



# **Sussex County Council Public/Media Packet**

**MEETING:  
January 26, 2016**

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

MICHAEL H. VINCENT, PRESIDENT  
SAMUEL R. WILSON JR., VICE PRESIDENT  
ROBERT B. ARLETT  
GEORGE B. COLE  
JOAN R. DEEVER



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# Sussex County Council

## AGENDA

JANUARY 26, 2016

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Consent Agenda

1. Wastewater Agreement No. 733-8  
Sussex County Project No. 81-04  
Bishop's Landing – Phase 4  
Millville Expansion of the Bethany Beach Sanitary Sewer District
2. Wastewater Agreement No. 1001-1  
Sussex County Project No. 81-04  
Redden Farm – AKA Redden Ridge – Phase 2  
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

### Todd Lawson, County Administrator

1. Administrator's Report

### Gina Jennings, Finance Director

1. Actuarial Services Award
2. Pension Committee Appointee Recommendations



3. **Presentation of the Sussex County Comprehensive Annual Financial Report for Fiscal Year End June 30, 2015**
4. **Financial Report for the Second Quarter Ending December 31, 2015**

**Joe Wright, Assistant County Engineer**

1. **Pump Station 34 Modifications – Contract 16-04**
  - A. **Recommendation to Award**

**Patti Deptula, Director of Special Projects**

1. **Pinetown Proposed Streetlighting District**

**Juel Gibbons, Project Engineer**

1. **Inland Bays Expansion, Phase 2B – Contract 12-17**
  - A. **Change Order No. 1 and Substantial Completion**

**Lawrence Lank, Director of Planning and Zoning**

1. **Consideration of requests for an extension of time for land use applications having approvals subject to Ordinance No. 2288**

**Grant Requests**

1. **Town of Ocean View for the 2016 Homecoming Event**
2. **Liberty Day Institute to provide educational resources for students and teachers**
3. **Bayside Breeze Fastpitch Youth Softball for tournament expenses**
4. **Indian River Soccer Club for a field construction project**

**Introduction of Proposed Zoning Ordinances**

**Council Members' Comments**

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

**Possible Action on Executive Session Items**

**Adjourn**

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Sussex County Council meetings can be monitored on the internet at [www.sussexcountyde.gov](http://www.sussexcountyde.gov).

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on January 19, 2016 at 4:55 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 listed may be considered out of sequence.

###

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 12, 2016**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 12, 2016, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:**

<b>Michael H. Vincent</b>	<b>President</b>
<b>Samuel R. Wilson, Jr.</b>	<b>Vice President</b>
<b>George B. Cole</b>	<b>Councilman</b>
<b>Joan R. Deaver</b>	<b>Councilwoman</b>
<b>Robert B. Arlett</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina A. Jennings</b>	<b>Finance Director</b>
<b>J. Everett Moore, Jr.</b>	<b>County Attorney</b>

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

**Call to  
Order**

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

**M 015 16  
Approve  
Agenda**

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

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Minutes**

**The minutes of January 5, 2016 were approved by consent.**

**Corre-  
spondence**

**Mr. Moore read the following correspondence:**

**UNION UNITED METHODIST CHURCH, BRIDGEVILLE,  
DELAWARE.**

**RE: Letter in appreciation of grant.**

**SUSSEX COMMUNITY CRISIS HOUSING SERVICE, GEORGETOWN,  
DELAWARE.**

**RE: Letter in appreciation of grant.**

**DELAWARE SAFETY COUNCIL, NEW CASTLE, DELAWARE.**

**RE: Letter in appreciation of grant.**

**DAVID HUTT, WILSON, HALBROOK & BAYARD, LLP,  
GEORGETOWN, DELAWARE.**

**RE: Letter regarding the Board of Adjustment's Public Hearing on the**

(continued) proposed Immanuel Shelter to be located in West Rehoboth.

**Public  
Comments**      **Public Comments**

Paul Reiger commented on the Council's appointments to the Board of Adjustment.

Stephen Wilz commented on Paradise Grill in Pot Nets Bayside.

**Wastewater Agreement**      Mr. Lawson presented a Wastewater Agreement for the Council's consideration.

**M 016 16  
Execute  
Wastewater  
Agreement/  
Lewes  
Crossing**      A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 866-7, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Lewes Crossing Capital Partners, LLC, for wastewater facilities to be constructed in Lewes Crossing (AKA Deep Valley Farm) – Phase 5, located in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

**Motion Adopted:**      5 Yeas.

**Vote by Roll Call:**      Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea

**Adminis-  
trator's  
Report**      Mr. Lawson read the following information in his Administrator's Report:

1. **Project Receiving Substantial Completion**

Per the attached Engineering Department Fact Sheet, Americana Bayside – Phase 1, Revision 5, Town Center, received Substantial Completion effective December 28, 2015.

2. **Martin Luther King, Jr., Holiday**

County offices will be closed on Monday, January 18<sup>th</sup>, for the Martin Luther King, Jr., holiday. Offices will reopen on Tuesday, January 19<sup>th</sup>, at 8:30 a.m. Council will not meet on January 19<sup>th</sup>. The next regularly scheduled Council meeting will be held on Tuesday, January 26<sup>th</sup>, at 10:00 a.m.

3. **Walter Outten**

It is with sadness that we note the passing of Walter Outten on Tuesday, January 5<sup>th</sup>. Mr. Outten began his career with Sussex County in September 2003 and retired from the Emergency Operations Center as a Communication Support Tech II in June 2014

Adminis-  
trator's  
Report  
(continued)

with over 10 years of service. We would like to express our condolences to the Outten family.

4. Proclamation – Sussex County EMS 25<sup>th</sup> Anniversary

This week, Sussex County will celebrate the 25<sup>th</sup> Anniversary of the establishment of the Sussex County Emergency Medical Services. The Sussex County EMS was created through a statewide initiative that was approved by the General Assembly in 1990, and subsequently the Sussex County EMS went into service on January 15, 1991. For 25 years, the County's EMS system has provided the highest quality of service to the residents and visitors of Sussex County. Congratulations on living up to the organization's promise of 'Caring People, Quality Service'.

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

Procla-  
mation/  
EMS  
Anniversary

The Council presented a Proclamation entitled "A PROCLAMATION TO HONOR SUSSEX COUNTY EMERGENCY MEDICAL SERVICES UPON ITS 25<sup>TH</sup> ANNIVERSARY" to Robert Stuart, Director of EMS, and other representatives of Sussex County's EMS.

Hangar  
Lease/  
King  
Energy,  
LLC

Jim Hickin, Airport Manager, presented a Proposed Hangar Lease Agreement with King Energy, LLC for Lot A at the Airport. The County terminated the ground lease for Lot A in July 2015 (the Legg-Hudson Hangar) and took possession of the 2,500 square foot hangar on the property. The County solicited and received bids for the lease of the property; the bid from King Energy LLC ranked highest among the two bids received. Mr. Hickin reviewed the terms of the Proposed Lease with King Energy LLC: term of lease would be two years, with two one-year options; proposed rent is \$1,125 per month; no assignment or sublease with County approval; no alterations or improvement without County approval; County to pay utilities; County to maintain exterior of hangar and hangar door; tenant responsible for remainder of care and maintenance; and insurance required in accordance with Airport policies. Permitted uses: aerial marketing (Special Commercial Aeronautical Service); aircraft storage operator, flight training operator, aircraft rental operator, storage of tenant-owned aircraft.

M 017 16  
Execute  
Hangar  
Lease  
Agreement/  
King  
Energy,  
LLC

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council authorizes the Council Present to execute an Airplane Hangar Lease Agreement with King Energy, LLC for Lot A at Delaware Coastal Airport.

Motion Adopted: 5 Yeas.

**M 017 16  
(continued)**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Public  
Hearing/  
Proposed  
Ordinance/  
Issuance  
of Bonds/  
Millville  
SSD**

**A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$3,887,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE EXPANSION OF THE MILLVILLE SANITARY SEWER DISTRICT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.**

**Synopsis: This Ordinance provides for the issuance of up to \$3,887,000 of Sussex County General Obligation Bonds in order to finance or reimburse the County for a portion of the costs for the design, construction and equipping of the wastewater collection, conveyance and transmission facilities for the expansion of the Millville Sanitary Sewer District. The Bonds are backed by the County’s full faith and credit and are expected to be paid back over 40 years through revenues from the expansion of the Millville Sanitary Sewer District.**

**Public comments were heard.**

**Dan Kramer questioned why the County doesn’t finance the bonds.**

**There were no additional public comments and the Public Hearing was closed.**

**M 018 17  
Adopt  
Ordinance  
No. 2434**

**A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2434 entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$3,887,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE EXPANSION OF THE MILLVILLE SANITARY SEWER DISTRICT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Consideration of  
Requests  
for an  
Extension  
of Time**

**Lawrence Lank, Director of Planning and Zoning, presented requests for consideration of an extension of time for land use applications (Subdivisions, Residential Planned Communities, Conditional Uses).**

**Mr. Moore noted that this is a new procedure for the Council and that recommendations would be given for six month extensions on certain land use projects. Mr. Moore also noted that this group of applications will be the first of two batches that will come before the Council for consideration.**



(continued) Per the County's Ordinance No. 2428, applicants seeking extensions were required to submit a letter of request to the Planning and Zoning Department by no later than December 31, 2015; all of the applicants met this requirement.

**Confirmation of Projects/ The Arbors at Cottagedale and Sunrise Ventures** Mr. Lank reported that the first two applications for consideration are for confirmation; the two projects are known as The Arbors at Cottagedale (Conditional Use No. 1845) and Sunrise Ventures (Conditional Use No. 1642). The Arbors at Cottagedale requested a time extension that was granted by County Council on September 29, 2015, prior to the adoption of Ordinance No. 2428; the extension is valid through July 1, 2016.

Sunrise Ventures requested a time extension that was granted by County Council on October 20, 2015, prior to the adoption of Ordinance No. 2428; the extension is valid through July 1, 2016.

Mr. Lank recommended that these developments also receive a time extension under the authority contained in Ordinance No. 2428 so that they are treated in the same manner, and with the same authority, as all of the other pending extension requests.

**M 019 16 Confirm/ Approve Extensions/ The Arbors of Cottagedale and Sunrise Ventures** A Motion was made by Mr. Cole, seconded by Mr. Wilson, that based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon the prior extension requests granted by Sussex County Council on September 29, 2015 and October 20, 2015 to the developments known as The Arbors of Cottagedale (Conditional Use No. 1845) and Sunrise Ventures (Conditional Use No. 1642) and based upon compliance with the requirements of the referenced Ordinance, the recommendation of the Director and staff, and previous Council approval, the current zoning approvals for the aforementioned applications shall be extended.

**Motion Adopted:** 5 Yeas.

**Vote by Roll Call:** Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea

**Requests for Extensions** Mr. Lank presented eighteen requests for extensions for the Council's consideration. (Information on each request was previously submitted to Council members and was included in the Council packets for the meeting.)

**Anthem 2004-53** Anthem – Subdivision No. 2004-53

Recommendation by staff that a time extension of six months be granted.

**M 020 16 Grant Extension/ Anthem** A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and

**M 020 16** staff, that the current zoning approval for the development known as  
**Grant** Anthem shall be extended until July 1, 2016.

**Extension/  
Anthem  
(continued)**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Barron's  
Place  
2005-40**

**Barron's Place –Subdivision No. 2005-40**

**Recommendation by staff that a time extension of six months be granted.**

**M 021 16**  
**Grant**  
**Extension/  
Barron's  
Place**

**A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Barron's Place shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Canaan  
Woods  
2006-67**

**Canaan Woods – Subdivision No. 2006-67**

**Recommendation by staff that a time extension of six months be granted.**

**M 022 16**  
**Grant**  
**Extension/  
Canaan  
Woods**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Canaan Woods shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Cypress  
Creek  
Estates/  
Cabbage  
Pond  
2005-16**

**Cypress Creek Estates/Cabbage Pond – Subdivision No. 2005-16**

**Recommendation by staff that a time extension of six months be granted.**

**M 023 16  
Grant  
Extension/  
Cypress  
Creek  
Estates/  
Cabbage  
Pond**

**A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Cypress Creek Estates/Cabbage Pond shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Deerbrook  
2008-16**

**Deerbrook – Subdivision No. 2008-16**

**Recommendation by staff that a time extension of six months be granted.**

**M 024 16  
Grant  
Extension/  
Deerbrook**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Deerbrook shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Donovan  
Heritage  
2005-36**

**Donovan Heritage – Subdivision No. 2005-36**

**Recommendation by staff that a time extension of six months be granted.**

**M 025 16  
Grant  
Extension/  
Donovan  
Heritage**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Donovan Heritage shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Governors  
CU 1772**

**Governors – Conditional Use No. 1772**

**Recommendation by staff that a time extension of six months be granted.**

**M 026 16  
Grant  
Extension/  
Governors**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Governors shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**JC Village  
2006-55**

**JC Village – Subdivision No. 2006-55**

**Recommendation by staff that a time extension of six months be denied.**

**M 027 16  
Deny  
Extension/  
JC Village**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon the lack of compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as JC Village shall not be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Kew  
Gardens  
2007-7**

**Kew Gardens – Subdivision No. 2007-7**

**Recommendation by staff that a time extension of six months be granted.**

**M 028 16  
Grant  
Extension/  
Kew  
Gardens**

**A Motion was made by Mr. Cole, seconded by Mr. Wilson, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Kew Gardens shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**



**M 031 16**  
**Deny**  
**Extension/**  
**Nanticoke**  
**View**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon the lack of compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Nanticoke View shall not be extended until July 1, 2016.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;**  
**Mr. Arlett, Yea; Mr. Wilson, Yea;**  
**Mr. Vincent, Yea**

**Red Clover**  
**Walk**  
**2007-5**

**Red Clover Walk – Subdivision No. 2007-5**

Recommendation by staff that a time extension of six months be granted.

**M 032 16**  
**Grant**  
**Extension/**  
**Red Clover**  
**Walk**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Red Clover Walk shall be extended until July 1, 2016.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;**  
**Mr. Arlett, Yea; Mr. Wilson, Yea;**  
**Mr. Vincent, Yea**

**Rich-Field**  
**Acres**  
**2004-37**

**Rich-Field Acres – Subdivision No. 2004-37**

Recommendation by staff that a time extension of six months be granted.

**M 033 16**  
**Grant**  
**Extension/**  
**Rich-Field**  
**Acres**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Rich-Field Acres shall be extended until July 1, 2016.

**Motion Adopted: 4 Yeas, 1 Nay.**

**Vote by Roll Call: Mrs. Deaver, Nay; Mr. Cole, Yea;**  
**Mr. Arlett, Yea; Mr. Wilson, Yea;**  
**Mr. Vincent, Yea**

**River Rock  
Glen  
2005-90**

**River Rock Glen – Subdivision No. 2005-90**

**Recommendation by staff that a time extension of six months be denied.**

**M 034 16  
Deny  
Extension/  
River  
Rock Glen**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon the lack of compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as River Rock Glen shall not be extended until July 1, 2016.**

**Motion Adopted: 3 Yeas, 2 Nays.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Nay; Mr. Wilson, Nay;  
Mr. Vincent, Yea**

**Sawmill  
Woods  
2004-51**

**Sawmill Woods – Subdivision No. 2004-51**

**Recommendation by staff that a time extension of six months be denied.**

**M 035 16  
Deny  
Extension/  
Sawmill  
Woods**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon the lack of compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as Sawmill Woods shall not be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**The Village  
at Evans  
Pond  
CU 1849**

**The Village at Evans Pond – Conditional Use No. 1849**

**Recommendation by staff that a time extension of six months be granted.**

**M 036 16  
Grant  
Extension/  
The Village  
at Evans  
Pond**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the authority granted to Sussex County Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director and staff, that the current zoning approval for the development known as The Village at Evans Pond shall be extended until July 1, 2016.**

**Motion Adopted: 5 Yeas.**







**M 043 16  
(continued)**

**Motion Adopted: 3 Yeas, 2 Absent.**

**Vote by Roll Call: Mrs. Deaver, Absent; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Absent;  
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.}*

**DRAFT**

## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

January 06, 2016

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
BISHOP'S LANDING - PHASE 4  
AGREEMENT NO. 733 - 8

#### DEVELOPER:

Mr. Steven Brodbeck  
Dove Barrington Development, L.L.C.  
8965 Guilford Road  
Suite 290  
Columbia, MD 21046

#### LOCATION:

Southwest corner of Road 353 and Road 352  
intersection

#### SANITARY SEWER DISTRICT:

Millville Expansion of the Bethany Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Subdivision consisting of (206) Single Family  
Homes and (251) Townhomes, w/amenities to  
include clubhouse, pool, tennis court, dog park,  
etc. 40 Single Family units in this phase

#### SYSTEM CONNECTION CHARGES:

\$231,000.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
06/11/12

Department Of Natural Resources Plan Approval  
08/23/12

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 60  
Construction Admin And Construction Inspection Cost – \$21,135.60  
Proposed Construction Cost – \$140,904.00



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 589  
GEORGETOWN, DELAWARE 19947

## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

January 19, 2016

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
REDDEN FARM - AKA REDDEN RIDGE - PHASE 2  
AGREEMENT NO. 1001 - 1

#### DEVELOPER:

Mr. Nick Hammonds  
Redden Ridge, LP  
246 Rehoboth Ave.  
Rehoboth Beach, DE 19971

#### LOCATION:

34.65 acres into 97 lots. (Environmentally Sensitive  
Developing Overlay District), S/RD 275, Warrington Road,  
approx., 650', W/RD 274, Old Landing Road

#### SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Construction of 39 Single Family Detached  
Dwellings in this phase

#### SYSTEM CONNECTION CHARGES:

\$225,225.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
09/29/14

Department Of Natural Resources Plan Approval  
10/23/14

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 60  
Construction Admin And Construction Inspection Cost – \$13,037.81  
Proposed Construction Cost – \$86,918.75



GINA A. JENNINGS, MBA, MPA  
FINANCE DIRECTOR

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gjennings@sussexcountype.gov



**Sussex County**  
DELAWARE  
sussexcountype.gov

**Memorandum**

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Jr., Vice President  
The Honorable Robert B. Arlett  
The Honorable George B. Cole  
The Honorable Joan R. Deaver

FROM: Gina A. Jennings  
Finance Director

RE: **ACTUARIAL CONSULTING SERVICES AWARD**

DATE: January 22, 2016

In December, the Finance Department released a formal request for proposal for Actuarial Services. The actuary performs analytical tests to determine what the County's required contribution should be to its pension funds, what assumptions should be used to calculate the County's pension liability, and what changes the County can make to ensure its pension is sustainable.

We received 3 complete bids. Kathy Roth, Karen Brewington, and I reviewed the three proposals. Below are our scores that are based on experience and reputation, quality of the organization, capacity to perform, credentials and experience, and price.

	Boomshine Consulting	Cheiron	Nyhart
Reviewer #1	80	90	85
Reviewer #2	75	97.5	95
Reviewer #3	70	90	80
Average Score	75	92.5	86.7

Specifically, Cherion is being recommended for the following reasons:

1. close proximity to Sussex County, Delaware;
2. experience, which includes over 80 current public employee retirement systems, including the State of Delaware, where 60 percent of our pension fund is invested;
3. fifty-nine credentialed actuaries on staff; and
4. professional presentation and co-lead approach to perform services



Memo to Council – Actuarial Consulting Services Award  
January 22, 2016  
Page 2 of 2

Cheiron has guaranteed to keep their cost the same for the next three years for the annual actuarial report, with a cap of 2 percent each additional year. This cost is in line with what we have been paying our incumbent actuary. I would like to recommend that we contract with Cheiron to provide multiple actuarial services over the next three years with the option to renew for additional years. These services include the annual actuarial reports, an experience study, pension sustainability study, and a report to determine the cost or savings of any plan changes.

Please let me know if you have any questions.

pc: Mr. Todd F. Lawson

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## **Memorandum**

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Jr., Vice President  
The Honorable Robert B. Arlett  
The Honorable George B. Cole  
The Honorable Joan R. Deaver

FROM: Gina A. Jennings  
Finance Director

RE: **APPOINTMENT OF PENSION COMMITTEE MEMBERS**

DATE: January 26, 2016

Per County Code, Sussex County Council shall appoint two community members, a current County employee, and a retired County employee (who currently receives a County pension) to serve on the County's Pension Committee. The four-year terms for Mr. David Baker, Mr. Hugh Leahy, and Mr. Jeffrey James will end this month.

Due to their interest, experience on the committee, and financial involvement outside the committee, Administration would like to recommend that Mr. David Baker and Mr. Hugh Leahy continue to serve on the Pension Committee for another four-year term. In addition, due to Mr. James' recent retirement, a new appointment will need to be made. Administration recommends Kathy Roth. As stated in the Code, the committee is responsible to review and periodically advise the Sussex County Council on the prudent investment of the pension fund. In addition to her CPA license, Kathy Roth possesses the financial knowledge needed to carry out this responsibility as was demonstrated by Mr. James.

Please let me know if you have any questions.

Attachment

pc: Mr. Todd F. Lawson



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**Sussex County**

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**Memorandum**

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Jr., Vice President  
The Honorable George B. Cole  
The Honorable Joan R. Deaver  
The Honorable Robert B. Arlett

FROM: Gina A. Jennings  
Finance Director

RE: **COMPREHENSIVE ANNUAL FINANCIAL REPORT  
FOR THE FISCAL YEAR ENDED JUNE 30, 2015**

DATE: January 22, 2016

I will be presenting the Sussex County Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2015 on Tuesday, January 26, 2016. Please find attached the financial report and presentation for your review.

If you have any questions, please feel free to call me.

Attachments

pc: Mr. Todd F. Lawson





# AUDIT WRAP-UP

June 30, 2015



The following communication was prepared as part of our audit, has consequential limitations, and is intended solely for the information and use of those charged with governance and management of the County and is not intended and shall not be used by anyone other than those specified parties.



BDO USA, LLP, a Delaware limited liability partnership, is the U.S. member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. BDO is the brand name for the BDO network and for each of the BDO Member Firms.





# Status of Our Audits

BDO conducted audits in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*:

- Audit of the financial statements of the County
  - Unmodified, or “clean” opinion on all statements
- Audit of the County’s compliance with federal programs
  - Unmodified, or “clean” opinion on the County’s major program
- Other procedures
  - Internal control over financial reporting
  - Compliance with laws and regulations
  - Supplementary Information accompanying financial statements



# Results of Our Audit

- Transactional tests
  - Resulted in one reclassification to the Dewey Water from the Sewer Fund
- Review of accounting policies and practices
- Adoption of new accounting pronouncements - GASB 68
- Review of significant estimates
  - Pension, OPEB, and self insurance accruals, allowances, as well as fair value of pension investments



## Other Required Communications

- No significant changes to the planned audit strategy
- No items to note from inquiries of Management and Council
- No outside specialized skills or knowledge needed
- Not aware of any management consultations with other accountants
- No disagreements with management
- No significant difficulties encountered during the audit
- BDO is independent with respect to the County

# Comprehensive Annual Financial Report

For Fiscal Year Ended  
June 30, 2015

**SUSSEX COUNTY**  
*Delaware*



Comprehensive Annual Financial Report  
For Fiscal Year Ended June 30, 2015

# Comprehensive Annual Financial Report (CAFR)

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- Four Sections
  - Introductory (CAFR pages iv – xiv)
    - Letter of Transmittal
    - CAFR Award
    - Government Structure
  - Financial (CAFR pages 1 - 70)
    - Auditor's Opinion
    - Management's Discussion & Analysis
    - Financial Statements
  - Statistical (CAFR pages 71 - 90)
  - Single Audit Supplement (CAFR pages 91 - 98)
    - Schedule of Expenditures of Federal Awards
    - Auditor's Report on Compliance



# Introductory Section

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# Letter of Transmittal

(CAFR pages iv – x)

- Profile of Sussex
  - Population over 210,000
  - 48% of the State of Delaware's total area of land
- Economic Conditions
  - Unemployment rate as of October was 4.4%, compared to Delaware's 5.1% and the nation's 5.0%
  - Agriculture is the leading industry – poultry industry has an annual \$5.2 billion economic impact
  - Tourism is 2<sup>nd</sup> - bringing \$850 million of tourism revenue to the State by employing 15,000 people
  - Financial Planning - Pay-as-you-go basis for General Fund capital projects with a \$21 million 5-year plan
- Awards and Acknowledgments
  - Certificate of Achievement for Excellence in Financial Reporting – 13<sup>th</sup> year
  - Aa1 bond rating





# Financial Section

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“

The financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Sussex County, Delaware, as of June 30, 2015,...

”

(CAFR page 2)

## Independent Auditor's Opinion



## Balance Sheet – Governmental Funds

	General	Capital Projects	Total Governmental
Assets	\$ 102,520,744	\$ 14,119,820	\$ 116,640,564
- Liabilities, Deferred Inflows	15,346,173	937,686	16,283,859
<b>Fund Balance</b>	<b>\$ 87,174,571</b>	<b>\$ 13,182,134</b>	<b>\$ 100,356,705</b>
<b>Fund Balances:</b>	General	Capital Projects	Total Governmental
Nonspendable	\$ 452,748	\$ -	\$ 452,748
Restricted	42,832,105	13,182,134	56,014,239
Committed	798,817	-	798,817
Assigned	7,168,799	-	7,168,799
Unassigned	35,922,102	-	35,922,102
<b>Total</b>	<b>\$ 87,174,571</b>	<b>\$ 13,182,134</b>	<b>\$ 100,356,705</b>

# Statement of Revenues, Expenditures and Changes in Fund Balance

(CAFR page 22)

	General	Capital Projects	Total Governmental
Revenues	\$56,463,062	\$ 1,762,903	\$ 58,225,965
Expenditures	(50,944,122)	(3,563,636)	(54,507,758)
Other Financing Sources	(5,921,845)	6,212,933	291,088
<b>Change in Fund Balance</b>	<b>\$ (402,905)</b>	<b>\$ 4,412,200</b>	<b>\$4,009,295</b>

## General

- Revenues are down 1%, or \$560,000
  - Decrease in Sheriff revenue of \$621,000
  - Decrease in grants received of \$1.8 million
  - Decreases were offset by increase in building related revenue of \$1.5 million
- Expenditures increased \$1.7 million.

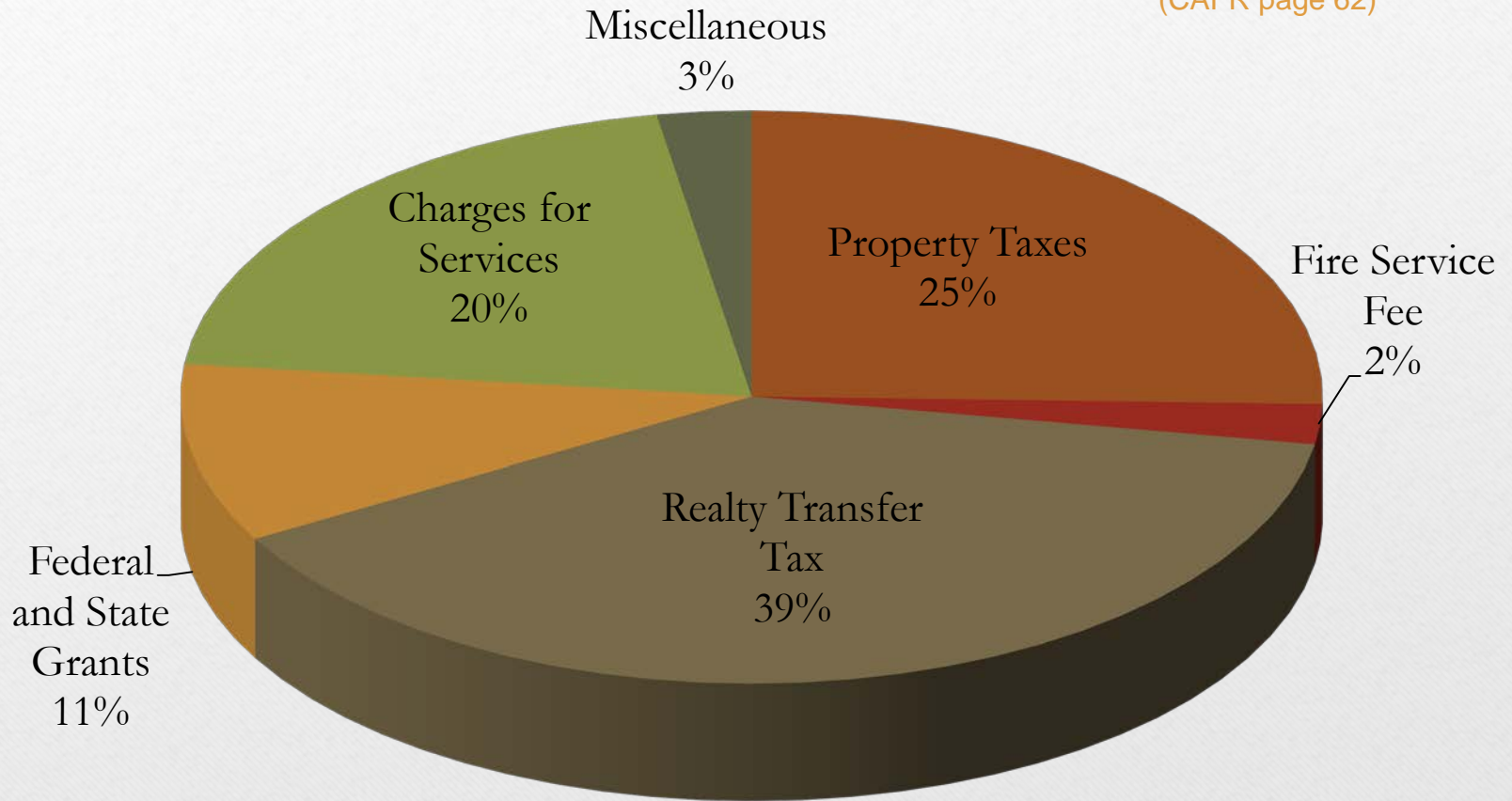
## Capital

- Expenditures decreased \$6.6 million
  - Airport - \$6.7 million in FY14 and \$2.0 million in FY15
  - Library - \$2.2 million in FY14 vs. \$55,000 in FY15



# General Fund Revenues

(CAFR page 62)



# Realty Transfer Tax

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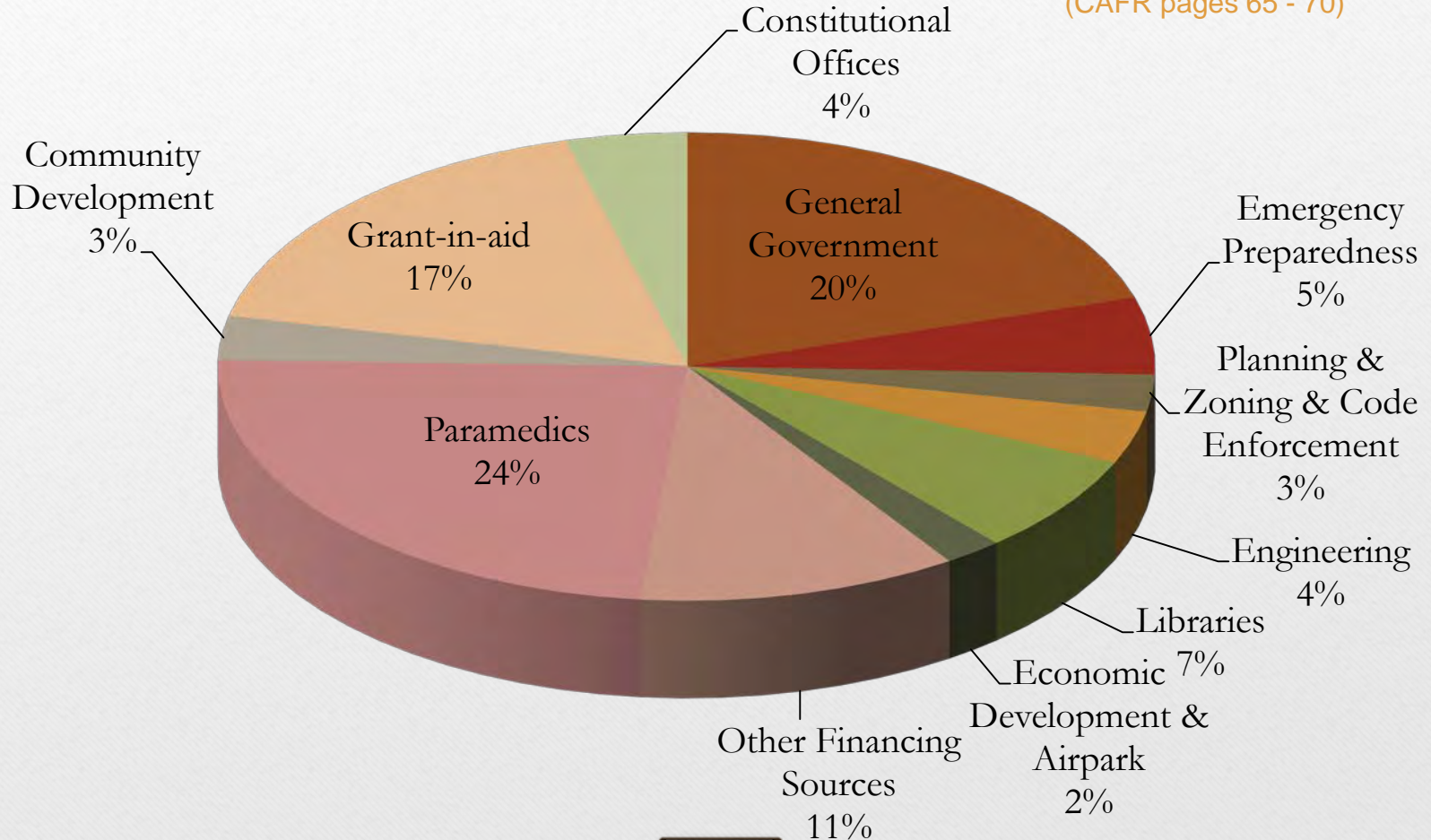
FY 2015 Realty Transfer Tax Revenue - \$22,212,933

Expense	Amount Spent
Public Safety Operating & Capital	\$19,023,232
Infrastructure	\$1,230,473
Economic Development	\$998,521
Public Works	\$952,550
<b>Total RTT Expenses</b>	<b>\$22,204,776</b>



# General Fund Expenditures

(CAFR pages 65 - 70)



# Statement of Revenues, Expenditures and Changes in Fund Balance – General Fund

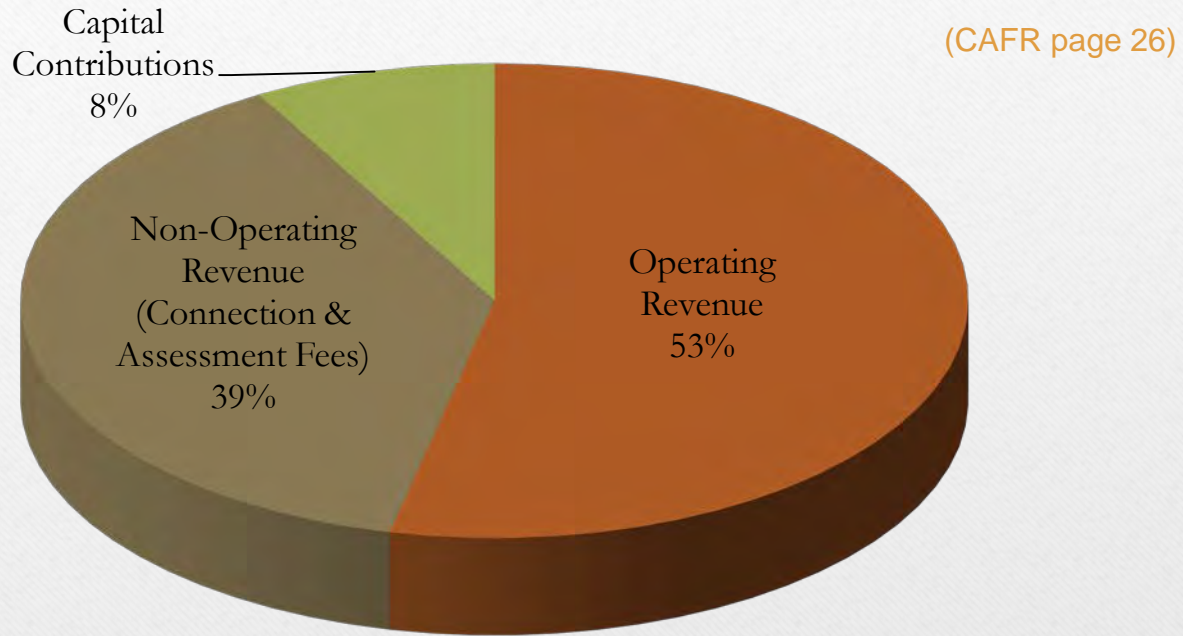
(CAFR page 24)

	Budget	Actual	Variance
Revenues & Other Financing Sources	\$ 51,944,586	\$56,839,650	\$ 4,895,064
Expenditures & Other Financing Uses	51,944,586	51,029,622	914,964
RTT Revenue over \$16 million Transfer to Capital	-	\$6,212,933	(\$6,212,933)
<b>Decrease to Fund Balance</b>	<b>\$ -</b>	<b>\$ (402,905)</b>	<b>\$ (402,905)</b>





# Business-Type Revenues



## Highlights:

- Change in Net Position was \$5.7 million
- Operating Revenues increased \$1.3 million, or 6.6%, to \$20.1 million
- Connection Fees decreased \$106,000, or 1.9%, to \$5.5 million
- Capital Contributions increased \$433,421, or 15.4%, to \$3.2 million



# Pension

(CAFR page 48)

	Pension Trust	Post-retirement Employee Benefit Trust	Total
Additions	\$ 6,633,432	\$ 3,257,506	\$ 9,890,938
Deductions	3,277,625	2,213,089	5,490,714
<b>Increase Net Position</b>	<b>\$ 3,355,807</b>	<b>\$ 1,044,417</b>	<b>\$ 4,400,224</b>

	Pension Trust	Post-retirement Employee Benefit Trust	Total
Net Position Held in Trust	\$ 74,242,415	\$ 31,390,467	\$ 105,632,882

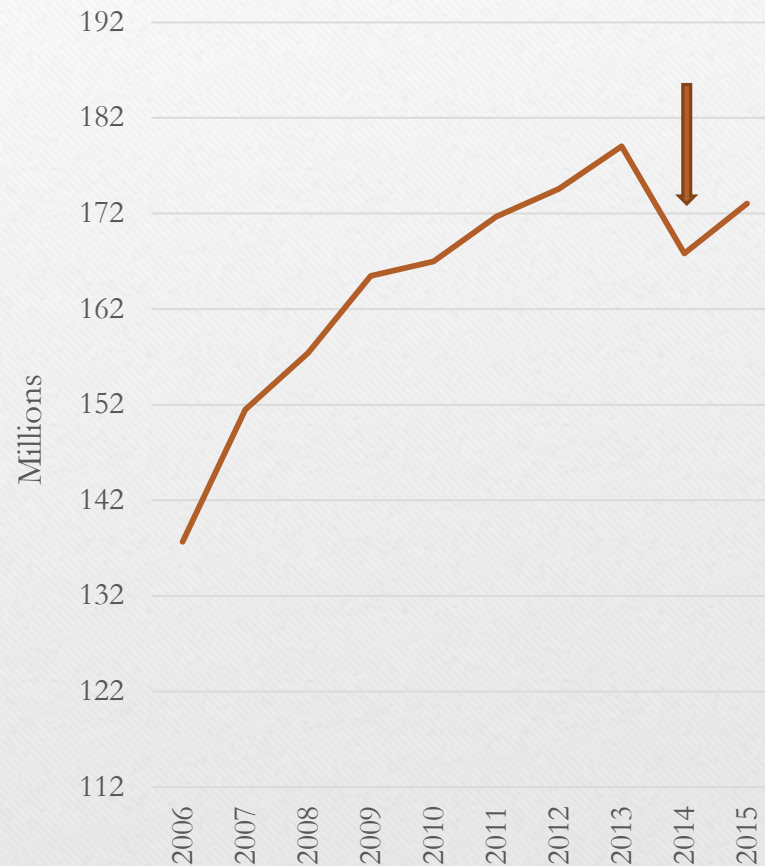


# Pension Change

Pension – 84.2%  
OPEB – 73.5%

- Liability is recognized in the government-wide financial statements on the balance sheet
- Required standardized way to calculate liability – Entry Age Normal cost method
- Change of mortality table which increased the life expectancy

Governmental Activities  
Net Position



# Long-Term Debt

(CAFR page 16)

## SUSSEX COUNTY'S OUTSTANDING DEBT

As of June 30, 2015 and 2014

General Bonds

	Governmental Activities		Business-type Activities		Total Government	
	2015	2014	2015	2014	2015	2014
General Obligation Bonds	\$ -	\$ -	\$ 157,980,947	\$ 159,460,288	\$ 157,980,947	\$ 159,460,288
Total	\$ -	\$ -	\$ 157,980,947	\$ 159,460,288	\$ 157,980,947	\$ 159,460,288

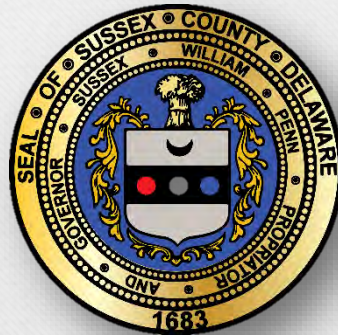
### Highlights:

- \$158.0 million in outstanding bonds payable
- Debt is only for sewer districts
- No general fund bonded debt

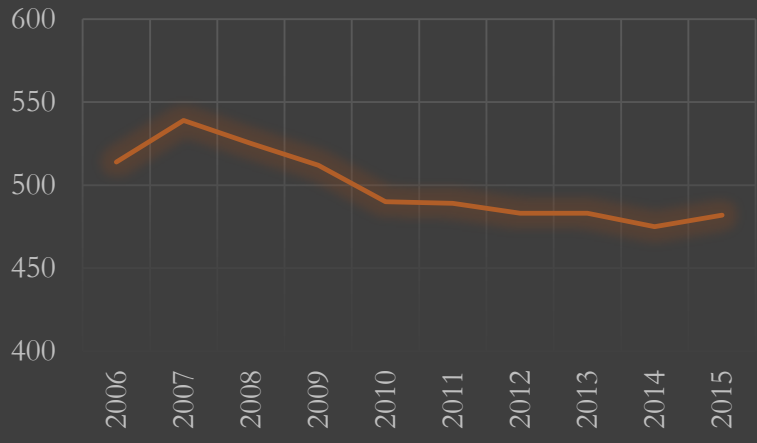


# Statistical Section

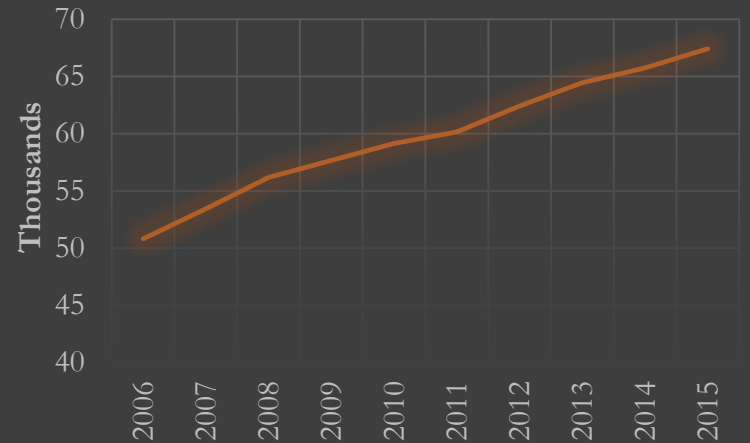
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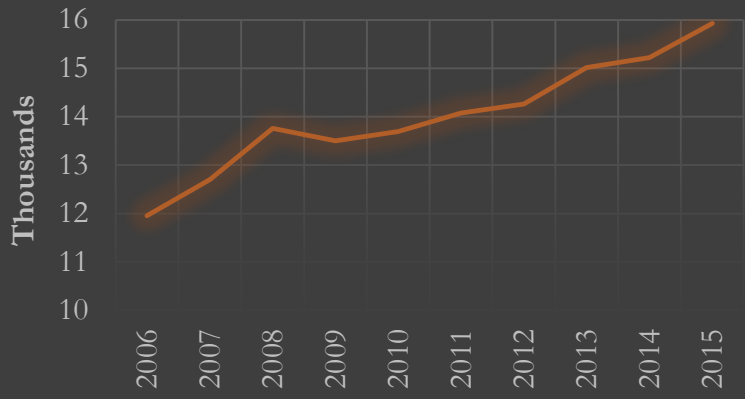
### Full-Time Employees



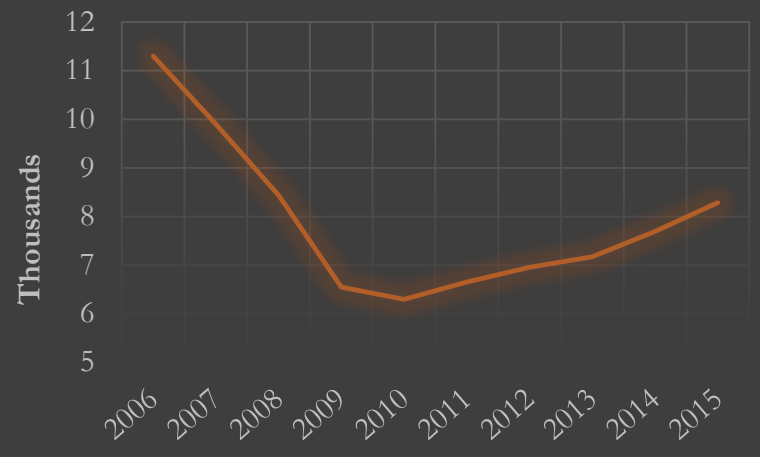
### Sewer Edu's Billed



### Paramedic Incidents Dispatched



### Permits Issued



# Single Audit Supplement

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# Schedule of Expenditures of Federal Awards

(CAFR page 91 -92)

	2014	2015
U.S. Dept. of Agriculture	\$ 293,754	\$ 386,926
U.S. Dept. of Housing and Urban Development	1,558,737	1,374,698
U.S. Dept. of Transportation	4,868,965	995,859
U.S. Dept. of Homeland Security	273,465	206,875
U.S. Dept. of Environmental Protection Agency	-	59,637
<b>Total Funds Received</b>	<b>\$ 6,994,921</b>	<b>\$ 3,023,995</b>





# Comprehensive Annual Financial Report

For Fiscal Year Ended  
June 30, 2015

For a full electronic version of our  
CAFR, visit our website:  
[sussexcountyde.gov](http://sussexcountyde.gov)

**SUSSEX COUNTY**  
*Delaware*



Comprehensive Annual Financial Report  
For Fiscal Year Ended June 30, 2015

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**Sussex County**

DELAWARE

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**Memorandum**

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Jr., Vice President  
The Honorable George B. Cole  
The Honorable Joan R. Deaver  
The Honorable Robert B. Arlett

FROM: Gina A. Jennings  
Finance Director

RE: ***FINANCIAL REPORT FOR THE QUARTER  
ENDING DECEMBER 31, 2015***

DATE: January 22, 2016

Attached is the Unaudited Estimated Revenue and Expense Report for the quarter ending December 31, 2015, which I will be presenting to Council on Tuesday, January 26, 2016.

GAJ/nc

Attachment

**Sussex County Council**  
**Unaudited Revenue and Expense Report**  
**As of December 31, 2015**

	YTD Actual	Budgeted Amounts		% Over (Under) Budget YTD
		Annual	YTD	
<b>REVENUES</b>				
<b>TAXES</b>				
Property tax *	\$ 7,252,793.56	\$ 14,505,587.00	\$ 7,252,793.00	0.00%
<b>TOTAL TAXES</b>	7,252,793.56	14,505,587.00	7,252,793.00	0.00%
<b>REALTY TRANSFER TAX</b>	12,967,551.23	16,700,000.00	8,350,000.00	55.30%
<b>SERVICES - BUILDING AND CONSTRUCTION</b>				
Fire service fee (pass through)	731,497.66	1,000,000.00	500,000.00	46.30%
Building permit and zoning fee	964,938.41	1,325,000.00	662,500.00	45.65%
Building inspections	674,657.08	1,007,000.00	503,500.00	33.99%
Private road - review/inspection	625,902.08	560,000.00	280,000.00	123.54%
Mobile home placement tax (pass through)	69,583.16	92,000.00	46,000.00	51.27%
<b>TOTAL SERVICES - BUILDING AND CONSTRUCTION</b>	3,066,578.39	3,984,000.00	1,992,000.00	53.94%
<b>SERVICES - GOVERNMENTAL FEES</b>				
General government fee (911 system fee)	279,818.28	559,630.00	279,815.00	0.00%
Dog licensing	19,646.31	74,000.00	37,000.00	-46.90%
Other department fees	16,310.38	27,500.00	13,750.00	18.62%
<b>TOTAL SERVICES - GOVERNMENTAL FEES</b>	315,774.97	661,130.00	330,565.00	-4.47%
<b>INTERGOVERNMENTAL</b>				
Federal operating grants	201,291.48	175,000.00	87,500.00	130.05%
State operating grants	2,236,950.32	4,488,478.00	2,244,239.00	-0.32%
Community development	637,989.21	1,704,484.00	852,242.00	-25.14%
<b>TOTAL INTERGOVERNMENTAL</b>	3,076,231.01	6,367,962.00	3,183,981.00	-3.38%
<b>CONSTITUTIONAL OFFICES</b>				
Clerk of the peace	81,207.50	134,000.00	67,000.00	21.21%
Recorder of deeds	1,724,932.33	3,370,000.00	1,685,000.00	2.37%
Register of wills	525,850.21	950,000.00	475,000.00	10.71%
Sheriff	693,133.32	2,250,000.00	1,125,000.00	-38.39%
<b>TOTAL CONSTITUTIONAL OFFICES</b>	3,025,123.36	6,704,000.00	3,352,000.00	-9.75%

Note: This report has been prepared using the best available data. It is however, preliminary in nature and subject to change pending formal audit.

**Sussex County Council**  
**Unaudited Revenue and Expense Report**  
**As of December 31, 2015**

	YTD Actual	Budgeted Amounts		% Over (Under) Budget YTD
		Annual	YTD	
<b>RENT</b>				
Airport fuel sales	12,368.87	15,000.00	7,500.00	64.92%
Industrial airpark rent	262,774.24	448,300.00	224,150.00	17.23%
Land rent	3,710.00	3,710.00	1,855.00	100.00%
Emergency operations center (SUSCOM)	17,500.00	17,500.00	8,750.00	100.00%
Miscellaneous rentals	6,747.87	12,000.00	6,000.00	12.46%
<b>TOTAL RENT</b>	<b>303,100.98</b>	<b>496,510.00</b>	<b>248,255.00</b>	<b>22.09%</b>
<b>MISCELLANEOUS</b>				
Investment earnings	77,774.73	450,000.00	225,000.00	-65.43%
Fines	12,289.77	23,000.00	11,500.00	6.87%
Prothonotary	20.00	-	-	100.00%
Project income - community development	140,250.36	-	-	100.00%
Other charges	147,722.39	257,000.00	128,500.00	14.96%
Appropriated project reserves	-	3,000,000.00	1,500,000.00	0.00%
<b>TOTAL MISCELLANEOUS</b>	<b>378,057.25</b>	<b>3,730,000.00</b>	<b>1,865,000.00</b>	<b>-79.73%</b>
Transfers in from sewer and water	75,422.77	300,000.00	150,000.00	-49.72%
<b>TOTAL REVENUES</b>	<b>\$ 30,460,633.52</b>	<b>\$ 53,449,189.00</b>	<b>\$ 26,724,594.00</b>	<b>13.98%</b>
* Accruals				

Note: This report has been prepared using the best available data. It is however, preliminary in nature and subject to change pending formal audit.

**Sussex County Council**  
**Unaudited Revenue and Expense Report**  
**As of December 31, 2015**

	YTD Actual	Budgeted Amounts		% Over (Under) Budget YTD
		Annual	YTD	
<b>EXPENDITURES</b>				
General Government				
County council	\$ 288,360.10	\$ 611,565.00	\$ 305,782.50	-5.70%
County administration	225,992.33	946,471.00	473,235.50	-52.25%
Legal	237,459.59	500,000.00	250,000.00	-5.02%
Finance	829,345.75	1,885,444.00	942,722.00	-12.03%
Assessment	715,834.39	1,568,802.00	784,401.00	-8.74%
Building code	382,904.09	741,490.00	370,745.00	3.28%
Mapping	395,271.28	759,009.00	379,504.50	4.15%
Human resources	236,651.20	515,709.00	257,854.50	-8.22%
General employment and retirement	195,201.75	226,765.00	113,382.50	72.16%
Boards and Commissions	34,975.71	80,818.00	40,409.00	-13.45%
Building and grounds	772,237.62	1,584,197.00	792,098.50	-2.51%
Security	215,363.59	445,803.00	222,901.50	-3.38%
Information Technology/ Data Processing	770,679.34	1,725,846.00	862,923.00	-10.69%
Constable	133,706.45	283,569.00	141,784.50	-5.70%
Constable - dog control	369,685.80	742,546.00	371,273.00	-0.43%
Grant-in-aid programs	6,044,137.74	9,487,194.00	4,743,597.00	27.42%
Planning and zoning	548,360.00	1,355,276.00	677,638.00	-19.08%
Paramedic	6,715,721.60	13,627,582.00	6,813,791.00	-1.44%
Emergency operations center administration	284,648.35	562,223.00	281,111.50	1.26%
Emergency operations center dispatchers	1,062,156.10	2,074,601.00	1,037,300.50	2.40%
Communications	193,863.14	403,548.00	201,774.00	-3.92%
Local emergency plan program	38,082.71	75,914.00	37,957.00	0.33%
Economic development	73,939.18	221,330.00	110,665.00	-33.19%
Industrial airpark	297,578.66	732,492.00	366,246.00	-18.75%
Community development	1,045,881.32	2,003,372.00	1,001,686.00	4.41%
Engineering - administration	680,969.55	1,044,675.00	522,337.50	30.37%
Engineering - public works	301,313.44	705,357.00	352,678.50	-14.56%
Engineering - solid waste	36,625.17	149,100.00	74,550.00	-50.87%
Records management	80,738.32	194,224.00	97,112.00	-16.86%
Library	1,215,298.54	2,700,050.00	1,350,025.00	-9.98%
Marriage Bureau	93,740.36	183,292.00	91,646.00	2.29%
Recorder of deeds	477,769.01	1,072,415.00	536,207.50	-10.90%

Note: This report has been prepared using the best available data. It is however, preliminary in nature and subject to change pending formal audit.

**Sussex County Council**  
**Unaudited Revenue and Expense Report**  
**As of December 31, 2015**

	YTD Actual	Budgeted Amounts		% Over (Under) Budget YTD
		Annual	YTD	
Register of wills	282,046.98	566,958.00	283,479.00	-0.51%
Sheriff	288,118.50	586,051.00	293,025.50	-1.67%
Interfund transfers	1,542,750.00	3,085,500.00	1,542,750.00	0.00%
<b>TOTAL EXPENDITURES</b>	<b>27,107,407.65</b>	<b>53,449,189.00</b>	<b>26,724,594.00</b>	<b>1.43%</b>
<b>EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES</b>	<b>3,353,225.87</b>	<b>-</b>	<b>-</b>	

Note: This report has been prepared using the best available data. It is however, preliminary in nature and subject to change pending formal audit.

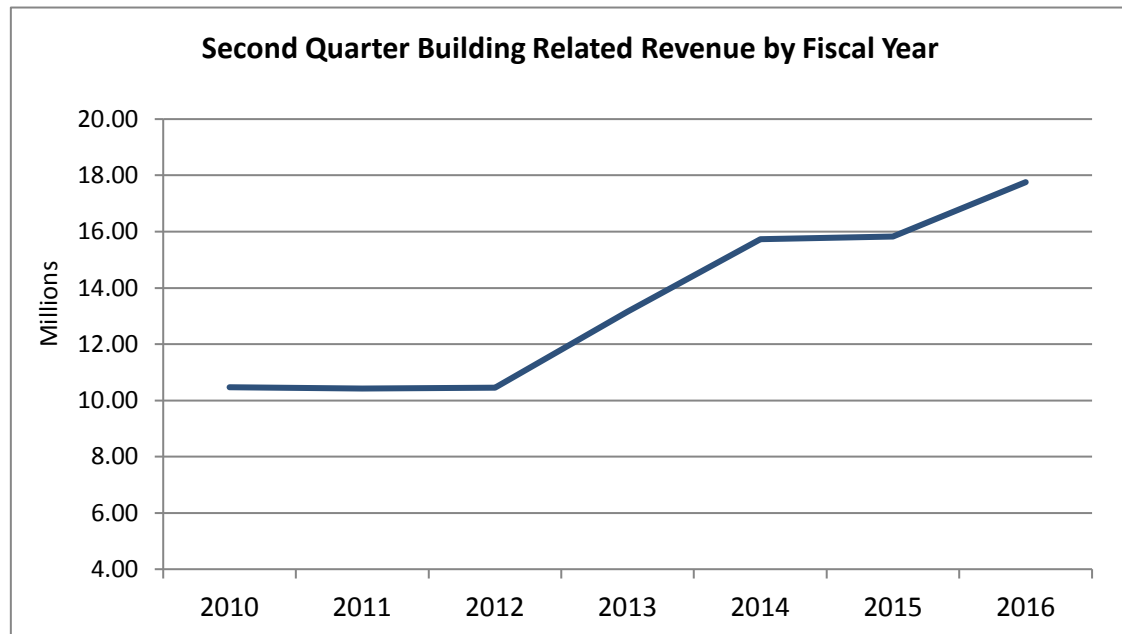
**Sussex County Council**  
**Unaudited Revenue and Expense Report**  
**As of December 31, 2015**

	YTD Actual	Budgeted Amounts		% Over (Under) Budget YTD
		Annual	YTD	
<b>CAPITAL IMPROVEMENT REVENUES</b>				
Federal airport grant	-	480,600.00	240,300.00	-100.00%
State airport grant	-	16,020.00	8,010.00	-100.00%
State library grant	69,226.83	-	-	
State paramedic grant	-	285,000.00	142,500.00	-100.00%
Federal capital grant	50,000.00			
State capital grant	-	500,000.00	250,000.00	-100.00%
Reimbursements and refunds		-	-	100.00%
Operating Transfers	1,500,000.00	3,000,000.00	1,500,000.00	
Investment earnings	684.86	20,000.00	10,000.00	-93.15%
Appropriated reserves	-	4,299,085.00	2,149,542.50	-100.00%
<b>TOTAL CAPITAL IMPROVEMENT REVENUES</b>	<b>1,619,911.69</b>	<b>8,600,705.00</b>	<b>4,300,352.50</b>	<b>-62.33%</b>
<b>CAPITAL IMPROVEMENT EXPENDITURES</b>				
General government	403,036.12	2,700,000.00	1,350,000.00	-70.15%
Paramedics	27,502.56	950,000.00	475,000.00	-94.21%
Emergency Preparedness	123,858.70	980,555.00	490,277.50	-74.74%
Engineering	-	550,000.00	275,000.00	-100.00%
Library	138,453.66	-	-	
Airpark	176,739.97	3,420,150.00	1,710,075.00	-89.66%
<b>TOTAL CAPITAL IMPROVEMENT EXPENDITURES</b>	<b>869,591.01</b>	<b>8,600,705.00</b>	<b>4,300,352.50</b>	<b>-79.78%</b>
<b>EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES</b>	<b>750,320.68</b>	<b>-</b>	<b>-</b>	

Note: This report has been prepared using the best available data. It is however, preliminary in nature and subject to change pending formal audit.

**Second Quarter Building Related Revenue by Fiscal Year**

<b>Building Related Revenue</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Building inspections	\$ 430,291.25	\$ 420,437.43	\$ 371,874.09	\$ 442,680.05	\$ 713,270.73	\$ 580,207.46	\$ 674,657.08
Building permit and zoning fee	583,326.51	551,503.77	596,775.36	659,600.15	828,917.31	825,443.77	964,938.41
Fire service fee (pass through)	408,029.86	392,205.66	430,927.69	485,929.80	639,329.64	637,958.63	731,497.66
Mobile home placement tax (pass	52,972.61	43,462.11	36,750.12	32,191.77	40,085.90	54,457.72	69,583.16
Private road - review/inspection	117,647.03	98,163.92	65,792.03	340,771.16	140,495.08	205,254.12	625,902.08
Recorder of Deeds	1,692,308.59	1,608,756.76	1,576,114.36	1,923,864.68	1,743,412.03	1,667,579.94	1,724,932.33
Subtotal	3,284,575.85	3,114,529.65	3,078,233.65	3,885,037.61	4,105,510.69	3,970,901.64	4,791,510.72
Realty Transfer Tax	7,187,476.98	7,307,934.76	7,379,216.40	9,267,952.59	11,621,642.41	11,850,236.07	12,967,551.23
<b>Total Building Related Revenue</b>	<b>\$ 10,472,052.83</b>	<b>\$ 10,422,464.41</b>	<b>\$ 10,457,450.05</b>	<b>\$ 13,152,990.20</b>	<b>\$ 15,727,153.10</b>	<b>\$ 15,821,137.71</b>	<b>\$ 17,759,061.95</b>



<b>Revenue</b>	<b>Percent Increase Over Previous Year</b>
Building inspections	16%
Building permit and zoning fee	17%
Fire service fee	15%
Mobile home placement tax	28%
Private road - review/inspection	205%
Recorder of Deeds	3%
Realty Transfer Tax	9%
<b>Total</b>	<b>11%</b>

**Total Dwelling Permits Issued through January 16th**

	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Dwelling Permits	468	765	849	1017	994	1139
Percent increase over the previous year		63%	11%	20%	-2%	15%





GEORGE, MILES & BUHR, LLC



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ENGINEERS

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W. BRICE FOXWELL, PE  
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MORGAN H. HELFRICH, AIA  
VINCENT A. LUCIANI, PE  
JERRY KOTRA  
ANDREW J. LYONS, JR., PE  
KATHERINE J. MCALLISTER, PE

January 20, 2016

Sussex County Engineering Department  
2 The Circle  
P.O. Box 589  
Georgetown, DE 19947

Attn: Joseph Wright, P.E.

Re: Recommendation of Award  
Pump Station No. 34 Modifications  
Contract No. 16-04  
GMB File No. 1501592

Dear Mr. Wright.:

Bids for the Pump Station No. 34 (PS 34) Modifications were opened at Sussex County Council Chambers at 3:00 p.m. on January 14, 2016. A total of three (3) bids were submitted by contractors, all based in Delaware. Bids ranged from 0.434 million to 0.595 million dollars. A tabulation of all bids is enclosed with this letter of recommendation for award.

The lowest Bid of \$434,832.50 was submitted by Kuhn Construction Co. of Hockessin, DE. The second lowest Bid was submitted by Hopkins Construction, Inc. of Bridgeville, DE (\$489,160.00).

GMB has reviewed the two (2) lowest bids in detail and we offer the following comments:

- Kuhn and Hopkins have acknowledged receipt of all addenda (two were issued).
- Both bidders have provided the required bid bond.
- There are no math errors on either bid.
- The difference between the first and second low bids is approximately \$54,000; or approximately 12% of the lowest bid cost.
- The first low bid is approximately \$79,000, or 22% more than the engineer's submitted construction cost estimate following adjustment for equipment pre-purchased by the County.
- Both contractor's intend to self-perform most all work as indicated by their responses on the "Listing of Subcontractors".

It is imperative that the project be completed within the compressed construction schedule stipulated within the Contract Documents. If the County were unable to complete the project prior to the summer season when DeIDOT roadway restrictions come into effect for Route 1, DeIDOT could possibly shut the project down, thereby requiring remobilization effort following the summer season and further disruption to

residents of the area. Accordingly, the selected Bidder must be successful in managing project schedules, as well as managing the work of their subcontractors, to ensure that the project is completed on time.

Of the two (2) lowest bidders, GMB has the following remarks. Kuhn Construction, Co. has successfully performed similar pump station modification work for Sussex County in the cost range of this particular project, namely Pump Station No. 24 (PS 24) and more recently (1 year ago) Pump Station No. 22 (PS 22). Both of these projects entailed a 75-day construction period (same as PS 34) and were completed on time and on budget. Hopkins Construction, Inc. is currently performing similar pump station modification work for Sussex County in the cost range of this project for Pump Station No. 23 (PS 23). This project includes a 90-day construction period and it is currently 1-2 weeks behind schedule.

GMB's previous project experience with Kuhn Construction is that; they did satisfactory work; superintendents assigned to the job were experienced and worked well with clients; they satisfactorily managed subcontractors; and jobs were completed in a satisfactory timeframe barring any circumstances outside of the Contractor's control. Kuhn is also currently working for the County to construct improvements for PS No. 210; thus far this project has progressed successfully.

The Engineer's estimate for the PS 34 project submitted to the County prior to bids being received was \$355,420.00. In developing the engineer's estimate for construction projects, GMB relies heavily on prior bids submitted for similar work. In this case, as part of preparing the estimate for PS 34, GMB took into consideration the two (2) lowest bids submitted for the PS 23 project. Both of these bids were significantly less than the engineer's estimate and in the case of the low bid, it was 25% under the engineer's estimate. In preparing the bid for PS 34, the cost estimate was adjusted to account for these lower than anticipated bids under the PS 23 project. The net result of this was that the work for PS 34 was undervalued; whereas the low bids for PS 23 were much lower than the true value of the work.

In light of this, ignoring the PS 23 actual bid values and under-adjusting the engineer's estimate for PS 34 to coincide with those values, and instead using those values used by the engineer to estimate the cost of the work for PS 23, yields a revised engineer's estimate for PS 34 of approximately \$445,000, which aligns closely with Kuhn's Bid. Another observation is that Kuhn's Bid for the work associated with PS 34 was within 2% of its Bid for PS 22. As the two (2) projects have nearly an identical scope of work, this reflects that Kuhn is very consistent with its bidding practices.

The bid schedule also included a bid item for an alternate wet well finish coat to that included under the base bid. Kuhn's bid for this alternate was an increase in the base bid amount of \$7,500.00. The other two (2) bids received indicated a decrease in the bid amount of \$1,000.00 and \$1,500.00. Based on the area of the wet well to be coated, Kuhn's bid yields an increase in the coating cost of approximately \$12 per square foot. GMB is of the opinion that the possible increase in finish coating durability by using this product, is not worth this cost increase and there would be limited value in the County accepting this bid offer.

For the reasons listed above, Kuhn Construction Co. was found to be the lowest, responsive, responsible bidder. Accordingly, GMB recommends that Sussex County award construction of the Pump Station No. 34 Modifications to Kuhn Construction Co. of Hockessin, Delaware at the Base Bid price of Four Hundred Thirty-Four Thousand, Eight Hundred Thirty-Two Dollars and Fifty Cents (\$434,832.50).

If you need additional information, or if you would like to discuss any of these matters further, please feel free to contact our office at (410) 742-3115.

Sincerely,



Chris B. Derbyshire, P.E.  
Sr. Project Manager

CBD/cs

Enclosure:  
Certified Bid Tabulation

cc: Sussex County Engineering Department  
Attn: Hans Medlarz, P.E. (w/encl.)  
Attn: Anthony Digiuseppe, Jr. (w/encl.)

## Tabulation of Bids

**PROJECT NAME:** Pump Station No. 34 Modifications  
**CONTRACT NO.:** 16-04  
**GMB JOB NO.:** 150159  
**BIDS OPENED:** 1/14/16 @ 3:00 P.M.

Item No.	Bid Item Description	Size	Units	Est. Qty.	Kuhn Construction		Hopkins Construction		JJID, Inc.	
					Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>PART A - PUMP STATION NO. 34 MODIFICATIONS</b>										
A1	Mobilization	--	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
A2	Traffic Control	--	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	\$ 45,000.00	\$ 45,000.00
A3	Temp. Bypass Pumping	--	Week	10	\$ 3,500.00	\$ 35,000.00	\$ 4,000.00	\$ 40,000.00	\$ 3,000.00	\$ 30,000.00
A4	Pump Station No. 34	--	LS	1	\$ 290,000.00	\$ 290,000.00	\$ 340,140.00	\$ 340,140.00	\$ 450,000.00	\$ 450,000.00
A5	Wet Well Concrete Wall Demo and Repair	--	SF	525	\$ 68.00	\$ 35,700.00	\$ 40.00	\$ 21,000.00	\$ 25.00	\$ 13,125.00
A6	Wet Well Concrete Wall & Base Slab Leveling Mortar	--	SF	525	\$ 16.50	\$ 8,662.50	\$ 20.00	\$ 10,500.00	\$ 15.00	\$ 7,875.00
A7	Miscellaneous Existing Reinforcing Prep and Anti-Corrosion Coating	--	LF	50	\$ 58.00	\$ 2,900.00	\$ 15.00	\$ 750.00	\$ 35.00	\$ 1,750.00
A8	Chemical Injection Repair of Leaking Crack	--	LF	150	\$ 57.00	\$ 8,550.00	\$ 45.00	\$ 6,750.00	\$ 55.00	\$ 8,250.00
A9	Ductile Iron Gravity Sewer	8"	LF	20	\$ 200.00	\$ 4,000.00	\$ 500.00	\$ 10,000.00	\$ 450.00	\$ 9,000.00
A10	Landscaping Allowance	--	LS			\$ 2,500.00		\$ 2,500.00		\$ 2,500.00
<b>TOTAL FOR PART A</b>						<b>\$ 432,312.50</b>		<b>\$ 486,640.00</b>		<b>\$ 592,500.00</b>
<b>PART B - CONTINGENT BID ITEMS</b>										
B1	Furnish and Place 4,000 psi Concrete	--	CY	10	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00
B2	Excavation Below Subgrade	--	CY	10	\$ 11.00	\$ 110.00	\$ 11.00	\$ 110.00	\$ 11.00	\$ 110.00
B3	Furnish and Place Gravel Bedding	--	CY	10	\$ 25.00	\$ 250.00	\$ 25.00	\$ 250.00	\$ 25.00	\$ 250.00
B4	Furnish and Place Special Backfill (Type "C")	--	CY	10	\$ 16.00	\$ 160.00	\$ 16.00	\$ 160.00	\$ 16.00	\$ 160.00
B5	Miscellaneous Excavation and Backfill	--	CY	10	\$ 50.00	\$ 500.00	\$ 50.00	\$ 500.00	\$ 50.00	\$ 500.00
<b>TOTAL FOR PART B</b>						<b>\$ 2,520.00</b>		<b>\$ 2,520.00</b>		<b>\$ 2,520.00</b>
<b>TOTAL BASE BID (PART A PLUS PART B )</b>						<b>\$ 434,832.50</b>		<b>\$ 489,160.00</b>		<b>\$ 595,020.00</b>
<b>PART C - ALTERNATE BID ITEM</b>										
C-1	Alternate Wet Well Finish Coat (Section 03730	--	LS	1	\$ 7,500.00	\$ 7,500.00	\$ (1,000.00)	\$ (1,000.00)	\$ (1,500.00)	\$ (1,500.00)
<b>TOTAL PART C</b>						<b>\$ 7,500.00</b>		<b>\$ (1,000.00)</b>		<b>\$ (1,500.00)</b>

\*Engineer's Estimate: \$ 355,420.00

CERTIFIED BY:



Chris Derbyshire, P.E.

\* Adjusted for equipment pre-purchased by County.



GEORGE, MILES & BUHR, LLC

**PUMP STATION NO. 34 MODIFICATIONS  
ENGINEER'S ESTIMATE OF PROBABLE  
CONSTRUCTION COST**

(Adjusted Post-Bid, Accounts for Pre-Purchase)

Item No.	Bid Item Description	Size	Units	Est. Qty.	GMB ESTIMATE	
					Unit Price	Total Price
<b>SCHEDULE A: PUMP STATION NO. 34 MODIFICATIONS</b>						
A1	Mobilization	--	LS	1	\$ 25,000.00	\$ 25,000.00
A2	Traffic Control	--	LS	1	\$ 47,500.00	\$ 47,500.00
A3	Bypass Pumping	--	Week	10	\$ 3,000.00	\$ 30,000.00
	<b>Total Bid Price - Item A4 (Pump Station #34)</b>			*	<b>\$ 292,900.00</b>	--
A4 1	Clear & Grub, Site Restoration	--	LS	1	\$ 17,500.00	\$ 17,500.00
A4 2	Demolition	--	LS	1	\$ 30,000.00	\$ 30,000.00
A4 3	#57 Stone	--	LS	1	\$ 6,000.00	\$ 6,000.00
A4 4	Concrete & Rebar	--	LS	1	\$ 38,000.00	\$ 38,000.00
A4 5	Grout	--	LS	1	\$ 3,000.00	\$ 3,000.00
A4 6	Furnish and Install Submersible Pumps	--	EA	2	\$ 12,500.00	\$ 25,000.00
A4 7	Piping	--	LS	1	\$ 70,000.00	\$ 70,000.00
A4 8	Valves	--	LS	1	\$ 70,000.00	\$ 70,000.00
A4 9	Elec. Conduit, Control Instruments	--	LS	1	\$ 5,500.00	\$ 5,500.00
A4 10	Culvert Crossing	--	LS	1	\$ 2,500.00	\$ 2,500.00
A4 11	Painting	--	LS	1	\$ 12,000.00	\$ 12,000.00
A4 12	Core Drills	--	LS	1	\$ 3,500.00	\$ 3,500.00
A4 13	Hatches	--	LS	1	\$ 15,000.00	\$ 15,000.00
A4 14	Ladder & Safety Post	--	LS	1	\$ 2,400.00	\$ 2,400.00
A4 15	Precast Valve Vault w/Dewatering	--	LS	1	\$ 18,000.00	\$ 18,000.00
	Pre-purchased equipment deduct					\$ (25,500.00)
A5	Wet Well Concrete Wall Demo and Repair	--	SF	525	\$ 40.00	\$ 21,000.00
A6	Wet Well Concrete Wall & Base Slab Leveling Mortar	--	SF	525	\$ 20.00	\$ 10,500.00
A7	Miscellaneous Existing Reinforcing Prep and Anti-Corrosion Coating	--	LF	50	\$ 20.00	\$ 1,000.00
A8	Chemical Injection Repair of Leaking Cracks	--	LF	150	\$ 50.00	\$ 7,500.00
A9	Ductile Iron Gravity Sewer	8"	LF	20	\$ 250.00	\$ 5,000.00
A10	Additional Landscaping	Allow.	LS	1	\$ 2,500.00	\$ 2,500.00
<b>SUBTOTAL SCHEDULE A -A1 THRU A10</b>					<b>\$ 442,900.00</b>	
<b>SCHEDULE B: CONTINGENT ITEMS</b>						
B1	Furnish and Place 4,000 psi Concrete	--	CY	10	\$ 150.00	\$ 1,500.00
B2	Excavation Below Subgrade	--	CY	10	\$ 11.00	\$ 110.00
B3	Furnish and Place Gravel Bedding	--	CY	10	\$ 25.00	\$ 250.00
B4	Furnish and Place Special Backfill	--	CY	10	\$ 16.00	\$ 160.00
B5	Miscellaneous Excavation and Backfill	--	CY	10	\$ 50.00	\$ 500.00
<b>SUBTOTAL SCHEDULE B - B1 THRU B5</b>					<b>\$ 2,520.00</b>	
<b>ESTIMATED TOTAL BASE BID (SCHEDULE A PLUS SCHEDULE B )</b>					<b>\$ 445,420</b>	

\* Values adjusted post-bid to align with those used for PS 23 engineer's cost estimate.



GEORGE, MILES & BUHR, LLC

**PUMP STATION NO. 34 MODIFICATIONS  
ENGINEER'S ESTIMATE OF PROBABLE  
CONSTRUCTION COST**

(Excludes Pre-Purchased Equipment)

Item No.	Bid Item Description	Size	Units	Est. Qty.	GMB ESTIMATE	
					Unit Price	Total Price
<b>SCHEDULE A: PUMP STATION NO. 34 MODIFICATIONS</b>						
A1	Mobilization	--	LS	1	\$ 25,000.00	\$ 25,000.00
A2	Traffic Control	--	LS	1	\$ 47,500.00	\$ 47,500.00
A3	Bypass Pumping	--	Week	10	\$ 3,000.00	\$ 30,000.00
A4	Pump Station No. 34	--	LS	1	\$ 202,900.00	\$ 202,900.00
A5	Wet Well Concrete Wall Demo and Repair	--	SF	525	\$ 40.00	\$ 21,000.00
A6	Wet Well Concrete Wall & Base Slab Leveling Mortar	--	SF	525	\$ 20.00	\$ 10,500.00
A7	Miscellaneous Existing Reinforcing Prep and Anti-Corrosion Coating	--	LF	50	\$ 20.00	\$ 1,000.00
A8	Chemical Injection Repair of Leaking Cracks	--	LF	150	\$ 50.00	\$ 7,500.00
A9	Ductile Iron Gravity Sewer	8"	LF	20	\$ 250.00	\$ 5,000.00
A10	Additional Landscaping	Allow.	LS	1	\$ 2,500.00	\$ 2,500.00
<b>SUBTOTAL SCHEDULE A -A1 THRU A10</b>						<b>\$ 352,900.00</b>
<b>SCHEDULE B: CONTINGENT ITEMS</b>						
B1	Furnish and Place 4,000 psi Concrete	--	CY	10	\$ 150.00	\$ 1,500.00
B2	Excavation Below Subgrade	--	CY	10	\$ 11.00	\$ 110.00
B3	Furnish and Place Gravel Bedding	--	CY	10	\$ 25.00	\$ 250.00
B4	Furnish and Place Special Backfill	--	CY	10	\$ 16.00	\$ 160.00
B5	Miscellaneous Excavation and Backfill	--	CY	10	\$ 50.00	\$ 500.00
<b>SUBTOTAL SCHEDULE B - B1 THRU B5</b>						<b>\$ 2,520.00</b>
<b>ESTIMATED TOTAL BASE BID (SCHEDULE A PLUS SCHEDULE B )</b>						<b>\$ 355,420</b>

**PETITION TO ESTABLISH A STREETLIGHTING DISTRICT**

**FOR THE COMMUNITY OF PINETOWN**

**SUSSEX COUNTY, DELAWARE**

To the Sussex County Council, Delaware:

I, the undersigned **owner of property having an improvement(s)** constructed for residential or business use, situated on lands in the Suburban Community known as **Pinetown**, and located on Sussex County Tax Map Number 3-34-4, Parcels 5-10 and 12-27, do hereby petition the Sussex County Council to submit the question of organizing a Streetlighting District in accordance with Sussex County Code, Chapter 95 - Streetlighting, to an election. The proposed streetlighting district boundary shall be as shown on **Exhibit "A"** attached hereto, showing the parcels of land, and roadways to be located within the Streetlighting District.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing  
Address: \_\_\_\_\_  
\_\_\_\_\_

Lot No.: \_\_\_\_\_ No. of Improvements: \_\_\_\_\_  
*If known*

Sussex County Tax Map ID #: 3-34-4 - Parcel \_\_\_\_\_

STATE OF DELAWARE

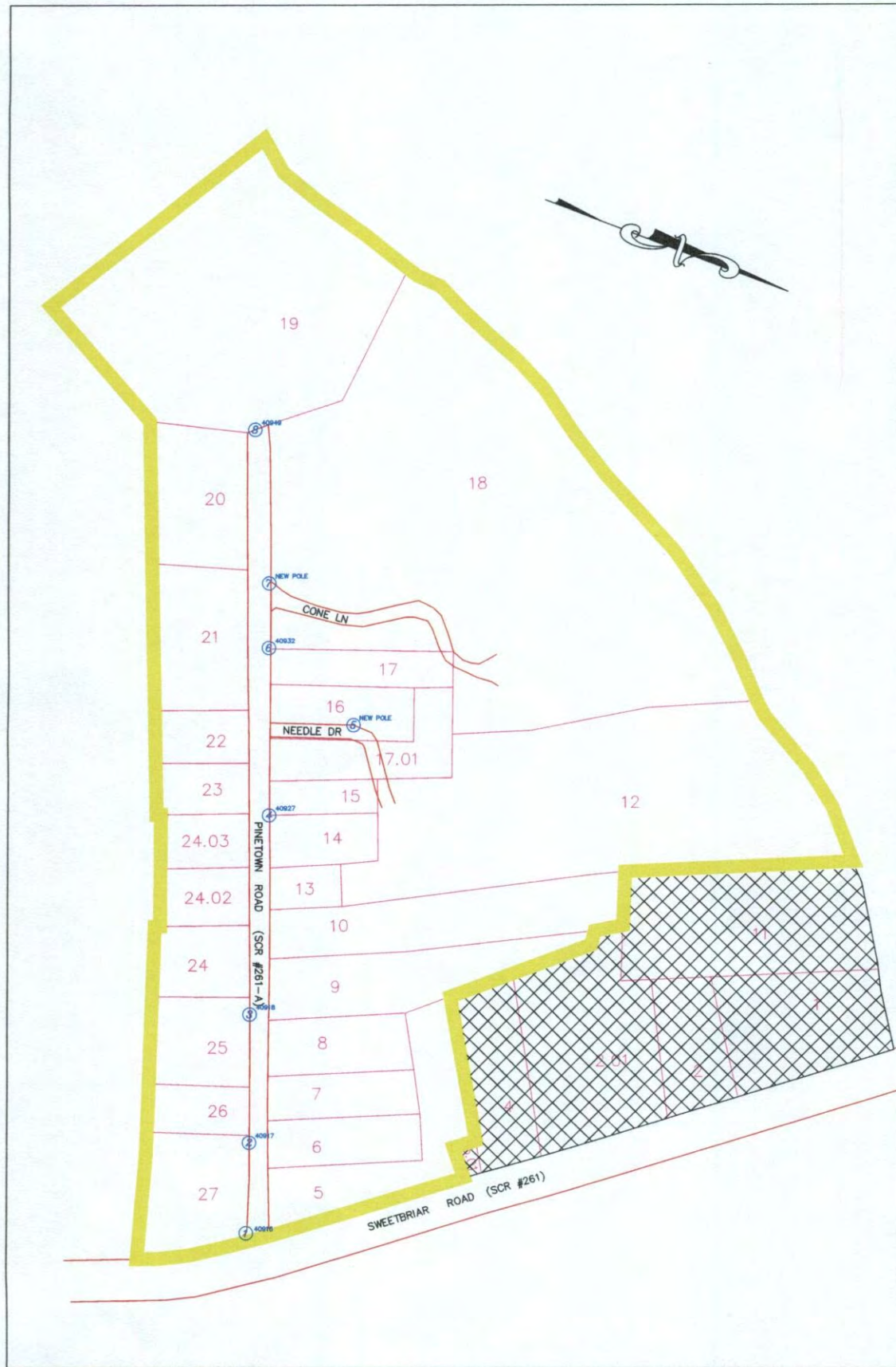
COUNTY OF SUSSEX

BE IT REMEMBERED, That on this \_\_\_\_ day of \_\_\_\_\_, A.D., 2016, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, \_\_\_\_\_, party to this indenture, known to me personally to be such, he or she acknowledged this indenture to be his or her act and deed, and his or her signature is in his or her own proper handwriting.

SO SWORN AND SUBSCRIBED before me the day and year aforesaid.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_



**PINETOWN**  
 PROPOSED CHAPTER 95 SUSSEX COUNTY  
 STREETLIGHTING DISTRICT  
 PROPOSED STREETLIGHTING LAYOUT

FROM SC TAX MAP:  
 3-34-4.00-5.00 thru 10.00  
 3-34-4.00-12.00 thru 27.00

- LEGEND**
- 27 TAX MAP PARCEL NUMBER
  - DISTRICT BOUNDARY
  - POLE NUMBERS
  - PROPOSED COBRAHEAD STYLE LIGHT
  - NOT INCLUDED IN PROPOSED STREETLIGHTING DISTRICT

NO	DESCRIPTION	DATE

SUSSEX COUNTY ENGINEERING DEPARTMENT  
 NOT TO SCALE

**EXHIBIT "A"**  
This drawing is based upon, and is not to conflict with, information obtained from the Department of Transportation.  
 1/18/2016

SUSSEX COUNTY ENGINEERING DEPARTMENT  
 PROJECT NUMBER  
 DATE

**SHEET**  
 1



## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



# Sussex County

DELAWARE

[sussexcountyde.gov](http://sussexcountyde.gov)

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.  
ASSISTANT COUNTY ENGINEER

### **Contract 12-17 Inland Bays Regional Wastewater Facility (IBRWF)** **Expansion Phase 2B** **Change Order #1 and Substantial Completion**

- The work completed under this contract saw the construction of sludge handling improvements at the IBRWF. The following work was completed: conversion of an existing sludge storage lagoon to two sludge holding lagoons with geomembrane liner, construction of a new solids dewatering building, construction of a new recycle pump station, modifications to the existing plant water system and existing cake storage building and the installation and testing of pre-purchased sludge dewatering, aeration, mixing and polymer feed system equipment.
- Construction was scheduled to be completed on April 20<sup>th</sup>, 2015. However, the work was not finished until November 10, 2015. This resulted in the assessment of liquidated damages in the amount of \$98,263.82. The Engineering Department requests Council approval of November 10, 2015 as the date of substantial completion.
- Additional costs to the contract totaling \$18,306.65 were recorded for work that, though not part of the original contract, was deemed necessary as construction progressed.
- A credit to the contract of \$11,700.00 was applied for unused contingent bid items.
- The Engineering Department requests that Council approve Change Order #1 that results in a final credit to the contract of \$91,657.17. The original contract amount was \$3,017,850. The final contract amount is, therefore, \$2,926,192.83.



# Change Order

## No. 1 - Final

Date of Issuance: January 19<sup>th</sup>, 2016 Effective Date: January 26<sup>th</sup>, 2016

Project: Inland Bays Regional Wastewater Facility	Owner: Sussex County	Owner's Contract No.: 12-17
Contract: Phase #2B Expansion		Date of Contract: April 21 <sup>st</sup> , 2014
Contractor: Bearing Construction, Inc.		Engineer's Project No.: 14268-000

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description: Credit for balancing of "Unused" Contract Stipulated Contingent Bid Items, cost for increased wire/conduit sizes, belt filter press hand rail and wet well riser ring and credit for added Owner inspection costs.

Attachments (list documents supporting change): Line Item 1 - (Balancing of Unused Part B – Stipulated Cont. Bid Items), Line Item 2 - (Additional Work Items) and Line Item 3 – (Liquidated Damages Cost Summary)

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:  \$ <u>3,017,850.00</u>	Original Contract Times: 365 Calendar Days Substantial Completion (days or date): <u>365 days</u> Ready for final payment (days or date): _____
[Unchanged] from previously approved Change Orders No. <u>X</u> to No. <u>Y</u> :  \$ <u>0.00</u>	[Unchanged] from previously approved Change Orders No. <u>X</u> to No. <u>Y</u> : Substantial Completion (days): <u>0 days</u> Ready for final payment (days): _____
Contract Price prior to this Change Order:  \$ <u>3,017,850.00</u>	Contract Times prior to this Change Order: Substantial Completion (days or date): <u>365 days</u> Ready for final payment (days or date): _____
Decrease of this Change Order:  \$ ( <u>-91,657.17</u> )	Unchanged on this Change Order: <u>0 days</u> Substantial Completion (days or date): <u>365 days</u> Ready for final payment (days or date): _____
Contract Price incorporating this Change Order:  \$ <u>2,926,192.83</u>	Contract Times with all approved Change Orders: Substantial Completion (days or date): <u>365 days</u> Ready for final payment (days or date): _____

RECOMMENDED:  
By: Michael J. Gilbert  
Engineer (Whitman, Requardt & Assoc.)  
Date: 1/20/16

ACCEPTED:  
By: \_\_\_\_\_  
Owner (Sussex County)  
Date: \_\_\_\_\_

ACCEPTED:  
By: [Signature]  
Contractor (Bearing Construction, Inc.)  
Date: 1-20-16

# Line Item No. 1

(Balancing of “Unused/Underrun”)  
(Part B - Stipulated Contingent Bid Items)

(Contract 12-17 Cost Credit = \$11,700.00)

## Contract 12-17

**Inland Bays Regional Wastewater Facility (IBRWF)**  
**Phase #2B Expansion**  
**Change Order No. 1 - Final: Line Item No. 1**  
**(Balancing of Quantities Change Order Cost Summary Sheet with WR&A Verified Quantities)**

### Final Adjustment and Balancing (Overrun/Underrun) of Unit Price Items and Change Orders

Item No.	Description	Bid		Unit Price	Actual		DEDUCT
		Quantity	Unit		Quantity	ADD	
Part A - (IBRWF) Phase #2B Expansion							
A-1	IBRWF Phase #2B Expansion	1	LS	\$ 3,000,000.00	1	\$ -	\$ -

Subtotals for Part A:      \$   -   \$                      -

Part B - Stipulated Contingent Bid Items							
Item No.	Description	Quantity	Unit	Unit Price	Quantity	ADD	DEDUCT
B-1	Contingent Unclassified Excavation	200	CY	\$11.00	0.00	\$ -	\$ (2,200.00)
B-2	Contingent Aggregate - Graded Type "B" Crusher Run	100	Ton	\$21.00	0.00	\$ -	\$ (2,100.00)
B-3	Contingent Pourous Fill - No. 57 Stone	100	Ton	\$23.00	0.00	\$ -	\$ (2,300.00)
B-4	Contractor Down Time	25	HR	\$300.00	13.50	\$ -	\$ (3,450.00)
B-5	Furnish and Place 4,500 PSI Concrete	25	CY	\$150.00	14.00	\$ -	\$ (1,650.00)

Subtotals for Part B:      \$   -   \$                      (11,700.00)

Notes: B-4 = 1.5 Hours (\$450.00) for Crew Repairs to Damaged Belt Filter Press (by others) not included in the original Contract bid documents.\*  
 B-4 = 12.0 Hours (\$3,600.00) for Sawcutting, Grading and Crew Paving work not included in the original Contract bid documents.\*  
 B-5 = 5 CY's (\$750.00) for Transformer Concrete Pad not included in the original Contract bid documents.\*  
 B-5 = 9 CY's (\$1,350.00) for Sludge Conveyor Concrete Pad not included in the original Contract bid documents.\*  
 \*(See Attached "BCI" Change Order Estimates

Grand Total = Parts (A + B):      \$   -   \$                      (11,700.00)

<b>Change Order No. 1 - Final</b>	<b>(Line Item No. 1)</b>		
<b>Balancing of Used/Unused Quantities Change Order No. 1 - Final</b>		<b>Decrease</b>	<b>\$ (11,700.00)</b>

### Summary of Contract Change Orders - Contract 12-17

Original Contract Amount	\$ 3,017,850.00
Amount of Previous Change Orders	\$ -
<b>Contract Total Including Previous Change Orders</b>	<b>\$ 3,017,850.00</b>
Amount of Change Order No. 1 - Final	\$ (11,700.00)
Line Item No. 1 (Credit)	
<b>Revised Final Contract No. 12-17 Total (including Line Item No. 1)</b>	<b>\$ 3,006,150.00</b>

Inland Bays Regional Wastewater Facility (IBRWF)  
Phase #2B Expansion- Solids Handling Improvements  
Contract No. 12-17  
PROPOSED CHANGE ORDER ESTIMATE

			ITEMS OF WORK FOR	QTY	UNIT	MATERIAL		LABOR		R	EQUIPMENT		
			Prime Contractor			Unit Cost	Total Cost	Unit Cost	Total Cost	O	Date	Rate	Total
Date:	3-Dec-15		6" SCH 80 PVC Pipe	1	EA	\$ 206.88	\$ 206.88	\$ 75.00	\$ 75.00				\$ -
Contract Date:			6" SCH 80 PVC 90 Bend	1	EA	\$ 41.67	\$ 41.67	\$ 13.79	\$ 13.79				\$ -
Contractor:	Bearing Construction		6" SCH 80 PVC Flange	1	EA	\$ 28.98	\$ 28.98	\$ 25.00	\$ 25.00				\$ -
PCO #													\$ -
(Description)	Belt Press Damage												\$ -
<b>PRIME CONTRACTOR'S WORK</b>													\$ -
1)	Direct Material	\$ 277.51											\$ -
2)	Equipment	\$ -											\$ -
3)	15% Mark-up on Material & Equipment	\$ 41.63											\$ -
4)	Subtotal ( Lines 1, 2, and 3)	\$ 319.14											\$ -
5)	Direct Labor	\$ 113.79											\$ -
6)	Direct Supervision ( Foreman Only)	\$ -											\$ -
7)	15% Mark-up on Labor	\$ 17.07											\$ -
8)	Subtotal ( Add Lines 5, 6, and 7)	\$ 130.86											\$ -
<b>SUBCONTRACTOR'S WORK</b>													\$ -
9)	Direct Material	\$ -	<b>DIRECT Prime Contractor's Totals</b>										
10)	Direct Labor	\$ -				\$ 277.51		\$ 113.79		R	Total (Rental)		\$ -
11)	Direct Supervision ( Foreman Only)	\$ -								O	Total (Owned)		\$ -
12)	Rental Equipment Costs	\$ -											\$ -
13)	Owned Equipment Costs	\$ -											\$ -
14)	Subtotal ( Add Lines 9-13 )	\$ -											\$ -
15)	Subcontractor's O/H & Profit ( 15% of Line 14 )	\$ -											\$ -
16)	Subtotal ( Add Lines 14 & 15 )	\$ -											\$ -
<b>SUMMARY</b>													\$ -
17)	Prime Contractor Material/Equipment (Line 4)	\$ 319.14											\$ -
18)	Prime Contractor Labor (Line 8)	\$ 130.86											\$ -
19)	Subcontractor Work ( Line 16)	\$ -											\$ -
20)	Prime Contr. OH/Profit/on Subcontractor- ( 5% of Line 19 )	\$ -											\$ -
21)	Subtotal (Add Lines 19 and 20)	\$ -											\$ -
22)	TOTAL COST ( Add Lines 17, 18, and 21)	\$ 450.00											\$ -
Time Extension:													\$ -
Justification:	Owner Requested												\$ -
Preparer :	Jim Merrell												\$ -
(w/ Name & Title)													\$ -
Signature:													\$ -
Date:													\$ -
			<b>DIRECT Sub-contractor's TOTALS</b>										
						\$ -		\$ -		R	Total (Rental)		\$ -
										O	Total (Owned)		\$ -
			<b>REMARKS:</b>										









# Line Item No. 2

(Additional Contract Work Items)

(Contract 12-17 Cost Increase = \$18,306.65)

Increased Conduit/Wire Sizes and RFI No. 23 = \$11,467.58

&

Belt Filter Press Hand Rail & Safety Points = \$4,083.88

&

Additional Wet Well Riser Ring = \$2,755.19



**Increased Conduit/Wire Sizes - RFI No. 23**  
**(Contract 12-17 Cost Increase = \$11,467.58)**

## Gilbert, Michael

---

**From:** Juel Gibbons <jgibbons@sussexcountyde.gov>  
**Sent:** Friday, October 30, 2015 3:29 PM  
**To:** Joe Wright  
**Cc:** Gilbert, Michael; Hinz, Will  
**Subject:** RE: Inland Bays PCO

Since the PCO is in accordance with the applicable sections of Articles 11 and 12 of the EJCDC Standard General Conditions, my suggestion is to proceed as recommended.

Thanks  
Juel

**From:** Joe Wright  
**Sent:** Friday, October 30, 2015 2:59 PM  
**To:** Juel Gibbons <jgibbons@sussexcountyde.gov>  
**Cc:** Gilbert, Michael <mgilbert@wrallp.com>; Hinz, Will <WHinz@wrallp.com>  
**Subject:** RE: Inland Bays PCO

Juel  
Please review and respond. Thanks

**From:** Hinz, Will [<mailto:WHinz@wrallp.com>]  
**Sent:** Friday, October 30, 2015 2:50 PM  
**To:** Joe Wright <[joe.wright@sussexcountyde.gov](mailto:joe.wright@sussexcountyde.gov)>  
**Cc:** Juel Gibbons <[jgibbons@sussexcountyde.gov](mailto:jgibbons@sussexcountyde.gov)>; Gilbert, Michael <[mgilbert@wrallp.com](mailto:mgilbert@wrallp.com)>  
**Subject:** Inland Bays PCO

Joe,

Attached is the final change order for the electrical wiring at IBRWF. We had reviewed previous iterations with our electrical sub, GHD, and based on this review recommend including this cost in the final balancing change order and/or negotiations for the project.

Thank You,

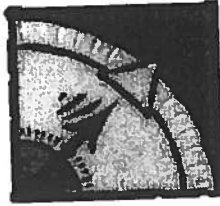
Will

**From:** Jim Merrell [<mailto:Jim@bearingconstruction.net>]  
**Sent:** Friday, October 30, 2015 9:45 AM  
**To:** Gilbert, Michael <[mgilbert@wrallp.com](mailto:mgilbert@wrallp.com)>  
**Subject:** Revised PCO

Mike,

Please see attached.

James R Merrell  
Bearing Construction  
805 Shine Smith Road



**BEARING CONSTRUCTION, INC.**

805 Shine Smith Road  
Sudlersville, MD 21668  
410/556-6100  
410/556-6574

10/30/15

Whitman, Requardt and Associates, LLP  
21553 Rudder Lane  
Georgetown, DE 19947

Project: Inland Bays Phase #2B Expansion  
Solids Handling  
Contract No. 12-17

Attn: Michael J. Gilbert

Re: PCO # 001  
Larger Circuit size and Conduit. Per RFI#23

Bearing is pleased to submit this PCO for the larger wire and conduit size. This PCO covers the changes made by RFI#23

**Total Cost \$ 11,467.58**

Please see attached breakdown.

James Merrell  
President



**Credit For Contract Work**

Description	Quantity	Unit Price	Total Price
1" Conduit	70.00	2.77	193.76
1" THRD HUB	4.00	4.86	19.44
1" Type LB STD Conduit Body W/CVR & Gasket	5.00	15.15	75.75
#12 THHN Black	480.00	0.21	102.72
#8 THHN Black	8,960.00	0.54	4,856.32
<b>TOTAL MATERIAL</b>			<b>5,247.99</b>
Foreman	18.06	36.50	659.19
Journeyman	36.13	33.70	1,217.58
Apprentice	18.06	22.50	406.35
<b>TOTAL LABOR</b>			<b>2,283.12</b>
<b>TOTAL PER BID</b>			<b>7,531.11</b>

**Cost For RFI 23 Work**

1.5" Conduit	70.00	4.51	315.35
1.5" Conn THRD HUB Insul	4.00	6.81	27.24
1.5" Type LB STD Conduit Body W/CVR & Gasket	5.00	29.25	146.25
#10 THHN Black	480.00	0.32	155.42
#4 THHN Black	8,960.00	1.42	12,695.42
#10/3C tray cable THHN	60.00	0.70	42.02
30A 3P Breaker	2.00	135.74	271.48
30A 3P DPB FUS SGL Cell	2.00	-	-
<b>TOTAL MATERIAL</b>			<b>13,653.19</b>
Foreman	26.70	36.50	974.55
Journeyman	53.40	33.70	1,799.58
Apprentice	26.70	22.50	600.75
<b>TOTAL LABOR</b>			<b>3,374.88</b>
<b>TOTAL PER RFI</b>			<b>17,028.07</b>

**Total Cost with no Mark Ups**

**\$ 9,496.96**



# REQUEST FOR INFORMATION NO. 023

PROJECT:	Inland Bays RWF Phase 2B – Solids Handling Improvements		
OWNER:	Sussex County, Delaware	CONTRACT NO.:	12-17
ENGINEER:	GHD	ENGINEER PROJECT NO.:	8614055
CONTRACTOR:	Bearing Construction, Inc.	CONTRACTOR PROJECT NO.:	
SUBJECT:	Size of Conductors	SPECIFICATION REFERENCE:	NA
		DRAWING REFERENCE:	E00.03, 04 E01.03

**Information/Clarification Requested:**

Per the plans for conductor sizing it shows for the main incoming power to be 3 sets of 4 conductors sized 500 MCM and a 1/0 ground. The service is a 1600 amp service which needs larger and additional conductors. Also the feeders shown for PWP shows #8 on a 60 amp breaker. This wire size is not sufficient and also the length of the run is roughly 600'. Which needs to take into account for voltage drop. The same holds true for the Sludge feeders. It shows a #12 feeding the drive with a 30 amp trip. This wire size is not sufficient for this load. Please advise.

**Engineer's Response:**

Item 1: Sludge Dewatering Building Electrical Service – The new electrical service shall be rated 1000A as shown on Contract Drawing E00.04 Motor Control Center MCC-SDB One-Line Diagram. Feeder is sized to accommodate the 1000A main circuit breaker in MCC-SDB.

Item 2: Plant Water Pump VFD Control Panel Feeders: Contract Drawing E03.01 – Change Plant Water Pump VFD Control Panel Feeders (extending from MCC-SDB to VFD CP) from (¾"C w/ PF-2401) to (1-1/2"C w/3-#4, 1-#4G). Typical for Plant Water Pumps PWP-PWS-2401 and 2402. Duct bank conduits can be reduced from 4" to 2" to accommodate the feeder circuits. Motor branch circuit conductor VFD cable shall remain as scheduled on Contract Drawing E00.03 for circuits PF-2401 and PF-2402.

Item 3: Sludge Pump VFD Control Panel Feeders: Contract Drawing E01.03 – Change Sludge Feed Pump VFD Control Panel Feeder (extending from MCC-SDB to VFD CP) from (¾"C w/3-#12, 1-#10G) To (¾"C w/3-#10G). Typical for Sludge Pumps SDB-SFP-2201 and 2202.

\_\_\_\_\_  
TJR  
Name

\_\_\_\_\_  
04/21/2015  
Date



**Belt Filter Press Hand Rail & Safety Points**  
(Contract 12-17 Cost Increase = \$4,083.88)

**Gilbert, Michael**

**From:** Gilbert, Michael  
**Sent:** Tuesday, October 27, 2015 9:33 AM  
**To:** 'Jim Merrell'  
**Cc:** jgibbons@sussexcountyde.gov; Joe Wright (joe.wright@sussexcountyde.gov); Hinz, Will (will.hinz@sussexcountyde.gov); rmarvel@sussexcountyde.gov; jmitchell@sussexcountyde.gov; mwinters@sussexcountyde.gov; dbeck@sussexcountyde.gov  
**Subject:** RE: Belt Press Safety

Jim: As we discussed during our Substantial Completion meeting last Friday, BCI is to proceed with the acquisition and installation of the removable safety hand rail (for the Belt Filter Press platform) and Mega Swivel anchors (as approved by the Sussex County Safety Officer) for the proposed price of \$4,139.89. SCES electricians will take care of moving the Emergency "Stop switch after the hand rail is installed (if needed).

✓ \$4,083.88

However, in order for WR&A to complete the preparation of the required Change Order document, please provide some supplemental information (a simple break-out) pertaining as to how BCI calculated the \$1,020.00 Direct Labor cost.

Any questions, please contact me at 302-855-9840.

Thank you.

Mike Gilbert  
Whitman, Requardt and Associates, LLP

✓ "Incorrect Data Entry"  
Correct Amount = \$4,083.88  
Actual Shipping < Est. Shipping  
MGM/WR&A 11/11/16

**From:** Jim Merrell [mailto:Jim@bearingconstruction.net]  
**Sent:** Monday, October 26, 2015 2:24 PM  
**To:** Gilbert, Michael <mgilbert@wrallp.com>  
**Subject:** FW: Belt Press Safety

Mike,

See below email from Rodney. I also attached the PCO.

James R Merrell  
Bearing Construction  
805 Shine Smith Road  
Sudlersville, MD 21668  
410-556-6100 ph  
410-556-6574 fax  
410-708-0811 cell

**From:** Rodney Marvel [mailto:rmarvel@sussexcountyde.gov]  
**Sent:** Thursday, July 23, 2015 10:49 AM  
**To:** Jim Merrell; 'Hinz, Will'

Inland Bays Regional Wastewater Facility (IBRWF)  
Phase #2B Expansion- Solids Handling Improvements  
Contract No. 12-17  
PROPOSED CHANGE ORDER ESTIMATE

				ITEMS OF WORK FOR		QTY	UNIT	MATERIAL		LABOR		R	EQUIPMENT			
				Prime Contractor				Unit Cost	Total Cost	Unit Cost	Total Cost	O	Date	Rate	Total	
Date:	20-Jul-15			Handrail	1	LS	\$ 2,100.00	\$ 2,100.00	\$ 750.00	\$ 750.00					\$ -	
Contract Date:				Mega Swivel	5	EA	\$ 71.87	\$ 431.20	\$ 45.00	\$ 270.00					\$ -	
Contractor:	Bearing Construction							\$ -		\$ -					\$ -	
PCO #								\$ -		\$ -					\$ -	
(Description)	Belt Filter Press Safety							\$ -		\$ -					\$ -	
<b>PRIME CONTRACTOR'S WORK</b>								\$ -		\$ -					\$ -	
1)	Direct Material	\$	2,531.20					\$ -		\$ -					\$ -	
2)	Equipment	\$	-					\$ -		\$ -					\$ -	
3)	15% Mark-up on Material & Equipment	\$	379.68					\$ -		\$ -					\$ -	
4)	Subtotal ( Lines 1, 2, and 3)	\$	2,910.88					\$ -		\$ -					\$ -	
5)	Direct Labor	\$	1,020.00					\$ -		\$ -					\$ -	
6)	Direct Supervision ( Foreman Only)	\$	-					\$ -		\$ -					\$ -	
7)	15% Mark-up on Labor	\$	153.00					\$ -		\$ -					\$ -	
8)	Subtotal ( Add Lines 5, 6, and 7)	\$	1,173.00					\$ -		\$ -					\$ -	
<b>SUBCONTRACTOR'S WORK</b>								\$ -		\$ -					\$ -	
9)	Direct Material	\$	-	<b>DIRECT Prime Contractor's Totals</b>				\$ 2,531.20		\$ 1,020.00		R	Total (Rental)		\$ -	
10)	Direct Labor	\$	-									O	Total (Owned)		\$ -	
11)	Direct Supervision ( Foreman Only)	\$	-					\$ -		\$ -					\$ -	
12)	Rental Equipment Costs	\$	-					\$ -		\$ -					\$ -	
13)	Owned Equipment Costs	\$	-					\$ -		\$ -					\$ -	
14)	Subtotal ( Add Lines 9-13 )	\$	-					\$ -		\$ -					\$ -	
15)	Subcontractor's O/H & Profit ( 15% of Line 14 )	\$	-					\$ -		\$ -					\$ -	
16)	Subtotal ( Add Lines 14 & 15 )	\$	-					\$ -		\$ -					\$ -	
<b>SUMMARY</b>								\$ -		\$ -					\$ -	
17)	Prime Contractor Material/Equipment (Line 4)	\$	2,910.88					\$ -		\$ -					\$ -	
18)	Prime Contractor Labor (Line 8 )	\$	1,173.00					\$ -		\$ -					\$ -	
19)	Subcontractor Work ( Line 16)	\$	-					\$ -		\$ -					\$ -	
20)	Prime Contr. OH/Profit/on Subcontractor ( 5% of Line 19 )	\$	-					\$ -		\$ -					\$ -	
21)	Subtotal (Add Lines 19 and 20 )	\$	-					\$ -		\$ -					\$ -	
22)	TOTAL COST ( Add Lines 17, 18, and 21)	\$	4,083.88					\$ -		\$ -					\$ -	
Time Extension	NONE							\$ -		\$ -					\$ -	
Justification:	Owner Requested							\$ -		\$ -					\$ -	
Preparer :	Jim Merrell			<b>DIRECT Sub-contractor's TOTALS</b>				\$ -		\$ -		R	Total (Rental)		\$ -	
(w/ Name & Title)												O	Total (Owned)		\$ -	
Signature:																
Date:																
REMARKS:																

# CHANGE ORDER

OWNER   
 ARCHITECT   
 CONTRACTOR   
 FIELD   
 OTHER

PROJECT: 14-2261 Inland Bays Regional Phase 2B 29445 Inland Bay Road Millsboro, DE 19966	CHANGE ORDER #:	101
	CHANGE ORDER DATE:	07/17/2015
	PROJECT #s:	14-172-13
TO: Pleasant Mount Welding Inc. 45 Dundaff Street Carbondale, PA 184071801	DATE OF CONTRACT:	04/01/2014
	FOR:	Misc Metals

The Contract is changed as follows:

PENDING CHANGE ORDER 2261PC1

2 sections of mechanical handrail 8'6" & one section 5'0" (removable) \$ 2,100

**Total Contract Change (Add) \$2,100**  
 Freight Included - Tax Not Included

"As a policy of PMWI, we will issue a 100% credit for an item that is no longer needed, contingent upon the item was not detailed yet. As an industry standard, if we detailed the item, in the anticipation that you will need it, and it needs to be deleted at a later date, we will issue a 90% credit for that item". Due to rising costs of material & shipping, prices are only good for 30 days from above date.

The original Contract Sum was	\$51,645.00
The net change by previously authorized Change Orders is	\$0.00
The Contract Sum prior to this Change Order was	\$51,645.00
The Contract Sum will be increased by this Change Order in the amount of	\$2,100.00
The new Contract Sum including this Change Order will be	\$53,745.00
The Contract Time will be increased by	0 days.
The date of Substantial Completion as of this Change Order therefore is	Unchanged

**Not valid until signed by all parties below.**

ARCHITECT	Pleasant Mount Welding Inc. CONTRACTOR	Bearing Construction OWNER
ADDRESS	45 Dundaff Street ADDRESS Carbondale, PA 184071801	805 Shine Smith Road ADDRESS Sudlersville, MD 21668
BY (Signature)	BY (Signature)	BY (Signature)
(Typed Name)	(Typed Name)	Jlm Merrell (Typed Name)
DATE	DATE	DATE

Verona Safety Supply, Inc  
 913 Watson Ave  
 Madison, WI 53713

[www.veronasafety.com](http://www.veronasafety.com)  
 Phone# 866-458-8624

# Invoice

Date	Invoice #
10/30/2015	139909

<b>Bill To</b>
Bearing Construction 805 Shine Smith Rd Sudlersville, MD 21668

<b>Ship To</b>
Bearing Construction Attn: Jim Merrell 805 Shine Smith Rd Sudlersville, MD 21668

INV.	P.O. No.	Terms	Due Date	Account	Ship	Via	Job #/Sales R
tz	Verbal Jim	Credit Card	11/29/2015	SLG	10/29/2015	DROP SHIP	SLG

QTY.	Item Code	Description	Price	B/O	DS	Amount
6	GUA 00238	Guardian Mega Swivel 10K Anchor w/3/4" Concrete Sleeve Priced Per Each	69.00			414.00
1	Shipping	Shipping ACCOUNTING: PLEASE CHARGE JIM'S CC IN THE PAYMENT TAB AND EMAIL HIM RECEIPT	17.20			17.20

	<b>Total</b>	\$431.20
--	--------------	----------

**Additional Wet Well Riser Ring**  
**(Contract 12-17 Cost Increase = \$2,755.19)**

**Date of Minutes:** February 16<sup>th</sup>, 2015

**Date of Meeting:** February 12<sup>th</sup>, 2015

**Time:** 1:30 p.m. to 2:35 p.m.

**Location:** Sussex County Eng. Dept. - Field Construction Office  
Inland Bays Road (Site)

**Project:** Inland Bays Regional Wastewater Facility  
Phase #2B Expansion – Solids Handling Improvements  
Contract No. 12-17

**Attendees:** (At Progress Meeting No. 9)

Joe Wright, P.E.  
Juel Gibbons  
Duane Beck  
Justin Mitchell  
Jim Merrell  
Dave Melvin  
Kirti Joshi  
Ed Mikolajczyk  
Michael Gilbert

Sussex County Engineering Department  
Sussex County Engineering Department  
Sussex County Engineering Department  
Sussex County Environmental Services  
Bearing Construction, Inc.  
Bearing Construction, Inc.  
R.K.J. Construction, Inc.  
Mid-Atlantic Electrical  
Whitman, Requardt and Associates, LLP

**★ PROGRESS MEETING NO. 9 - MEETING MINUTES ★**  
**Inland Bays Regional Wastewater Facility**  
**Phase #2B Expansion – Solids Handling Improvements**  
**Contract 12-17**

**Project Status:**

Notice to Proceed: (Approved)	April 21 <sup>st</sup> , 2014
Completion Date: (Confirmed)	April 20 <sup>th</sup> , 2015
Contract Calendar Days:	365 days
Days Used Through Estimate No. 9 (2/9/15)	295 days
Time Used:	80.8 %
Work Completed:	58.0 %
Payment Estimate No. 8: \$ 219,138.00 / \$3,017,850.00	7.3 %
Payment Estimate No. 9: \$ 348,079.11 / \$3,017,850.00	11.5 %
Total Money Earned: \$ 1,497,476.00 / \$3,017,850.00	49.6 %

**Progress Meeting:** The 10<sup>th</sup> Progress Meeting will be held on March 12<sup>th</sup>, 2014 at 1:30 p.m. at the Inland Bays Regional WWTP - Field Construction Office.

- h. SCED's representatives continued to express their concerns regarding BCI's need and requirement to complete the project by the April 20<sup>th</sup>, 2015 Contract deadline.

9.7 Changes and/or Change Orders Summary:

- A. New DEC Electric Service (See above g-6 to g-8): DEC intends to relocate/change out an existing 500 kVA transformer from the existing Administration Building. DEC intends to replace the relocated 500 kVA transformer with a 150kVA unit which may include some DEC required upgrade work at the existing Administration Building. DEC has provided a cost of \$7,601.97 for the required DEC upgrade work.

SCED's/BCI's responsibility includes which physical work? None!  
SCED's responsibility includes which financial aspects? Payment of \$7,601.97.

Action Needed: No Change Order is required.

- B. \$4,000 Credit for 2" DOW Highload board insulation in lieu of the approved 2" DOW Thermax board insulation on the exterior of the Solids Dewatering Building. ANSWER: The 2" DOW Thermax board insulation is to be provided and installed as per the approved submittal documents.

Action Needed: No Change Order is required.

- C. \$10,000 Credit for standard Jersey Barriers for the Cake Storage Building in lieu of the plan referenced/specified barriers. ANSWER: The plan referenced/specified barriers are to be provided and installed as per the approved submittal documents.

Action Needed: No Change Order is required.

- D. Belt Filter Press Damage: A small section (6" flange, 6" bend and 6' of 6" Schedule 80 PVC pipe) of the BFP's suction inlet line was damaged/flattened. BCI replaced the damaged parts and have made the needed repairs to the inlet pipe.

Action Possible: BCI to submit cost of repairs to SCED.

- E. Transformer Pad: New DEC Electric Service

Action Possible: BCI to submit cost of pad construction to SCED.

- F. Wet Well Riser Ring: WR&A instructed BCI to provide and install a 20" riser ring to raise or change the proposed elevation of the wet well top slab from 28.00' to 29.50'. BCI has ordered, received and set the new riser ring.

Action Possible: BCI to submit cost of pad construction to SCED.







Gillespie Precast, LLC  
 P.O. Box 450  
 Chestertown, MD 21620  
 Phone: (800) 638-6884  
 Fax: (410) 778-5998

**INVOICE 48979**  
 Invoice Date: 2/9/2016

01/15/2016

<b>Sold to:</b>	BEAC02 BEARING CONSTRUCTION, INC. CLIFFORD MERRELL 805 SHINE SMITH RD SUDLERSVILLE, MD 21688	<b>Job Number:</b> 14613	INLAND BAYS PHASE 2B CONTRACT 12-17
		<b>Ship to:</b>	SUSSEX COUNTY, DE

SHIP DATE	TRUCK DRIVER	PO NO.	TERMS	DOT
2/9/2016	ROBERT	14-172-11	NET 30	
LOAD	TRAILER	SALES/REP	EXEMPT #	CONTRACT #
1PART 131212		DADDS		
Structure ID	Structure Type	Amount		
PS-RISER	96" DIA PUMP STATION RISER	\$1,895.82		

Taxable	\$0.00
Non-Taxable	\$1,895.82
<b>Sub Total</b>	<b>\$1,895.82</b>
Tax	\$0.00
<b>Total</b>	<b>\$1,895.82</b>

# Line Item No. 3

(Liquidate Damages - Cost Deductions Summary)  
for  
(Additional Inspection and Contract Administration Costs)

Additional SCED Contract 12-17 Inspection/Field Office Costs  
(-\$13,295.39)

&

Additional WR&A Contract 12-17 Inspection/Admin. Costs  
(-\$84,968.43)

## 12-17 Contract Duration / Calendar Days Summary

<u>Original Contract Duration:</u>	365 Calendar Days
<u>Revised Contract (Days Added):</u>	<u>0 Calendar Days</u>
<u>Final Contract Duration/Substantial Completion:</u>	365 Calendar Days

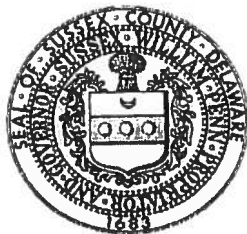
<u>Notice to Proceed Date:</u>	April 21 <sup>st</sup> , 2014
<u>12-17 Contract Substantial Completion Date:</u>	April 20 <sup>th</sup> , 2015
<u>Established Substantial Completion Date:</u>	Nov. 10 <sup>th</sup> , 2015

Days Beyond April 20<sup>th</sup>, 2015: 204 Calendar Days (Late)



## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.  
ASSISTANT COUNTY ENGINEER

December 14, 2015

### TOTAL SUMMARY OF ADDITIONAL COSTS

Billed Electric Usage at Construction Trailer (April 20, 2015-November 11, 2015)	\$326.01
SCED Inspector Costs (April 20, 2015-November 18, 2015)	\$12,969.38
WRA Costs- Inspector and Office (April 20, 2015-November 10, 2015)	\$84,968.43
<b>TOTAL</b>	<b>\$98,263.82</b>



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 589  
GEORGETOWN, DELAWARE 19947



# Certificate of Substantial Completion

Project: Inland Bays Regional Wastewater Facility

Owner: Sussex County

Owner's Contract No.: 12-17

Contract: Phase #2B Expansion

Engineer's Project No.: 14268-000

**This definitive Certificate of Substantial Completion applies to:**

All Work under the Contract Documents:  The following specified portions of the Work:

Contract 12-17 Plans and Specifications

November 10<sup>th</sup>, 2015

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A [definitive] list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

**The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:**

Amended Responsibilities

Not Amended

Owner's Amended Responsibilities: Not Applicable.

Contractor's Amended Responsibilities: Not Applicable.

The following documents are attached to and made part of this Certificate:

WR&A November 11<sup>th</sup>, 2015 Letter: Substantial Completion

Contract 12-17: "Remaining" Punch List – Rev. No. 3 dated November 10<sup>th</sup>, 2015.

EJCDC C-625 Certificate of Substantial Completion

Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

Page 1 of 2

## TOWN OF OCEAN VIEW

201 CENTRAL AVE, 2<sup>ND</sup> FLOOR  
OCEAN VIEW, DE 19970

(302) 539-9797  
FAX (302) 537-5306  
townmgrtov@oceanviewde.com  
www.oceanviewde.com

January 7, 2016

Sussex County Council  
Attn: Councilmember George Cole  
P.O. Box 589  
Georgetown, DE 19947

Dear Councilman Cole,

Happy New Year!

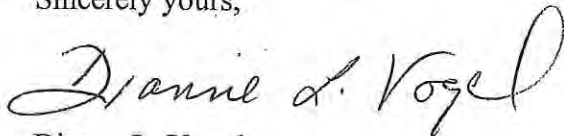
I am writing to see if the Sussex County Council will be able to provide a sponsorship for the 2016 Homecoming Event scheduled to be held on Saturday, May 14, 2016 from 10:00 am to 2:00 pm in John West Park located at 32 West Avenue, Ocean View, DE.

“Homecoming” is a century old tradition held every May in the Town of Ocean View to welcome back the summer residents. This event would not be possible without the generous support from our local business partners and other organizations.

Your sponsorship would be highlighted in announcements to the community, during the introduction at the event itself and in articles about the event published in the newspapers. You and any other members of the Council are welcome to attend so that we could thank you personally for your support. A table, two chairs and two parking spaces would be made available should members of the Council wish to attend the event.

Thank you for considering this request and I look forward to hearing from you. A sponsorship form has been enclosed for your convenience.

Sincerely yours,



Dianne L. Vogel  
Town Manager  
Town of Ocean View



# Liberty Day Institute

Educating youth and keeping the Republic since 1996. | [www.LibertyDay.org](http://www.LibertyDay.org)

January 5, 2016

Mr. Todd Lawson  
County Administrator  
Sussex County, Delaware

Dear Mr. Lawson,

The Liberty Day Institute is a 501(c)(3) national nonprofit organization dedicated to educating America's youth about our founding documents. We are proudly nonpartisan and nonpolitical.

We have been active in Delaware for several years helping educate fifth graders in the state on the Declaration of Independence, the Constitution and American government. Each year we have collaborated with the Delaware Bar Foundation (DSEA) and the Delaware State Education Association for both funding and distributing our educational resources to the students and their teachers.

We have not yet met our funding goals to be able to provide these resources to every fifth grader in Delaware this year. We are asking each of the three counties in the state to contribute \$1,000 toward this endeavor. We will gladly send you samples of our materials so you can see the value in them, as the DSEA and Delaware Bar Association have recognized.

In addition to our resources, a key part of our program is engaging community leaders volunteer to speak to a fifth grade class on the Constitution. Speakers are typically elected officials, attorneys, members of service organizations and military personnel, and they discuss aspects of the Constitution that are important to them on a personal basis or in their careers. We are hopeful all members of the Sussex County Council members will contact a school in their community and offer to be a volunteer speaker before a class when they are studying the Constitution.

One exciting partnership we have developed in Delaware is with the Rotary Clubs' high school Interact chapters. Many Rotary Clubs intend on requiring that Interact members serve as speakers in front of fifth grade classes on the Constitution.

Liberty Day

866.718.3434

[www.libertyday.org](http://www.libertyday.org)

3443 S. Galena St., Suite 120 ~ Denver, CO 80231

We seek to fill a gap in resources available to students as they begin learning civics. In addition, we provide background information to their educators to enhance the lessons on American government along with lesson plans, activities for the students and quizzes.

If you have any questions, please feel free to contact me. We are hopeful you will allocate this funding to benefit your students and teachers. Your contribution may be made to The Liberty Day Institute, 3443 S. Galena St, Denver, CO 80231.

I am attaching several documents to this email.

1. IRS 501(c)(3) status affirmation letter
2. 2015 letter from the DSEA and Delaware Bar Foundation
3. 2015 Proclamation from President Obama
4. 2014 National Education Association (NEA) letter

I am also attaching a link (<https://goo.gl/1mURDI>) so that you may view a public service announcement we requested a few months ago by Delaware Senators Thomas Carper and Chris Coons in honor of Constitution Day.

Thank you very much, and have a Happy New Year!

Sincerely Yours in Liberty,



**Jimmy Sengenberger**  
President & CEO  
Liberty Day Institute

**Liberty Day**

**866.718.3434**

**[www.libertyday.org](http://www.libertyday.org)**

3443 S. Galena St., Suite 120 ~ Denver, CO 80231



January 5, 2016

Sussex County Council  
P.O. Box 589  
Georgetown, DE 19947

Dear Michael Vincent:

I am writing to you on behalf of the Bayside Breeze U16 Fastpitch Softball Team. Our team is comprised of young ladies who live throughout Sussex County, Kent County and some are from Maryland. We are a very competitive team and enjoy competing in tournaments ranging from \$450 to \$500 for each tournament. I am writing to you to ask if you would like to help sponsor our team. Any amount that you could give me will be greatly appreciated.

The Bayside Breeze organization is a 501C3 youth non-profit organization using softball as an avenue to create good citizens and build character and teamwork for the youth. Our EI# is 45-4597498.

Sincerely,

A handwritten signature in black ink that reads "Scott Gray". The signature is written in a cursive style.

Scott Gray, Manager  
26480 Old Carriage Road  
Seaford, DE 19973

January 13, 2016

Councilman Ron Arlett  
Sussex County Council  
PO Box 589  
Georgetown, DE 19947

Dear Councilman Arlett,

Thank you very much for recognizing the Indian River Boys Soccer Team at the county council meeting last week. We appreciate your proclamation recognizing their work and accomplishments.

On another note, on behalf of the River Soccer Club, I briefly mentioned to you a field construction project at our club fields located at 32221 Gum Road, in Roxana, DE. The River Soccer Club has been in existence since 1996 and has been located at our current site since 2001. Our mission is to provide opportunities for the youth in our area to learn and play soccer in an organized and sportsman-like atmosphere.

This fall we had over 650 kids ages 4 to 14 years in our recreational program. We will have a similar number this spring. In addition, we have 15 travel teams with another 225 players ages 8 to 18 years,

While we work very hard to maintain our 7 soccer fields, over time they are showing wear and tear. Two years ago we started to replace the 4 fields that were built in 2001 with state of the art Bermuda grass. In 2014 we replaced one field and a second field in 2015. This year we are looking to replace a 3<sup>rd</sup> field.

The cost to rebuild this field will be about \$22,000. Hence, we are soliciting help with the funding of this project. We are a nonprofit group and would greatly appreciate any help you and the County Council could give us.

Also, if you are aware of any other groups that we may contact, that information would also be helpful. If you have any questions about our request you may reach me at 302-732-6835, or [hgerken@verizon.net](mailto:hgerken@verizon.net), or 31708 Train Lane, Dagsboro, DE 19939.

Sincerely,

Howard Gerken

RSC Project Manager

Cc: Councilman George Cole and Rebecca Mais, RSC President

**To Be Introduced 1/26/16**

**Council District No. 2 - Wilson  
Tax Map I.D. No. 331-4.00-49.00  
911 Address: 22223 Eskridge Road, Seaford**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND CONDITION NO. 19 OF CONDITIONAL USE NO. 1431 (ORDINANCE NO. 1530) TO ALLOW ADDITIONAL TIME TO COMPLETE THE EXISTING BORROW PIT OPERATION LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 200.5 ACRES, MORE OR LESS**

**WHEREAS, on the 3rd day of November 2015, a conditional use application, denominated Conditional Use No. 2043 was filed on behalf of Edward J. Kaye; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, 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. 2043 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

**NOW, THEREFORE,**

**THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2043 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 Seaford Hundred, Sussex County, Delaware, and lying at the northeast corner of Road 531 (Eskridge Road) and Road 533 (Sanfilippo Road) and being more particularly described in the text of Ordinance No. 1530 for Conditional Use No. 1413, said parcel containing 200.5 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.**

**To Be Introduced 1/26/16**

**Council District No. 2 – Wilson  
Tax I.D. No. 430-23.00-42.00 (Part of)  
911 Address: 20956 Coverdale Road, Bridgeville**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF AN EXISTING BORROW PIT OPERATION LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 7.85 ACRES, MORE OR LESS**

**WHEREAS, on the 3rd day of November 2015, a conditional use application, denominated Conditional Use No. 2044 was filed on behalf of Edward J. Kaye; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, 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. 2044 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2044 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 Nanticoke Hundred, Sussex County, Delaware, and lying northwest of Coverdale Road (Road 525), 1,128 feet southwest of Martin Luther King Avenue and being more particularly described as follows:**

**BEGINNING at a point on the northwesterly right-of-way of Coverdale Road (Road 525), a corner for these subject lands and lands, now or formerly, of Douglas P. Corey; thence south 47°03'46" west 1,220.31 feet along the northwesterly right-of-way of Coverdale Road to a concrete monument; thence north 12°55'33" west 755.89 feet and north 12°53'52" west 239.41 feet along lands, now or formerly, of Earthmovers, LLC to a utility pole; thence south 78°17'29" east 685.16 feet along aforementioned lands of Douglas P. Corey to the point and place of beginning, and containing 7.827 acres, more or less, per survey by Simpler**

**Surveying & Associates, Inc., said parcel containing 7.85 acres, more or less.**

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

TO BE INTRODUCED



**To Be Introduced 1/26/16**

**Council District No. 4 – Cole**

**Tax I.D. No. 234-29.00-69.01 and 69.08 – 69.11**

**911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 21.34 ACRES, MORE OR LESS**

**WHEREAS, on the 6th day of November 2015, a conditional use application, denominated Conditional Use No. 2045 was filed on behalf of Robert and Deborah Reed RE/MAX Realty Group; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, 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. 2045 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, 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 X, Subsection 115-71, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2045 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 southwest of Oak Orchard Road (Route 5 and Road 297) approximately 600 feet south of John J. Williams Highway (Route 24) and fronting the southerly right-of-way of John J. Williams Highway (Route 24) and being more particularly described in the attached legal description provided by Davis Bowen & Friedel, Inc., said parcel containing 21.34 acres, more or less.**

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

**To Be Introduced 1/26/16**

**Council District No. 2 - Wilson  
Tax Map I.D. No. 135-23.00-18.01, 18.02 & Part of 18.03  
911 Address: 21950 Zoar Road, Georgetown**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 5.06 ACRES, MORE OR LESS**

**WHEREAS, on the 19<sup>th</sup> day of November 2015, a zoning application, denominated Change of Zone No. 1793 was filed on behalf of Church of God of Prophecy; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2016, 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. 1793 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2016, 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 of CR-1 Commercial Residential 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 Georgetown Hundred, Sussex County, Delaware, and lying west of Zoar Road (Route 48) 200 feet south of Sussex Pines Road (Road 324) and being more particularly described in the attached legal description provided by Pennoni Associates, Inc. and containing 5.06 acres, more or less**

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

**To Be Introduced 1/26/16**

**Council District No. 3 - Deaver  
Tax Map I.D. No. 235-30.00-63.00  
911 Address: 26526 Lewes Georgetown Highway, Harbeson**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.9192 ACRES, MORE OR LESS**

**WHEREAS, on the 28<sup>th</sup> day of December 2015, a zoning application, denominated Change of Zone No. 1794 was filed on behalf of JCBB, LLC; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, 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. 1794 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2016, 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 of CR-1 Commercial Residential 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 Broadkill Hundred, Sussex County, Delaware, and lying south of Lewes Georgetown Highway (Route 9) 800 feet east of Harbeson Road (Route 5) and being more particularly described in Deed Book 3104, Page 134, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 1.9192 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.**