 2022 and on December 10, 2024 for the South Coastal WRF Treatment Process Upgrade No.3 together with the balancing change orders 36.1 & 36.2.

South Coastal's multi prime construction team of M.F. Ronca & Sons, Inc. and BW Electric, Inc. have successfully and effectively executed the highly complex South Coastal's RWF Treatment Process Upgrade No.2. Both expressed their willingness to continue the working relationship with the County, providing constructability input in the design modification process and pricing of the subsequent series of change orders to bring the most critical elements sequentially online.

DNREC issued the associated construction and operations permits on June 17, 2024 after a seven (7) years process. Permit compliance was effective July 1, 2024, putting significant strain on the existing facility which should have been upgraded several years earlier. Furthermore, the County's responses to DNREC's 2020 & 2022 requests for additional information necessitated significant design modifications. In combination, these



circumstances require an innovative project implementation approach to establish the critical implementation path and construct individual components out of sequence to assure the best possible permit compliance. On July 16, 2024 Council concurred in the staged construction implementation process under a series of sequential change orders based on critical path.

In order to financially separate the South Coastal RWF Treatment Process Upgrade No.3 project from the Inland Bay RWF Phase 2 Project the Finance Department suggested a transfer of retainage via a change order process. On July 15, 2025 Council approved Change Orders No. 37 & No. IB-007-GC to facilitate the transfer of \$500,000.00 in retainage.

On July 16, 2024, County Council had reaffirmed GHD, Inc. as “Engineer of Record” for the County’s wastewater treatment process related projects at all facilities through June 30, 2029. Therefore, the Engineering Department met with GHD on several occasions to develop a scope of services Amendment 26 matching the Inland Bay RWF Phase 2 Project implementation method. GHD’s scope had eight subcategories grouped in five cost centers. However, the individual cost centers are fluid, and funds can be exchanged between them as the priorities shift. GHD also committed to transitioning their cohesive South Coastal design team project and on July 16, 2024, Council approved GHD’s Amendment 26 in the not to exceed amount of \$5,000,000.00 applied across the scope of services associated with the Inland Bays RWF Phase 2 Project fast track implementation.

The first scope item of the Inland Bay RWF Phase 2 project was the two-stage clarifier component under RFP-IB-001&002. IB-001 included the costs associated with procuring the precast concrete and the equipment, while IB-002 consisted of the full assembly and tie-in of the two (2) new clarifiers and scum pump station. The associated Change Order IB-001 was approved by Council on December 10, 2024, in the amount of \$3,471,541.57.

M.F. Ronca & Sons, Inc. submitted pricing for the second stage of the clarifier construction comprised of the distribution boxes, scum pump station, yard piping and equipment installations in the amount of \$2,023,505.90.

Ronca also priced the site mobilization per RFP-IB-003 in an upfront amount for the one-time expenses of \$208,250.00 and a monthly component covering ongoing overhead expenses in the amount of \$116,000.00 starting with the first construction invoice. Normally the overhead expenses are included in the mark-up time and material work on a task basis but due to the project complexity and accelerated implementation approach in this particular case the Engineering Department recommended Ronca’s staff be on site on a continuous basis.

On January 25, 2025 Council approved M.F. Ronca & Sons, Inc.’s Change Order No. IB-002 in the amount of \$2,023,505.90 and Change Order No. IB-003 in the upfront amount of \$208,250.00 and the monthly amount of \$116,000.00 starting with the first invoice for actual physical work completed onsite.

Subsequently GHD issued RFPs IB-004 covering the integrated headworks and influent distribution structure, IB-005 for the currently unused original lagoons 3 & 4 conversion to aeration basins utilizing the Bioworks equipment package under a direct procurement contract approved by County Council on March 25, 2025 and IB-006 for the associated yard piping.

M.F. Ronca & Sons, Inc. submitted pricing of \$1,405,000.00, \$1,448,000.00 & \$1,637,000.00 respectively. On May 13, 2025, County Council approved Change Order IB-004 in the amount of \$1,405,000.00, Change Order IB-005 in the amount of \$1,448,000.00 & Change Order IB-006 in the amount of \$1,637,000.00 to M.F. Ronca & Sons.

In December 2025 GHD issued Revision C update to the yard piping construction plans in accordance with the applicable details and specifications from the South Coastal project for pricing by M.F. Ronca & Sons, Inc. GHD and the County Engineering Department reviewed the pricing and scope and found them competitive and complete. County Council concurred to increase M.F. Ronca & Sons' Change Order IB-006 by \$2,277,600.00 on December 16, 2025.

Change Order IB-005 included a sludge removal allowance of \$100,000 based on the assumption the lagoon was NOT used for biosolids storage. Upon removal of the supernatant water, a significant layer of old sludge was discovered, increasing the costs to date, as documented to \$158,325.62. The remaining work is estimated at approximately \$40,000. Change Order No. IB-010 amending No. IB-05's allowance in the amount of \$100,000.00 to M.F. Ronca & Sons was approved by Council on September 23, 2025.

The Engineering Department designed and submitted the permitting for the site improvements, E&SC measures, drainage piping and the storage building pad under RFP-IB-008-GC. M.F. Ronca & Sons, Inc. submitted pricing for Site Work, S&EC, Storage Building Pad, etc. in the total amount of \$1,434,000.00 and unit pricing for column supports. With the final structural design not yet available the number of column supports for the storage building was conservatively estimated and can be adjusted downward using unit prices.

On July 29, 2025, Council approved Change Order No. IB-008-GC to M.F. Ronca & Sons, Inc. in the not to exceed amount of \$1,434,000.00 with the column number to be reduced based on final structural analysis and unit cost.

The upgrades to the effluent pump station no.1 were designed and issued under RFP IB-009. It comprises the complete rehabilitation of the mechanical components of the station including the temporary pump rentals. M.F. Ronca & Sons offered to complete the scope for \$841,000.00 and Change Order No. IB-009 to M.F. Ronca & Sons was approved on September 23, 2025.

The Pump & Blower Building No. 2 construction was issued under RFP-IB-010 in accordance with the applicable details and specifications from the South Coastal projects including all mechanical equipment but excluding the electrical components. County Council approved Change Order IB-011 to M.F. Ronca & Sons, Inc. in the amount of \$1,880,000.00 on December 16, 2025.

**Electrical Construction Project C19-17** was awarded December 17, 2019, to BW Electric Inc. Since then, County Council authorized a series of change orders, granted Substantial Project Completion for the Rehoboth Beach WTP Capital Improvement Program, Phase 2 on November 14, 2022 and on March 21, 2025 for the South Coastal WRF Treatment Process Upgrade No.3 together with the balancing Change Order No. 29.

BW Electric, Inc. offered pricing for mobilization to the Inland Bays site per RFP-IB-003 in an upfront amount for the one-time expenses of \$57,417.94 and a monthly component covering ongoing overhead expenses in the amount of \$3,421.40 starting immediately. BW Electric, Inc., has a much smaller on-site overhead team and therefore chose to include its cost in the fixed percentage markup on a task-by-task basis.

On January 28, 2025, Council approved BW Electric, Inc.'s Change Order No. IB-003 in the upfront amount of \$57,417.94 and the monthly amount of \$3,421.40 starting with the February 2025 invoice.

The next component of the project ready for pricing was the electrical package for the Pump & Blower Building No. 2 issued under RFP-IB-10-EC. BW Electric and the Engineering Department provided value engineering input resulting in two revisions. BW Electric, Inc. submitted interim pricing in the amount of \$2,400,000.00. The amount will be finalized when the blower VFD control cabinets are priced in a subsequent change order.

The Engineering Department requests County Council's acceptance of BW Electric, Inc.'s change order No. IB-001 in the amount of \$2,400,000.00.

The County's 5-year capital plan approved in the FY 24 Capital Budget anticipated several large projects at the Inland Bays Regional Wastewater Facility (RWF) including **the Effluent Loop Project** which provides for treated effluent distribution after completion of the Inland Bays RWF Phase 2 Project to County agricultural partners, forested spray sites under DNREC permitting, and a rapid infiltration basin to be constructed and maintained by Artesian Wastewater Resources on leased County property through 7 miles of mostly 18" – 24" diameter ductile iron pipeline with actuated meter vaults at twelve (12) distribution locations. The contract documents were publicly advertised and on April 9, 2024, County Council awarded the Loop Project, S24-01, to Atlantic Contracting & Material Co., Inc., (ACM) in the amount of \$7,649,916.00.

The Engineering Department completed supplemental construction drawings for the forested spray-field header piping in cooperation with the contractor and presented Change Order No. 1, using current unit pricing and new not to exceed costs related only to additional tree clearing by ACM, and labor associated with the atypical pipe assemblies where future distribution & diffuser piping will connect to the spray-field header. On October 15, 2024, Council approved Change Order No.1 for Project S24-01, in the amount of \$2,179,674.00. Subsequently on September 9, 2025 Council approved Change Order No. 3 for the first of three spray fields diffuser piping packages for Project S24-01 in the amount of \$909,915.98.

The Loop Project was the initial step towards constructing a treated effluent distribution system at Inland Bays RWF including the pump station upgrade and tie-in; forested spray-field diffuser piping; treated effluent elevated storage tank and electrical powering and communication control of the actuated control valves via integration to SCADA. Environmental Services utilizes hundreds of actuated valves in their facilities. Due to the critical nature of these valves in the process, the Division went through standardization documentation for the actual actuators selecting Beck Electric Actuators. Now the Engineering Department and Beck competitively selected the lowest cost companion valve manufacturer for each of the twelve vaults locations. The equipment will be installed by ACM under a previously issued change order. Power, control and metering for each vault will be provided by BW, Electric under a future change order.

In summary, the Engineering Department recommends issuance of a purchase order for actuated valves to Harold Beck & Sons, Inc. in the amount of \$ 159,565.00.

The 100,000 gallons treated **effluent elevated storage tank** is the centerpiece of the system pressure control. Two types of tanks were evaluated (i) spheroid and (ii) composite. Both are capable of housing the circulation pumping and chlorination systems in the base. After site selection and geotechnical evaluation GHD developed a performance specification which was distributed to the five (5) known tank manufactures. After a two-stage competitive selection process three (3) bids were received with Pittsburg Tank & Tower Group submitting the lowest responsible bid. On March 4, 2025 County Council issued a purchase order to Pittsburg Tank & Tower Group a purchase order in the amount of \$1,903,250.00.

The Inland Bays RWF Phase 2 Project includes conversion of an unused original treatment lagoon into two aeration basins (3&4) as well upgrade of the aeration system at the two existing basins (1&2) which were converted over ten years ago. GHD developed a Request for Proposals which was distributed to Bioworks and Parkson, the only two (2) companies in the field. After a two-stage competitive selection process both submitted costs and payment.

Based on GHD's and the Department's recommendation County Council approved the issuance of a purchase order to Bioworks in the amount of \$1,397,640.00 on March 25, 2025.

The Inland Bays RWF Phase 2 Project includes conversion of the existing disinfection contact chamber into a tertiary treatment process followed by UV disinfection. Three (3) filter manufacturers were considered. Evoqua was the most expensive due to the stainless-steel filter media while Aqua Aerobics and Nexom, both offered cloth filter media and were priced comparably lower. The Nexom purchase price is slightly more expensive than Aqua Aerobics', but the Nexom equipment will fit into the existing tank structure with less structural modifications and easier accessibility for maintenance. Therefore, the overall capital and lifetime maintenance costs to the County will be lowest using the Nexom equipment.

Of the three (3) UV manufacturers considered, Nuvonic was the most expensive and the closed vessel design was not conducive to installation in the existing contact chamber. Trojan Technologies, in line, and Glasco, vertically, were priced comparably, with Glasco slightly cheaper. On July 15, 2025 Council approved issuance of two purchase orders (i) Nexom for

filtration equipment in the amount of \$798,300.00 and (ii) Glasco in the amount \$415,000.00 for UV equipment.

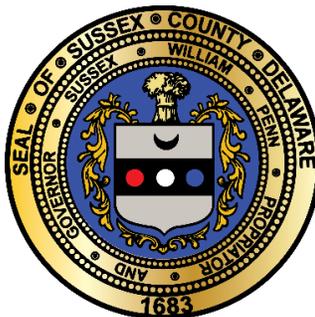
In order to provide sufficient air for the conversion of the currently unused lagoon into two aeration basins (3&4), GHD solicited firm proposals for process aeration blowers from the two manufacturers the County currently uses requiring similar warranty periods and payment schedules. GHD and the Department recommend selecting the slightly lower Kaeser proposal. In addition to the slightly lower costs, the Kaeser blowers match the existing process aeration blowers at Inland Bays RWF. The existing blowers will be kept in service to supply air to aeration basins 1&2. Using identical blower models across all six units will simplify maintenance for the operations team and allow spare parts to be used interchangeably.

A direct equipment purchase order in the amount of \$298,000.00 to Riordan Materials Corporation, the exclusive area representative of Kaeser, was approved on September 23, 2025.

As mentioned above the Project includes conversion of the existing disinfection contact chamber into a tertiary treatment process followed by UV disinfection. The existing three (3) intermediate lift pumps date to the original 1990s construction and do not meet the new hydraulic duty points. Therefore, GHD prepared a request for proposals which were distributed to five (5) manufacturers. After reviewing the proposals, GHD recommended Pentair for the intermediate pumps due to the best hydraulic fit and long-term O&M expense, even though they are not the lowest capital cost. On January 13, 2026 Council approved the purchase order for intermediate and recirculation pumping equipment to Sydnor Hydro, Inc., the exclusive representative for Pentair in the amount of \$466,700.00.

The Engineering Department is continuously updating the list of outstanding scope items under the critical path staged construction implementation process. Some of them may be grouped together under an aggregate versus an individual change order. The summary below will be updated in subsequent memoranda to Council.

- *Disinfection tank structural conversion to tertiary treatment & UV disinfection*
- *Three (3) prefabricated chemical buildings incl. feed systems*
- *Final yard piping package incl. air header system*
- *New sludge pump station using ext. pumps*
- *Dewatering building remodeling*
- *Administration building remodeling*
- *Power distribution equipment and motor control center upgrades*
- *Loop system vault power supply, metering and fiber control components*
- *Second belt filter press procurement*
- *Storage Lagoon no. 1 cover with vendor installed option & possible liner replacement upon inspection*



**SUSSEX COUNTY  
CHANGE ORDER REQUEST**

**A. ADMINISTRATIVE:**

1. Project Name: **Inland Bays Expansion – General Construction**
2. Sussex County Project No. C19-17B
3. Change Order No. IB-001
4. Date Change Order Initiated - 1/28/25
5.
  - a. Original Contract Sum \$ 0
  - b. Net Change by Previous Change Orders \$ 139,531.54
  - c. Contract Sum Prior to Change Order \$ 139,531.54
  - d. Requested Change \$ 2,400,000.00
  - e. Net Change (No. of days) 0
  - f. New Contract Amount \$ 2,539,531.54
6. Contact Person: Hans Medlarz, P.E.  
Telephone No. (302) 855-7370

**B. REASON FOR CHANGE ORDER (CHECK ONE)**

1. Differing Site Conditions
2. Errors and Omissions in Construction Drawings and Specifications
3. Changes Instituted by Regulatory Requirements
4. Design Change
5. Overrun/Underrun in Quantity

- 6. Factors Affecting Time of Completion
- 7. Other (explain below):

**C. BRIEF DESCRIPTION OF CHANGE ORDER:**

Value engineering revisions to the Pump & Blower Building No. 2

**D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?**

Yes  No

**E. APPROVALS**

- 1. B.W. Electric, Inc., Contractor

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Representative's Name in Block Letters

- 2. Sussex County Project Engineer

\_\_\_\_\_  
Signature Date

- 3. Sussex County Council President

\_\_\_\_\_  
Signature Date



15342 S. DuPont Hwy  
Harrington DE 19952

Office: 302.566.6248  
Fax: 302.566.6251

Bryon Warren  
President  
302-270-5719

Email(s):  
office@bwelectricinc.com  
estimates@bwelectricinc.com

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January 30, 2026

Subject: RFP-IB-001-EC - **REVISED**

Dear Mr. Hans Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP-IB-001-EC issued by GHD. Our price **does not** include the use of Prevailing Wages. Our pricing is **\$2,400,000.00**.

1. Supply and install MCC-PBB2, Panelboard PPPBB2, Panelboard GPPBB2, Transformer GT-PBB2, multiple non-fused disconnects. We will be utilizing Schneider Electric, Square D for the gear package.
2. Supply and install 1200 amp 4 pole ASCO automatic transfer switch(not service rated).
3. Supply and install 600 kW generator with sound limiting enclosure.
4. Supply and install 1200 amp service entrance breaker and enclosure.
5. Supply and install PCS-PBB2 controls cabinet.
6. Supply and install 5 VFD controllers as illustrated on the drawings, PBB2-RS-614, PBB2-RS-615, PBB2-RS-616, PBB2-WS-603, & PBB2-WS-604.
7. Supply 5 flow meters for the GC to install, FE/FIT 633, FE/FIT 634, FE/FIT 644, FE/FIT 645, & FE/FIT 646.
8. Supply and install conduit and wire per the drawings and specifications for the classified areas described in the contract documents.
9. Supply and install Schedule 80 PVC with deflection/expansion fittings for the ductbank risers on the buildings.
10. Supply and install pull boxes as described in the contract documents.
11. Supply and install concrete and rebar encased ductbank.
12. Supply and install the building and ductbank grounding.
13. Supply and install 4 manholes/handholes.
14. Supply and install back boxes for the thermostats for the systems described in the contract documents.
15. Install 6 thermostats provided by the GC.
16. Supply and install Fan PBB2-EF 101 and 102 fan controllers.

17. Supply and install the means and methods to terminate the 5 motors supplied by the GC, PBB2-RS-614, PBB2-RS-615, PBB2-RS-616, PBB2-WS-603, & PBB2-WS-604.
18. Supply and install the lighting fixtures and switches called out in the contract documents.
19. Supply and install the electrical receptacle outlets called out in the contract documents.
20. Coordinate the new electrical service and the demo with GHD and the utility.
21. Supply and install FOPP-PBB2 cabinet, connect to the PCS-PBB2 cabinet, no fiber connects until future RFP.
22. Included in this scope of work is the RFP attached.
23. Electrical Inspection.

#### Exclusions

1. No Bond.
2. No permit fees.
3. No cutting.
4. No patching or painting.
5. No liquidated damages.
6. Restore site conditions to rough grade only.
7. NO SUPPLY OR INSTALL FOR BLOWER VFDs.

This price is good for thirty (30) days only.

Sincerely,

Jason R. Walters  
B. W. Electric, Inc.  
JRW/

***B. W. Electric, Inc. shall not be liable for damages for delays in performance due to circumstances beyond its reasonable control, including without limitation, fire, floods, storms, or other acts of God, accidents, shortage of materials, and lack of transportation for similar reasons such as COVID-19 etc.***



# Request for Proposal

<b>Project</b>	Inland Bays RWF Expansion		
<b>Owner</b>	Sussex County		
<b>Contract No.</b>	C19-17: Electrical Construction	<b>GHD Project no.</b>	12645844
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
<b>RFP No.</b>	IB-001-EC		
<b>RFP Subject</b>	Pump & Blower Building No.2		
<b>Issued By</b>	S. Clark		<b>Date</b> January 2, 2026

## Description of Proposed Changes

Provide proposal for Electrical Construction of Pump and Blower Building No.2 as shown on the attached Drawings. Use the Drawing Details and Contract Specifications from the SCRWF Treatment Upgrade No.3 and RBWWTP CIP Upgrade Phase 2 project except as supplemented and/or modified herein. Carry over value engineering changes in RFP-001, RFP-002, and RFP-003 from the SCRWF/RBWWTP project to this work.

1. Provide only the spare parts listed below as part of this RFP.
2. In general, wherever Division 16 and 17 Specifications have separate requirements for SCRWF and RBWWTP, apply SCRWF requirements to this work.
3. Section 16050
  - Coordinate concrete equipment pad dimensions with General Contractor.
  - Area Classification Schedule for Pump and Blower Building No.2
    - Electrical Room – Dry Location
    - Pump Room – Wet Location
    - All other locations – Wet Location
4. Section 16060
  - Do not include cost for power study in this proposal. The power study will be in a separate RFP when all new electrical work at IBRWF has been shown.
5. Section 16110
  - Provide rigid aluminum conduit for exposed conduits and stub ups in the Pump Room.
  - Provide rigid steel conduit for exposed conduits and stub-ups in the Electrical Room.
  - In general, rigid aluminum conduits will be used in wet locations throughout the project. PVC coated conduit will be used at corrosive locations such as Headworks and Chemical Feed Building.
  - Coordinate site work with General Contractor.

6. Section 16120
  - Use extra 400kcmil conductors from WNRWF Electrical Service and Switchgear Replacement Project for feeders sized at 400kcmil as part of this work.
7. Section 16421
  - Coordinate with Ryan Shockley of Delaware Electric Cooperative (DEC) for new electrical service.
    - (302) 349-0723
  - Payment to DEC for new service will be made by Sussex County.
  - Coordinate site work with General Contractor.
  - Additional work to be coordinated with DEC included in future RFP.
    - Remove utility service at Dewatering Building and refeed from PBB2.
8. Section 16442
  - Provide two spare 30A, 3P disconnect switches.
  - Provide two spare auxiliary contact kits.
9. Coordinate Section 16486
  - Provide spare parts listed on Drawing E0202.
  - Replacement of MCC-P (Lagoon Mixers and Irrigation Pumps) included in separate RFP.
  - Replacement of MCC-A (Administration Building) included in separate RFP.
10. Section 16470
  - Provide two spare 20A, 2P breakers for 240/120V panelboard
  - Provide two spare 30A, 2P breakers for 240/120V panelboard
  - Provide two spare 30A, 3P breakers for 480/277V panelboard
11. Section 16500
  - Provide two spare Type F1 lighting fixtures.
  - Provide one spare of each other lighting fixture type used at PBB2.
12. Section 16620
  - Coordinate site work with General Contractor.
  - Provide specified maintenance materials and extra materials.
13. Section 17010
  - Major CSI work to be included in separate RFPs:
    - Process Control System Cabinet PCS-HEB (Headworks Electrical Building)
    - Process Control System Cabinet PCS-CFB (Chemical Feed Building)
    - Process Control System PCS-EST (Elevated Storage Tank)
    - Fiber optic cable connection to PBB2, HEB, CFB, EST.
    - Instrumentation at Headworks, Clarifiers, Tertiary Treatment Tank, Lagoons, Flow Meter Vaults.
    - Blower VFD and Lagoon Aeration OEM CP integration.
    - Filter OEM CP integration.
    - UV OEM CP integration.
    - Existing Mechanical Screens and Conveyor CP integration.
    - Clarifier Nos. 3-4 Integration.
    - Scum PS No. 2 Integration.
    - Intermediate Pumps Integration.

14. Section 17100

- Provide PCS-PBB2 as shown on the attached drawings. Construct the cabinets as specified and shown on Drawing SC-E4204 and SC-E4205. PCS-PBB2 will have the same selections as PCS-5D from the table on SC-E4205.
- Provide same OIT as in RFP-002 from the WNRWF Electrical Service and Switchgear Replacement Project.
- Provide same spare parts listed for RBWWTP in 17100-1.12.

15. Section 17101

- See attached I/O Data Table for PCS-PBB2.

16. Section 17190

- Furnish Scum Pump CPs and store in Pump and Blower Building No1 until they are installed outdoors at the Scum PS as part of a separate RFP. Refer to elementary diagram for requirements.
- Provide spare parts listed in Section 17190-2.06-C for each VFD CP.

17. Section 17200

- Provide magnetic flow meters shown on the Drawings.
- Coordinate magnetic flow meter installation with General Contractor.
- Provide one spare magnetic flow meter transmitter with cable, accessories, etc to match installed units.

18. Section 17480

- Furnish blower VFD CPs and store in Pump and Blower Building No.1 until they are installed in PBB1 as part of a separate RFP. Refer to elementary diagram for requirements.
- Provide spare parts listed in 17480-1.05-B-3 to 9. Provide two spare IO modules.

**Quotation Prepared For:**

Sussex County Utilities  
 Inland Bays WRF  
 29445 Inland Bay Road  
 Millsboro, DE 19966  
 USA

**Primary Contact:** Patrick Brown

**Quoted On:** 1/27/2026

**Expires:** 2/26/2026

**Salesperson:** David G. Sylvanus  
 215-968-4600  
 dgs@haroldbeck.com

**Summary:** Effluent Loop Project  
 Beck Actuators with 8" and 12" Pratt / Milliken Plug Valves included

RFQ of 1/22/26

Please send orders to [customerservice@haroldbeck.com](mailto:customerservice@haroldbeck.com)

Thank you for the opportunity to provide this quotation. Orders placed with Harold Beck & Sons, Inc. are subject to terms and conditions of sale as shown. Prices quoted do not include sales, use, or municipal taxes unless otherwise specified. All prices quoted are in US Dollars unless otherwise specified. Using the contact information provided above, orders may be placed by e-mail, fax, telephone, or mail. Please note the Beck quotation number on your purchase order. Beck reserves the right to update this quotation if any new charges are imposed before a Purchase Order is issued. Please note that this quotation is valid for 30 days from the date issued.

**Beck drives are supported by the best warranty in the industry. Please refer to the enclosed Terms & Conditions for details of our 3 year warranty.**

**Lead Time (Weeks)\*:** See Notes

\* This shipment leadtime approximates the shipment date scheduling after receipt of a purchase order. However, please consult the factory if it does not meet your requirements.

**Freight Pay Terms:** Prepaid & Added

**Freight FOB:** FOB Newtown, PA

**CC:** Zachary X. Talbot

**Payment Terms:** To Be Determined

**Attachments:** Wiring Diagram: 17-5503-65

Line	PartNum	Description	Quantity	Unit Price	Ext. Price
1	11-363	11-363 ROTARY ACTUATOR With Beck Supplied Valve Valve / 8" Spray Rig  Beck Model 11-363 Actuator for 120 VAC Open / Close Service. Actuator Supply Power = 120/1/60 Mounting Hardware: Direct-Connect with a Bracket & Coupling Valve: 8" Pratt / Milliken Model 601 Plug Valve supplied by Beck.  Beck Model 11-363 Actuator supplied with an 8" Pratt / Milliken Model 601 Plug Valve as a unitized assembly ready for pipeline installation.	3	\$10,031.00	\$30,093.00
2	11-303	11-303 ROTARY ACTUATOR With Beck Supplied Valve Valve / 12" Spray Rig  Beck Model 11-303 Actuator for 120 VAC Open / Close Service. Actuator Supply Power = 120/1/60 Mounting Hardware: L-Bracket & Linkage Valve: 12" Pratt / Milliken Model 601 Plug Valve supplied by Beck.  Beck Model 11-303 Actuator supplied with a 12" Pratt / Milliken Model 601 Plug Valve as a unitized assembly ready for pipeline installation.  The L-Bracket & Linkage Hardware will be configured to provide at least a 2:1 Torque Multiplier at the Valve Seat	9	\$14,188.00	\$127,692.00
3	70-0398-07	FREIGHT CHARGES	1	\$1,780.00	\$1,780.00

**Quote Total:** \$159,565.00

**Quote Notes:** Delivery: Approximately 12-16 weeks after order or release for production. Contact the Factory if a faster delivery is required.

### Configured Model Features & Specifications

Line	Qty	Model	Application Description
1	3	11-363	Valve / 8" Spray Rig  Beck Model 11-363 Actuator for 120 VAC Open / Close Service. Actuator Supply Power = 120/1/60 Mounting Hardware: Direct-Connect with a Bracket & Coupling Valve: 8" Pratt / Milliken Model 601 Plug Valve supplied by Beck.  Beck Model 11-363 Actuator supplied with an 8" Pratt / Milliken Model 601 Plug Valve as a unitized assembly ready for pipeline installation.

**Actuator Features & Specifications**

<b>Voltage/Phase / Freq:</b>	120/1/60
<b>Torque (lb-ft):</b>	550
<b>Stroke Timing (seconds):</b>	68
<b>Travel (degrees):</b>	90
<b>Auxiliary Limit Switches:</b>	4X SPDT
<b>Control Signal:</b>	Open-Close or pushbutton operation
<b>Feedback Signal:</b>	NONE
<b>Loss of Power Action:</b>	Stay in Place
<b>Enclosure Rating:</b>	TYPE 4X, IP66/IP68 (3m / 48 hrs)
<b>Corrosion Protection:</b>	Standard
<b>Wiring Diagram:</b>	17-5503-65

**Integral Features:**

- Self-Locking, Self-Releasing Gear Train
- Handwheel (manual operation without power)
- Non-coasting Beck control motor with instant magnetic braking
- Dust-Tight Construction
- Over-Travel Limit Switches
- Cast Mechanical Stops
- 5-Position Handswitch (electrical manual operation)

**Additional Features:** Auxiliary handswitch contact closed in AUTO  
Handswitch Inlay (OPEN / CLOSE)

**Accessories / Mounting:**

**Valve Info:** Beck Mounting with Beck Supplied Mounting Hardware  
8" Pratt / Milliken Model 601 Plug Valve

**Valve/Damper Supplied By:** BECK

**Mounting Type:** Direct Couple

### Configured Model Features & Specifications

Line	Qty	Model	Application Description
2	9	11-303	<p>Valve / 12" Spray Rig</p> <p>Beck Model 11-303 Actuator for 120 VAC Open / Close Service. Actuator Supply Power = 120/1/60            Mounting Hardware: L-Bracket &amp; Linkage            Valve: 12" Pratt / Milliken Model 601 Plug Valve supplied by Beck.</p> <p>Beck Model 11-303 Actuator supplied with a 12" Pratt / Milliken Model 601 Plug Valve as a unitized assembly ready for pipeline installation.</p> <p>The L-Bracket &amp; Linkage Hardware will be configured to provide at least a 2:1 Torque Multiplier at the Valve Seat</p>

**Actuator Features & Specifications**

<b>Voltage/Phase / Freq:</b>	120/1/60
<b>Torque (lb-ft):</b>	650
<b>Stroke Timing (seconds):</b>	100
<b>Travel (degrees):</b>	100
<b>Auxiliary Limit Switches:</b>	4X SPDT
<b>Control Signal:</b>	Open-Close or pushbutton operation
<b>Feedback Signal:</b>	NONE
<b>Loss of Power Action:</b>	Stay in Place
<b>Enclosure Rating:</b>	TYPE 4X, IP66/IP68 (3m / 48 hrs)
<b>Corrosion Protection:</b>	Standard
<b>Wiring Diagram:</b>	17-5503-65

**Integral Features:**

- Self-Locking, Self-Releasing Gear Train
- Handwheel (manual operation without power)
- Non-coasting Beck control motor with instant magnetic braking
- Dust-Tight Construction
- Over-Travel Limit Switches
- Cast Mechanical Stops
- 5-Position Handswitch (electrical manual operation)

**Additional Features:** Auxiliary handswitch contact closed in AUTO  
 Handswitch Inlay (OPEN / CLOSE)

**Accessories / Mounting:**

**Valve Info:** Beck Mounting with Beck Supplied Mounting Hardware  
 12" Pratt / Milliken Model 601 Plug Valve

**Valve/Damper Supplied By:** BECK

**Mounting Type:** Bracket & Linkage (L-bracket)

Thank you for the opportunity to furnish this quotation. Orders are subject to the following terms and conditions.

#### Price and Delivery

The prices and estimated delivery on the face of this quotation are valid for the periods stated, provided Buyer's order, release for production, and requested delivery date are all within the dates shown on the face of this quotation. Additional extended price protection is not available unless specifically so stated on the face of the quotation.

Prices are subject to correction for errors, and are in accordance with price control regulations of the U.S. Government.

#### Changes to Quantities and Specifications

Changes in quantities and specifications requested or approved by Buyer after receipt of the Buyer's order will be invoiced at the price in effect at the time the change is received.

#### Delivery and Risk of Loss

Shipment shall be FOB Seller's factory, Newtown, Pennsylvania USA. Buyer hereby grants to Seller a security interest in the equipment purchased to secure payment of the purchase price invoiced to Buyer. Risk of loss or damage in transit shall be upon Buyer even if the equipment is shipped FOB place of destination.

#### Payment and Credit Terms

Unless otherwise specified on the face of this quotation, terms of payment are net cash 30 days from date of invoice, subject to approval and continuation of approval of credit by the Seller. All payments are to be made at par in U.S. currency through a U.S. bank to the address stated in Seller's invoice.

If at any time after any approval of credit the financial conditions of the Buyer shall be determined or believed by the Seller, in its sole judgment, to be or to have become such as not to justify the continuation of the above credit terms by the Seller to the Buyer, terms of payment shall be or become COD or immediate partial or full advance payment, or a combination of the foregoing methods, or as the Seller may then or thereafter from time to time elect and specify.

#### Remedies upon Default in Payment

In the event of default by Buyer in making payment when due, the Seller, its agents or assigns, is authorized to take possession and remove the equipment from the Buyer's premises, or elsewhere, without demand or other cause or notice of any kind, and all rights for action of trespass or other causes are waived by Buyer. Buyer will pay to Seller reasonable charges for its use of the equipment and reimburse Seller for its expenses or repossession.

#### Shipping Dates

Shipping dates are approximate and are based upon prompt and timely receipt of all necessary information from the Buyer. Orders which require approval prior to release for production, or which are placed on hold any time after receipt of order, but prior to shipment, will be subject to revised delivery dates. Such delivery dates shall be the estimated delivery dates in effect at the time the release for production or release from hold is received by Seller.

The Seller shall not be liable for delays in delivery or failure to manufacture or deliver due to: (1) causes beyond its reasonable control, (2) acts of God, acts of the Buyer, acts of civil, or military authority, priorities, fires, strikes, floods, epidemics, war, riot, delays in transportation, (3) inability to obtain necessary labor, materials, components, or manufacturing facilities, or (4) changes in specifications, directions, or design requested by Buyer or agreed to by Buyer. In the event of such delay, the delivery date shall be extended for that length of time as may be reasonable necessary to compensate the delay.

#### Invoicing

The Seller reserves the right to invoice when orders are ready for shipment and are held past the scheduled delivery date by Buyer's request, or any other reason beyond the Seller's control. Terms of payment for invoices issued under such circumstances will be the same as though the invoice were prepared at the time of shipment. Buyer will be liable for actual costs of storage and transportation resulting from said deferral of delivery.

#### Maintenance and Installation

Unless otherwise specified on the face of this quotation, installation and maintenance of the equipment is the responsibility of the Buyer.

#### Three Year Limited Warranty Statement

Harold Beck & Sons, Inc. (Beck) warrants that our equipment shall conform to Beck's standard specifications. Beck warrants said equipment to be free from defects in materials and workmanship. This warranty applies to normal recommended use and service for three years from the date on which the equipment is shipped. Improper installation, misuse, improper maintenance, and normal wear and tear are not covered.

The Buyer must notify Beck of any warranty issues within 37 months of original shipment date and return the goods in question, at Buyer's expense, to Beck for evaluation. If the product fails to conform to the warranty, Beck's sole obligation and the Buyer's exclusive remedy will be: 1) the repair or replacement, without charge, at Beck's factory, of any defective equipment covered by this warranty, or 2) at Beck's option, a full refund of the purchase price. In no event will Beck's liability exceed the contract price for the goods claimed to be defective.

**THIS WARRANTY IS EXPRESSLY IN LIEU OF ANY OTHER EXPRESS OR IMPLIED WARRANTY, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, AND ALL OTHER OBLIGATIONS OR LIABILITIES OF BECK.** In no case shall Beck be liable for any special, incidental or consequential damages based upon breach of warranty, breach of contract, negligence, strict tort, or any other legal theory. Such damages include, but are not limited to, loss of profits, loss of revenue, loss of use of the equipment or any associated equipment, cost of capital, cost of any substitute equipment, facilities or service, downtime, the claims of third parties including customers and injury to property.

Buyer acknowledges its responsibilities under OSHA, related laws and regulations, and other safety laws, regulations, standards, practices or recommendations that are principally directed to the use of equipment in its operating environment. Buyer acknowledges that the conditions under which the equipment will be used, its use or combination with, or proximity to, other equipment, and other circumstances of the operation of such equipment are matters beyond Beck's control. **Buyer hereby agrees to indemnify Beck against all claims, damages, costs or liabilities (including but not limited to, attorney's fees and other legal expenses), whether on account of negligence or otherwise, except those claims based solely upon the negligence of Beck and those claims asserted by Beck's employees which arise out of or result from the operation or use of the equipment by Beck's employees.**

#### Return of Equipment for Repair

Authority for return of equipment for repair, whether under the warranty clause or otherwise, must be obtained from the Seller in advance. Equipment returned for repair must be carefully packed so as to reach the Seller's factory without damage. Buyer shall pay shipping costs.

#### Service

Field service to be performed at the Buyer's plant or construction site can be arranged separately from this quotation, unless specifically included on the face thereof. Under such service arrangements, the Seller provides qualified technical personnel to provide field installation services, field repair and modernization services, or technical field assistance.

Dates for such service, and the scope of the service required, must be arranged for in advance. Buyer will be responsible for all travel and living expenses of Seller's personnel, as well as service time on the job, all in accordance with then current rates.

Terms and conditions for service agreements are specified in Beck's Selling Policy L-5526.

#### Return of Equipment for Credit

Unused equipment which has been invoiced to Buyer within one year may be returned for credit, if consent is first obtained. Such consent will not be unreasonably withheld. Consent for return will not be given with respect to equipment not currently manufactured by Seller at the time of the request. Equipment returned for credit must be carefully packed so as to reach the Seller's factory without damage. Buyer shall pay all shipping costs. Returns will be subject to restocking and handling charges.

Should the equipment or any interest in the equipment supplied under this contract be transferred to another party, all the terms and conditions of this contract shall apply to that other party. It is Buyer's responsibility to take such measures as are necessary to ensure that the terms and conditions of this contract apply to such other party.

#### Cancellation

Any order placed with the Seller can be canceled by the Buyer subject to payment of reasonable cancellation charges, which will normally include the following: (a) work completed; (b) work-in-progress; (c) raw materials and purchased parts, at cost to Seller plus handling charges; and (d) any other expenses or charges, including engineering and overhead charges incurred by Seller up to date of cancellation.

#### Buyout Items

Buyout equipment is any device not manufactured by the Seller, but which may be mounted on, shipped with, or shipped separately from the Seller's products. Any increase in price from the Seller's source of buyout items that is received from the time an order is received until it is shipped, will be passed on to the Buyer in the final invoice of the order.

Seller makes no warranty, express or implied, with respect to buyout equipment.

#### Taxes

The Seller's prices do not include sales, use, excise, or similar taxes, or import duties; however, if the Seller is registered for use/sales tax collection with the state to which equipment shall be delivered, and such taxes are applicable, the Seller's invoice prices shall include the appropriate use/sales tax. Consequently, in addition to the price specified herein, the amount of any present or future sales, use, excise, or other similar tax or import duty applicable to the sale or use of the equipment hereunder shall be paid by the Buyer, or in lieu of thereof the Buyer shall provide the Seller with a tax exemption certificate acceptable to the taxing authorities. Buyer will indemnify and hold Seller harmless against any loss, expense, or payment occasioned by collection of any such tax or duty from Seller by any taxing authority.

#### Contract

The terms on this and the face side of this quotation will become our entire contract. If Buyer's order includes any different or additional terms, our acceptance of Buyer's order and supplements thereto is made conditional on Buyer's consent to the terms and conditions hereof (which may be evidenced by Buyer's acceptance of delivery of the equipment sold hereunder). Seller will not be bound by any different or additional terms and conditions contained in Buyer's order, or in any other document delivered to us by Buyer, unless such terms and conditions are expressly agreed to in writing by the Seller. This contract is to be construed according to the laws of the Commonwealth of Pennsylvania.

## ENGINEERING DEPARTMENT

MIKE HARMER, P.E.  
SUSSEX COUNTY ENGINEER

(302) 855-7370 T

(302) 854-5391 F

mike.harmer@sussexcountype.gov



# Sussex County

DELAWARE  
sussexcountype.gov

## Memorandum

TO: Sussex County Council  
The Honorable Douglas B. Hudson, President  
The Honorable John L. Rieley, Vice President  
The Honorable Jane Gruenebaum  
The Honorable Matthew R. Lloyd  
The Honorable Steven C. McCarron

FROM: Hans Medlarz, P.E., Director of Special Projects

RE: ***Professional Environmental Services***  
***A. RK&K – 5 Year Wetland Data Collection & Implementation – Rev. 1***

DATE: February 3, 2026

The County's five (5) year capital plan, as approved in the FY 24 Capital Budget, contained several projects at the Inland Bays Regional Wastewater Facility including the Cannon Road – Inland Bays Road Drainage Improvements and Constructed Wetlands, Project S22-05. The project significantly reduced storm runoff to Guinea Creek, flooding in the Cannon Road area and ponding within the spray fields. In addition, it created "water quality credit" which was used as a stormwater management offset in the treatment plant expansion.

The initial design for the constructed wetlands portion of the project was first submitted to the Delaware Department of Natural Resources and Environmental Control (DNREC) in 2020. As a result of DNREC's comments additional data acquisition, soil testing, hydrogeologic evaluations and surface water assessments were conducted summarized in the October 2022 Hydrogeological Report. The wetland is an innovative land application enhanced polishing and disposal option for wastewater effluent **and** groundwater with elevated nutrient levels.

The wetland was designed in coordination with DNREC under a 5-year "operational-testing" program. It was ultimately authorized as a demonstration and research project under State Permit No. 359141-08 on July 1, 2024.

On November 17, 2022, invitations to bid for the Cannon Road/Inland Bays Road Drainage Improvements and Constructed Wetlands, Project S22-05 were publicly advertised and on December 21, 2022, six (6) bids were received. Kinsley Construction, Inc. submitted the lowest, responsive base bid and on January 10, 2023, Council awarded the project to Kinsley Construction, Inc. in the amount of \$11,467,000.00.



Sussex County’s five (5) year capital projects plan, as approved in the FY 20 Capital Budget, contained projects requiring specialized environmental engineering services. Therefore, a Request for Proposals (RFP) was in May of 2018 and on August 14, 2018, Council approved the selection of RK&K to provide a range of environmental services. The base contract, in the approved amount of \$250,000 was set to cover the County’s water quality enhancement program as well as the design of “constructed wetlands” at the Inland Bays Regional Wastewater Facility.

Since then, Council approved Amendment Nos. 1-3 for the respective tasks (i) assistance to the Sussex County’s Working Group on buffers, (ii) for the initial FAA compliant contract documents for a remediation project in the Eli Walls Tax Ditch and (iii) associated with the Statewide Community Water Quality Improvement project within Delaware’s portion of the Chesapeake Bay watershed.

The constructed wetland work in the second half of July 2023 required RK&K’s on-site geotechnical services. However, Amendment No. 1 had insufficient funding to complete the construction phase scope of work. Therefore, County Council approved RK&K’s construction phase services agreement in the amount of \$96,738.42 and a transfer of the remaining amount from Amendment 1 for a total of \$113,273.67 on July 18, 2023.

The constructed wetland received effluent flow by the end of November 2023. Under the facility’s permit the use of the wetland requires a supplemental groundwater source to provide between 150,000 and 550,000 gallons per day (gpd) throughout the initial 5-years of the demonstration project. Therefore, the Department has been discussing groundwater allocation permitting with DNREC with the associated permit being issued on October 13, 2023.

RK&K initially proposed to prepare the submittal of the groundwater allocation permit application and supporting documents as required by 7 Del.C. §7303 for a not to exceed fee of \$25,000.00 which was approved by Council on September 12, 2023.

DNREC requested to expand the 5-year “operational-testing” program to include PFAS sampling and analysis of water, soil, and plant material. The baseline sampling and analysis was started with Engineering Department staff members. However, the Department did not have the in-house expertise to provide the detailed analysis required for the task. Therefore, we solicited RK&K’s proposal in the not to exceed amount of \$145,157.17 to cover the required five-year reporting duration. County Council approved RK&K’s task amendment on January 23, 2024.

In order to satisfy DNREC’s initial operational concerns we agreed to provide quarterly reporting for the first six (6) quarters. In addition to the reporting scope expansion, the laboratory has also increased the price of PFOS testing- mostly due to increased demand for this specialized testing protocol. RK&K proposed a revision to the 5 Year Wetland Data Collection & Implementation budget in the amount of \$13,355.00.

In summary, the Engineering Department recommends acceptance of RK&K's revision in the not to exceed amount of \$13,355.00.

The wetland serves as a critical wastewater polishing and fallback discharge facility, particularly during winter freeze conditions when other systems cannot operate. The system's flat geometry, continuous wetting, and uniform depth have resulted in chronic filamentous algae and duckweed growth, widespread vegetation failure, high system-wide maintenance demands, and declining infiltration performance at the downstream gallery.

These conditions create operational risk during periods when the wetland is one of two compliant discharge options. The wetland currently functions as a uniform, shallow nutrient reactor rather than a controlled treatment train. Without internal depth variation, pretreatment, or hydraulic control points, nutrients and solids are distributed across the entire 7-acre footprint, making long-term operations inefficient and unsustainable.

To address these issues, a phased retrofit strategy will be proposed in FY 2027 prioritizing risk reduction, cost containment, and long-term asset protection. Starting with the installation of a south-end forebay and surface compartmentalization measures creating sacrificial zones that capture sediment, nutrients, and algal biomass in maintainable areas, immediately reducing system-wide maintenance burden and protecting downstream infrastructure.

Improvements in subsequent budget years will convert the wetland into a multi-cell system with controlled water levels, depth diversity, and upstream pretreatment to restore treatment performance and protect the infiltration gallery from clogging and biofilm accumulation.

This proposed strategy is not a beautification effort, but a risk management and infrastructure preservation strategy that protects a critical County wastewater asset, improves regulatory reliability, and shifts operations from reactive, system-wide maintenance to targeted, efficient service zones.

January 23, 2026

Valerie Thompson, P.E.  
Sussex County Engineer  
Engineering Administration  
Sussex County Engineering Department  
2 The Circle  
P.O. Box 589  
Georgetown, Delaware 19947

**Reference: Professional Environmental Services  
for Inland Bays Wastewater Treatment Plant**

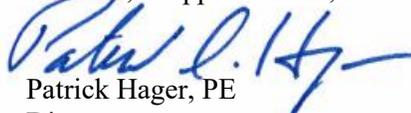
Dear Mrs. Valerie Thompson, P.E:

Rummel, Klepper, and Kahl, LLP (RK&K) appreciates the opportunity to continue our work with Sussex County under the Professional Environmental Services for Inland Bays Wastewater Treatment Plant, Sussex County project. Based on our discussions with you on January 20, 2026, RK&K's services will include work under the following tasks:

- PFAS Sampling;
- Data Review and Evaluation;
- Biennial Reporting; and
- Project Management and Meetings.

This Change Order is submitted to document and authorize modifications to the original contract scope, schedule, and/or cost necessitated by conditions encountered during project execution. The proposed changes are required to address unforeseen circumstances and to ensure the work is completed in a manner that maintains project objectives and technical standards. Approval of this Change Order will allow the project to proceed efficiently while minimizing potential impacts to overall performance and deliverables. Based on the attached Scope of Services and Fee Schedule, we propose to provide these services under a time and material not to exceed contract expansion of \$13,355.00 to bring the total contract amount to \$158,512.17. Monthly invoices will be prepared based on percent complete and will include a project summary. If you have any questions, please contact Patrick Hager at (410) 493.9147 or John Mayhut at (757) 306.6897.

Sincerely,  
Rummel, Klepper & Kahl, LLP



Patrick Hager, PE  
Director



## SCOPE OF WORK FOR PROFESSIONAL ENVIRONMENTAL SERVICES FOR THE INLAND BAYS WASTEWATER TREATMENT PLANT

### Background

On behalf of and in coordination with Sussex County, RK&K prepared a monitoring and reporting plan for the Submerged Gravel Wetland (SGW) based on agency feedback as the project progressed from design to construction. The transition from construction to operational testing requires the implementation of the monitoring plan and the subsequent reporting. As a summary, various testing elements were conducted in accordance with the testing plans and a hydrogeologic report was prepared and submitted to Delaware Department of Natural Resources and Environmental Control (DNREC). Following the review period, the construction plans were finalized and the SGW was incorporated into a larger County stormwater management project. The project was bid and awarded on January 10, 2023. In October/November 2023 the submerged gravel wetland was planted, and irrigation commenced. This Change Order request additional funds to complete the proposed monitoring and reporting.

### Project Schedule

The remaining project schedule of deliverables is summarized in Table 1 below and reflects the sequencing and durations associated with the proposed. The schedule incorporates the activities required to complete the scope while maintaining alignment with critical project milestones. The project team will proceed in accordance with the revised schedule presented in Table 1 and the PFAS sampling Parameters are presented in Table 2.

Table 1 Remaining Work Schedule

Remaining Work
<b>Year 2 (March 2025 – March 2026)</b>
PFAS sampling (March 2026 and September 2026)
Bi-annual report due June 1, 2026
<b>Year 3 (March 2026 – March 2027)</b>
PFAS sampling in March 2027
Letter Report in May 2027
<b>Year 4 (March 2027 – March 2028)</b>
PFAS sampling in March 2028
Bi-annual report due June 1, 2028.
<b>Year 5 (March 2028 – March 2029)</b>
PFAS sampling in March 2029
Letter Report in May 2029

Table 2: PFAS Sampling Parameters

	PFAS Sampling Schedule				
	2026 (Y2)	2026 (Y2)	2027 (Y3)	2028 (Y4)	2029 (Y5)
	March, 2026	September, 2026	March, 2027	March, 2028	March, 2029
GW PFAS (SGW-2)	X		X	X	X
GW PFAS (PWs)	X		X	X	X
Soil PFAS (SGW only)	X	X	X	X	X
Plant PFAS	X		X	X	X
Effluent PFAS			X		X

### Fee

The additional fees associated with completion of the remaining project work reflect increased costs necessary to complete the scope. These fees include a 15 percent year-over-year escalation (for 2027 -2029) of anticipated expenses attributable to materials and services; however, all such expenses will be billed at actual cost. No markup is applied beyond the documented escalation, and supporting cost documentation will be provided as part of the billing process. The additional estimated cost is presented in Table 3, below.



The fee was prepared using the estimated hours to complete each task in accordance with the 2020 fee structure.

Table 3: Estimated Cost to Complete

	Estimated Sampling Cost				
	2026 (Y2)	2026 (Y2)	2027 (Y3)	2028 (Y4)	2029 (Y5)
	March, 2026	September, 2026	March, 2027	March, 2028	March, 2029
GW PFAS (SGW-2)	\$447.00		\$514.05	\$591.16	\$679.83
GW PFAS (PWs)	\$447.00		\$514.05	\$591.16	\$679.83
Soil PFAS (SGW only)	\$447.00	\$447.00	\$514.05	\$591.16	\$679.83
Plant PFAS	\$726.00		\$834.90	\$960.14	\$1,104.16
Effluent PFAS			\$514.05		\$679.83
Equipment Blanks	\$894.00	\$447.00	\$1,028.10	\$1,773.47	\$1,359.66
Trip Blank	\$447.00	\$447.00	\$514.05	\$591.16	\$679.83
Other Expenses	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
<b>Total Cost</b>	<b>\$3,558.00</b>	<b>\$1,491.00</b>	<b>\$4,583.25</b>	<b>\$5,248.24</b>	<b>\$6,012.97</b>
<b>Future Expense Estimate</b>					\$20,893.46
<b>Remaining Expense Budget</b>					\$14,914.03
<b>Requested Expense Budget Increase</b>					\$5,979.43
Additional Labor Budget Needed to Complete Remaining Work					
	Sr. Manager	Manager	Project Engineer/Geologist	Associate Engineer	Additional Fee Requested
Billing Rate Hour	\$236.79	\$212.04	\$151.00	\$95.60	
	Hours	Hours	Hours	Hours	
Task 1	2	10	0	50	\$7,373.98
Task 2	No Change				\$0.00
Task 3	No Change				\$0.00
<b>Requested Labor Budget Increase</b>					\$7,373.98
<b>Requested Expense Budget Increase</b>					\$5,979.43
<b>Requested Labor and Expense Budget Increase</b>					\$13,353.41
<b>Rounded</b>					\$13,355.00

A change order in the amount of \$13,355.00 is requested to complete the work assignment.

### Exclusions and Assumptions

The above SOW does not include new, site specific information gathering activities and related analysis, testing or evaluation beyond those expressly noted. While not comprehensive, the following list of activities are assumed and/or excluded from the proposed SOW:

- Laboratory costs provided are estimated and actual cost will be presented to the County.
- Laboratory costs are for standard turnaround.
- Actual mileage and expenses will be presented to the County, values shown are estimated based on the current estimated level of effort.
- The installation of any new borings or wells.
- Hydraulic pump testing and analysis of existing wells.
- Response to request for additional information.
- Regulatory Review Fees.
- In-person meetings are not included in this SOW. [Note: Coordination activities are limited to video conferencing, telephone, and email. Meetings may be attended in person, upon County's request and at additional cost.].



## Memorandum

To: Sussex County Council  
The Honorable Douglas B. Hudson  
The Honorable Jane Gruenebaum  
The Honorable Matt Lloyd  
The Honorable Steve McCarron  
The Honorable John L. Rieley

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: January 29, 2026

RE: County Council Report for C/Z 2021 filed on behalf of Crosswinds Landing, LLC

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The Planning and Zoning Department received an application (C/Z 2021 filed on behalf of Crosswinds Landing, LLC) for a Change of Zone from an AR-1 Agricultural Residential District to an AR-1-RPC Agricultural Residential Zoning District – Residential Planned Community at Tax Parcels 533-18.00-63.00 and 56.00. The property is located at 33080 Lighthouse Road. The parcel size is 183.19 ac. +/-

The Planning & Zoning Commission held a Public Hearing on the application on September 3, 2025. At the meeting of October 1, 2025, the Planning & Zoning Commission recommended approval of the application for the 7 reasons and subject to the 21 recommended conditions of approval as outlined in the motion (copied below).

The County Council held a Public Hearing on the application at the meeting on October 7, 2025. At the conclusion of the Public Hearing, the Council deferred action on the application for further consideration. Below is a link to the minutes of the October 7, 2025, County Council meeting.

[Link to the Minutes of the October 7, 2026, County Council Meeting](#)

Below are the minutes from the Planning & Zoning Commission meeting on September 3, 2025, and October 1, 2025

Minutes of the September 3, 2025, Planning & Zoning Commission Meeting

Chair Wingate recused herself and left Council Chambers. Mr. Mears assumed the role of chair.



**C/Z 2021 Crosswinds Landing, LLC**

**An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to an AR-1-RPC Agricultural Residential District - Residential Planned Community (352 dwellings) for certain parcels of land lying and being in Sussex County, containing 183.19 acres, more or less.** The properties are lying on the southwest side of Lighthouse Road (Rt. 54), and on the west side of Dickerson Road (S.C.R. 389), approximately 310 feet northwest of the intersection of Lighthouse Road (Rt. 54) and Dickerson Road (S.C.R. 389). 911 Address: 33080 Lighthouse Road & N/A. Tax Map Parcels: 533-18.00-63.00 & 56.00.

Mr. Whitehouse advised the Commission that submitted into the record were the Preliminary Subdivision Plan, a copy of the drafted Homeowner Association bylaws, the Applicant's presentation exhibits, the Applicant's rendering, the Environmental Assessment, the State PLUS comments, the Applicant's response to the PLUS comments, a letter received from the Sussex County Engineering Department Utility Planning Division, the Sussex County Engineering Department's review of the Drainage Assessment information statement, the DelDOT Traffic Impact Study, the Applicant's Chapter 99-9C written responses, and written responses from the Technical Advisory Committee members. Mr. Whitehouse stated that four comments were submitted on behalf of the Application.

Mr. Robertson, for the benefit of the public and the new Commission members, explained what a Residential Planned Community (RPC) was and how the Commission is permitted to place conditions on RPC approvals.

The Commission found that Mr. James Fuqua, Esq., with Fuqua, Willard & Schab, P.A., spoke on behalf of the Applicant, Crosswinds Landing, LLC; that also present was Mr. David Sobczak, with Crosswinds Landing, LLC, Mr. Chris Flathers with Morris Ritchie & Associates, Mr. Joe Caloggero with the Traffic Group, and Ms. Kimberly McNew with Geotechnology Associates. Mr. Fuqua stated that an exhibit book was submitted, which contained relevant information about the application; that additionally, there was a comprehensive Information Booklet submitted regarding the application itself; that the application proposes a residential planned community, known as an RPC; that the site consists of 183 acres of land, located within the AR-1 (Agricultural Residential) Zoning District; that the application proposes a mixed-use RPC of 352 residential dwellings, which would be comprised of 161 single-family lots, and 191 townhouses; that the name of the development is proposed to be Swann Lake; that that no change in zoning is being requested; that the underlying zoning will remain as the current zoning of AR-1 (Agricultural Residential); that the property is located slightly southwest of Williamsville; that the site has frontage on the south side of Lighthouse Road (Rt. 54), and also on the west side of Dickerson Road and West Line Road; that Bayview Estates and Americana Bayside are located to the east of the site; that the Maryland line is a short distance to the south of the property; that to the west of the site, along Rt. 54, is the Williamsville Industrial Park, as well as a 74-acre parcel owned by Sussex County, which was purchased by Sussex County in the 1980s; that according to the State Strategies for State Policies and Spending map, the site is designated within Investment Levels 3 & 4; that the Level 4 areas of the site are the general location of the environmental features of the site, being Buntings Branch, White Oak Swamp Ditch, and some adjacent wetlands; that those areas, located within the Level 4 area, will not be impacted by the proposed development, and will remain undisturbed; that the development is concentrated in the areas designated with Investment Level 3, which are areas where growth is anticipated by the State and County plans; that under the Sussex County Zoning Ordinance, the site is located within the AR-1 (Agricultural Residential) Zoning District; that the application proposes a RPC (Residential Planned Community) overlay; that the purpose of an RPC is to create a superior living environment, for larger scale developments; that an RPC permits a development to contain mixed residential uses, generally being

single-family and some form of multi-family units; that the RPC section of the Zoning Ordinance provides a specific process for determining the permitted density within an RPC; that when applied to the subject property, the permitted density is determined by taking the total site area, of 183 acres, subtracting from that the proposed street right of way of 19 acres, resulting in a net development area of 164 acres; that under the RPC Ordinance, it would be divided by the minimum lot area of the underlying zoning district, being AR-1; that the formula would permit the proposed RPC a maximum of 357 residential units, which is what was being proposed; that the project also results in a gross density of 1.92 units per acre; that according to the 2018 Sussex County Comprehensive Plan; that the plan contains the Future Land Use Map; that per the Future Land Use Map, the property is located within a Coastal Area, being designated as a Growth Area within Sussex County; that according to the Comprehensive Plan, growth areas seek to encourage the County's most concentrated forms of new development, including most higher density residential development; that the Comprehensive Plan further states that a range of housing types, including single-family homes, townhouses, and multi-family units, should be permitted in the Coastal Area, that the plan states that medium and higher density development of four to 12 units per acre can be appropriate in certain locations, being areas where central water and sewer are available, and where the proposed use is in keeping with the character of the area; that the plan recognizes that higher density could be permitted in these types of areas; that the application does not seek a high density, as it proposed to maintain the existing AR-1 density; that the proposed development seeks to utilize the RPC to create a mixture of single-family homes and townhomes, while maintaining the existing AR-1 density; that the Application is consistent with the State Investment Level designations; that the Application is compliant with the provisions of the Sussex County Zoning Ordinance, and in accordance with the provisions of the Sussex County Comprehensive Plan; that the development was designed utilizing the superior design process, which is recommended for cluster subdivision developments; that they first identified the portions of the property that should remain undisturbed and preserved; that next, the most appropriate locations for development on the site should be identified, followed by streets, lots, trails, and recreational area should be laid out; that in accordance with the process, they first identified the environmental features; that all the environmental features are located toward the center of the property; that there is Buntings Branch that runs west to east, from the Sussex County owned property to West Line Road; that located south of the branch is a man-made lake, which is the result of a borrow pit operation which had been conducted on the site since the 1940s to 1950s; that the lake itself had gradually expanded in size and shape over the decades as material had been removed; that the lake's current size is approximately 29 acres, with a maximum depth of 50 feet; that provided the RPC would be approved, the borrow pit operation would be terminated; that the lake would be reclaimed as a recreational component for the proposed development; that to the south of the lake, is the location of the White Oak Swamp Ditch, which also runs from the west boundary line to West Line Road on the east; that adjacent to the ditch on the south side, is an area of non-tidal wetlands; that Geotechnology Associates performed a Wetland Delineation for the property; that the delineation found that there were approximately 14 acres of federally regulated non-tidal wetlands on the site; that the majority of those wetlands are located adjacent to the ditch; that there are three small wetland pockets in the northeast corner of the site; that the wetland delineation was reviewed by the U.S. Army Corps of Engineers, and an approved Jurisdictional Determination letter was issued on January 3, 2024; that the resource areas will remain undisturbed; that the required resource buffers will be provided in accordance with the Sussex County Resource Buffer Ordinance; that the 183 acre site is partially wooded; that there are 65 acres of existing woodlands; that 30 acres of the woods will be impacted by the development, resulting in approximately 35 acres (54%) of the existing woodlands being preserved; that in order to avoid disturbance of the environmental areas, the development is proposed to be located in two sections of the property; that the north section will have an entrance from Lighthouse Road; that the southern section will have an entrance from West Line Road; that the north section will contain 255 residential units, comprised of 116 single-

family homes, and 139 townhouses; that the small southern section will contain 97 residential units, comprised of 45 single-family homes, and 52 townhouses; that the development is to be served with central water for domestic use and fire protection by Artesian Water Company, who was already serving the area; that the proposed on-site water distribution system is anticipated to connect to the existing artesian water infrastructure, which was currently located along Lighthouse Road; that the development would be served as part of the Sussex County Sewer system, as were the surrounding communities; that the Sussex County Engineering Department indicated that the sewer capacity is available for the development; that a new pump station will be located on the northeast corner of the site; that stormwater management facilities will be designed and constructed in compliance with DNREC regulations, and will be reviewed and approved by the Sussex Conservation District; that the stormwater facilities will meet or exceed the current stormwater regulations, including management of water quality and quantity; that Geotechnology Associates also performed a Subsurface Exploration Study, which was performed to determine the recommendations for stormwater facilities locations and site work preparation; that a Traffic Impact Study was prepared by the Traffic Group, and was performed in accordance with DelDOT's requirements; that DelDOT issued a Traffic Impact Study (TIS) letter on February 1, 2024, which stated that the Applicant would be responsible for the improvement of both sides of the paved roadways along the site's frontages along Rt. 54, West Line Road, and Dickerson Road, to meet DelDOT's standards and requirements; that the construction of the Rt. 54 entrance and West Line Road entrance, in conformity with the configurations that are described in the DelDOT TIS letter; that the Rt. 54 entrance will require, in addition to through lanes, a 240-foot right turn lane on the eastbound side of Rt. 54, and a 210-foot left turn lane on the westbound side of Rt. 54; that the West Line Road entrance will have a right turn lane westbound, and a bypass lane eastbound; that there is a current DelDOT study, called the West Line Road, SR 54, Lighthouse Road Intersection Improvement Project, which may result in a roundabout at the Rt. 54 and West Line Road intersection; that the Applicant will be required to make an equitable contribution of \$103,500.00, toward the project, as part of its DelDOT approval; that the Applicant will be granting a 15-foot permanent easement to DelDOT, from the edge of the right of ways along the site frontage on all three roads previously mentioned; that within the 15-foot easement, the Applicant will be constructing a 10-foot wide shared use path designed with pedestrian and bicycle improvements to be determined by DelDOT; that the entrance to the northbound section will have separate ingress and egress lanes; that the road frontage along Lighthouse Road will be attractively buffered with the 10 foot shared use path; that adjacent to that there will be a 30-foot wide, extensively landscaped buffer area with a five foot high berm; that not only will this create a very attractive appearance along Rt. 54, it will act as a noise buffer for the homes located on the interior; that the southern entrance from West Line Road will also have separate entrances and landscaping; that the development's 161 single-family lots will have an average lot size of 8,413 square feet; that the 191 townhouse lots will have an average lot size of 4,062 square feet; that the development's design provides that all the lots will be adjacent to some type of community open space; that no two lots rear yards will directly front one another; that overall, the development will contain 352 units, which does comply with the density required for an RPC; that the development streets will be constructed to Sussex County Engineering Department requirements; that as shown on the Site Plan, sidewalks will be constructed on both sides of the development streets, with one exception being the cul-de-sac street of Wedge Court (reflected as David Lane on the Preliminary Site Plan); that this area only had homes proposed on one side of the street; that sidewalks are not needed on both sides of the street in that area, and will only be provided on the side where the homes are located; that in order to avoid impact to the existing wetlands and environmental features, there is no internal road connection proposed for motor vehicles between the northern and the southern sections of the development; that there will be a boardwalk-type connection from the Wedge Court (aka David Lane) cul-de-sac to Benno Court, connecting the sections purely for pedestrians, bicycles, and possibly golfcart use; that the main recreational area is located on the north section of Black

Swann Lane, fronting the lake, and will consist of a community clubhouse, with a minimum floor area of 3,000 square feet, an outdoor pool with a surrounding patio and deck area; that will be bocce ball courts, a playground or tot lot, and gathering areas with fire pits; that there will be parking for 44 vehicles; that on the plan it reflected two pickleball courts next to the clubhouse that the courts may be modified to provide for a more passive type of activity, as pickleball is beginning to become undesirable due to the noise associated with it; that the details of the recreational area will be provided and reviewed by the Planning Commission as part of the Final Site Plan approval process; that located in the front of the clubhouse area there will be a boardwalk connecting the recreational area to the beach on the north side of the lake; that there will be a designated area for swimming, bathing, launching and storage area for kayaks and stand up paddle boards, and there will be a walking trail, with no anticipation of any motorized aquatic vehicles; that the southern section of the development will have an approximately one-acre park, that the park will be landscaped; that the park will contain a pergola, benches, tot lot and parking spaces in conformance with the Subdivision Ordinance; that the recreational amenities will be completed prior to the issuance of the 60% of the residential building permits, as it is required by the Zoning Ordinance; that the development's total community open space, as it is defined by the Zoning Code, will be approximately 114 acres (62%) of the 183 acre site; that the location of the development is in the service area of the Roxana Volunteer Fire Company; that the Applicant is proposing to voluntarily commit, that upon the issuance of a Certificate of Occupancy for each residential unit within the Swann Lake development, an annual contribution of \$100.00 to the Roxana Fire Company will be made; that the contribution will be collected and paid by the homeowners association; that the contribution will be collected from each homeowner through their HOA dues; that the Applicant did request a caveat be placed, that should the State or County enact a law requiring a mandatory payment to the fire company, that the proposed obligation would no longer apply; that this obligation had been proposed as Condition P in the proposed Conditions of Approval; that the site is located within the Indian River School District; that a school bus stop, or stops, will be located near the development entrances or at the clubhouse; that the exact location of the bus stops would be coordinated with the school district; that it is anticipated that the development would be constructed in six phases over approximately five to seven years; that Mr. Fuqua requested to submit into the record, proposed Findings and Conditions for the Commission's consideration; that the Swann Lake RPC is located within the Coastal Area, being a designated Growth Area according to the Comprehensive Plan; that the plan states Growth Areas are locations where development should be placed, even at much higher densities; that the existing AR-1 (Agricultural Residential) zoning density will remain unchanged, and the RPC density will be in accordance with the permitted density for an RPC within the AR-1 district; that the proposed development will offer a variety of housing, with both single-family, as well as townhouses; that the plan proposes superior recreational amenities; that the proposed development will replace an existing borrow pit excavation operation, by reclaiming and revitalizing the borrow pit as a community lake for recreational use and visual appearance, and the Applicant requested the Commission recommend approval on the application, subject to any conditions the Commission deem appropriate.

Mr. Collins questioned the staff whether or not notice was provided to the local school district, and if the school district provided any response.

Mr. Whitehouse stated that staff had notified the school district, and if a response was received, it would have been included within the record.

Chairman Mears requested confirmation that, should the development be approved, the developer will work with the local school district to provide a bus stop as needed.

Mr. Fuqua stated that yes, the Applicant would work with the local school district on the location of a bus stop, and the development may require more than one, as there would be two entrances.

Mr. Collins questioned, if the application were to be denied, whether the Applicant could return with a new proposal to build the same number of homes, but with the development sprawled across the entire property.

Mr. Fuqua stated that he could not speak for the Applicant in that circumstance, but confirmed that it would be an option for the Applicant; that if the proposed development were not approved, he would anticipate that the property would remain as a borrow pit, or be developed in another way at two units per acre, and the current development proposed a density less than a cluster subdivision.

Mr. Collins stated that higher density helps to control sprawl, which helps preserve natural features that exist on the site.

Mr. Robertson stated that the current application did not propose higher density; that the application proposed the same density permitted within the current zoning of AR-1 (Agricultural Residential); that the only difference is the different type of housing units proposed, as it is not just single-family homes that are generally provided within a typical cluster or standard subdivision, and the property would be permitted to go through the Major Subdivision process as a cluster subdivision at two units to the acre, which would result in a much different looking application.

Mr. Whitehouse questioned whether the indicative area shown on the rendering was the area for the townhouse, including the yard, whether the building would be touching the buffer, or if a yard would be provided at the back of each unit.

Mr. Fuqua stated that he believed that the area is reflected as a lot, and it is not intended that the buffer will effectively become the backyard; that townhouses can be condominiums, which have no lots, and the current plan proposes individual lots, which will be subject to a Rear Yard setback within each of the reflected rectangles.

The Commission found that no one was present who wished to speak in support of the application, and four people were present who wished to speak in opposition to the application.

Mrs. Roberta Cordara spoke in opposition to the Application. Mrs. Cordara stated that she and her husband reside along West Line Road; that they had seen a lot of changes; that Chicken Farm Road is located behind their property; that Chicken Farm Road is reflected in a different color on one of the Applicant's exhibits; that if Chicken Farm Road is taken away, the five houses located behind her property will no longer have access to the back of their property; that the County designated her septic, being the rear of her property; that if the road were taken away, they will have no access to their property, should anything go wrong with their septic tank or septic mound; that she questioned whether a survey had been performed on the number of accidents, including fatal accidents, that had taken place; that the road was originally a farm road; that it is 50 mph; that there are tractor trailers to motorcycles drag racing on the road; that it traffic had been getting increasingly worse; that the proposed development would be dumping 700 additional cars to the area of West Line Road

Mr. Richard Cordara spoke in opposition to the Application. Mr. Cordara stated that the area is agricultural farmland from Muskrat Town to Bishopville Road; that there are irrigation ditches; that he

did not believe there was any way to expand it; that when Lighthouse Road was closed to place the cross pieces, drivers realized that West Line Road led to the same place; that there are no red lights or traffic signals on that roadway; that when a deer jumps out of a cornfield, there is nowhere to go; that there was a recent fatality of a man who attempted to avoid hitting a deer, but hit a tractor trailer and did not survive; that the increased traffic being proposed on West Line Road will increase traffic on Lighthouse Road, with no place for the traffic to thin out; that they have a private well and septic, and he questioned how the construction would affect the groundwater moving forward.

Mr. Fuqua stated that the project would be serviced by central water, provided by Artesian; that the project would not be taking any water from the ground; that all stormwater designs must comply with all DNREC and Sussex Conservation District requirements; that regarding the West Line Road concerns, it is DelDOT's purview to determine the upgrades and requirements; that DelDOT is requiring the Applicant to contribute \$100,000.00; that he believed DelDOT would be placing a roundabout at the West Line Road and Rt. 54 intersection, which is located further east of the site; that West Line Road is not located at the site's corner; that he assumed the Applicant's contribution was to be placed toward a safety improvement from DelDOT's point of view, and the Applicant cannot control the traffic racing on West Line Road.

Mr. Robertson requested more information regarding the concern about Chicken Farm Road; that it appeared to him that the road ran in the area of the perimeter buffer along the southern side of the site, and he questioned if Chicken Farm Road was the only access to the Gregory or Wendell A. Bunting properties.

Mr. Whitehouse stated that there was a License Reference number, and a Deed Book and Page referenced, and he questioned what they were referenced for.

Mr. Chris Flathers, the Engineer for the project, stated the during their deed research for the property, there was no record of an easement found through that area; that there was no right of way or easement known to be in that area; that on the submitted plan, they had shown Chicken Line Road to be eliminated because it was located on their property; that he was unsure if Chicken Farm Road was the only access to the Gregory property or the Wendell A. Bunting property; that the reference number references a small easement, where it bumps out onto the subject site, being a odd trapezoidal area; that a buffer is proposed to be placed in that area; that they placed the buffer around the easement; that it is wooded, other than that section, and if there were required to plant, they would plant a vegetated buffer within that area.

Mr. Joseph Lieb spoke in opposition to the Application. Mr. Lieb stated that he had lived in the area for 50 years; that West Line Road is crazy; that until the roads get better, it will get worse; that he suggested starting with the roads first; that a quarter acre for a home site is small, and he questioned if 116 acres out of 183 is open space.

Mr. Mears stated that the Sussex County Code was changed to allow for more open space, and the project's proposed open space meets the requirements of the Ordinance.

Mr. Alfred Lynch spoke in opposition to the Application. Mr. Lynch stated his wife owns a property along Lighthouse Road; that there is currently a main drainage ditch that runs from Rt.54, follows their property line, and runs back to Bunting Branch; that it appeared to him that the ditch will now terminate at the end of their property line, and he questioned where the water is anticipated to go other than his property.

Mr. Flathers stated it did not appear that there was a tax ditch located within the mentioned section; that in accordance with the County and State regulations, the project would maintain drainage patterns, and would not impound water onto adjacent properties; that they will continue the current drainage pattern, and that if there is water currently cutting through that area, the Applicant would have to accept that water, and convey it back to the ditch.

Mr. Whitehouse stated that there is a tax ditch located on the neighboring parcel, with a tax ditch easement, which terminates at the property boundary, and that there was no tax ditch located on the subject property.

Mr. Robertson questioned whether the Applicant intends to get an amendment to the tax ditch easement, if applicable, as it appeared that the tax ditch easement ran potentially along the back side of some of the townhouse lots.

Mr. Flathers stated that the intention is to work with tax succession and the managers to amend that area.

Mr. Robertson stated that there appeared to be a tax ditch on an adjacent property; that it appeared the tax ditch easement was located on the subject property, and he questioned how the required buffer and the tax ditch easement would fit in the back of the proposed townhouse lots.

Mr. Flathers stated that the area would most likely be reworked; that they would likely end up piping that section of the ditch to bring it into the property, rather than maintain it along there, and they would place inlets along the property line to pick up the water, rather than running it parallel with the property.

Mr. Whitehouse questioned whether trees are proposed to be placed on top of underground infrastructure, or if trees would not be placed in those areas, and if the buffer depth or the number of trees would be compromised.

Mr. Flathers stated that they would not be permitted to place trees on top of any piped areas; that they would look into what would be needed to configure the infrastructure; that they would work with Planning staff to figure out what their options would be, such as modifications of the buffer or potential adjustments through the engineering process.

Mr. Robertson stated that the area was somewhat unusual in the fact that Sussex County owned the property adjacent to the site, and that the adjacent parcel would never be developed.

Upon there being no further questions, Chair Wingate closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to C/Z 2021 Crosswinds Landing, LLC. Motion by Mr. Collins to defer action for further consideration, seconded by Mr. Passwaters and carried unanimously. Motion carried 4-0. Ms. Wingate abstained.

Minutes of the October 1, 2025, Planning & Zoning Commission Meeting

**C/Z 2021 Crosswinds Landing, LLC**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN AR-1 - RPC AGRICULTURAL RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY (352 DWELLINGS) FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 183.19 ACRES, MORE OR LESS.** The properties are lying on the southwest side of Lighthouse Road (Rt. 54), and on the west side of Dickerson Road (S.C.R. 389), approximately 310 feet northwest of the intersection of Lighthouse Road (Rt. 54) and Dickerson Road (S.C.R. 389). 911 Address: 33080 Lighthouse Road & N/A. Tax Map Parcels: 533-18.00-63.00 & 56.00.

The Commission discussed the application, which had been deferred since September 17, 2025, at which time Madam Chair Wingate had recused herself from the Application.

Madam Chair Wingate recused herself and appointed Mr. Collins as acting Chair.

Mr. Allen moved that the Commission recommend approval of C/Z 2021 Crosswinds Landing, LLC for a change in zoning from AR-1 to an AR-1-RPC based upon the record and for the following reasons:

1. The property is currently zoned AR-1. The Applicant is seeking approval of a Residential Planned Community overlay zoning while maintaining the underlying AR-1 zoning.
2. The proposed AR-1-RPC is in close proximity to the intersection of Routes 20 and 54, where a commercial center has been established, and which serves residents in the vicinity. This area has a higher residential density and is served by various commercial businesses.
3. The proposed development will have no more than 352 single-family and multifamily dwellings within its 183 acres. The net density is within the allowable density in AR-1.
4. Central water and sewer will be provided to the RPC.
5. With the conditions and stipulations placed upon it, the RPC designation is appropriate since it allows the creation of a superior environment through design ingenuity while protecting existing and future uses as follows:
  - a. The RPC provides alternative housing types that are not available within a subdivision design;
  - b. The RPC locates home sites together on environmentally suitable portions of the site outside of wetlands, mature woodlands, and waterways;
  - c. The RPC retains approximately 114 acres or 62% of the total site area as open space;
  - d. Within the open space, approximately 35 acres, or 54% of the existing woodlands, will be preserved;
  - e. The property is crossed by Buntings Branch, White Oak Swamp Ditch and contains approximately 14 acres of non-tidal wetlands. The Army Corps of Engineers issued an approved Jurisdictional Determination on January 3, 2024. Site resources will be protected by buffers as required by the County Resource Buffer Ordinance and will promote wildlife corridors to and from adjacent wooded areas; and
  - f. The Project will incorporate and reuse an existing old borrow pit into its site plan as a

visual and recreational component of the development.

6. According to the County's current Comprehensive Plan, the project is in the Coastal Area, which is designated as a Growth Area. This AR-RPC is appropriate in this Area according to the Plan, which permits residential development with a mix of housing types.
7. The Applicant has favorably addressed the items set forth in Section 99-9C of the Subdivision Code and provided the manner in which each one has been incorporated or addressed on the Preliminary Site Plan.
8. This recommendation is subject to the following conditions:
  - A. There shall be no more than 352 dwelling units consisting of single-family and multifamily dwellings.
  - B. A homeowners' or condominium association shall be formed to provide for the perpetual maintenance, repair, and replacement of all of the buffers and resources, stormwater management facilities, streets, amenities, and other common areas.
  - C. All entrances, intersections, roadways, and multi-modal improvements required by DelDOT shall be completed in accordance with DelDOT's requirements, including the requirements of DelDOT's TIS Review Letter dated February 5, 2024.
  - D. The RPC shall be served by central water and sewer.
  - E. Approximately 114 acres or 62% of the site shall remain as open space, including 35 acres of the woodlands on the site. The area of preserved woodlands shall be shown on the Final Site Plan.
  - F. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be operated in a manner that is consistent with Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
  - G. Interior street design shall meet or exceed Sussex County's street design requirements. There shall also be sidewalks on both sides of the streets within the RPC, with the exception of the area along David Lane, where Lots 213 to 228 are only located on one side of the street. The road naming and addressing shall be subject to the review and approval of the Sussex County Geographical Information Office.
  - H. The development shall be served by amenities including a clubhouse and outdoor swimming pool, tot lot, bocce courts, and beach area. All amenities shall be completed in compliance with Sections 99-21 and 115-194.5 of the Sussex County Code.
  - I. The Resources on the site shall be protected and buffered as required by Section 115-193 of the Sussex County Code.
  - J. The Final Site Plan shall include a landscape plan for the development showing the proposed tree and shrub landscape design, including the buffer and buffer protection areas and the woodlands that must be preserved as required by Section 99-21A of the Sussex County Code. The site frontage along Lighthouse Road (DE-54) shall have landscaping and be bermed in accordance with the Applicant's Swann Lake entrance landscaping exhibit prepared by Morris and Ritchie Associates, Inc.

- K. The Applicant shall consult with the local school districts' transportation manager to determine if a school bus stop is appropriate. The location of the bus stop area shall be shown on the Final Site Plan.
- L. As proffered by the Applicant, each residential unit shall be obligated to make an annual payment of \$100.00 to the Roxana Fire Company beginning with the issuance of a residential Certificate of Occupancy for that unit. These fees shall be collected and paid by the Homeowners Association. However, if the State or County enacts a separate law governing the mandatory payment or contribution to Fire/EMS service applicable to the units in the RPC, then this condition shall no longer apply.
- M. Construction, site work, grading, and deliveries of construction materials shall only occur from Monday through Friday between 8:00 a.m. and 6:00 p.m. and on Saturdays between 8:00 a.m. and 2:00 p.m. A 24-inch by 36-inch "NOTICE" sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the site during construction.
- N. During sitework and initial home construction, all dumpsters, roll-off containers, or similar containers for trash and construction debris shall be covered to eliminate trash and construction materials from blowing across this property or onto neighboring and adjacent properties.
- O. All lighting on the site shall be shielded and downward screened so that it does not shine on neighboring properties or roadways.
- P. The Final Site Plan and the recorded governing documents for this development shall include the Agricultural Use Preservation Notice.
- Q. There is a path or roadway of unknown origin along the western side of this site. It shall remain and continue to exist. All subsequent plans, including the Master Plan, shall reflect this.
- R. The Final Site Plan shall include a landscape plan for the development showing the proposed tree and shrub landscape design, including the buffer areas and the woodlands that must be preserved.
- S. The Final Site Plan shall include a Grading Plan for the site. No building permit shall be issued for individual lots until an individual lot grading plan has been supplied to and approved by Sussex County. No Certificate of Occupancy shall be issued until a Grading Certificate is submitted to the Building Code Department demonstrating general conformity with the individual site Grading Plan.
- T. A Revised Preliminary Site Plan, either depicting or noting these conditions, must be submitted to the Office of Planning and Zoning.
- U. The Master Plan for this RPC shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

Motion by Mr. Allen, seconded by Mr. Passwaters, and carried unanimously to recommend approval of C/Z 2021 Crosswinds Landing, LLC, for the reasons and the conditions stated in the motion. Motion carried 3-0.

Vote by roll call: Mr. Passwaters – yea, Mr. Allen – yea, and Mr. Collins - yea



Esri, HERE, Garmin, IPC, Maxar

**CZ 2021 Crosswinds Landing**  
**Aerial Map**  
**TM# 533-18.00-63.00 & 56.00**

 CZ 2021 Crosswinds Landing





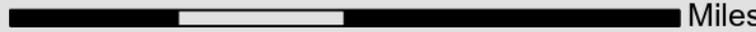
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**CZ 2021 Crosswinds Landing  
Street Map  
TM# 533-18.00-63.00 & 56.00**

 CZ 2021 Crosswinds  
Landing

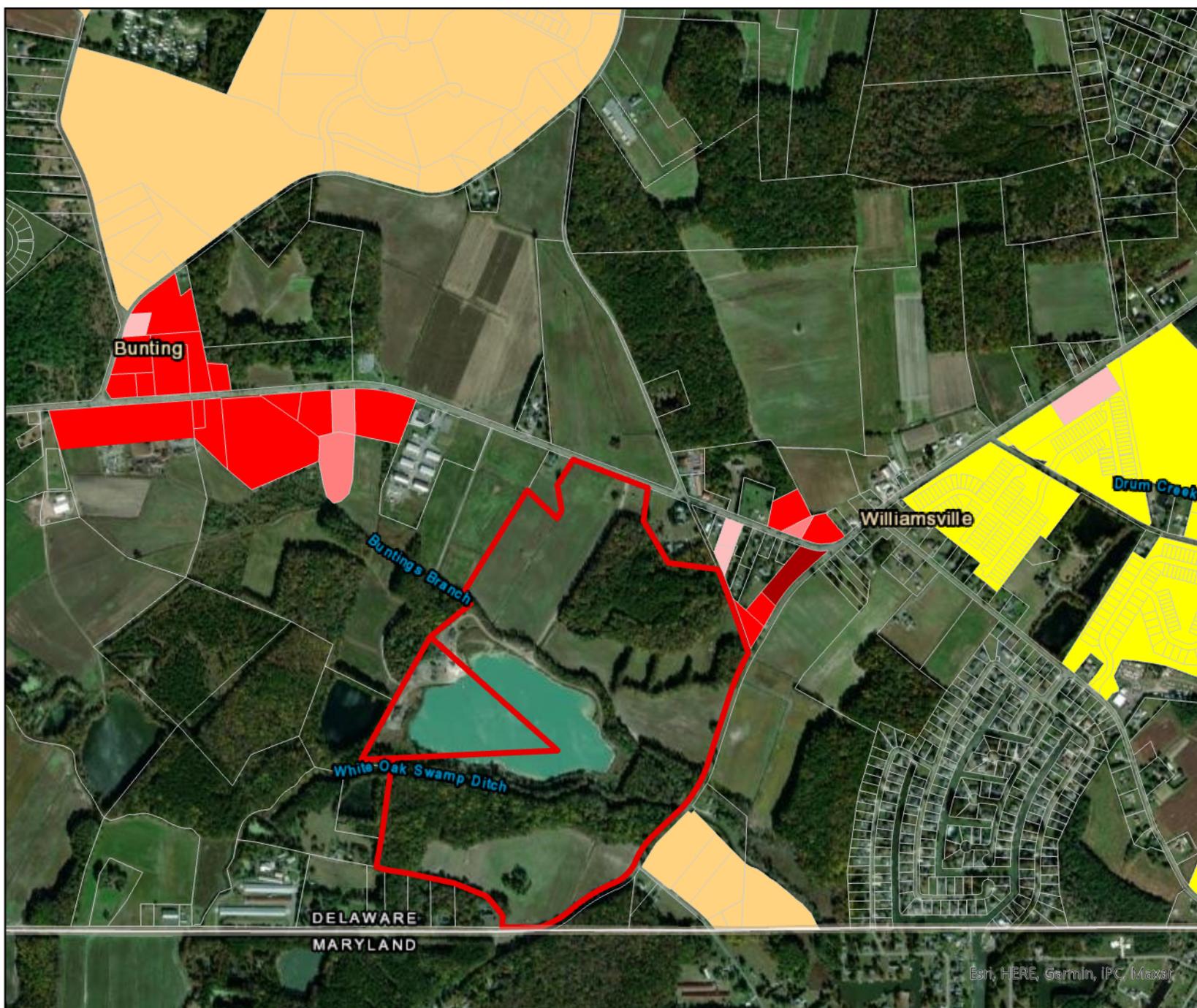


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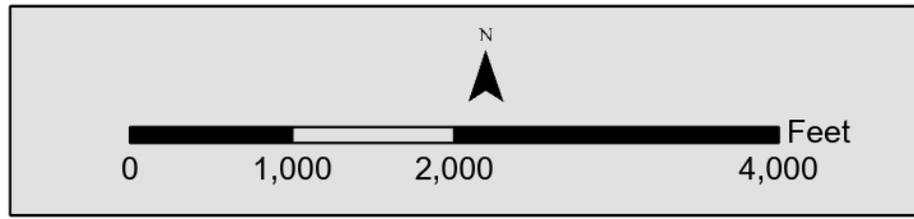


### Zoning

	Agricultural Residential - AR-1
	Agricultural Residential - AR-2
	Medium Residential - MR
	General Residential - GR
	High Density Residential - HR-1
	High Density Residential - HR-2
	Vacation, Retire, Resident - VRP
	Commercial Residential - CR-1
	Institutional - I-1
	Marine - M
	Limited Industrial - LI-1
	Light Industrial - LI-2
	Heavy Industrial - HI-1
	C1: General Commercial
	C2: Medium Commercial
	C3: Heavy Commercial
	C4: Planned Commercial
	C5: Service/Limited Manufacturing
	B-1: Neighborhood Business
	B-2: Business Community District
	B-3: Business Research

**CZ 2021 Crosswinds Landing Zoning Map**  
**TM# 533-18.00-63.00 & 56.00**

CZ 2021 Crosswinds Landing



Introduced: 7/29/25

Council District 4: Mr. Hudson  
Tax I.D. No.: 533-18.00-63.00 & 56.00  
911 Address: 33080 Lighthouse Road & N/A

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN AR-1-RPC AGRICULTURAL RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY (352 DWELLINGS) FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 183.19 ACRES, MORE OR LESS

WHEREAS, on the 29<sup>th</sup> day of September 2023, a zoning application, denominated Change of Zone No. 2021 was filed on behalf of Crosswinds Landing, LLC; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2025, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 2021 be \_\_\_\_\_; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2025, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation AR-1-RPC Agricultural Residential District – Residential Planned Community as it applies to the properties hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcels of land, lying and being situate in Sussex County, Delaware, and lying on the southwest side of Lighthouse Road (Rt. 54), and on the west side of Dickerson Road (S.C.R. 389) approximately 310 feet northwest of the intersection of Lighthouse Road (Rt. 54) and Dickerson Road (S.C.R. 389) and being more particularly described in the attached legal description prepared by \_\_\_\_\_, said parcels containing 183.18 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

**Wendy Lobato**

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**From:** notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>  
**Sent:** Monday, November 17, 2025 3:32 PM  
**To:** Wendy Lobato  
**Subject:** Form submission from: Council Grant Form

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**Council Grant Form**

<b>Legal Name of Agency/Organization</b>	<del>MLK DAY OF CELEBRATION</del> Eastern Shore AFRAM Festival
<b>Project Name</b>	De. Martin Luther King Jr Memorial Brunch MLK Day of Celebration
<b>Federal Tax ID</b>	<del>32-0125058</del> 05-0595124
<b>Non-Profit</b>	Yes
<b>Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)</b>	No
<b>Organization's Mission</b>	<p>Dr. KING'S National holiday commemorated locally !!!</p> <p>Help us celebrate the life and achievements of Martin Luther King Jr., an influential American civil rights leader. Dr. KING was most well-known for his campaigns to end racial segregation on public transport and for racial equality in the United States.</p> <p>This family-friendly celebration has been a well attended event.</p> <p>Help us to continue this extraordinary event for our community on Monday, January 19, 2026.</p>

Historically speaking, Keynote will be Elder, Tyrone Johnson.; Churches Take A Corner (CTAC).

Our Guest Singers:

Heart & SOLE

Salisbury, Md

Presenter:

The Culture Club PR

Multicultural Club for Kids

Together, we can promote harmony across the First State and the Eastern Shore by furthering the legacy of Dr. King.

In partnership, we can continue the work of nonviolence by promoting equality to all.

As you consider a level of partnership, it helps to underwrite the cost of speakers, entertainment, and culinary masters.

The DreamTeam Committee would like to make this a "no cost" event for participants.

Sponsorship Levels:

\$1,00.00 Platinum

\$500.00 Gold

\$250.00 Silver

\$100.00 Bronze

In-Kind Donations

Acknowledged

<b>Address</b>	721 3rd Street
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<b>Address 2</b>	P.O. Box 687
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<b>City</b>	Seaford
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<b>State</b>	DE
<b>Zip Code</b>	19973
<b>Contact Person</b>	Pat A Jones
<b>Contact Title</b>	Executive Director
<b>Contact Phone Number</b>	302-228-5636
<b>Contact Email Address</b>	<a href="mailto:councilwomanpj@gmail.com">councilwomanpj@gmail.com</a>
<b>Total Funding Request</b>	1,000
<b>Has your organization received other grant funds from Sussex County Government in the last year?</b>	Yes
<b>If YES, how much was received in the last 12 months?</b>	500.00
<b>Are you seeking other sources of funding other than Sussex County Council?</b>	Yes
<b>If YES, approximately what percentage of the project's funding does the Council grant represent?</b>	30

<b>Program Category (choose all that apply)</b>	Cultural Educational
<b>Primary Beneficiary Category</b>	Minority
<b>Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program</b>	250
<b>Scope</b>	<p>In partnership, we can continue the work of nonviolence by promoting equality to all.</p> <p>As you consider a level of partnership, it helps to underwrite the cost of speakers, entertainment, and culinary masters.</p> <p>The DreamTeam Committee would like to make this a "no cost" event for participants.</p>
<b>Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)</b>	5,500.00
<b>Description</b>	underwrite the cost of speakers, entertainment, and culinary masters.
<b>Amount</b>	2,500.00
<b>Description</b>	Breakfast and Lunch 250 guest
<b>Amount</b>	500.00

<b>Description</b>	Keynote Speaker time travel and lodge
<b>Amount</b>	500.00
<b>Description</b>	Culture Club PR Multicultural Education for Kids
<b>Amount</b>	500.00
<b>Description</b>	Hear
<b>Amount</b>	500.00
<b>Description</b>	MLK DAY OF CELEBRATION Scholarships
<b>Amount</b>	500.00
<b>Description</b>	Marketing and advertising
<b>Amount</b>	500.00
<b>TOTAL EXPENDITURES</b>	5,500.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	0.00
<b>Name of Organization</b>	MLK DAY OF CELEBRATION
<b>Applicant/Authorized Official</b>	Pat A Jones
<b>Date</b>	11/17/2025
<b>Affidavit Acknowledgement</b>	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status. Please feel free to email [clientservices@d3corp.com](mailto:clientservices@d3corp.com) with any questions.

## Wendy Lobato

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**From:** notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>  
**Sent:** Friday, January 2, 2026 4:34 PM  
**To:** Wendy Lobato  
**Subject:** Form submission from: Council Grant Form

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### ***Council Grant Form***

**Legal Name of Agency/Organization** Tether Foundation

**Project Name** Camp Abilities Delaware Winter Camp

**Federal Tax ID** 84-3603778

**Non-Profit** Yes

**Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)** No

**Organization's Mission** Tether Foundation is a registered 501c3 organization that advocates for individuals who are blind and visually impaired in the local community through health, sport, and physical activity programming, including Camp Abilities Delaware sports camp for youth with visual impairments. Through our programs, we provide direct service to children as well as train future educators and therapists to be better allies and advocates for children with disabilities.

**Address** 424 Roseanna Ave

**City** Wilmington

<b>State</b>	DE
<b>Zip Code</b>	19803
<b>Contact Person</b>	Shawn M Musgrove
<b>Contact Phone Number</b>	3022450978
<b>Contact Email Address</b>	<a href="mailto:brailletcher1@gmail.com">brailletcher1@gmail.com</a>
<b>Total Funding Request</b>	8,000
<b>Has your organization received other grant funds from Sussex County Government in the last year?</b>	Yes
<b>If YES, how much was received in the last 12 months?</b>	4000
<b>Are you seeking other sources of funding other than Sussex County Council?</b>	Yes
<b>If YES, approximately what percentage of the project's funding does the Council grant represent?</b>	13
<b>Program Category (choose all that apply)</b>	Educational

<b>Primary Beneficiary Category</b>	Disability & Special Needs
<b>Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program</b>	10
<b>Scope</b>	<p>Camp Abilities Delaware (CADE) is a free educational sports camp for children ages 5-17 who are blind or have low vision. Funding from this grant will go towards offsetting cost of food, housing, 1:1 staffing, and adapted equipment needed for camp.</p> <p>Visual impairment (VI) is a low-incidence disability, and services to children with VI are not common, particularly with respect to health education. Young people with VI experience higher rates of obesity and depression, as well as decreased participation in physical activity. CADE attempts to combat those negative health risk behaviors. Disability sport settings have the potential to develop a sense of community in disability identity, something many children with low-incidence disabilities lack. CADE is often the first time children meet other people with the same VI as them.</p> <p>Camp aims to increase health, wellness, and quality of life in order to support youth with VI to be productive, engaged members of society. Our program is designed to support opportunities in health and physical education for our participants with disabilities. Through free programming, we are able to support participants with disabilities who often have higher medical bills than children without disabilities.</p> <p>Our total annual budget is approximately \$60,000, with all money directly funding CADE summer and winter camps, as well as our educator conference. Our 2025 winter program, located in Lewes, served 17 youth participants. Our summer</p>

program in Newark aims to serve 25-30 children and will include free transportation for low income students from southern Delaware. CADE summer camp will run the first week of August, with winter camp planned for February 2025. We have around 7-10 children from Sussex County who attend every year, at least half of those children are low income. Because camp is free for all children and because each child receives a 1:1 coach to help them with sport adaptations, the cost per child is approximately \$1500 per child. The last Sussex County Non-Profit Grant we received was in March of 2025. We are requesting an increase in our grant funding due to the increase in Sussex County Children who are attending our camp. The requested amount of \$8,000 would cover the cost of 5 children to attend.

**Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)**

6,000.00

**Description**

Insurance and administrative costs

**Amount**

2,831.00

**Description**

Housing and Facilities

**Amount**

22,100.00

**Description**

Meals

**Amount**

9,300.00

**Description**

Salary

**Amount**

16,080.00

<b>Description</b>	Equipment and Supplies
<b>Amount</b>	2,000.00
<b>Description</b>	Camp Shirts
<b>Amount</b>	2,200.00
<b>Description</b>	Transportation
<b>Amount</b>	1,000.00
<b>Description</b>	Job Coaches
<b>Amount</b>	5,760.00
<b>TOTAL EXPENDITURES</b>	61,271.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	-55,271.00
<b>Name of Organization</b>	Tether Foundation
<b>Applicant/Authorized Official</b>	Shawn M Musgrove
<b>Date</b>	01/02/2026
<b>Affidavit Acknowledgement</b>	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status. Please feel free to email [clientservices@d3corp.com](mailto:clientservices@d3corp.com) with any questions.

## Bobbi Albright

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**From:** notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>  
**Sent:** Sunday, January 18, 2026 7:53 AM  
**To:** Bobbi Albright  
**Subject:** Form submission from: Council Grant Form

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### ***Council Grant Form***

**Legal Name of Agency/Organization** East Sussex Public Broadcasting, Inc.

**Project Name** Upgrade Tower Equipment - Celular Backup Switching Equipment

**Federal Tax ID** 46-3957416

**Non-Profit** Yes

**Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)** No

**Organization's Mission** East Sussex Public Broadcasting (WWSX-LPFM, also known as Radio Rehoboth) aims to be the premier Sussex County source for news, entertainment, and community info, providing programming for residents and visitors by supporting local businesses, events, and government services through music, news, and locally-produced content, fostering community engagement and enhancing local experiences.  
Key Aspects of our Mission:  
Community Focus: Serving the interests of Sussex County residents and businesses in the Rehoboth Beach area.

Visitor Support: Becoming a top source for Sussex County visitors, highlighting local businesses, events, and important safety information.

Local Content: Delivering music, news, public affairs, and locally-produced shows.

Enhancing Experience: Aiming to enrich vacation experiences and promote civic engagement.

In essence, East Sussex Public Broadcasting, through Radio Rehoboth, strives to be an indispensable local media hub that connects and informs its diverse audience, fostering a stronger sense of community and supporting the Sussex County economy.

<b>Address</b>	PO Box 50
<b>City</b>	Rehoboth Beach
<b>State</b>	DE
<b>Zip Code</b>	19971
<b>Contact Person</b>	Jeff Balk
<b>Contact Phone Number</b>	3025109000
<b>Contact Email Address</b>	<a href="mailto:jeff@radiorehoboth.com">jeff@radiorehoboth.com</a>
<b>Total Funding Request</b>	1200.00
<b>Has your organization received other grant funds from Sussex County Government in the last year?</b>	No

<b>If YES, how much was received in the last 12 months?</b>	N/A
<b>Are you seeking other sources of funding other than Sussex County Council?</b>	No
<b>If YES, approximately what percentage of the project's funding does the Council grant represent?</b>	N/A
<b>Program Category (choose all that apply)</b>	Cultural Educational
<b>Primary Beneficiary Category</b>	Other
<b>Beneficiary Category Other</b>	All Sussex County residents and visitors
<b>Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program</b>	30000
<b>Scope</b>	Our tower site is located on Route One next to the Rehoboth Beach Fire station. We share an engineering room for our transmitter and the server computers as well as emergency broadcast equipment serving Eastern Sussex County. We rely on Comcast and their internet service to receive emergency broadcasts, to stream our station as well as for our local radio hosts to broadcast from home studios. Comcast internet is not always that reliable and when their

internet access is down, we are no longer streaming on the air and our radio hosts are unable to broadcast remotely. We are utilizing a cellular backup system, that we lease from Comcast, but with a static IP we need added equipment in order to integrate our emergency broadcast (EAS) equipment and servers to have access to the internet during a comcast outage. The \$1200 we are requesting will go towards the cost of this equipment.

<b>Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)</b>	599.00
<b>Description</b>	Dual-WAN Router/Firewall
<b>Amount</b>	1,799.00
<b>TOTAL EXPENDITURES</b>	1,799.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	-1,200.00
<b>Name of Organization</b>	East Sussex Public Broadcasting, Inc.
<b>Applicant/Authorized Official</b>	Jeff Balk
<b>Date</b>	01/18/2026
<b>Affidavit Acknowledgement</b>	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status. Please feel free to email [clientservices@d3corp.com](mailto:clientservices@d3corp.com) with any questions.

**Wendy Lobato**

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**From:** notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>  
**Sent:** Sunday, December 7, 2025 3:52 PM  
**To:** Wendy Lobato  
**Subject:** Form submission from: Council Grant Form

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***Council Grant Form***

**Legal Name of Agency/Organization** Clothing Our Kids

**Project Name** Clothe A Kid

**Federal Tax ID** 45-4382079

**Non-Profit** Yes

**Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)** No

**Organization's Mission** The mission of Clothing Our Kids (COK) is to improve the lives of at-risk preschool, elementary, middle and high school students by providing them with appropriate new school clothing. Lacking appropriate clothing has a negative impact on the child's self-esteem, school attendance, ability to learn and can lead to bullying. Our goal is to help these children have an equal start in their early education and to help them become successful students, offering an opportunity for every child to achieve academic excellence. COK never wants to say no to a child with needs due to lack of resources.

<b>Address</b>	26582 John J. Williams Highway	
<b>Address 2</b>	Suite 2	
<b>City</b>	Millsboro	
<b>State</b>	Delaware	
<b>Zip Code</b>	19966	
<b>Contact Person</b>	Peter Thomas	
<b>Contact Title</b>	Grant Coordinator	
<b>Contact Phone Number</b>	484-269-4890	
<b>Contact Email Address</b>	<a href="mailto:pt19610@gmail.com">pt19610@gmail.com</a>	
<b>Total Funding Request</b>	\$5,000	
<b>Has your organization received other grant funds from Sussex County Government in the last year?</b>	Yes	
<b>If YES, how much was received in the last 12 months?</b>	2400	\$2,000 (05/2025)
<b>Are you seeking other sources of funding other than Sussex County Council?</b>	Yes	
<b>If YES, approximately what percentage of</b>	3	

<b>the project's funding does the Council grant represent?</b>	
<b>Program Category (choose all that apply)</b>	Educational
<b>Primary Beneficiary Category</b>	Youth
<b>Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program</b>	3500  All five districts
<b>Scope</b>	<p>Clothing Our Kids (COK) is a non-profit organization that has been supporting the children of Sussex County since 2012. COK added all Sussex County Middle Schools in 2022 and this year all Sussex County High Schools are now receiving support. COK is solely dependent on donations, grants and one major fund raiser. COK is made up of over 120 volunteers and there are no paid staff. All grant funding goes toward buying new clothing. Since 2012, COK has provided 261,068 items of clothing to 40,513 children. School personnel identify the children lacking clothing, contact COK and volunteers assemble the needed items. The package is delivered to the schools and is handed to the student in private. COK also stocks Nurses' closets in case of accidents during school hours. A breakdown of our costs is the following: \$350 supplies five new school outfits, shoes, underwear, socks a hooded sweatshirt, pajamas, sneakers and a seasonal jacket for one child and \$150 supplies one new school outfit, shoes, underwear, socks, pajamas and a hooded sweatshirt. This school year we have already provided almost 12,000 items of clothing to 1,438 kids. Our motto is, "It's all about the kids."</p>

<b>Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)</b>	197,000.00
<b>Description</b>	Clothing purchases
<b>Amount</b>	170,000.00
<b>Description</b>	Operating Expenses
<b>Amount</b>	82,330.00
<b>Description</b>	Personnel
<b>Amount</b>	0.00
<b>TOTAL EXPENDITURES</b>	252,330.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	-55,330.00
<b>Name of Organization</b>	Clothing Our Kids
<b>Applicant/Authorized Official</b>	Peter Thomas
<b>Date</b>	12/07/2025
<b>Affidavit Acknowledgement</b>	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status. Please feel free to email [clientservices@d3corp.com](mailto:clientservices@d3corp.com) with any questions.

To Be Introduced: 2/3/26

Council District 4: Mr. Hudson  
Tax I.D. No.: 533-8.00-10.00  
911 Address: N/A

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS AND ASSOCIATED UTILITIES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 69.03 ACRES, MORE OR LESS**

WHEREAS, on the 3rd day of June 2024, a Conditional Use Application, denominated Conditional Use No. 2533, was filed on behalf of RWE Clean Energy and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County, and said Planning and Zoning Commission recommended that Conditional Use No. 2533 be \_\_\_\_\_; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

Section 1. That Chapter 115, Article IV, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2533 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying on the south side of Cypress Road (Route 54), approximately 62 feet west of the intersection of Cliff Road (S.C.R. 380A) and Cypress Road (Route 54), and being more particularly described in the attached legal description prepared by David W. Baker, Esq., P.A. said parcel containing 69.03 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

To Be Introduced: 2/3/26

Council District 4: Mr. Hudson  
Tax I.D. No.: 533-6.00-60.03  
911 Address: 35015 & 35011 Roxana Road, Frankford

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 3.3 ACRES, MORE OR LESS**

WHEREAS, on the 8<sup>th</sup> day of August 2024, a Conditional Use application, denominated Conditional Use No. 2546, was filed on behalf of James Mershon; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2546 be \_\_\_\_\_; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

Section 1. That Chapter 115, Article IV, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2546 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying on the south side of Roxana Road (Rt. 17), approximately 370 feet south of Bennett Road (S.C.R. 371), and being more particularly described in the attached legal description prepared by James Mershon said parcel containing 3.3 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

To Be Introduced: 2/3/26

Council District 4: Mr. Hudson  
Tax I.D. No.: 233-5.00-146.00  
911 Address: N/A

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND C-1 GENERAL COMMERCIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 84.76 ACRES, MORE OR LESS**

WHEREAS, on the 28<sup>th</sup> day of November 2024, a Conditional Use application, denominated Conditional Use No. 2549, was filed on behalf of GreenTek, LLC; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County, and said Planning and Zoning Commission recommended that Conditional Use No. 2549 be \_\_\_\_\_; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

Section 1. That Chapter 115, Article IV, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2549 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying on the east and west sides of DuPont Boulevard (Rt. 113), approximately 700 feet south of Molly Field Road (S.C.R. 407), and being more particularly described in the attached legal description prepared by Aleman & Associates said parcel containing 84.76 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

To Be Introduced: 2/3/26

Council District 4: Mr. Hudson  
Tax I.D. No.: 134-10.00-31.00  
911 Address: 32507 Vines Creek Road, Dagsboro

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 24.97 ACRES, MORE OR LESS**

WHEREAS, on the 30<sup>th</sup> day of September 2025, a Conditional Use application, denominated Conditional Use No. 2614, was filed on behalf of FFP DE Vines Creek, LLC; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2614 be \_\_\_\_\_; and

WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2026, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

Section 1. That Chapter 115, Article IV, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2614 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying on the north side of Vines Creek Road (Rt. 26), approximately 0.31 mile west of Sandy Landing Road (S.C.R. 342), and being more particularly described in the attached legal description prepared by David W. Baker, Esq., P.A. said parcel containing 24.97 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.