

Sussex County Council Public/Media Packet

MEETING:

January 5, 2021

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**Sussex County Council
2 The Circle | PO Box 589
Georgetown, DE 19947
(302) 855-7743**

Sussex



County

SUSSEX COUNTY COUNCIL

A G E N D A

JANUARY 5, 2021

9:00 A.M. – Swearing-In Ceremony

**THE SWEARING-IN CEREMONY WILL BE STREAMED LIVE ON THE COUNCIL
CHAMBERS BROADCAST.**

10:00 A.M. – Regular Meeting

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Election of Council Officers

Council Member Appointments

Appointment of Legal Counsel

Adoption of Rules of Procedure

Approval of Minutes – December 15, 2020

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Administrator's Report

Gina Jennings, Finance Director

1. Bank Account Resolutions

Karen Brewington, Human Resources Director

1. Fourth Quarter Employee Recognition Awards



Grant Requests

1. ReTemp Development Center for Food/Outreach Program
2. Delaware Agricultural Museum Association for Virtual Field Trips
3. Best Buddies International, Inc. for Sussex County Inclusion Project
4. Joseph Patrick Fabber Memorial Foundation for Caring for Our Caregivers
5. Trinity Foundation for Annual Heart & Sole 5K Fundraiser

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session – Pending Litigation and Land Acquisition pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session items

1:30 p.m. Public Hearings

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA.

Conditional Use No. 2243 filed on behalf of Keith Twardowski

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND GR GENERAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.18 ACRES, MORE OR LESS” (property lying on the north side of Friendship Road (S.C.R. 306A) approximately 0.36 mile southwest of Indian Mission Road (Route 5) (Tax I.D. No. 234-23.00-51.00) (911 Address: 33602 Samantha Drive, Millsboro)

Change of Zone No. 1927 filed on behalf of Preston Lynch Dyer and Mason Dyer

“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 LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES, MORE OR LESS” (property lying on the north side of Lewes-Georgetown Highway (Route 9) approximately 0.12 mile west of Josephs Road (S.C.R. 281) (Tax I.D. No. 334-4.00-34.02 & 34.03) (911 Address: None Available)

Adjourn

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on December 29, 2020 at 2:30 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.

Further meeting access instructions are listed below.

-MEETING INSTRUCTIONS-

The Sussex County Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited and seating assignments will be enforced.

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

The County is required to provide 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>.

If any member of the public would like to submit comments electronically, please feel free to send them to rgriffith@sussexcountyde.gov. All comments shall be submitted by 4:30 P.M. on Monday, January 4, 2021.

#

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 15, 2020

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, December 15, 2020, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Irwin G. Burton III	Vice President
Douglas B. Hudson	Councilman
John L. Rieley	Councilman (attending remotely)
Samuel R. Wilson Jr.	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation and Pledge of Allegiance were led by Mr. Vincent.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 506 20
Approve
Agenda**

A Motion was made by Mr. Hudson, seconded by Mr. Wilson, to approve the Agenda, as posted.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of December 8, 2020 were approved by consent.

**Corre-
spondence**

Mr. Moore read correspondence received from Love, Inc. and the Food Bank of Delaware thanking the Council for Human Service Grant funding.

**Public
Comments**

Public comments were heard and the following spoke: George Cole, Rob Arlett, Mike Dorsey, and Valerie Wood, all expressing thanks and congratulations to outgoing Councilmembers Samuel R. Wilson, Jr. and Irwin G. Burton III. Mr. Arlett also congratulated Nancy Cordrey, Administrative Secretary, who is retiring with 45 years of service to the County. Also calling in was Councilman John Rieley who was attending the meeting remotely. Mr. Rieley also thanked and congratulated the outgoing Councilmembers.

**Recognition
of Outgoing
Council-
members
Wilson and
Burton**

The Council recognized outgoing Councilman Wilson and Councilman Burton for their service to the residents of Sussex County.

Sussex County Land Trust	Casey Kenton, Chairman of Sussex County Land Trust, and Mark Churra, Executive Director of the Sussex County Land Trust, and Ron Vickers, Member of Sussex County Land Trust, provided an update on the Land Trust's membership, properties protected, financial support and current projects. Sussex County Land Trust is a nonprofit conservation organization, dedicated to protecting natural, cultural, agricultural and recreational resources through land preservation, stewardship and education.
Recognition of Retiree Benjamin Gordy	The Council recognized Deputy Sheriff Martin Benjamin Gordy who is retiring on December 31, 2020 after 12 years and 10 months of service to Sussex County.
MOU with DelDOT/FAST Track Program	Mr. Lawson discussed a Memorandum of Understanding (MOU) establishing the FAST (Funding Accelerating Safety and Transportation) Track Program to form a partnership with the Delaware Department of Transportation (DelDOT) to expedite the construction of road improvements in Sussex County. This initiative was discussed during the October 6th Council meeting with Council's direction to proceed with the drafting of a formal agreement. The proposed MOU memorializes the Agreement between Sussex County and DelDOT. Mr. Lawson noted that the MOU has been approved to form by DelDOT and Sussex County's attorneys. The FAST Track Program will allow Sussex County to select a transportation project within the pending CTP (Capital Transportation Program) list based on criteria such as the project's size, location, scope, cost, safety improvements, a Master Plan in the area, and estimated schedule. During the selection process, DelDOT will provide Sussex County with a cost summary estimating the total cost of the project to aid the County's decision. Once the selection of the project is agreed upon by both entities, DelDOT is required to commence work within 60 days. DelDOT will manage and oversee the entire project – from preliminary engineering, right of way acquisition, to construction. DelDOT will also process the Request for Proposals (RFPs) and contract award. In return for the expedited performance, Sussex County will loan DelDOT funding to pay for the project cost. DelDOT will repay Sussex County all the funds in accordance with the CTP schedule shown at the time of the project selection. The first FAST Track Project has been identified as the Cave Neck – Hudson – Sweetbriar Roads intersection.
M 507 20 Approve MOU with DelDOT/Establish FAST Track Fund	A Motion was made by Mr. Burton, seconded by Mr. Hudson, that the Sussex County Council approves the Memorandum of Understanding with the Delaware Department of Transportation establishing the Funding Accelerating Safety and Transportation, the FAST Track Fund, for Sussex County. Motion Adopted: 4 Yeas, 1 Nay.

**M 507 20
(continued)**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Nay; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 508 20
Approve
Selection
of DelDOT
Project to
be funded
by the
FAST
Track
Fund**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, that the Sussex County Council selects the DelDOT project in the Fiscal Year 2021 - 2026 Capital Transportation Program known as the Cave Neck Road, Hudson Road and Sweetbriar Road Intersection Improvement to be funded by the FAST Track Fund.

Motion Adopted: 4 Yeas, 1 Nay.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Nay; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Adminis-
trator's
Report**

Mr. Lawson read the following information in his Administrator's Report:

1. Jones Farm Purchase and Agreement

On November 30, 2020, Sussex County settled with the J.G. Townsend, Jr. & Co. for the purchase of a certain piece of property identified as Tax ID 335-12.00-2.00 for a purchase price of \$2,000,000 which is a shared purchase between the City of Lewes and the Lewes Board of Public Works for a total purchase price of \$5,500,000.

Since the property acquisition was previously discussed by Council in Executive Session, the Attorney General's office has advised the County that it should disclose the identity of the property when the need for confidentiality has ended.

In addition to the settlement between the three purchasers and the seller, the County, the City of Lewes, and the Lewes Board of Public Works also settled on the Tenants in Common Agreement outlining the responsibilities of each owner related to the future use of the property.

2. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Marsh Island – Phase 1A (Revised Construction Record) received Substantial Completion effective, December 7th.

3. Caroling on The Circle/Pack the Pod

The County is continuing to collect items until the end of the year and will continue to distribute these goods to our local food pantries. We want to thank everyone for their donations over the last month and for helping to make Caroling on The Circle/Pack the Pod a success.

**Administrator's
Report
(continued)**

4. Christmas and New Year's Holidays

Please note, County offices will be closed on December 23rd, 24th, and 25th to celebrate the Christmas holiday, and January 1st for the New Year's holiday. The next regularly scheduled Council meeting will be held on Tuesday, January 5, 2021, at 10:00 a.m.

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

**Coastal
Tide
Agreement
Execution**

Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer, and Vince Robertson, Assistant County Attorney, presented for Council's consideration the Coastal Tide SCRP Agreement. On December 8, 2020, Mrs. Nauman provided an update on Sussex County's Rental Program (SCRCP). She reported that the first project under this Program is finally under construction and will be completed in early 2021; the project name is Coastal Tide Apartments, formerly known as Arbors of Cottagedale, located south of Five Points in Lewes.

Mr. Robertson noted that Chapter 72 of the Code of Sussex County requires the County and the Developer to execute an Agreement which will be recorded in the Office of the Recorder of Deeds.

**M 509 20
Approve
Execution
of Coastal
Tide
Agreement**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, that in accordance with Chapter 72 of the Code of Sussex County, and based upon the recommendation of the Department of Community Development and Housing, that Coastal Tide, F/K/A Arbors of Cottagedale, Agreement and Restrictive Covenants, is hereby approved to be executed by the President of Sussex County Council and further; the Director of the Department of Community Development and Housing is authorized to execute any and all additional documents necessary to carry out the terms of the Coastal Tide, F/K/A Arbors of Cottagedale, Agreement and Restrictive Covenants.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

**Lottery/
Rental
Program
Applications**

Mrs. Nauman stated that, with the signing of the Agreement, the lottery will be opened for the rental program applications. The link can be found on the County's website under the Sussex County Rental Program.

**Ellendale
Water
District/
Contract
Amendment**

Hans Medlarz, County Engineer, presented Amendment No. 1 to the Owner-Engineer Agreement for Project W20-17, Ellendale Water District. Mr. Medlarz noted that, in recent months, as the design and permitting efforts near completion, it was determined, in coordination with Artesian, that a hydropneumatics water storage tank with building should be included into the project to optimize the water system.

**M 510 20
Approve
Contract
Amendment
for
Ellendale
Water
District**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that Amendment No. 1 to the Base Engineering Contract for the Ellendale Water District with Davis, Bowen & Friedel be approved in the amount not to exceed \$35,000.00, for additional professional services.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**South
Coastal
RWF
and
Rehoboth
Beach WTP/
Change
Orders**

Hans Medlarz, County Engineer, presented a revised Change Order No. 8 for Project C19-17, South Coastal RWF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2, Electrical Construction and Change Order Nos. 6 and 7 to Project C19-11, South Coastal RWF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2, General Construction. The revised Change Order No. 8 in the credit amount of \$9,040.00 is due to a design change and Change Order Nos. 6 and 7, for \$10,500.00 and \$31,974.51, respectively, are due to differing site conditions.

**M 511 20
Approve
Change
Order/
Electrical
Con-
struction**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that revised Change Order No. 8, for Contract C19-17, South Coastal RWF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2, Electrical Construction, be approved, decreasing the contract by \$9,040.00, for a new contract total of \$21,785.321.00.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 512 20
Approve
Change
Orders/
General
Con-
struction**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order Nos. 6 and 7 for Contract C19-11, South Coastal RWF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2, General Construction, be approved, increasing the Contract by \$10,500.00 and \$31,974.51, respectively, for a new contract total of \$40,647,034.14.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Herring Creek SSD Project	Hans Medlarz, County Engineer, presented Change Order No. 1 (Recommendation to Issue) and a Modification of Easement for the Herring Creek Sanitary Sewer District: North Gravity Sewer and Force Main, Project S20-07.
M 513 20 Approve Easement Modification/ Herring Creek SSD Project	<p>A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves the Revised Easement Purchase of Tax Parcel 234-17.12-15.00 as part of the Herring Creek Sewer System Expansion in the amount of \$1,500.00 in lieu of appraisal costs.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea</p>
M 514 20 Approve Change Order/ Herring Creek SSD Project	<p>A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 1 for Contract S20-07, Herring Creek Sanitary Sewer District – North Gravity Sewer & Force Main, be approved, increasing the Contract amount by \$259,900.00 for a new Contract total of \$5,350,900.00, contingent upon USDA concurrence.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea</p>
New Road Estates SCI Program/ Election Results	<p>Patrick Brown, Project Engineer, reported on the election results for the New Road Estates Chapter 96 Sussex Community Improvements Project T21-08. New Road Estates is a small subdivision of 9 residential parcels. The community requested assistance from the County to repair and resurface their existing roads. An election was held on November 18, 2020 with six (6) votes cast; of the six (6) votes, six (6) Yes votes were cast and zero (0) No votes were cast. Vote total indicate a 67% owner participation in the Election. Based on the affirmative results of the Election, the Engineering Department recommends approval of a Resolution authorizing the County Engineer to determine a uniform billing rate based on actual costs after Substantial Completion of the project.</p>
M 515 20 Adopt R 019 20/ New Road Estates	<p>A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt Resolution No. R 019 20 entitled “A RESOLUTION AUTHORIZING THE SUSSEX COUNTY ENGINEER TO PERFORM IMPROVEMENTS, AND THE SUSSEX COUNTY ENGINEER AND FINANCE DIRECTOR TO DETERMINE A UNIFORM ASSESSMENT RATE FOR BILLING, UPON SUBSTANTIAL COMPLETION OF THE IMPROVEMENTS, FOR THE NEW ROAD ESTATES CHAPTER 96 SUSSEX COMMUNITY</p>

**M 515 20
(continued) IMPROVEMENT PROJECT”.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Briarwood John Ashman, Director of Utility Planning, presented the Public Hearing
Estates results for the Briarwood Estates Expansion of the Sussex County Unified
Expansion/ Sanitary Sewer District (West Rehoboth Area). The Public Hearing was
Public held on December 11, 2020 at which time the proposed boundary, estimated
Hearing rates and the County rate structure was discussed. In total, 38 parcels are
Results in favor and 11 opposed (out of 72 potential parcels). Mr. Ashman advised
that the Engineering Department recommends approval of the expansion.**

**M 516 20 A Motion was made to Adopt Resolution No. R 020 20 entitled “A
Adopt RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX
R 020 20/ COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO
Briarwood INCLUDE THE BRIARWOOD ESTATES SUBDIVISION ON THE
Estates NORTH SIDE OF JOHN J. WILLIAMS HIGHWAY. THE AREA IS
Expansion LOCATED IN THE LEWES AND REHOBOTH HUNDRED, SUSSEX
COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE
RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY,
DELAWARE”.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Collins John Ashman, Director of Utility Planning, presented the Public Hearing
Avenue results for the Collins Avenue Expansion of the Sussex County Unified
Expansion/ Sanitary Sewer District (West Rehoboth Area). The Public Hearing was
Public held on December 3, 2020 at which time the proposed boundary, estimated
Hearing rates and the County rate structure was discussed. Mr. Ashman stated that
Results the information was presented to one of the property owners in the area
that has several parcels; that information made them reconsider their
request for service and they sent a request to change their decision. This
resulted in election results being as follows: 9 parcels in favor and 14
opposed. Mr. Ashman stated that the Engineering Department is
recommending that the project be abandoned. No action was necessary on
this matter.**

**Grant Mrs. Jennings presented grant requests for the Council’s consideration.
Requests**

M 517 20 Councilmanic Grant **A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$5,001.75 (\$4,250.00 from Mr. Burton's Councilmanic Grant Account, \$266.75 from Mr. Wilson's Councilmanic Grant Account, and \$485.00 from Mr. Vincent's Councilmanic Grant Account) to First State Community Action Agency for the Culinary Arts Program.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 518 20 Councilmanic Grant **A Motion was made by Mr. Wilson, seconded by Mr. Hudson, to give \$9,833.23 from Mr. Wilson's Councilmanic Grant Account to CHEER for their virtual programs.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Introduction of Proposed Ordinances **Mr. Wilson introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT AND AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A 35.4 ACRE SOLAR FIELD TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 142.80 ACRES, MORE OR LESS" (Conditional Use No. 2251) filed on behalf of Heimlich Solar Partners, LLC (Tax I.D. No. 530-13.00-10.00) (911 Address: None Available).**

Mr. Hudson introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY (19 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.93 ACRES, MORE OR LESS" (Conditional Use No. 2248) filed on behalf of Gulfstream Development, LLC (Tax I.D. No. 134-16.00-382.00) (911 Address: None Available).

The Proposed Ordinances will be advertised for Public Hearing.

M 519 20 Go Into Executive Session **At 12:33 p.m., a Motion was made by Mr. Hudson, seconded by Mr. Wilson, to recess the Regular Session and go into Executive Session to discuss matters relating to land acquisition and personnel.**

Motion Adopted: 5 Yeas.

M 519 20
(continued)

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Executive Session

At 12:35 p.m., an Executive Session of the Sussex County Council was held in Council Chambers to discuss matters relating to land acquisition and personnel. The Executive Session concluded at 1:10 p.m.

M 520 20
Reconvene
Regular
Session

At 1:12 p.m., a Motion was made by Mr. Hudson, seconded by Mr. Wilson, to come out of Executive Session and reconvene the Regular Session.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 521 20
Execute
and Modify
Employment
Agreement/
County
Adminis-
trator

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, that the Sussex County Council authorizes the President to execute and modify the Employment Agreement with the Sussex County Administrator, as follows: (1) to extend the date of the contract until December 31, 2024 at Midnight, and (2) to extend the notification date of either party at the end of the term from 60 days to 90 days.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 522 20
Adjourn

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to adjourn at 1:14 p.m.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

Robin A. Griffith
Clerk of the Council

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

GINA A. JENNINGS, MBA, MPA
FINANCE DIRECTOR

(302) 855-7741 T
(302) 855-7749 F
gjennings@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Cynthia C. Green
The Honorable Mark G. Schaeffer

FROM: Gina A. Jennings
Finance Director/Chief Operating Officer

DATE: December 30, 2020

RE: **Bank Resolution**

With changes in County Council leadership, the signers on the County's financial institutional and investment accounts will need to change. The signers are the President and Vice President of County Council and the Finance Director. To have the signers changed, a formal authorization is needed by County Council. The authorization is done through a resolution. The resolution's short title, which will be read into the record with the appropriate names, is as follows:

BE IT RESOLVED THAT THE SUSSEX COUNTY COUNCIL IS AUTHORIZING THE SIGNATURES ON THE ACCOUNTS OF THE SUSSEX COUNTY COUNCIL WITH VARIOUS FINANCIAL INSTITUTIONS AND INVESTMENT FIRMS TO BE XXXXXXXXX, PRESIDENT; XXXXXXXXXXXX, VICE PRESIDENT; AND GINA A. JENNINGS, FINANCE DIRECTOR/CHIEF OPERATING OFFICER

Thank you for your consideration. Please let me know if you have any questions.

Attachment

pc: Mr. Todd F. Lawson



RESOLUTION NO. R --- 21

AUTHORIZING THE SIGNATURES ON THE ACCOUNTS OF THE SUSSEX COUNTY COUNCIL WITH VARIOUS FINANCIAL INSTITUTIONS AND INVESTMENT FIRMS TO BE XXXXXXXX, PRESIDENT; XXXXXXXX, VICE PRESIDENT; AND GINA A. JENNNINGS, FINANCE DIRECTOR/CHIEF OPERATING OFFICER

BE IT RESOLVED by the Sussex County Council that the accounts of the Sussex County Council be open or kept with financial institutions and investment firms for deposit to the credit of Sussex County Council from time to time of any and all moneys, checks, drafts, notes, acceptances, or other evidences of indebtedness, whether belonging to the Sussex County Council or otherwise, which may or hereafter come into its possession; and

BE IT FUTHER RESOLVED by Sussex County Council that all accounts opened at the financial institutions and investment firms are administered using the investment policies adopted by County Council; and

BE IT FURTHER RESOLVED by the Sussex County Council that the financial institutions and investment firms be and is hereby authorized to make payment from the funds on deposit with it and according to the checks, drafts, notes or acceptances of the Sussex County Council signed by any two of the following individuals:

XXXXXXXXX – President

XXXXXXXXXX – Vice President

Gina A. Jennings – Finance Director/Chief Operating Officer

and a signature may be a facsimile, resembling the facsimile specimens filed with the financial institution and investment firms by the Clerk of the Sussex County Council.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be January 5, 2021.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R ---21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 5th DAY OF JANUARY 2021.

**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**

SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: ReTemp Development Center

PROJECT NAME: Food/Outreach Program

FEDERAL TAX ID: 31-1763077 NON-PROFIT: ☒ YES ☐ NO

DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?

☐ YES ☒ NO *IF YES, FILL OUT SECTION 3B.

ORGANIZATION'S MISSION:

The mission of ReTemp is to empower families in becoming self-sufficient, while providing educational training such as tutoring, food support, mentoring youth, conflict counseling and drug referrals to treatment center and workshops in the Sussex County.

ADDRESS: 31824 Gordy Road
Laurel Delaware 19956
(CITY) (STATE) (ZIP)

CONTACT PERSON: Leon J. Wilson

TITLE: President

PHONE: (410)365-8639 EMAIL: overseerL@aol.com

TOTAL FUNDING REQUEST: \$22,900.00

Has your organization received other grant funds from Sussex County Government in the last year? ☐ YES ☒ NO

If YES, how much was received in the last 12 months? _____

If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for? ☒ YES ☐ NO

Are you seeking other sources of funding other than Sussex County Council? ☐ YES ☒ NO

If YES, approximately what percentage of the project's funding does the Council grant represent? _____

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|---|---------------------------|-------------|
| <input type="checkbox"/> Fair Housing | Health and Human Services | Cultural |
| <input checked="" type="checkbox"/> Infrastructure ¹ | Other <u>Food Program</u> | Educational |

BENEFICIARY CATEGORY

- | | | |
|---|---|--|
| <input type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence | <input checked="" type="checkbox"/> Homeless |
| <input checked="" type="checkbox"/> Elderly Persons | <input checked="" type="checkbox"/> Low to Moderate Income ² | <input checked="" type="checkbox"/> Youth |
| <input checked="" type="checkbox"/> Minority | <input type="checkbox"/> Other _____ | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:

150

SECTION 3: PROGRAM SCOPE

- A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.
- B. ReTemp Development Center (RTDC) **non-profit 501c3 (31-1763077)** located in Laurel, Delaware that provides assistance to individuals and families living in our community whose lives are affected by the lack of food programs, financial programs, homelessness and **COVID-19**. The ReTemp Development Center, Inc. is in a rural area of Sussex County of Delaware. Our research on the need assessment in our region has determined the numerous issues we are facing however; we are submitting this proposal to you to address the need articulated below.
- C. **Issue to be address: Lack of food programs** – With the current pandemic this has become a nationwide issue and our community is no different and is in dire need of food for homeless individuals and residential families alike. Foodbanks across the county are overrun in its fight against hunger, the nationwide network of food bank secures and distributes over 3 billion meals each year and still the need is greater. There are many families that would benefit from this basic essential need. Being a rural farm community, many of our seniors were farm laborers and receive little if any retirement benefits or social security, have limited resources and lack necessities such as adequate housing and food. Coupled with the homeless community that share in our scope of services and the intensity of the struggle for this vulnerable population in this pandemic season we are in much need of these funds, to provide this basic need, as we seek to make operational our food distribution program. Our goal is to feed at least fifty (50) families on a consistent basis. Please note, donated foods must reach primarily those in need. Therefore, a good visibility/traceability system must be implemented to guarantee that this is achieved, to be able to sustain the program and your funding will help us to achieve this. We have seen where the demand for this basic necessity is high and will no doubt exceed our efforts, but that does not absolve us of our charitable responsibility and the mission mandate of ReTemp Development Center. So, we are appealing to you and our partnering agencies in this very critical season for your assistance.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	0
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Storage Shed	\$12,000.00
Freezer	\$1,800.00
Electric	\$2,500.00
Insulation	\$2,500.00
Drywall	\$1,800.00
Cabinets	\$800.00
Heat & Air	\$1,500.00
TOTAL EXPENDITURES	\$22,900.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$22,900.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the ReTemp Development Center agrees that:
(Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM
GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING

The Sussex County Council makes available a limited amount of funding to non-profit organizations that serve the citizens of Sussex County. Each application for funding shall be evaluated by Sussex County administrative staff and shall be subject to final approval from Sussex County Council.

In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.



Applicant/Authorized Official Signature



Witness Signature

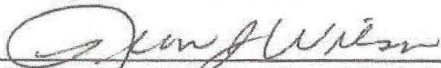
President
Title

12/8/2020

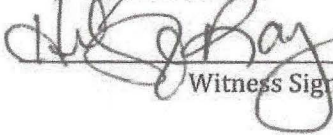
Date

SECTION 5: STATEMENT OF ASSURANCES (continued)

- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom of Information Act of the State of Delaware.
- 7) All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes.
- 8) **In the event that the awarded funding is used in violation of the requirements of this grant, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.**



Applicant/Authorized Official Signature



Witness Signature

Date

12/8/2020

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government
Attention: Gina Jennings
PO Box 589
Georgetown, DE 19947

Bobbi Albright

From: Sussex County DE <webmaster@sussexcountye.gov>
Sent: Wednesday, December 9, 2020 2:50 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of
Agency/Organization

Delaware Agricultural Museum Association

Project Name

Virtual Field Trips

Federal Tax ID

51-0177358 *OK*

Non-Profit

Yes

Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)

No

Organization's Mission

To promote agricultural education, awareness and an appreciation for a cultural heritage which enriches the lives of the people in our community, our state and beyond our borders.

Address

866 North DuPont Hwy

Address 2

City

Dover

State

Delaware

Zip Code

19901

Contact Person	Carolyn Claypoole
Contact Title	Executive Director
Contact Phone Number	3027341618
Contact Email Address	damv@verizon.net
Total Funding Request	\$4,000
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	15
Program Category (choose all that apply)	Cultural, Educational
Program Category Other	
Primary Beneficiary Category	Youth

Beneficiary Category

Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program

1800

Scope

As more of Delaware, and Sussex County in particular, becomes more urban and farms are lost to development, fewer young people are able to attain first-hand knowledge or understanding of agriculture, farm life and rural life. With an average of 3,400 elementary school age students participating in Delaware Agricultural Museum education programs each year, our Museum is well-positioned to address this learning gap by offering a variety of STEM based educational programs that teach young people about Delaware's rich agricultural history and rural heritage.

The abrupt closures of schools across Delaware in March 2020, resulted in the cancellation of longstanding bookings for educational field trips at our Museum, many of which were from Sussex County schools. The COVID-19 pandemic has caused the Museum to rethink and reinvent its' entire education program and we have turned the challenges caused by COVID-19 into an opportunity for growth and change. First, through the launch of a redesigned and invigorated website providing enhanced online access to our collections and associated educational content. Second, through the development and launch of a series of online education programs for elementary and middle school age students (the first in the Museum's 40 year history). And, finally, through the developmental stages of a program to create a series of virtual fieldtrips featuring new educational content linked to State of Delaware Common Core Standards for Math, Science and Social Studies.

The Delaware Agricultural Museum and Village is seeking

grant funding from The Sussex Council Grant Program to support development of virtual fieldtrips that will bring our highly rated STEM based educational programs into the classroom. This initiative promotes opportunities for lifelong in a post-pandemic culture. This action benefits elementary school age students from across the Delmarva and in particular, lower income schools in the Indian River School District.

Religious Components

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

0.00

Description

Operating Costs

Amount

7,400.00

Description

Professional Fees Videographer and Production)

Amount

16,300.00

Description

Marketing

Amount

3,000.00

Description

Amount

Description

Amount

Description

Amount	
Description	
Amount	
Description	
Amount	
TOTAL EXPENDITURES	26,700.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-26,700.00
Name of Organization	Delaware Agricultural Museum Association
Applicant/Authorized Official	Carolyn Claypoole
Date	12/09/2020
Affidavit Acknowledgement	Yes

Mark as Spam in D3 Forms. Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

Bobbi Albright

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Friday, December 11, 2020 2:42 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of
Agency/Organization

Best Buddies International, Inc

Project Name

Best Buddies Sussex County Inclusion Project

Federal Tax ID

52-1614576 *OK*

Non-Profit

Yes

Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)

No

Organization's Mission

Best Buddies International is a nonprofit 501(c)(3) organization dedicated to establishing a global volunteer movement that creates opportunities for one-to-one friendships, integrated employment, leadership development, and inclusive living for individuals with intellectual and developmental disabilities (IDD).

Address

403 Kennett Pike

Address 2

#415

City

Greenville

State

DE

Zip Code	19807
Contact Person	Susan Whitehead
Contact Title	Area Director
Contact Phone Number	302-547-5571
Contact Email Address	SusanWhitehead@bestbuddies.org
Total Funding Request	5000
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	46.5
Program Category (choose all that apply)	Health and Human Services
Program Category Other	

**Primary Beneficiary
Category**

Disability & Special Needs

**Beneficiary Category
Other**

**Approximately the
total number of
Sussex County
Beneficiaries served,
or expected to be
served, annually by
this program**

77

Scope

Dear Ms Jennings, I needed to manually enter 12 month county funding history into project scope text box because the online form didn't let me enter in #s and kept telling me "Only enter valid numeric values," after confirming funding history and multiple attempts at different # configurations.

Section 1. Applicant Information

Has your organization received other grant funds from Sussex County Government in the last year?

YES

If YES, how much was received in the last 12 months?

\$1,350

Section 3: Program Scope

Best Buddies fosters the inclusion of people with IDD in Delaware through the delivery of time-tested inclusion programs that mitigate the social and physical barriers inhibiting meaningful interactions between people with and without IDD. These barriers perpetuate conditions that exclude adults with IDD from social life, inhibiting access to critical social connections that can reduce isolation and improve social skills. These barriers have significantly intensified due to COVID-19 mitigation techniques, unfortunately, further isolating the County's residents with IDD from critical community connection.

Best Buddies in Delaware is requesting funds to support the delivery of two Best Buddies programs in Sussex County, Best Buddies Citizens and Best Buddies Ambassadors, during county FY 2021 to approximately 77 Sussex County adults with IDD and their typical peers. Through these programs, Best Buddies staff will deliver at least eight inclusive events and leadership development opportunities, including a Sussex County virtual Zoom meet-up in January, a public speaking training in February, and monthly virtual Citizens Social Hours. To maintain engagement throughout the project period and support the delivery of Best Buddies services, Sussex County participants will receive monthly newsletters containing COVID-19 DE-specific resources, an update on the prior month with Citizens, upcoming activities, and tips and guidance on ways to stay engaged with their match.

The Best Buddies Citizen program pairs include a person with IDD who volunteers to be a friend; a person without a disability who volunteers to be a friend; and a sponsor, someone who knows the person with IDD and supports the friendship. Citizen pairs commit to participation in the program for one year, though these friendships often develop naturally and endure longer than the initial year. Pairs make contact at least once a week by phone, e-mail, or social media, and they meet in-person twice per month. Best Buddies staff follows-up with each pair monthly, to ensure pairs are having a positive experience and meeting the minimum monthly commitment. Staff host periodic group activities to encourage communication amongst the pairs. Best Buddies staff's responsibilities relative to the Citizens program include completing targeted volunteer recruitment, managing referrals, conducting interviews and home visits, conducting regular communication with pairs, providing support to the friendships and documentation of their progress, and planning group activities. The Best Buddies Ambassadors program offers people with IDD the opportunity to gain public speaking skills and contributes to building the self-esteem and confidence needed to successfully advocate for themselves, their peers, and inclusion in their schools, communities, and workplaces. Best Buddies staff will provide this training to Sussex County participants in February 2021.

There are currently 17 adults with IDD matched with 17 of their typical peers in one-to-one friendships and 43 unmatched participants throughout Sussex County in the Best Buddies Citizens program. Unmatched members will be invited to participate in the proposed project activities. Participants live in Bridgeville (1), Dagsboro (1), Greenwood (1), Harbeson (1), Ocean View (1) Ellendale (2), Frankford (2), Rehoboth Beach (2), Milton (3), Shelbyville (3), Laurel (5), Seaford (6), Milford (10), Georgetown (12) and Lewes (12), and Millsboro (15).

During the Covid-19 pandemic, Best Buddies staff continued to meet the needs of the high-risk population we serve by adapting our service delivery from in-person to virtual. Mitigation techniques like social distancing, school closures, and quarantining furthered the isolation of Delawareans with IDD. To prepare participants for these program adaptations, Best Buddies created a virtual resources website in late spring 2020. Best Buddies staff have helped fill a gap in community-based inclusive activities by providing Delawareans with a variety of consistent, engaging virtual activities. Movie Mondays are held every other Monday through Zoom with interactive movies and discussions; in between Movie Mondays, staff use Instagram and Kahoot to run Trivia Tuesdays typically based on the movie that was watched the previous week; inclusive yoga is delivered on Wednesday afternoons during lunch hours; and one large event is held per month attended by 45-60 participants, including a Halloween Dance Party, BINGO Night, and Painting with Best Buddies. Best Buddies has also started to provide a "Voices of Inclusion" speaker series where a special guest speaks each month about a variety of initiatives and topics. The experience of developing and implementing these innovative program adaptations to address a gap in inclusion services during the global pandemic has fortified our capacity and proven our resourcefulness to carry out program activities in FY22.

Religious Components	N/A
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Please enter the current support your organization receives	5,756.00
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for this project (not
entire organization
revenue if not
applicable to request)

Description	Personnel (staff time spent on project)
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Amount	7,418.00
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Description	Programs/Operational Expenses (travel to support program, training, volunteer management, supplies, evaluation, etc.)
-------------	--

Amount	1,188.00
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Description	Indirect Cost (support received from Best Buddies International - programs, finance, human resources)
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Amount	2,151.00
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Description	
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Amount	
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Description	
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Amount	
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Description	
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Amount	
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Description	
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Amount	
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Description	
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Amount	
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Bobbi Albright

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Thursday, December 10, 2020 1:00 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of
Agency/Organization

Joseph Patrick Fabber Memorial Foundation *Inc.*

Project Name

Caring for Our Caregivers

Federal Tax ID

45-5000072 *OK*

Non-Profit

Yes

Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)

No

Organization's Mission

JPFMF is a nonprofit that provides individual therapy, group therapy, play therapy, and equine therapy for those that are in need regardless of ability to pay. We are a nonprofit with a mission to secure a drug and bully free society while preventing suicide and preserving life. Life isn't always a day at the beach, that's why JPFMF is here for you. We offer a wide variety of services aside from therapy including Kick Bullying Out of Classrooms, support groups, team building and leadership exercises, trauma informed care, life coaching, inspirational and motivational speakers, and educational trainings.

Our office has the only registered play therapist and the resource for our state with our foster system. We are so passionate and dedicated to serving any age, any demographic, and anyone in our area that needs help.

Address	401 North Bedford Street
Address 2	
City	Georgetown
State	Delaware
Zip Code	19947
Contact Person	Margaret McClure
Contact Title	Board Secretary
Contact Phone Number	3026827566
Contact Email Address	margaret_mcclure@aol.com
Total Funding Request	18200
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	No
If YES, approximately what percentage of the project's funding does	N/A

the Council grant
represent?

Program Category Educational, Health and Human Services
(choose all that apply)

Program Category
Other

Primary Beneficiary
Category Other

Beneficiary Category Caregivers
Other

Approximately the
total number of
Sussex County
Beneficiaries served,
or expected to be
served, annually by
this program

1000

Scope

We want to put together an 8 week program for our essential healthcare workers in Delaware. There's awesome individual resources for our local workers, but no group support programs during COVID. We want to implement a program within our hospitals and facilities to do virtual support groups, send an individual self care package to everyone who signs up, virtual forums, education and tools for self care, and offer peer to peer support programs with all of us working in the field.

As a nurse working through this pandemic with our pediatric population, i know the toll it takes and additional worries we have with COVID. These are HUGE challenges that haven't been addressed for our healthcare workers and we need to take care of them while they are taking care of everyone else.

Religious Components

Please enter the
current support your

0.00

organization receives
for this project (not
entire organization
revenue if not
applicable to request)

Description	Self Care Packages for estimated 500 at program kickoff
-------------	---

Amount	7,500.00
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Description	Personnel: Psychologist, Psychiatrist, Facilitator, Mental Wellness Trainers, Program Coordinator
-------------	---

Amount	9,000.00
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Description	Virtual Platform/ Forum
-------------	-------------------------

Amount	200.00
--------	--------

Description	Operating Costs
-------------	-----------------

Amount	1,500.00
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Description	
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Amount	0.00
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Description	
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Amount	0.00
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Description	
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Amount	0.00
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Description	
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Amount	0.00
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TOTAL EXPENDITURES	18,200.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-18,200.00
Name of Organization	Joseph Patrick Fabber Memorial Foundation
Applicant/Authorized Official	Margaret McClure
Date	12/10/2020
Affidavit Acknowledgement	Yes

Mark as Spam in D3 Forms. Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

Bobbi Albright

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Thursday, December 17, 2020 4:21 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of
Agency/Organization

Trinity Foundation

Project Name

11th Annual Heart & Sole 5K

Federal Tax ID

203303713 OR

Non-Profit

Yes

Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)

No

Organization's Mission

In past years, our event has supported TidalHealth (formerly Nanticoke) in its cardio rehab efforts. This year, "heart" takes on a new meaning, as the 1 yr-old grandson of one of our team members was recently diagnosed with Leukemia. Proceeds from this year's event will be donated to the family via Gethsemane Methodist Church.

Address

50 Fallon Ave

Address 2

City

Seaford

State

DE

Zip Code 19973

Contact Person Greg Massey

Contact Title

Contact Phone Number 3023620869

Contact Email Address greg.massey@trinitylogistics.com

Total Funding Request 1000

Has your organization received other grant funds from Sussex County Government in the last year? Yes

If YES, how much was received in the last 12 months? 750

Are you seeking other sources of funding other than Sussex County Council? Yes

If YES, approximately what percentage of the project's funding does the Council grant represent? 5

Program Category (choose all that apply) Health and Human Services

Program Category Other Community

Primary Beneficiary Category	Disability & Special Needs
-------------------------------------	----------------------------

Beneficiary Category	Other
-----------------------------	-------

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	5
---	---

Scope	In past years, our event has supported TidalHealth (formerly Nanticoke) in its cardio rehab efforts. This year, "heart" takes on a new meaning, as the 1 yr-old grandson of one of our team members was recently diagnosed with Leukemia. Proceeds from this year's event will be donated to the family via Gethsemane Methodist Church.
--------------	--

Religious Components	
-----------------------------	--

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	13,000.00
--	-----------

Description	Race Management (TriSportsEvents)
--------------------	-----------------------------------

Amount	3,000.00
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Description	
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Amount	
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Description	
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Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

TOTAL EXPENDITURES	3,000.00
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TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	10,000.00
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Name of Organization	Trinity Foundation
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Applicant/Authorized Official	Greg Massey
--	-------------

Date	12/17/2020
-------------	------------

Affidavit Acknowledgement	Yes
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Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: December 29, 2020

RE: County Council Report for CU 2243 filed on behalf of Keith Twardowski

The Planning and Zoning Department received an application (CU 2243 filed on behalf of Keith Twardowski) for a Conditional Use for parcel 234-23.00-51.00 to allow for a landscaping business at 33602 Samantha Drive in Millsboro. The property is split between two zoning districts. The southern half of the property is within the General Residential (GR) Zoning District. The northern portion of the property is within the Agricultural Residential (AR-1) Zoning District. The parcel size is 3.18 acres, more or less.

The Planning and Zoning Commission held a public hearing in relation to the Conditional Use application on November 19, 2020. At the meeting of November 10, 2020, the Commission recommended approval of the application for the 7 reasons and subject to the 11 recommended conditions outlined within the motion (included below).

Below are the draft minutes from the Planning & Zoning Commission meetings of November 19, 2020 and December 10, 2020.

Approved Minutes of the November 19, 2020 Planning & Zoning Commission Meeting

C/U 2243 Keith Twardowski

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District and GR General Residential District for a landscaping business to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 3.18 acres, more or less. The property is lying on the north side of Friendship Road (S.C.R. 306A), approximately 0.36 mile southwest of Indian Mission Road (Rt. 5). 911 Address: 33602 Samantha Drive, Millsboro. Tax Parcel: 234-23.00-51.00



Mr. Whitehouse advised the Commission that submitted into the record is a site plan, a copy of the DelDOT service level evaluation response, and a staff analysis. Mr. Whitehouse noted that the Office of Planning and Zoning received zero comments to the Application and one mail return.

The Commission found that Mr. Larry Fifer, Esquire was present on behalf of the applicant, Keith Twardowski; that Mr. Twardowski is also present; that the application is for a conditional use for an existing landscaping business; that the subject parcel is split-zoned GR and AR-1; that the use is allowed under a conditional use permit; and that the Applicant asks for favorable consideration of the Application.

Mr. Twardowski stated that no waste would be stored on the site; that there will be some storage of materials to be used on jobsites; that this use will not affect the environment, waterways, streams or groundwater; that the use will not adversely affect the neighboring properties; that the hours of operation will be 7:00 a.m. – 6:00 p.m. Monday through Saturday; that there are two employees with 2-3 trips to the subject property daily; that a sign is being requested; that snow removal is part of the business so additional hours are being requested for inclement weather; and that some vehicle repairs happen onsite and oil is disposed of in a correct and safe manner.

The Commission found that no one spoke in favor of or in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/U 2243 Keith Twardowski Motion by Mr. Mears, second by Ms. Wingate, to defer action for further consideration. Motion carried 4-0.

Draft Minutes of December 10, 2020 Planning & Zoning Commission Meeting

The Commission discussed this application which has been deferred since November 19, 2020.

Mr. Mears moved that the Commission recommend approval for Conditional Use 2243 for Keith Twardowski based upon the record made during the Public Hearing and for the following reasons:

1. The property is located on a 3.18-acre parcel and it is surrounded by properties that have a similar size. It has a “split-zoning” of both AR-1 and GR. It is an appropriate location for this limited type of use.
2. The site is located within the Coastal Area according to the Sussex County Comprehensive Plan. The Coastal Area is a Developing Area according to the Plan. This type of use is appropriate within this Area.
3. The property is partially zoned AR-1 Agricultural Residential. The use of the property as a landscaping business is consistent with the agricultural zoning of the property.
4. The use will not adversely affect area roadways or neighboring properties.
5. The landscaping company provides a service to a wide variety of Sussex County residents and businesses. This intended use is of a public or semi-public character that will benefit the residents and businesses of Sussex County.
6. The Applicant resides on the property and the landscaping business will be located to the rear of the residence on the property. It will not be visible from the roadway.

7. No parties spoke in opposition to this application.
8. This recommendation is subject to the following conditions:
 - a. No manufacturing shall occur on the site. This prohibition includes the shredding or grinding of any materials and also includes the dyeing of mulch or similar materials.
 - b. As stated by the Applicant, there shall not be any retail sales occurring from the site.
 - c. One unlighted sign, not to exceed 32 square feet per side, shall be permitted.
 - d. The hours of operation shall be limited to 7:00 am through 6:00 pm, Monday through Saturday. There shall not be any Sunday hours. The Applicant shall be able to operate beyond these hours on an as - needed basis for limited situations such as snow removal, storm damage cleanup, and similar events.
 - e. There shall not be any dumping of trees, branches, grass or other debris on the site.
 - f. Any security lighting shall be screened so that it does not shine on neighboring properties or roadways.
 - g. The applicant shall comply with all DelDOT requirements, including any entrance or roadway improvements.
 - h. The Final Site Plan shall clearly show all areas for vehicle and equipment storage and parking, and these areas shall be clearly marked on the site itself. There shall not be any parking or storage within the property's setbacks.
 - i. Failure to comply with any of these conditions shall be grounds for termination of the Conditional Use approval.
 - j. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.
 - k. This use shall be limited to a landscaping business. For purposes of this Conditional Use, "Landscaping" shall include the Applicant's tree service business.

Motion by Mr. Mears, seconded by Ms. Wingate, and carried unanimously to recommend approval for the reasons and conditions stated in the motion. Motion carried 5 – 0.

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date October 29, 2020.

Application: (CU 2243) Keith Twardowski

Applicant: Keith Twardowski
33602 Samantha Drive
Millsboro, DE 19966

Owner: Walter Twardowski and Keith Twardowski
196 Kirk Road
Garnet Valley, PA 19060

Site Location: 33602 Samantha Drive
Millsboro, DE 19966

Current Zoning: Agricultural Residential (AR-1) and General Residential (GR)
[see zoning map]

Type of Conditional
Use Requested: Landscaping Business

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmanic
District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire District

Sewer: Private, on-site septic

Water: Private, on-site well

Site Area: 3.18 acres +/-

Tax Map ID.: 234-23.00-51.00





Memorandum

To: Sussex County Planning Commission Members
From: Chase Phillips, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: October 29, 2020
RE: Staff Analysis for CU 2243 – Keith Twardowski

This memo is to provide background and an analysis for the Planning Commission to consider as a part of application CU 2243 – Keith Twardowski to be reviewed during the November 19, 2020 Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for tax parcel 234-23.00-51.00 to allow for a landscaping business to be located on the north side of Friendship Road (S.C.R. 306A), approximately 0.36 mile southwest of Indian Mission Road (Route 5). The address is 33602 Samantha Drive in Millsboro, Delaware, and the property is 3.18 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the property has the land use designation of “Coastal Area.”

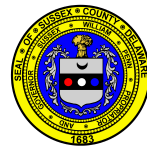
The adjacent parcels to the north, south, east and west are also designated as a Coastal Area. A range of residential development, retail and office uses, light commercial, and institutional uses have each been deemed permitted uses on page 4-15 of The Comprehensive Plan. Mixed use development and higher density residential uses (4-12 units per acre) may be appropriate in select locations. The focus of the Coastal Area is to encourage the responsible growth and development of the population and economy while also considering the unique and important environmental and ecological characteristics inherent to the area.

A zoning analysis has been completed for this property. The property is split between two zoning districts. As an approximate reference, the southern half of the property is within the General Residential (GR) Zoning District. The northern portion of the property is within the Agricultural Residential (AR-1) Zoning District. The adjacent parcels to the west and east are also split between GR and AR-1 Zoning Districts in a similar manner. The parcels to the north are completely within the AR-1 Zoning District while the parcels to the south (across Friendship Road) are within the GR Zoning District.

Since 2011, there have been three Conditional Use applications within one-mile radius of the subject property. In 2014, Conditional Use No. 1984 to allow for a landscaping business in an AR-1 Zoning District was withdrawn, and no action by the Sussex County Council was taken. In

2016, Conditional Use No. 2021 to allow for multi-family residential development was withdrawn, and no action was taken by the Sussex County Council. In 2019, Conditional Use No. 2167 to allow for an outdoor yard sale(s) was denied by the Sussex County Council on May 14, 2019.

Based on this analysis, a Conditional Use for a landscaping business in an Agricultural Residential (AR-1) Zoning District could be considered as consistent with the surrounding land uses and zoning.



Sussex County

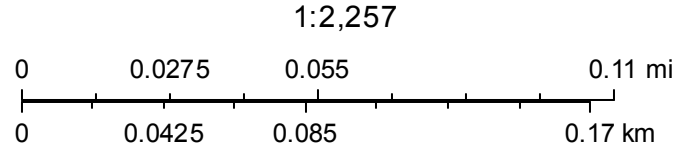


PIN:	234-23.00-51.00
Owner Name	TWARDOWSKI WALTER
Book	5115
Mailing Address	196 KIRK RD
City	GARNET VALLEY
State	PA
Description	HARMON LANDS
Description 2	LOT D-2
Description 3	N/RT 306A CT
Land Code	

- polygonLayer

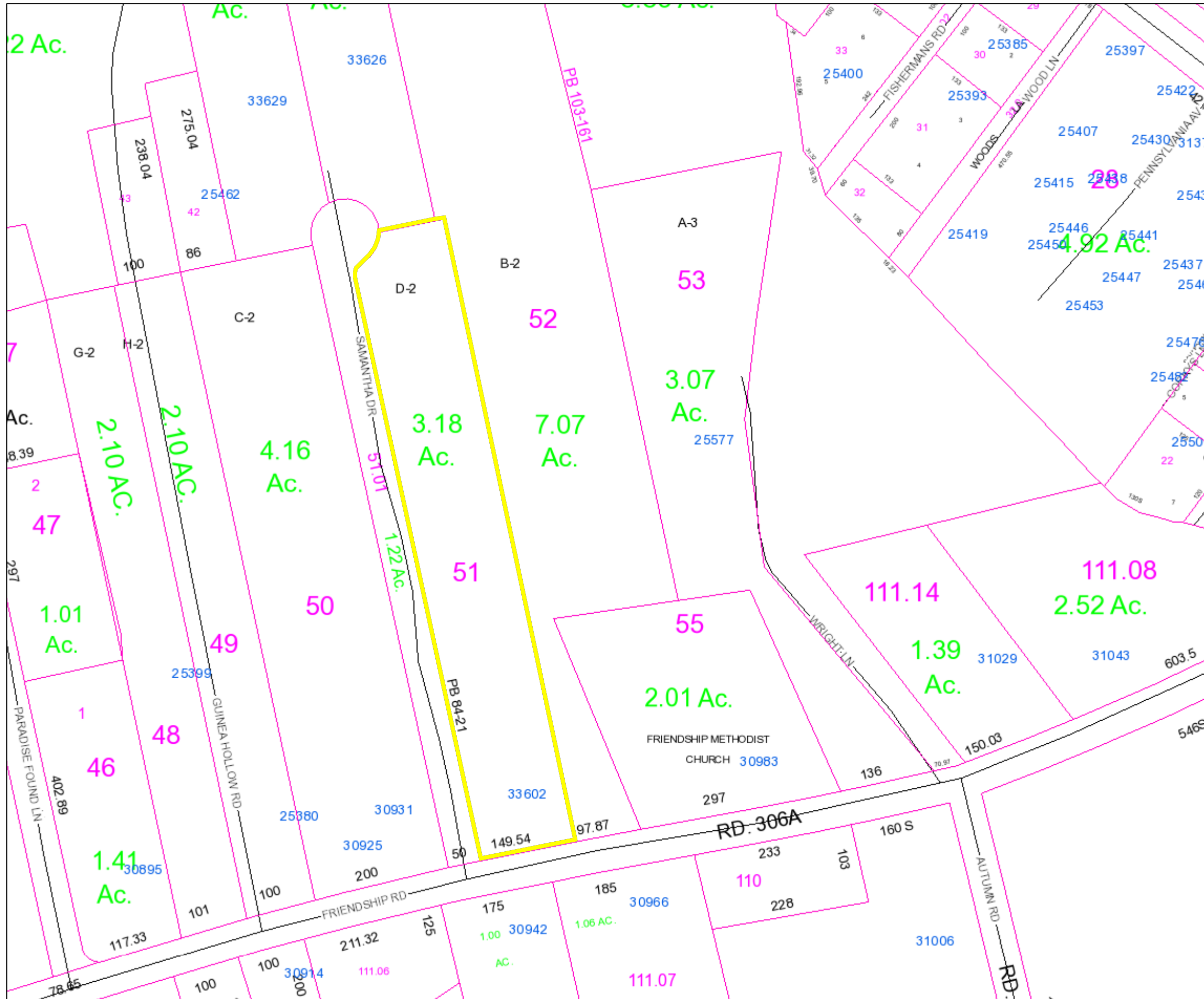
Override 1
- polygonLayer

Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries





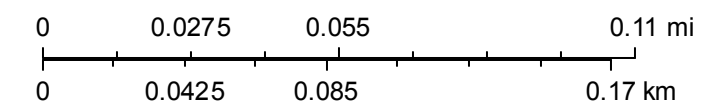
Sussex County

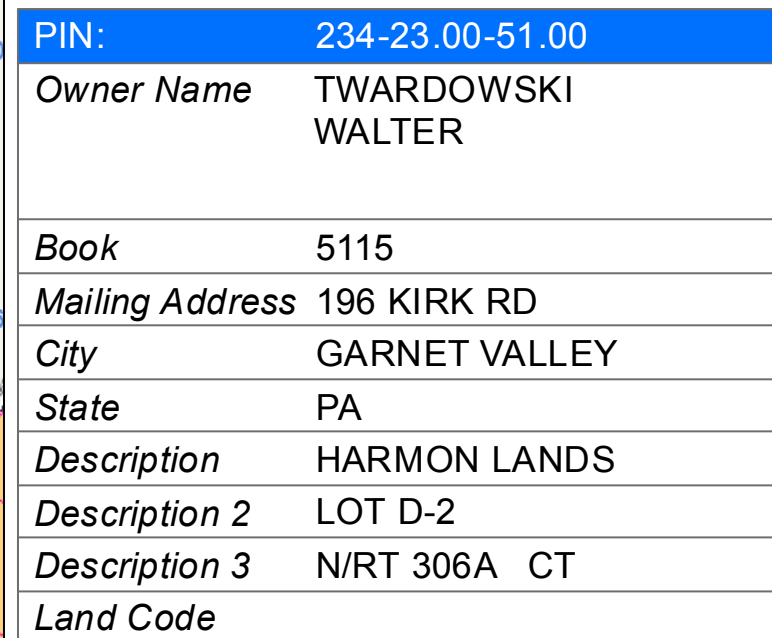


PIN:	234-23.00-51.00
Owner Name	TWARDOWSKI WALTER
Book	5115
Mailing Address	196 KIRK RD
City	GARNET VALLEY
State	PA
Description	HARMON LANDS
Description 2	LOT D-2
Description 3	N/RT 306A CT
Land Code	

- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries

1:2,257





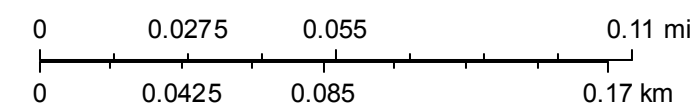
Override 1

Override 1

911 Address

— Streets

1:2,257



Introduced 10/06/20

**Council District 4: Hudson
Tax I.D. No. 234-23.00-51.00
911 Address: 33602 Samantha Drive, Millsboro**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND GR GENERAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.18 ACRES, MORE OR LESS

WHEREAS, on the 3rd day of September 2020, a conditional use application, denominated Conditional Use No. 2243 was filed on behalf of Keith Twardowski; and

WHEREAS, on the ____ day of _____ 2020, 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. 2243 be _____; and

WHEREAS, on the ____ day of _____ 2020, 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 VI, Subsection 115-22 and 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2243 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 Indian River Hundred, Sussex County, Delaware, and lying on the north side of Friendship Road (S.C.R. 306A), approximately 0.36 mile southwest of Indian Mission Road (Route 5), and being more particularly described in the attached legal description prepared by Larry W. Fifer, Esquire, said parcel containing 3.18 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.



Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: December 29, 2020

RE: County Council Report for CZ 1927 filed on behalf of Preston Lynch Dyer & Mason Dyer

The Planning and Zoning Department received an application (CZ 1927 filed on behalf of Preston Lynch Dyer & Mason Dyer) for a Change of Zone of a portion of parcels 334-4.00-34.02 and 334-4.00-34.03 from Agricultural Residential (AR-1) Zoning District to C-2 Medium Commercial Zoning District. The parcels are lying on the north side of Lewes Georgetown Hwy. (Rt. 9) approximately 0.12 mile west of the Josephs Rd. (S.C.R. 281) in Lewes. The size of the parcels are 1.16 acres +/- and 1.34 acres +/- respectively.

The Planning and Zoning Commission held a public hearing on November 19, 2020. At the meeting of December 10, 2020, the Commission recommended approval of the application for the 9 reasons outlined within the motion (included below).

Below are the draft minutes from the Planning & Zoning Commission meetings of November 19, 2020 and December 10, 2020.

Approved Minutes of the November 19, 2020 Planning & Zoning Commission Meeting

C/Z 1927 Preston Lynch Dyer and Mason Dyer

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 Lewes and Rehoboth Hundred, Sussex County, containing 2.5 acres, more or less. The property is lying on the north side of Lewes-Georgetown Hwy. (Rt. 9) approximately 0.12 mile west of Josephs Rd. (S.C.R. 281). 911 Address: N/A. Tax Parcel: 334-4.00-34.02 & 34.03

Mr. Whitehouse advised the Commission that submitted into the record is a site plan, an exhibit book, a copy of the DelDOT service level evaluation response, and a staff analysis. Mr. Whitehouse noted



that the Office of Planning and Zoning received zero comments to the Application and zero mail returns.

The Commission found that Mr. Preston Dyer was present on behalf of his Application; that also present are Mason Dyer and Mark Davidson; that this is a request for a change of zone for 2.5 acres of land in an Agricultural Residential (AR-1) zoning located on the Lewes Georgetown Highway to Medium Commercial (C-2); that the properties are bordered on the south by US Route 9, to the north by Delaware Rails to Trails Path, to the west with existing commercial uses and to the east with existing residential uses; that the proposed use for this property is professional, medical and office use; that the express purpose of C-2 zoning according to Sussex County is to include retail sales and performance of consumer services; that it permits a variety of retail, professional and service businesses; that it requires the property to be located near arterial and collector streets; that it will accommodate community commercial uses that do not have outside storage or sales;

Mr. Mark Davidson stated that in the 2019 Sussex County Comprehensive Plan that the area for the proposed rezoning is identified to be in a Low-Density area it is currently surrounded by Existing Developing Areas; that the Sussex Plan suggests that each application should be reviewed on its own merit and does not have a negative impact on the surrounding area or the county in general; that some of the stated goals within the plan for new commercial zoning is to promote growth and development in areas where capital facilities and infrastructure are already available and adequate to support the growth; that Artesian has both water and sewer planned for this vicinity and have provided Certificates of Public Convenience and Necessity (CPCN) for the subject properties; that another key indicator is to promote commercial development in designated commercial, office, and industrial areas in a scale/intensity/distance appropriate to adjacent residential neighborhoods; the Applicants want to provide a commercial development that is part of the community and provides for goods and services that are part of the community in scale. Additionally, nearby residential developments will benefit in that the subject property is not adjacent to their development but close enough to serve the residences with future services without them having to travel farther distances; that also to engage in planning that considers the efficient location of public services and infrastructure while establishing future public sewer service areas that will help preserve open space by promoting orderly growth rather than unplanned sprawl; that this property is located along US Route 9 with access to a major roadway systems that travels east and west to Lewes and Georgetown; that this property in this location with medium commercial zoning, will prohibit any unplanned sprawl that the Comprehensive Plan is discouraging; that the Applicants will work with DelDOT on road improvements and other transportation projects; that the proposed land use for the properties is expected to increase the trip generation of the subject land by fewer than 50 vehicle trips in any hour and fewer than 500 vehicles trips per day in which DelDOT determines the traffic to be "Negligible" in the context of the 2020 Sussex County/DelDOT Memorandum of Understanding for Land Development Coordination; that although a Traffic Impact Study (TIS) was not required as a part of this application, the Developers will have to provide future Transportation Improvements to the adjacent roadways during the future planning of the commercial development; that in addition, future connection to the rails to trails pedestrian path along the existing rails-to-trails path along the rear of the property will be coordinated with DelDOT; that US 9 is a principal arterial and an important freight corridor, setbacks will be increased to allow for future capacity in the form of additional right-of-way dedication, permanent easements and additional stormwater management setbacks that the focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents which is what is being proposed for these properties; that commercial uses may be appropriate depending on surrounding uses; that the surrounding uses that are adjacent to the rails to trails path, which was once an active railroad are primarily commercial on the north and south side of US Route 9 with residential

homes on the opposite side; that the 2015 Strategies for State Policies and Spending Map identifies the area as Investment Level 4; that in Level 4, there are no plans for public expenditures and all infrastructure will be funded by the Applicant; that there are no wetlands on the properties; that the properties are located in Flood Zone X Unshaded; that there are no historical or natural features on the property; stormwater management will be onsite; Delmarva Power & Light Company will provide energy to this property; and that there is natural gas transmission pipeline along the property.

Mr. Preston Dyer stated that the proposed rezoning meets the express purpose of the C-2 zoning; that the property is located on a principal arterial road; that the property is located in the vicinity of other commercially zoned properties; that the uses will not impair the property values within the neighborhood, will not create a public nuisance or result in an increase in public expenditure; that the rezoning if granted would not have a negative impact on the surrounding area or the County in general; and ask that the rezoning to C-2 be approved by the Planning and Zoning Commission.

The Commission found that no one spoke in favor of or in opposition to the Application. Upon there being no further questions, Chairman Wheatley closed the public hearing for this application.

At the conclusion of the Public Hearings, the Commission discussed C/Z 1927 Preston Lynch Dyer and Mason Dyer. Motion by Mr. Hopkins, second by Ms. Wingate, to defer action for further consideration. Motion carried 4-0.

Draft Minutes of December 10, 2020 Planning & Zoning Commission Meeting

The Commission discussed this application which has been deferred since November 19, 2020. Ms. Stevenson stated that she has listened to the audio from the previous meeting and is prepared to make a motion.

Ms. Stevenson moved that the Commission recommend approval for Change of Zone 1927 Preston Lynch Dyer and Mason Dyer based upon the record made during the Public Hearing and for the following reasons:

1. C-2 Medium Commercial Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads.
2. The Applicant's property is currently zoned AR-1, but it is contiguous to State Route 9. There are other commercial zonings and commercial uses existing in the area. This is an appropriate location for C-2 zoning.
3. C-2 Zoning at this location will benefit nearby residents of Sussex County by providing a convenient location for small retail and medical service uses.
4. There is no evidence that this rezoning will have an adverse impact on neighboring properties or area roadways.
5. The site is in the "Coastal Area" according to the Sussex County Land Use Plan and the Future Land Use Map. This is an appropriate location for C-2 Zoning according to the Plan.
6. Central sewer is expected to be available in the near future, which is appropriate to support C-2 and the permitted uses within that district.
7. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.
8. No parties appeared in opposition to the rezoning application.

9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

Motion by Ms. Stevenson, seconded by Mr. Hopkins and carried unanimously to recommend approval for the reasons and conditions stated in the motion. Motion carried 5 – 0.

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: November 19, 2020

Application: CZ 1927 Preston Lynch Dyer & Mason Dyer

Applicant: Preston Lynch Dyer & Mason Dyer
P.O. Box 212
Lewes, DE 19958

Owner: Millsboro Town Center III, LLC
P.O. Box 212
Lewes, DE 19958

Site Location: The north side of Lewes-Georgetown Highway (Rt. 9), approximately 0.12 mile west of Josephs Rd. (S.C.R. 281)

Current Zoning: AR-1 (Agricultural Residential Zoning District)

Proposed Zoning: C-2 (Medium Commercial Zoning District)

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire Department

Sewer: Private

Water: Private

Site Area: 2.5 acres +/-

Tax Map ID.: 334-4.00-34.02 & 334-4.00-34.03





Memorandum

To: Sussex County Planning Commission Members
From: Christin Scott, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: November 12, 2020
RE: Staff Analysis for CZ 1927 Preston Lynch Dyer & Mason Dyer

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1927 Preston Lynch Dyer & Mason Dyer to be reviewed during the November 19, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcels 334-4.00-34.02 and 334-4.00-34.03 to allow for a change of zone from an Agricultural Residential (AR-1) Zoning District to a Medium Commercial (C-2) District. The properties are lying on the north side of Lewes Georgetown Hwy. (Rt. 9) approximately 0.12 mile west of the Josephs Rd. (S.C.R. 281) in Lewes, DE. The size of the properties are approximately 1.16 acres +/- and 1.34 acres +/- respectively.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject properties 334-4.00-34.02 and 334-4.00-34.03 have the land use designation of "Low Density." Each property to the north, south and east also have the "Low Density" designation. A property to the west is designated "Existing Development Area". The uses that the Low-Density Area land use designation recognizes are primarily agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories", the Medium Commercial (C-2) Zoning District is listed as an applicable zoning district in the "Low Density" area.

Additionally, the subject property is currently within an Agricultural Residential (AR-1) Zoning District. Parcels to the north south and east are also located within an Agricultural Residential (AR-1) Zoning District. A parcel to the west is located in a Neighborhood Business (B-1) Zoning District and properties further to the east are located in the General Commercial (C-1) Residential Zoning District and Medium Commercial (C-2) Zoning District.

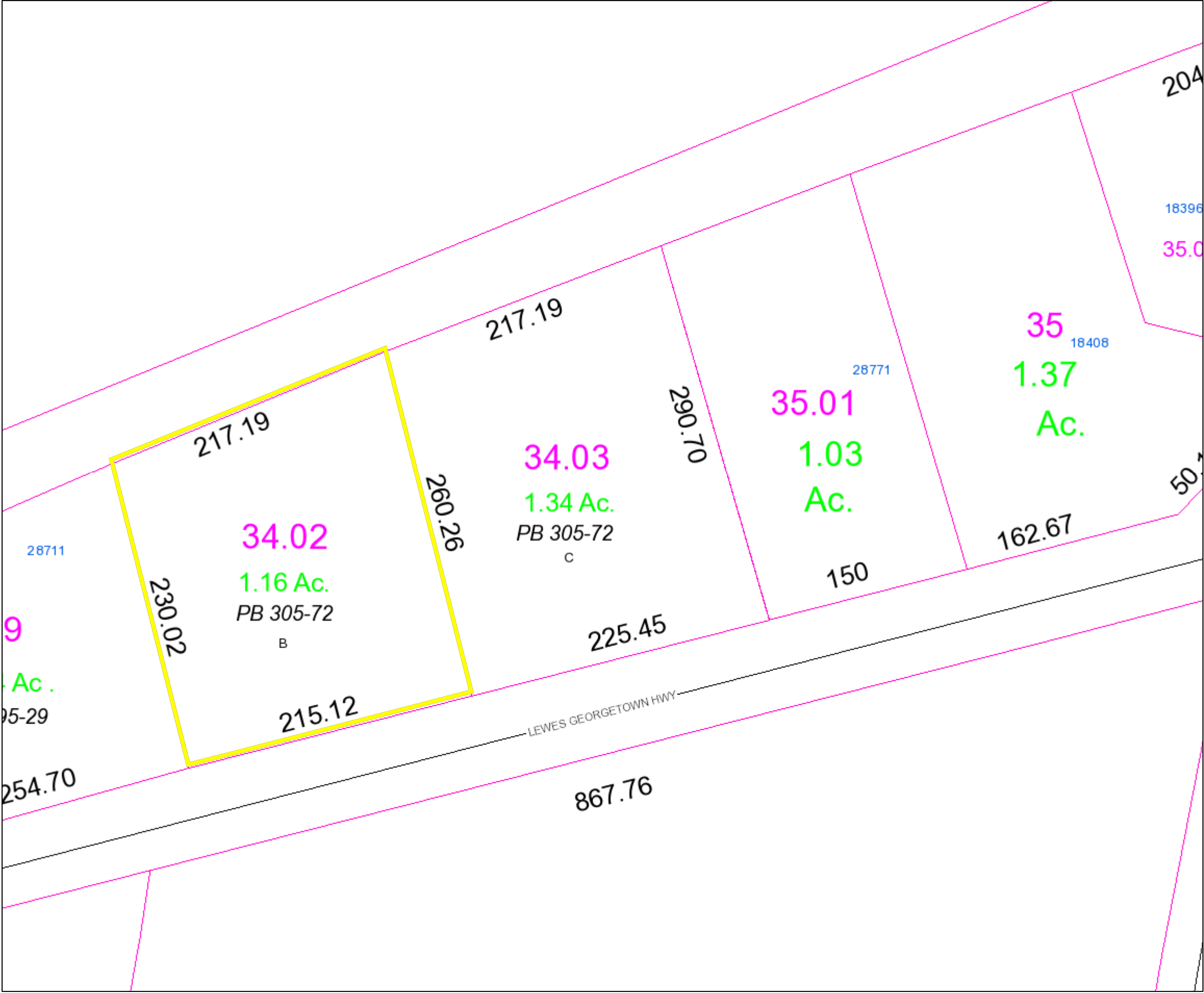


Since 2011, there have been four (4) Change of Zone applications within a one-mile radius of the subject properties. Change of Zone No. 1897, which proposed a change from Agricultural Residential (AR-1) District to Medium Commercial (C-2) District, was approved by County Council on December 17, 2019. It was adopted through Ordinance No. 2697. Change of Zone No. 1839, which proposed a change from Agricultural Residential (AR-1) District to Commercial Residential (CR-1) District, was approved by County Council on February 27, 2018. It was adopted through Ordinance No. 2551. Change of Zone No. 1782, which proposed a change from Agricultural Residential (AR-1) District to Commercial Residential (CR-1) District, was approved by County Council on March 1, 2016. It was adopted through Ordinance No. 2437. Change of Zone No. 1704, which proposed a change from Agricultural Residential (AR-1) District and General Commercial (C-1) District to Commercial Residential (CR-1) District, was approved by County Council on September 13, 2011. It was adopted through Ordinance No. 2214.

Based on the analysis of the surrounding zoning and uses, a Change of Zone to a Medium Commercial (C-2) Zoning District could be considered as being consistent with the land use, area zoning and surrounding uses.



Sussex County



PIN:	334-4.00-34.02
Owner Name	MILLSBORO TOWNE CENTER III LLC
Book	5257
Mailing Address	PO BOX 212
City	LEWES
State	DE
Description	NW/LEWES GEORGETOWN
Description 2	W/JOSEPH RD
Description 3	PARCEL B
Land Code	

Override 1

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

Flood Zones 2018

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

A

AE

AO

OPEN WATER

VE

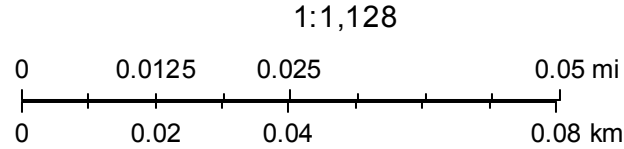
Tax Ditch Segments

Tax Ditch Channel

Pond Feature

Special Access ROW

Extent of Right-of-Way





Sussex County



PIN:	334-4.00-34.02
Owner Name	MILLSBORO TOWNE CENTER III LLC
Book	5257
Mailing Address	PO BOX 212
City	LEWES
State	DE
Description	NW/LEWES GEORGETOWN
Description 2	W/JOSEPH RD
Description 3	PARCEL B
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

Flood Zones 2018

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

A

AE

AO

OPEN WATER

VE

Tax Ditch Segments

Tax Ditch Channel

Pond Feature

Special Access ROW

Extent of Right-of-Way

1:1,128

00.01250.0250.05 mi

00.020.040.08 km

Introduced 09/29/2020

Council District 3 - Burton

Tax I.D. No. 334-4.00-34.02 & 34.03

911 Address: None Available

ORDINANCE NO. ____

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 LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.5 ACRES, MORE OR LESS

WHEREAS, on the 18th day of August 2020, a zoning application, denominated Change of Zone No. 1927 was filed on behalf of Preston Lynch Dyer and Mason Dyer; and

WHEREAS, on the ____ day of _____ 2020, 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. 1927 be _____; and

WHEREAS, on the ____ day of _____ 2020, 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 C-2 Medium Commercial District 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the north side of Lewes Georgetown Highway (Route 9) approximately 0.12 mile west of the Josephs Road (S.C.R. 281) and being more particularly described in the attached legal description prepared by Parkowski, Guerke & Swayze, P.A., said parcel containing 2.5 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.