

Sussex County Council Public/Media Packet

**MEETING:
February 8, 2022**

****DISCLAIMER****

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**Sussex County Council
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COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT
DOUGLAS B. HUDSON, VICE PRESIDENT
CYNTHIA C. GREEN
JOHN L. RIELEY
MARK G. SCHAEFFER



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

A G E N D A

FEBRUARY 8, 2022

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes – February 1, 2022

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Recognition of Retirees
 - a. Terri L. Dukes
 - b. Douglas J. Stoakley
2. Administrator's Report

Hans Medlarz, County Engineer

1. South Coastal WRF Treatment Process Upgrade No. 3 and Rehoboth Beach WTP Capital Improvement Program, Phase 2
 - a. General Construction, Project C19-11, Change Order No. 19
 - b. Electrical Construction, Project C19-17, Change Order No. 15



Grant Requests

- 1. Lewes Public Library for their Annual Shakespeare Festival**
- 2. Fraternal Order of Police - Sussex County Lodge No. 2, Inc. for their Sharing a Thanksgiving Dinner and Christmas with a Needy Family**
- 3. Fort Miles Historical Association, Inc. for a M10 Display at Fort Miles**
- 4. Delaware River and Bay Lighthouse Foundation for Restoration and Volunteer Support**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

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

Possible action on Executive Session items

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on February 1, 2022 at 4:15 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

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

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

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

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

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

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

#

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 1, 2022

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 1, 2022, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Cynthia C. Green	Councilwoman
Douglas B. Hudson	Councilman
John L. Rieley	Councilman
Mark G. Schaeffer	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 042 22
Approve
Agenda**

Mr. Lawson announced CU2279 filed behalf of Ron Sutton for the 1:30 Public Hearings, has requested Council withdraw that Conditional Use request. He added that he would not amend the agenda, Mr. Whitehouse will go over the information received. A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, to approve the Agenda, as presented.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of the January 25, 2022 were approved by consensus.

**Corres-
pondence**

Mr. Moore read correspondence received from the following: The Harry K. Foundation and Cancer Support Community Delaware.

**Public
Comment**

There were no public comments.

**Caroling on
the Circle
Food Drive
Recognition**

Mr. Lawson recognized those that participated in this effort and thanked all of those that volunteered and contributed to the food drive event.

**Adminis-
trator's**

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

The Delaware State Police year-to-date activity report for December 2021 is

**Report
(continued)** attached listing the number of violent crime and property crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 189 troopers assigned to Sussex County for the month of December.

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

**Airport
Advisory
Committee
Member
Appoint-
ments** Mr. Bob Bryant, Airport Manager, presented for Council's approval the Delaware Coastal Airport Advisory Committee members for the Year 2022: Garrett Dernoga, Larry Kelley, Jeff Reed, Rick Garner, Ezra Richards, Mark Ryan, Scott Thomas, and Ray Hopkins. Mr. Bryant noted that the Committee members also include one County Council member, the County Administrator, the County Engineer, and the Director of Economic Development.

**M 043 22
Approve
Reappoint-
ments/
Airport
Advisory
Committee** A Motion was made by Mr. Hudson seconded by Mr. Rieley, that the Sussex County Council approve Garrett Dernoga, Larry Kelley, Jeff Reed, Rick Garner, Ezra Richards, Mark Ryan, Scott Thomas and Ray Hopkins to the Delaware Coastal Airport Advisory Committee for 2022.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

**Pension
Committee
Appoint-
ment** Mrs. Jennings presented for Council's approval to appoint a new member to the pension committee. She further explained that the committee is made up of seven members; County Finance Director, County Administrator, County Human Resources Director, Two Sussex County community members, a current Sussex County employee, and a retired Sussex County employee, who currently receives a County pension. The members are appointed for a four-year term.

Mrs. Jennings noted that Mr. David Baker who served on the committee in the capacity as a current pensioner has resigned due to his recent appointment as USDA's Rural Development Director for Delaware and Maryland.

Mrs. Jennings explained that the role of the current County pensioner on the committee is primarily to be the eyes and ears of the current pensioners. Therefore, she wanted to recommend someone that she knows is well respected by the current and future pensioners. Mrs. Jennings is recommending for Council's approval Ms. Robin Griffith as Mr. Baker's replacement.

**M 044 22
Pension** A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to appoint Ms. Robin Griffith to the County Pension Committee for a four-year term.

**Committee
Appointment
(continued)**

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Rules

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

**Public
Hearing/
CDBG**

A Public Hearing was held on the development of 2022 Community Development Block Grant application which is to be submitted to the Delaware State Housing Authority. The Community Development Block Grant (CDBG) comes from the U.S. Department of Housing & Urban Development (or HUD) and is allocated to Sussex and Kent Counties through the Delaware State Housing Authority (DSHA). Kent and Sussex Counties compete for the funding by making application to the DSHA. DSHA governs the grant process, and through their Consolidated Plan, lists the activities eligible for receipt of funding. Eligible activities include housing rehabilitation, sewer and water hookups, demolition, and infrastructure projects.

Mrs. Nauman explained that historically, most of the funding is used for owner-occupied housing rehabilitation to maintain the exiting housing stock. To receive assistance, the home must be owner-occupied/primary residence, low or moderate-income, insured, and the County taxes and utilities must be current. A lien is placed on the property based on the funding amount provided to protect the investment. For amounts provided under \$5,000, no lien is placed, less than \$15,000, a 5-year, 0%, pro-rata payback and for \$15,000 - \$40,000, a 10-year, 0% interest, pro-rata payback.

Mrs. Nauman reported that all projects applied for must benefit persons of low and moderate income, defined as households with incomes at or below 80% of the Area Median Income for Sussex County, as set by HUD annually.

Mrs. Nauman reviewed the FY19 Close-Out Statistics; total program funding was \$1,771,485 (CDBG & HOME). There were 154 households and 267 people that were provided with assistance during that year.

Mrs. Nauman then provided a FY20 Update; total program funding was \$1,910,142 (CDBG & HOME). As of 12/30/21, 91% CDBG funds and 57% of HOME funds have been spent. There were 114 households and 201 people that were provided with assistance during that year.

Mrs. Nauman shared that there have been substantial funding increases over the past few years; a 7.8% increase from FY19 to FY20 and 12.8% increase from FY20 to FY21. She added that County Council provided \$300,000 to assist with emergency repairs. In addition, FY21 projects are underway, as of December 30, 2021, 12% of CBDG and 4% of HOME

**Public
Hearing/
CDBG
(continued)**

money has been spent.

Mr. Mike Jones, Rehabilitation Program Coordinator provided an update of the past year. Mr. Jones discussed the challenges with finding new contractors, product delays, and product cost increases.

Mr. Jones shared pictures showing the work that has been completed through the program.

Mrs. Nauman presented information about the FY22 Grant Application process. The process includes public hearings, waiting list issues and rural communities' selection. Mrs. Nauman noted the target areas that are being requested to include Municipalities and Unincorporated/Countywide areas. The funds requested for each Municipality and Unincorporated areas were then shared. Mrs. Nauman explained that these funds are based on the waiting list numbers, the demand of the Town and an average of what has been spent in years past to make a dent in the waiting list. For the FY22 CDBG Grant Application, the following amounts are being requested: \$1,793,000.00 for total program cost, \$250,000.00 for CDBG Administration Funding, \$315,190.00 for Local Administration Match; making the total program cost \$2,358,190.00.

Mrs. Nauman provided an update of the emergency funds provided by County Council. The primary uses for these funds are to assist households with no running water, heat, in need of handicap accessibility, leaking roof, electrical issues or plumbing issues. She added that prioritization is given to individuals with disabilities, 65+ years of age, at or below 30% AMI and Veterans. Mrs. Nauman shared a breakdown of the emergency repairs that have been completed over the years and number of households those funds have assisted.

Mrs. Green noted that the Town of Greenwood was not included on the list of Municipalities. She asked if that meant there was not a need, or the department does not have a contact person for the Town of Greenwood. Mrs. Nauman explained that each year, letters go out to each municipality about the program. The department then seeks the town's request to hold a public hearing during one of their regularly scheduled meetings that is hosted by her department. The Town of Greenwood did not seek their assistance this year for the funding. Mrs. Nauman added that staff does follow up, however, there was not a request received from the Town of Greenwood for funding this year.

Public Comments were then heard.

Ms. Patricia Galu, 141 October Gloria Ave, Ocean View came forward to speak. Mr. Galu shared that she is the Head of the St. Vincent DePaul Society out of Bethany Beach as well as the Vice-President of the Council which covers all of Sussex County. She commended Mrs. Nauman and her staff for doing an incredible job with a small staff that works hard to get to

**Public
Hearing/
CDBG
(continued)**

those people that are the waiting list. She added that she is aware of several families in the Diamond Acres area that have a tremendous need. There are many families that are living with firewood as their only source of heat and are unable to afford to heat their homes. Ms. Galu shared that she believes this is a very essential program.

The Public Hearing and public record were closed.

Mrs. Nauman presented Resolution R 002 22 entitled “Affirmatively Furthering Fair Housing” for Council’s consideration.

**M 045 22
Adopt
R 002 22**

A Motion was made by Mr. Schaeffer, seconded by Mrs. Green to Adopt Resolution No. R 002 22 entitled “Affirmatively Furthering Fair Housing”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Mrs. Nauman presented Resolution R 003 22 entitled “Authorization to Submit Applications” for Council’s consideration.

**M 046 22
Adopt
R 003 22**

A Motion was made by Mr. Rieley, seconded by Mrs. Green to Adopt Resolution No. R 003 22 entitled “Authorization to Submit Applications”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Introduction
of Proposed
Ordinance**

Mr. Moore presented a Proposed Ordinance relating to the Election Districts and Adopting New Councilmanic Election Districts. Mr. Moore shared pictures of the map outlining the Proposed Election Districts. Mr. Moore pointed out that they have not changed since they were presented during the December meeting. Mr. Moore explained that he has prepared the descriptions in three separate ways. The first legal description for each district uses the information that is provided by the software. The second way uses what the State Legislature use which is a Census Block Description. The third method are links to the individual maps to see roadways, etc. in each district.

Mr. Hudson introduced the Proposed Ordinance entitled “AN ORDINANCE TO REPEAL ORDINANCE NO. 2227, AS AMENDED BY ORDINANCE NO. 2243, AND CHAPTER 11, §§ 11-1 THROUGH 11-5 OF THE SUSSEX COUNTY CODE, RELATING TO COUNCILMANIC ELECTION DISTRICTS AND ADOPTING NEW COUNCILMANIC ELECTION DISTRICTS.”

**Old
Business/
CZ1948**

Mr. Jamie Whitehouse, Director of Planning and Zoning came forward to present the information. Mr. Whitehouse reminded Council that this item was presented at the regular meeting held on January 25, 2022. At the conclusion of that meeting, Council deferred action on the Application for further consideration.

Mr. Schaeffer pointed out that the Planning Commission in their most recent recommendation has reworded their comments in Paragraph 15. He would like to ensure that any responsibility of the HOA to install a gate or key fob system at the top of their access point is removed. It was agreed that item was taken care of in the meeting minutes of the Planning and Zoning Commission.

Mr. Whitehouse pointed out that there was a separate request relating to the word “RPC” within the Commission’s recommended wording. There was a concern that it might prohibit kayaks within the entire RPC. It was requested to be changed to “Park”.

**M 047 22
Amend
Conditions/
CZ1948**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to revise No. 15 to delete the word “RPC” and insert the word “Park”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 048 22
Adopt
Ordinance
No.2827/
CZ1948**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, to Adopt Ordinance No. 2827 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM-DENSITY RESIDENTIAL DISTRICT, RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM-DENSITY RESIDENTIAL DISTRICT, RESIDENTIAL PLANNED COMMUNITY TO AMEND CONDITIONS OF APPROVAL NUMBER 15 OF C/Z 1538 (ORDINANCE NO. 1700) AND C/Z 1926 (ORDINANCE NO. 2786) IN RELATION TO PIERS, DOCKS, BOAT RAMPS AND OTHER WATER RELATED RECREATIONAL FACILITIES FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 180.60 ACRES, MORE OR LESS.” For the reasons given by Planning and Zoning as amended:

- 1. This matter was previously considered by the Commission, and the Commission recommended an amendment to Condition #15 to allow one dock for kayaks and paddleboards. Since both DNREC and the U. S. Army Corps of Engineers have jurisdiction over the location and dimensions of such a dock, the recommended approval was subject to their jurisdiction. After the Council hearing, the Commission’s recommendation was amended by Council to include specific dimensions of the dock, which evidently are impossible or impractical**

**M 048 22
Adopt
Ordinance
No.2827/
CZ1948
(continued)**

to meet according to the record from this current application. For this reason, it was moved that the Commission’s original recommendation be followed, with the County approval being subject to the review and approval of the state and federal agencies who have jurisdiction over a dock like this. This recommendation is again based upon the following reasons:

2. Condition #15 of CZ # 1926 and Ordinance #1700 currently states that “No piers, docks, boat ramps or other water-related facilities shall be permitted” within the Canal Pointe RPC.
3. The Canal Pointe RPC is adjacent to the Lewes-Rehoboth Canal, which is a source of water-related activities for many Sussex County residents and visitors.
4. It was shown during the public hearing that this area of the Lewes-Rehoboth Canal has developed with many personal docks attached to individual lots as well as a large marina associated with the Town of Henlopen Acres.
5. The revised condition #15, which will be limited to non-motorized boats, will have less of an impact on the waterway and the environment than many of these existing docks and the motorized boats that they serve.
6. With one point of access to the Lewes-Rehoboth Canal, there will be a well-designed and permitted dock available to the residents of Canal Pointe instead of multiple undefined points of access that could cause more damage to the Canal and the environment.
7. Condition #15 of CZ # 1926 and Ordinance # 1700 should be amended to state as follows:

“15. Subject to the receipt of all applicable permits from the U.S Army Corps of Engineers, DNREC, and any other agencies having jurisdiction, this RPC shall be permitted to have only one dock for the use of residents. This dock shall only be utilized for kayaks and paddleboards. No motorized boats shall be launched or docked at this location. No storage of kayaks, paddleboards, boats, or other marine equipment shall be permitted along the dock or landward of it within the Park. There shall be an amendment to the Canal Pointe Master Plan and a subsequent final site plan showing the dock and its point of access from the RPC. No other piers, docks, boat ramps, or other water-related facilities shall be permitted.”

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Introduction
of Proposed
Ordinances**

Mrs. Green introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A B-1 NEIGHBORHOOD BUSINESS DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED,

**Introduction
of Proposed
Ordinances
(continued)**

SUSSEX COUNTY, CONTAINING 0.28 ACRES, MORE OR LESS”

Mr. Schaeffer introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 43.777 ACRES, MORE OR LESS”

Mr. Schaeffer introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.041 ACRES, MORE OR LESS”

Mr. Schaeffer introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM RESIDENTIAL DISTRICT FOR MULTI-FAMILY (267 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 43.777 ACRES, MORE OR LESS”

Mr. Rieley introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR 703 STORAGE UNITS AND OUTDOOR STORAGE FOR BOATS AND RV’S TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 8.424 ACRES, MORE OR LESS”

Mr. Rieley introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.564 ACRES, MORE OR LESS”

The Proposed Ordinances will be advertised for Public Hearing.

**Council
Members’
Comments**

There were none.

**M 049 22
Go Into
Executive
Session**

At 10:49 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, to recess the Regular Session and go into Executive Session for the purpose of discussing matters relating to pending/potential litigation, and land acquisition.

**M 049 22
Go Into
Executive
Session
(continued)**

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

At 10:57 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room to discuss matter relating to pending/potential litigation, and land acquisition. The Executive Session concluded at 11:12 a.m.

**M 050 22
Reconvene**

At 11:16 a.m., a Motion was made by Mr. Hudson seconded by Mr. Rieley to reconvene.

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

E/S Action

There was no action on Executive Session matters.

**M 051 22
Recess**

At 11:18 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Rieley, to recess until 1:30 p.m.

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 052 22
Reconvene**

At 1:31 p.m., a Motion was made by Mr. Hudson, seconded by Mr. Rieley to reconvene.

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Rules

Mr. Moore read rules and procedures for public hearings.

**Public
Hearing/
CU2279**

Mr. Jamie Whitehouse, Planning and Zoning Director reported that staff received correspondence from Mr. Sutton of Civil Engineering Associates requesting that this Application be withdrawn from Council's agenda.

**M 053 22
Withdraw
CU2279**

A Motion was made by Mr. Hudson motion, seconded by Mr. Rieley to allow the Applicant to withdraw Application CU2279 "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR MEDIUM

M 053 22
Withdraw
CU2279
(continued)

DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS (11 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALITMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.035 ACRES, MORE OR LESS.” (property lying on the east side of Kent Avenue [S.C.R 361], approximately 0.66 mile south of Garfield Parkway [Rt. 26]) (911 Address: 33309 Kent Avenue, Bethany Beach) (Tax Parcel: 134-17.11-6.00)

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Public
Hearing/
CU2282

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A MICROBREWERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALITMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.35 ACRES MORE, OR LESS.” (property lying on the southeast corner of the intersection of Cedar Neck Road [S.C.R. 359]) (911 Address: 38450 Hickman Road, Ocean View) (Tax Parcel: 134-9.00-27.00)

The Planning and Zoning Commission held a Public Hearing on this application on December 9, 2021 at which time action was deferred. On January 13, 2022, the Commission recommend approval for the following reasons:

- 1. The use will be located in an existing building at the intersection of Cedar Neck Road and Hickman Road where other commercial and business uses currently exist. This location is consistent with the adjacent zoning and uses.**
- 2. This small use will not adversely impact traffic or area roadways.**
- 3. This small use will not adversely affect the neighboring properties or community.**
- 4. As a small microbrewery, there will not be many deliveries to or from the premises.**
- 5. As a microbrewery, the Applicant will be required to comply with all State and Federal requirements governing the use.**
- 6. The use will be served by Sussex County Sewer.**
- 7. No parties appeared in opposition to this application.**
- 8. This recommendation is subject to the following conditions:**
 - a. The use as a microbrewery shall comply with all State and Federal requirements for its use and operation.**
 - b. The use shall comply with all Sussex County Engineering Department requirements concerning the connection of the microbrewery operation to the Sussex County Sewer System. In addition, any waste or spent materials associated with the brewing operations shall be**

**Public
Hearing/
CU2282
(continued)**

- stored inside of the building until removed by legal and appropriate methods.
- c. The hours of operation for public access to the microbrewery shall be between 11:00 a.m. and 10:00 p.m. each day.
 - d. There shall be no outdoor music on the patio. The location and size of the patio shall be shown on the Final Site Plan and clearly marked on the site itself.
 - e. Since this property is zoned C-1, the signage shall comply with the requirements of the C-1 Zoning District.
 - f. All roadway and intersection improvements shall be subject to the requirements of DelDOT.
 - g. The Final Site Plan shall be subject to review and approval of the Sussex County Planning & Zoning Commission.

(See the minutes of the Planning and Zoning Commission dated December 9, 2021 and January 13, 2022.)

Mr. Jamie Whitehouse, Planning and Zoning Director, presented the application.

The Council found that Ms. Mackenzie Peet, Esq. was present on behalf of the Applicant. Mr. Stephen Spence, Co-Council and Mr. Larry Davies, member of the LLC were also present.

Ms. Peet explained that Section 115-179 of the Sussex County Code requires a Conditional Use to operate a microbrewery. She added that the Applicant had received two notices of violation as discussion and noted in the Planning and Zoning Commission meeting minutes.

This property is located within a C-1 Zoning District; the immediate property to the south and east are in the MR Medium Residential Zoning District; immediate property to the south and across Hickman Road are zoned C-1. There are nine approved Conditional Uses operating within a one-mile radius of the property. The nearby businesses include a restaurant across the street, a small strip mall adjacent to the property which includes a seafood takeout business, liquor store, laundry mat and two vacant spaces. Ms. Peet added that one of the vacant spaces is anticipated to be another take out eatery.

The site was previously operated as an Italian restaurant, where alcohol was served. The proposed use will include the microbrewery, a tasting room, indoor seating, and outdoor patio seating area. No food will be served on site; however, patrons will be permitted to bring food into the microbrewery, ordered from nearby takeout eateries.

Ms. Peet shared the proposed microbrewery will be located in an existing 2,773 square foot building with access that exists off Hickman Road. There are 20 existing parking spaces on existing paved and gravel parking areas that are shown on the site plan.

**Public
Hearing/
CU2282
(continued)**

The outdoor patio is approximately 1,200 square feet; hours of operation are anticipated to be from 11:00 a.m. until 10:00 p.m., and to be adjusted seasonally.

Mr. Schaeffer asked if the hours of operation met the needs of the Applicant. Ms. Peet replied that the Applicant specifically requested the hours of 11:00 a.m. until 10:00 p.m., and to be adjusted seasonally.

Mr. Spence shared that there is an application pending before the Alcohol Beverage Commission. At this time, it has not been completed yet, due to there being an issue with the patio area. He added the proposed hours from 11:00 a.m. until 10:00 p.m. does meet their needs.

Mr. Schaeffer asked if the ABC regulates if music can be played on an outside patio. Mr. Spence replied that they do. Mr. Schaeffer believes that agency should regulate that request. Mr. Spence shared that it is not intended to have outside music; it is intended to only have cornhole games or another type of activity outdoors. Mr. Spence stated that if Council did not desire to impose the condition of no outdoor music, he is open to that. In the future, if outdoor music was desired, an application would need to be filed, public notice would need to be given and provided an opportunity for protest at the O.A.B.C.C. Mr. Schaeffer commented that he does not like to impose restrictions no small businesses people. He added that it is regulated by the ABC.

There were no public comments.

The Public Hearing and public record were closed.

**M 054 22
Amend
Conditions/
CU2282**

A Motion was made Mr. Schaeffer, seconded by Mrs. Green to amend Condition 8d to remove the first sentence that reads “There shall be no outdoor music on the patio”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 055 22
Adopt
Ordinance
No. 2828/
CU 2282**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to Adopt Ordinance No. 2828 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A MICROBREWERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALITMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.35 ACRES MORE, OR LESS.” (Conditional Use No. 2282) filed on behalf of Lawrence Davies, with the following amended conditions:

- 1. The use will be located in an existing building at the intersection of Cedar Neck Road and Hickman Road where other commercial and**

**M 055 22
Adopt
Ordinance
No. 2828/
CU 2282
(continued)**

- business uses currently exist. This location is consistent with the adjacent zoning and uses.**
- 2. This small use will not adversely impact traffic or area roadways.**
 - 3. This small use will not adversely affect the neighboring properties or community.**
 - 4. As a small microbrewery, there will not be many deliveries to or from the premises.**
 - 5. As a microbrewery, the Applicant will be required to comply with all State and Federal requirements governing the use.**
 - 6. The use will be served by Sussex County Sewer.**
 - 7. No parties appeared in opposition to this application.**
 - 8. This recommendation is subject to the following conditions:**
 - a. The use as a microbrewery shall comply with all State and Federal requirements for its use and operation.**
 - b. The use shall comply with all Sussex County Engineering Department requirements concerning the connection of the microbrewery operation to the Sussex County Sewer System. In addition, any waste or spent materials associated with the brewing operations shall be stored inside of the building until removed by legal and appropriate methods.**
 - c. The hours of operation for public access to the microbrewery shall be between 11:00 a.m. and 10:00 p.m. each day.**
 - d. The location and size of the patio shall be shown on the Final Site Plan and clearly marked on the site itself.**
 - e. Since this property is zoned C-1, the signage shall comply with the requirements of the C-1 Zoning District.**
 - f. All roadway and intersection improvements shall be subject to the requirements of DelDOT.**
 - g. The Final Site Plan shall be subject to review and approval of the Sussex County Planning & Zoning Commission.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
CZ1940**

A Public Hearing on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.76 ACRES, MORE OR LESS.” (property lying on the southwest corner of the intersection of Indian Mission Road [Rt. 5] and John J. Williams Highway [Rt. 24]) (911 Address: 31816 & 24882 Indian Mission Road, Millsboro) (Tax Parcel: 234-23.00-262.00) The Planning and Zoning Commission held a Public Hearing on this application on December 9, 2021, at which time action was deferred. On

**Public
Hearing/
CZ1940
(continued)**

December 16, 2021, the Commission recommended approval for the following reasons:

- 1. The applicant is seeking a change in zone to C-2 Medium Commercial. The purpose of this district is to allow retail sales and consumer services. It is intended to be located near arterial and collector streets. In this case, the Applicant seeks to construct one of its bank branches at this location.**
- 2. This property is located at the intersection of Routes 5 and 24. This is an appropriate for the uses that are permitted in the C-2 District.**
- 3. This property is the last remaining AR-1 property at this busy intersection and is surrounded by properties that are currently zoned C-1, CR-1, and C-2. This rezoning is consistent with the adjacent zoning.**
- 4. The property is the “Coastal Area” and “Commercial Area” according to the Sussex County Comprehensive Plan. C-2 Zoning is appropriate in these Areas according to the Comprehensive Plan.**
- 5. The rezoning will not have a significant impact upon neighboring properties or roadways.**
- 6. The property will be served by central water and Sussex County Sewer.**
- 7. Any development that occurs on the property will require site plan review by the Sussex County Planning & Zoning Commission after taking into account all required agency reviews, including DeDOT, State Fire Marshall, and the Sussex Conservation District.**
- 8. No parties appeared in opposition to this Application.**
- 9. For all of these reasons, it is appropriate to rezone this property from AR-1 to C-2 Medium Commercial.**

(See the minutes of the Planning and Zoning Commission dated December 9, 2021 and December 16, 2021.)

Mr. Jamie Whitehouse, Director of Planning and Zoning presented the application.

Ms. Mackenzie Peet, Esq. spoke on behalf on the Applicant, Mr. Jack Riddle, President of Community Bank and Mr. Stephen Spence, member of the Board of Directors for Community Bank were also present.

Ms. Peet explained that the land is currently zoned AR-1 and the Applicant is seeking to rezone the property to C-2 Medium Commercial. The Applicant reason for rezoning the property is to redevelop the property into a future branch office or similar use.

Currently, the property consists of a dwelling that is in poor condition that consists of overgrown vegetation and a small cemetery that will not be disturbed as part of the proposed construction and development of the site. Ms. Peet noted that the existing home will be demolished, and landscaping will be cleared soon after the bank acquires the property. Ms. Peet shared

**Public
Hearing/
CZ1940
(continued)**

that rezoning of the property is consistent with the County's Comprehensive Plan and Future Land Use Map. She added that the rezoning will not diminish or impair property values in the surrounding neighborhoods, will not create a public nuisance, and will not result in an increase of public expenditures. Ms. Peet noted that there are no wetlands on the property; that the property is located within Flood Zone X; that any sensitive historical features present onsite, including the cemetery, will not be impacted by construction or future use. The stormwater will be provided onsite in accordance with State of Delaware regulations and will be served by public water and sewer service. The Future Land Use Map designates the property within the Coastal Area and Commercial Area.

Ms. Peet pointed out that all properties to the south have the same land use designation; with all properties surrounding the site having the designation as Coastal Area.

There were no Public Comments.

The Public Hearing and public record were closed.

**M 056 22
Adopt
Ordinance
No. 2829/
CZ1940**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to Adopt Ordinance No. 2829 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.76 ACRES, MORE OR LESS" for the reasons given by Planning and Zoning Commission:

1. The applicant is seeking a change in zone to C-2 Medium Commercial. The purpose of this district is to allow retail sales and consumer services. It is intended to be located near arterial and collector streets. In this case, the Applicant seeks to construct one of its bank branches at this location.
2. This property is located at the intersection of Routes 5 and 24. This is an appropriate for the uses that are permitted in the C-2 District.
3. This property is the last remaining AR-1 property at this busy intersection and is surrounded by properties that are currently zoned C-1, CR-1, and C-2. This rezoning is consistent with the adjacent zoning.
4. The property is the "Coastal Area" and "Commercial Area" according to the Sussex County Comprehensive Plan. C-2 Zoning is appropriate in these Areas according to the Comprehensive Plan.
5. The rezoning will not have a significant impact upon neighboring properties or roadways.
6. The property will be served by central water and Sussex County Sewer.
7. Any development that occurs on the property will require site plan review by the Sussex County Planning & Zoning Commission after

**M 056 22
Adopt
Ordinance
No. 2829/
CZ1940
(continued)**

- taking into account all required agency reviews, including DelDOT, State Fire Marshall, and the Sussex Conservation District.
8. No parties appeared in opposition to this Application.
 9. For all of these reasons, it is appropriate to rezone this property from AR-1 to C-2 Medium Commercial.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
CZ1944**

A Public Hearing on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 3.68 ACRES, MORE OR LESS.” (property lying on the north side of Lewes Georgetown Highway [Rt. 9] approximately 0.55 mile west of Prettyman Road [S.C.R. 254]) (911 Address: 25141 Lewes Georgetown Highway, Georgetown) (Tax Parcel: 235-30.00-6.20)

The Planning and Zoning Commission held a Public Hearing on this application on December 9, 2021 at which time action was deferred. On January 13, 2022 the Commission recommended approval for the following reasons:

1. C-2 Medium Commercial Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads.
2. The Applicant’s property is currently zoned AR-1 along Route 9. It was previously approved for use as a landscape business in 2017 as Conditional Use # 2093 and Ordinance #2521. The Applicant seeks to convert the existing conditional use to the C-2 Medium Commercial District to allow greater flexibility in his landscaping business and to allow more retail sales associated with that use to occur from the site. This is an appropriate location for C-2 zoning.
3. C-2 Zoning at this location along Route 9 will benefit nearby residents of Sussex County by providing a commercial location for the Applicant’s business. Nearby residents will not have to travel to Lewes, Milton, Long Neck, or Georgetown for the retail and service uses that can be provided at this site.
4. There is no evidence that this rezoning will have an adverse impact on neighboring properties or area roadways.
5. The site is mostly in the “Low-Density Area” according to the Sussex County Land Use Plan and Future Land Use Map. This is an appropriate location for C-2 Zoning according to the Plan.
6. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order

**Public
Hearing/
CZ1944
(continued)**

prosperity, and welfare of the County.

- 7. No parties appeared in opposition to the rezoning application.**
- 8. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated December 9, 2021 and January 13, 2022.)

Mr. Jamie Whitehouse, Planning and Zoning Director presented the Application.

Ms. Mackenzie Peet, Esq. was present on behalf of the Applicant; Mr. John Huss, sole member of Executive Lawn Management Property, LLC was also present.

Ms. Peet explained that Executive Lawns Management Property, LLC purchased the property in 2017 after recognizing their need for more space than their former site where they operated this business.

Shortly after purchasing the property, the Applicant pursued a Conditional Use; Ordinance No. 2521 granted a Conditional Use of Land for Executive Lawns Management, LLC to operate its landscaping business with equipment storage. Mr. Huss is looking to expand his business that has done very well and is experiencing significant growth since moving to this property. The proposed business is for a wholesale garden center type use which is permitted by right in the C-2 zoning district.

There were no Public Comments.

The Public Hearing and public record were closed.

**M 057 22
Adopt
Ordinance
No. 2830/
CZ1944**

A motion was made by Mr. Schaeffer, seconded by Mrs. Green to Adopt Ordinance No. 2830 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 3.68 ACRES, MORE OR LESS” for the reasons given by the Planning and Zoning Commission:

- 1. C-2 Medium Commercial Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads.**
- 2. The Applicant’s property is currently zoned AR-1 along Route 9. It was previously approved for use as a landscape business in 2017 as Conditional Use # 2093 and Ordinance #2521. The Applicant seeks to convert the existing conditional use to the C-2 Medium Commercial District to allow greater flexibility in his landscaping business and to allow more retail sales associated with that use to**

M 057 22
Adopt
Ordinance
No. 2830/
CZ1944
(continued)

- occur from the site. This is an appropriate location for C-2 zoning.
3. **C-2 Zoning at this location along Route 9 will benefit nearby residents of Sussex County by providing a commercial location for the Applicant's business. Nearby residents will not have to travel to Lewes, Milton, Long Neck, or Georgetown for the retail and service uses that can be provided at this site.**
 4. **There is no evidence that this rezoning will have an adverse impact on neighboring properties or area roadways.**
 5. **The site is mostly in the "Low-Density Area" according to the Sussex County Land Use Plan and Future Land Use Map. This is an appropriate location for C-2 Zoning according to the Plan.**
 6. **The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity, and welfare of the County.**
 7. **No parties appeared in opposition to the rezoning application.**
 8. **Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.**

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

M 058 22
Adjourn

A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer to adjourn at 2:01 p.m.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

Respectfully submitted,

Tracy N. Torbert
Clerk of the Council

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

ENGINEERING DEPARTMENT

HANS M. MEDLARZ
COUNTY ENGINEER

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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

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

FROM: Hans Medlarz, P.E., County Engineer

RE: ***South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2***
A. General Construction, Project C19-11 Change Order No. 19
B. Electrical Construction, Project C19-17 Change Order No. 15

DATE: February 8, 2022

In summary, the South Coastal WRF Treatment Process Upgrade No.3 encompasses the following components and statuses:

- a. Effluent Forcemain Relocation/Replacement; Completed in fall of 2019.
- b. Influent Forcemain Consolidation; Completed in May of 2020.
- c. Drainage Network Rerouting;
This scope was not included in the base bid. After cost comparison between the General Labor & Equipment Contract versus a change order under Ronca's general construction contract; Council awarded the stand alone Change Order Request 554-001 to Ronca & Sons, Inc. in the amount of \$104,592.96 on March 10, 2020. The construction was completed in July 2020.
- d. **General Construction Project C19-11**; awarded on December 17, 2019 to M.F. Ronca & Sons, Inc.

On March 10, 2020 Council authorized Change Order No.1 in the net amount of \$97,294.31 for deletion of the record drawing requirement and the modification of the RBWTF influent forcemains.



On May 12, 2020 Council authorized credit Change Order No. 2 in the amount of (\$12,705.00) eliminating an explosion proof motor requirement.

On July 28, 2020 Council approved credit Change Order No. 3 in the combined amount (\$9,764.30) for use of surplus materials projects.

Change Order No.4 in the amount of \$871,000.00 for the repairs of partial failures at the two City of Rehoboth's wastewater treatment plant oxidation ditch systems was also approved on July 28, 2020. M.F. Ronca & Sons, Inc. completed the scope in May of 2021 and the County increased the flow contribution to the City's plant.

On December 15, 2020 County Council approved Change Order No. 6 for steel framing repairs in the first oxidation ditch on a time & material basis up to \$10,500.00. This is in addition to the concrete repairs which are being conducted per the awarded contingent unit price schedules.

The County initiated RFP-019 addressing modifications to the interior headworks piping the second one and RFP-023 covering the addition of a cross connection between the existing 14-inch process drain header for Aeration Tank Nos. 1-4 and the new header for the Aeration Tank Nos. 5-8. On September 22, 2020 Council approved Change Order No.5 in the combined amount of \$32,991.66.

GHD issued RFP-031 for the installation of plug valves on each of the 12-inch recycle influent pipes to be connected to the existing Aeration Tank Nos. 1-4 and to the new Aeration Tank Nos. 7-8. On December 15, 2020, Change Order No. 7 was approved for said shut off valves in the amount of \$31,974.51.

The new South Coastal aeration basin had to be connected to the existing large diameter sludge return piping requiring a forward flow stoppage. Minimizing the joint risk M. F. Ronca proposed a line stop approach under Change Order No. 8. Since it also gained construction efficiency, they offered to only charge for the subcontractor work.

In the spring of 2021, the Rehoboth Beach WTP oxidation ditch rehabilitation was receiving expansive attention including:

- Contingent Unit Price Concrete Repairs, Bid Items F-19 & F-20
- Steel Repairs authorized under Change Order No. 6
- Steel Coatings authorized as part of Change Order No. 4

In addition, all of the leaking expansion joints have been repaired under a time & material approach. On March 9, 2021, County Council approved Change Order Nos. 8 and 9 in the respective amounts of \$34,765.50 and \$45,600.00.

Only one of the two headworks influent pipes has a shut off valve and we requested another 20" valve in the second vertical influent pipe. In addition,

two of the existing headworks slide gates were compromised in need of replacement and we requested the replacement. On May 25, 2021, Council approved Change Order No. 10 in the aggregate amount of \$34,160.64.

The County initiated RFP-039 addressing modifications to two slide gates avoiding conflict with the new air piping. In addition, it was discovered during the rehabilitation work in the grit tanks, that the existing influent chutes to the stacked tray grit removal systems were significantly compromised. On June 22, 2021, Council approved Change Order No. 11 in the aggregate amount of \$59,557.16.

The design team initiated RFP-038 for exhaust duct modifications associated with the new turbo blowers. The headworks cross channel is lower, and the existing channels have steps incorporated, which differs from the as built information available. RFP-041 proposes to construct the Screen Channel No. 3 at the same elevation incorporating modifications to the proposed Screen SCN-103. On July 13, 2021, Council approved Change Order No. 12 to M.F. Ronca & Sons in the amount of \$14,700.07.

The contract as bid includes concrete repairs to the City's headworks and influent splitter box. With the structures in question by-passed and accessible, the full extent of the damage was evident requiring an alternative approach to the proposed refurbishment as detailed in RFP-037.

The newly revealed site conditions required the full demolition of the upper level of the headworks as well as the channel between it and the splitter box. All the associated gates and plating had to be replaced in a massive effort. Michael F. Ronca & Sons, Inc. proposed to perform the modifications for \$1,043,243.92. GHD, the City Engineer and the County Engineer supported the approach, and the change order was within budget of the City's financing arrangements previously approved by the City and County elected officials. On August 10, 2021, Council approved Change Order No. 13 to M.F. Ronca & Sons in the amount of \$1,043,243.92.

The City requested M.F. Ronca & Sons' assistance in the wetwell cleaning of the State Rd. pump station to allow a full evaluation in preparation of the upgrade design. In addition, the City requested to modify the air intake for B-10 Building ventilation from a roof mount to an existing window opening. On November 30, 2022, County Council approved Change Order No. 14 in the aggregate amount of \$7,380.37.

Upon exposure of the normally submerged piping at the oxidation ditches, GHD formulated an initial repair scope for the influent, return sludge & air piping including replacement of valves and fittings. It was subsequently reduced and Michael F. Ronca & Sons, Inc. proposed to perform the modified repair scope for \$324,996.81. GHD, the City Engineer and the County Engineer supported the modified approach. However, this amount is not within

budget of the City's financing arrangements previously approved. The City will pay for this change order directly out of City funds. County Council approved Change Order No. 15 on January 11, 2022, subject to direct payment by the City. Since then, it was determined that the pipe support configuration for the replacement of oxidation ditch influent piping at the City's WTP required additional supports and RFP-056 issued. Michael F. Ronca & Sons, Inc. proposed to perform the expanded repair scope for \$ \$8,992.49. County Council approved Change Order No. 17 to M.F. Ronca & Sons in the amount of \$8,992.49 on January 25, 2022.

GHD's design scope included a separate task for the hydraulic transient analysis of the South Coastal effluent force under various pumping scenarios. After County approval of the findings, GHD issued RFP-052 for replacing air valves on the effluent force main and installing additional air valves at new locations. This work scope was not known at time of base bid and hence not included. On January 11, 2022 County Council issued Change Order No. 16 to M.F. Ronca & Sons in the amount of \$88,132.23.

The South Coastal RWF has an existing return sludge pumping station with three (3) pumps, two of which have been upgraded. The third unit recently experienced a failure, and the Environmental Services team requested the replacement of the pump and piping be integrated in the project as per RFP-053. Michael F. Ronca & Sons, Inc. proposed to perform the replacement scope for \$ 31,101.61, which Council approved on January 25, 2022 via Change Order 18.

Under RFP-053 the South Coastal RWF requested replacement of two (2) compromised pumps and rail systems in the existing filtrate return pump station in the filter building. Under RFP-057 the City staff requested new fiberglass baffles and a guide bracket assembly to replace the original wooden baffle assembly located in the flow splitter box. M.F. Ronca & Sons proposed to complete the work for \$90,081.84 and \$8,132.66 respectively. The Engineering Department recommends issuance of Change Order No. 19 in the aggregate amount of \$98,214.50.

- e. **Electrical Construction Project C19-17**; awarded on December 17, 2019 to BW Electric, Inc.

On February 4, 2020 Council awarded Change Order No.1 in the credit amount of (\$759,374.80) mostly for changes to the conduit materials. A second credit change order was approved on March 10, 2020 in the amount of (\$6,800.00) for ductbank modifications.

On April 7, 2020 Council approved Change Order No.3 in the not to exceed amount of \$235,637.33 for DP&L requested changes to the utility power service entrance location at the RBWTP.

On May 12, 2020, Council authorized Change Order No.4 in the amount of \$11,350.00 for reconstruction of the original electrical equipment in South Coastal's sludge handling building electrical room accommodating a longer motor control center.

On July 28, 2020 Council approved Change Order No.5 in the combined amount of \$37,830.00 for the removal of an existing electrical handhole and duct bank and the modification of the duct bank between the DP&L utility switching pedestal and the transformer.

On September 22, 2020 Council approved Change Order No.6 in the amount of \$16,550.00 for the change of the sewer service for the Return Sludge Building No. 2 from a gravity drain to a pumped approach.

On September 22, 2020 Council approved Change Order No. 7 in the not to exceed amount of \$307,300.00 for the City's oxidation ditch complete electrical equipment replacement. This change order had an allowance for sensor replacements which proved too low and required an increase of \$6,582.80. Council approved the modification to Change Order No. 7 on November 10, 2020.

On November 10, 2020 Council approved Change Order No. 8 in the aggregate amount of \$2,249.00 covering RFP-027, RFP-028, RFP-029 & RFP-030. GHD has concluded that RFP-029 can be rescinded in its entirety. Therefore, the scope of work in the Sludge Building reverts to the Drawings, as modified by Change Order No. 4 associated with RFP-016.

On December 15, 2020, Council approved the modification reducing Change Order No. 8 by \$9,040.00 for a modified net total credit of (\$6,791.00).

On February 9, 2021 Council approved Change Order No. 9 in the aggregate amount of \$30,554.00 covering RFPs-032 & 033. The first RFP provided upsized control panels, conduit and conductors associated with the two (2) Jet Mixing Pump VFDs while the second dealt with a modified temporary electrical feeder arrangement and a redirection of the medium voltage loop.

Under RFP- 035 the Environmental Services team requested waterproofed convenience receptacles at the return sludge building's pump room. While under RPP-040 they requested additional site lighting in the area of the generator and blower buildings. BW Electric, Inc. proposed and on August 10, 2021, Council approved Change Order No. 10 in the aggregate amount of \$7,320.00.

The City initiated RFPs-042 & 44. The first one replaces the deteriorated pull box at building B-10 with a stainless steel one and provides temporary power during installation. The second one addresses modifications to the garage

feeder after an unknown electrical structure was discovered. On October 12, 2021 Council approved Change Order No. 11 in the aggregate amount of \$47,328.70.

The Environmental Services team initiated RFP-045 for modification to the aeration basin lighting. It modifies some light locations and reduces the light pole height for the remaining interior poles out of operational safety concerns. On October 12, 2021 Council approved Change Order No. 12 in the amount of \$4,779.38.

The City initiated RFPs -043 & 049. The first one relates to the electrical control requirements for a City-furnished booster pump for installation in Building T-1. The second one addresses rewiring of the two (2) level sensors and dissolved oxygen probes at the oxidation ditches. On January 11, 2022 County Council issued Change Order No. 13 in the aggregate amount of \$20,018.56.

The Environmental Services team initiated RFP-048 for modification to four valves eliminating the actuators and on January 11, 2022 County Council issued the associated Change Order No. 14 in the credit amount of (\$6,485.87).

The City's lighting in the headworks building and the panelboard in the chemical building are compromised by corrosion and City staff requested replacement as per RFP-050. The County Environmental Services and IT staff reanalyzed the facility's fiber optic cabling needs and requested inner duct modifications under RFP-059. BW Electric proposed to make the changes for \$12,018.72 and \$16,100.70 respectively. The Engineering Department recommends issuance of Change Order No. 15 in the aggregate amount of \$28,119.42.

- f. Mobile Belt Filter Press; awarded on January 7, 2020 Council to Kershner Environmental Technologies. The unit was deployed at the Inland Bays RWF reducing legacy lagoon solids accumulation and is currently stationed at the LBPW Plant.
- g. DP&L expenses; on February 4, 2020 Council approved the electric utility service relocation contract.
- h. The Rehoboth Beach WTP was built on a municipal landfill and the design anticipated removal, but the actual amount trash encountered exceeded expectations. Therefore, Council approved a stand-alone purchase order to Melvin L. Joseph Construction Company, Inc. for material hauling & screening on July 14, 2020. The work is complete, and the screening was effective reducing the cost by over 60%.

The updated expenses associated with the South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program; Phase 2 are summarized in the attached spreadsheet.



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – General Construction**
2. Sussex County Project No. C19-11
3. Change Order No. 19
4. Date Change Order Initiated - 2/8/22
5.
 - a. Original Contract Sum \$39,526,400.00
 - b. Net Change by Previous Change Orders \$2,813,264.94
 - c. Contract Sum Prior to Change Order \$42,339,664.94
 - d. Requested Change \$ 98,214.50
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$42,437,879.44
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

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

6. Factors Affecting Time of Completion

 7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Replacement of a pump and piping at the SCRWF and new fiberglass baffles/guide bracket assembly at the RBWWTP.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No

E. APPROVALS

1. M.F. Ronca & Sons, Inc., Contractor

Signature Date

Representative's Name in Block Letters

2. Sussex County Engineer

Signature Date

3. Sussex County Council President

Signature Date



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	053		
RFP Subject	Sludge Building Drain Pumps		
Issued By	S. Clark	Issue Date	Jan. 7, 2021

Description of proposed changes:

Demolish the existing two Sludge Building Drain Pumps located in the Sludge Building Drain Pump Station and provide two new pumps. The new pumps shall be submersible pumps in accordance with Sections 11300 and 11307 and the following additional requirements:

1. Manufacturer: Flygt, N Series, Model NP3153.185 with 465 Hard Iron Impeller
2. Performance Requirements
 - a. Quantity: 2
 - b. Tag Numbers DP-1, DP-2
 - c. Pumped Liquid: Dewatering filtrate and lagoon supernatant (0-2% solids)
 - d. Primary Design Point: 500 gpm @ 57 ft TDH
 - e. Minimum Allowable Shutoff Head: 80 ft
 - f. Minimum Allowable Operating Range: 35-60 ft TDH
 - g. Minimum Allowable Efficiency at Primary Design Point: 68%
 - h. Minimum Sphere Passing Size: 3 inches
 - i. Minimum NPSHA throughout Operating Range: 35 ft
3. Discharge Nozzle Size: 4 inches
4. Motor Parameters
 - a. Maximum Allowable Motor Horsepower: 12 hp
 - b. Motor Selection: Submersible
 - c. Motor Speed (Nominal): 1,800 rpm
 - d. Minimum Allowable Motor Efficiency at Full Load: 88%
 - e. NEMA Design: B
 - f. Duty: Continuous



- g. Insulation: Class H
 - h. Insulation, Temperature Rise: Class B
 - i. Voltage, Phase, and Hertz: 460V, 3 Phase, 60 Hz
 - j. Service Factor: 1.15
 - k. Motor Enclosure: Submersible
 - l. Protection: MWTS, Seal Leak Sensor
 - m. Minimum Starts Per Hour (Allowable): 10, evenly spaced
5. Pumps shall be controlled using full-voltage non-reversing starters provided by the Electrical Contractor.

Contractor shall demolish existing discharge assemblies and guide rails and install new discharge assemblies and guide rails. Motor temperature and seal monitoring module shall be furnished by the General Contractor to the Electrical Contractor. Owner shall set float switches in the wet well.

Michael F.
RONCA
& Sons, Inc.

TELEPHONE 610/759-5100
FACSIMILE 610/746-0974



CONTRACTORS

179 Mikron Road, Bethlehem, PA 18020

January 25, 2022

Mr. Steven Clark, P.E.
GHD
16701 Melford Boulevard, Suite 330
Bowie, MD 20715

Re: Sussex County
SCRWF-RBWWTP CIP Phase 2 Upgrades
Proposed Change Order Request No. 554-025
SCRWF Sludge Building Drain Pumps - Rev

Dear Mr. Clark:

Please consider this writing to be Michael F. Ronca & Sons, Inc.'s formal change order request for performance of the above referenced work, in the amount of Ninety Thousand Eighty One Dollars and 84 Cents.....(\$90,081.84).

Enclosed for your review is a corresponding breakdown of costs.

Should this change order request be acceptable as provided, please prepare the appropriate change order documentation and forward the same to our office for further processing. Until then, should you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Scott Wachinski

Project Manger

cc: HO file 554
Hans M. Medlarz, P.E. – Sussex Co.
David A. Ronca – M.F. Ronca

Sussex County - SCRWF-RBWTP CIP Phase 2 Upgrades

PCOR 554-025 SCRWF Sludge Building Drain Pumps - Rev

1/25/2021

CHANGE ORDER SUMMARY

Item 1 Furnish and Installation of Replacement Flygt, N Series Sludge Building Drain Pumps per GHD's RFP-053 to Include Demo of Ex., New Guide Rail Assemblies, New Discharge Piping, Valves, Etc.

Labor	\$5,050.88
Materials	\$72,117.55
Equipment	\$250.56
Subcontract	\$1,000.00
Subtotal	\$78,418.99
Contractor Overhead & Profit @ 15%	\$11,612.85
Contr. Overhead & Profit on Subcontr. @ 5%	\$50.00
Item Total	\$90,081.84
Change Order Total	\$90,081.84

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-025 SCRWF Sludge Building Drain Pumps - Rev

1/25/2021

<u>Item</u>	<u>Description</u>					
Item 1	Furnish and Installation of Replacement Flygt, N Series Sludge Building Drain Pumps per GHD's RFP-053 to Include Demo of Ex., New Guide Rail Assemblies, New Discharge Piping, Valves, Etc.					
	Labor:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	Mechanic/Fitter	32.00	MH	\$122.18	\$3,909.76	
	Laborer	16.00	MH	\$71.32	\$1,141.12	
						Labor Total: \$5,050.88
	Materials:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	2 EA Flygt N Series Submersible Pumps	1.00	LS	\$57,000.00	\$57,000.00	
	SS Guide Rail Assemblies	1.00	LS	\$1,250.00	\$1,250.00	
	8" FLG Rubber Flapper Check Valves	2.00	EA	\$1,240.00	\$2,480.00	
	8" FLG Plug Valves	2.00	EA	\$1,860.00	\$3,720.00	
	Misc. Flg Fittings, SS Hardware, Grout, Etc.	1.00	LS	\$7,667.55	\$7,667.55	
						Material Total: \$72,117.55
	Equipment:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	STS	16.00	HR	\$15.66	\$250.56	
						Equipment Total: \$250.56
	Subcontract:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	Coating of New Piping and Fittings	1.00	LS	\$1,000.00	\$1,000.00	
						Subcontract Total: \$1,000.00
						Item Total: \$78,418.99

Notes:

- N1 Electrical Demo and New Electrical Service to Pumps is Specifically Excluded.
- N2 Replacement of Discharge Piping and Valves is Up to Existing 8"x8" TEE. Existing TEE is to Remain.



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	055 (revised)		
RFP Subject	SCRWF HVAC Equipment Replacements		
Issued By	S. Clark	Issue Date	Jan. 26, 2022

Description of proposed changes:

Replace the motor operators for MOD-RSB2-01 and MOD-HWK-01 with NEMA 4X motor operators to be suitable for wet locations. Motor operators for wet locations are specified in Section 15985 ("weatherproof" type).

In addition, replace electric unit heater EUH-RSB2-01 with a corrosion resistant type suitable for a wet location similar to those submitted and approved for the Sludge Building. Reference Section 15835.

If the motor operators and heater have already been procured, turn the unused items over to the County as spares.



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	057		
RFP Subject	RBWWTP SB-1 Baffle		
Issued By	S. Clark, S. Anderson	Issue Date	Jan. 24, 2022

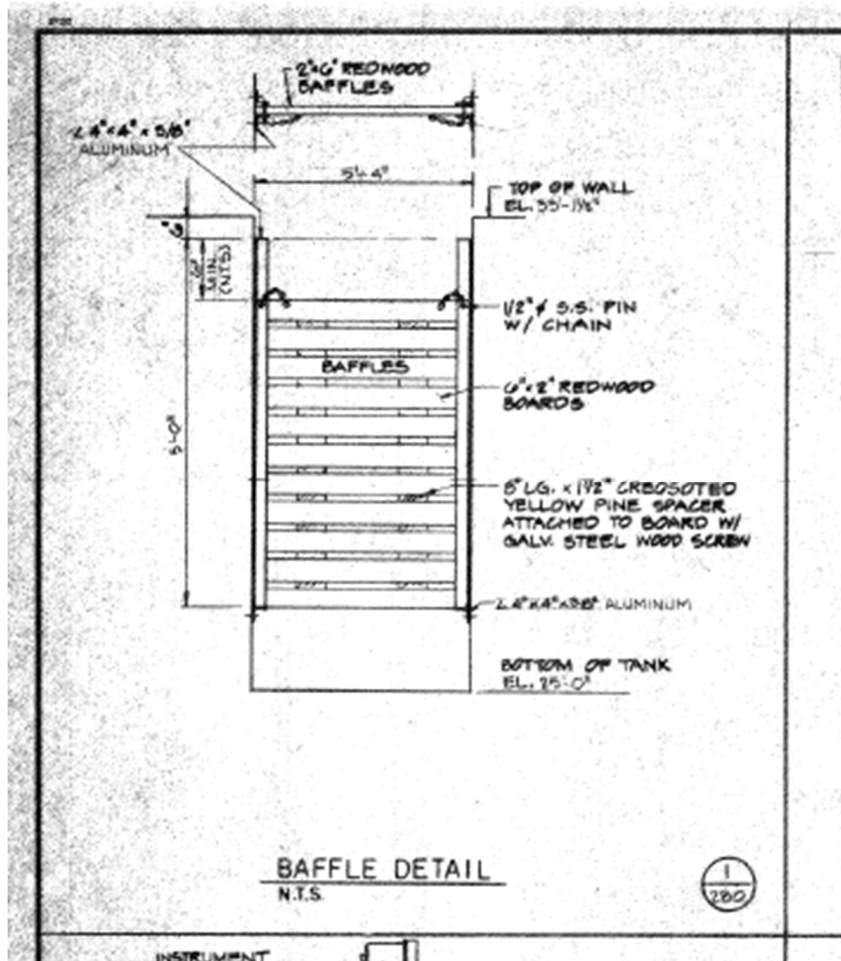
Description of proposed changes:

Provide a new FRP flow baffle and guide bracket assembly to replace the original wooden baffle assembly previously located in Splitting Box SB-1 at RBWWTP. The general assembly of the baffle should be similar to the original assembly. The details for the original assembly are included below for reference.

The new baffle assembly shall be configured with 1.5" x 5.5" SOLID FRP boards, with 1.5" diameter x 1.5" tall FRP disc spacers between each board located 1.5" from each end of the board and at the 1/3 points of the board span (~ 20" on center). The boards and spacers shall be connected using a continuous 3/8" diameter 316 SS rods. Shop drill 1/2" diameter holes in the boards and spacers for rods to pass through. At the top of the baffle, the rods for the 2 outer most columns of spacers should be bent to form a 45-deg angle that connects at the middle using a SS coupler to act as a lifting point. The lifting handle should extend at least 24" above the surrounding walking surface to allow easy access. The outside FRP columns/rods shall have a double nut termination at the bottom of the baffle assembly. The 2 columns of interior FRP spacers shall be connected through the baffle boards using 3/8" diameter SS rods, and each end of the rod shall use a double nut termination.

The guides for the baffle assembly shall be composed of back-to back L4x4 x3/8 316 SS angles on either side of the channel. The top of the SS angle guides shall terminate 6" below the top of the channel wall, and the bottom of the baffle should terminate 5'-6" below the top of the channel wall when installed. The top of the baffle shall terminate 6" below the top of the angle guides. The guides should be spaced 1.75" apart (back-to-back clear distance) and should be anchored to the side walls using 1/2" dia SS adhesive anchors 18" oc vertically – 3" minimum embedment into wall. The bottom of the guides should be closed off with a SS end plate (1/4" x 4" x 2") welded to bottom of guides.

All metal materials to be 316 SS.



Michael F.
RONCA
& Sons, Inc.

TELEPHONE 610/759-5100
FACSIMILE 610/746-0974



CONTRACTORS

179 Mikron Road, Bethlehem, PA 18020

February 1, 2022

Mr. Steven Clark, P.E.
GHD
16701 Melford Boulevard, Suite 330
Bowie, MD 20715

Re: Sussex County
SCRWF-RBWWTP CIP Phase 2 Upgrades
Proposed Change Order Request No. 554-027
RBWWTP SB-1 Baffle

Dear Mr. Clark:

Please consider this writing to be Michael F. Ronca & Sons, Inc.'s formal change order request for performance of the above referenced work, in the amount of Eight Thousand One Hundred Thirty Two Dollars and 66 Cents.....(\$8,132.66).

Enclosed for your review is a corresponding breakdown of costs.

Should this change order request be acceptable as provided, please prepare the appropriate change order documentation and forward the same to our office for further processing. Until then, should you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Scott Wachinski

Project Manger

cc: HO file 554
Hans M. Medlarz, P.E. – Sussex Co.
David A. Ronca – M.F. Ronca

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-027 RBWWTP SB-1 Baffle

2/1/2022

CHANGE ORDER SUMMARY

Item 1	Fabricate and Install SB-1 Plastic Lumber Baffle w/316 SS Hardware and Frame in Accordance with GHD RFP-057
Labor	\$2,396.32
Materials	\$4,425.00
Equipment	\$250.56
Subcontract	\$0.00
Subtotal	\$7,071.88
Contractor Overhead & Profit @ 15%	\$1,060.78
Contr. Overhead & Profit on Subcontr. @ 5%	\$0.00
Item Total	\$8,132.66
Change Order Total	\$8,132.66

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-027 RBWWTP SB-1 Baffle

2/1/2022

<u>Item</u>	<u>Description</u>					
Item 1	Fabricate and Install SB-1 Plastic Lumber Baffle w/316 SS Hardware and Frame in Accordance with GHD RFP-057					
	Labor:	Qty	Unit	Unit Cost	Total	
	Carpenter	16.00	MH	\$78.45	\$1,255.20	
	Laborer	16.00	MH	\$71.32	\$1,141.12	
						Labor Total: \$2,396.32
	Materials:	Qty	Unit	Unit Cost	Total	
	Plastic Lumber, 316 SS Angle & Hardware	1.00	LS	\$4,275.00	\$4,275.00	
	Misc.	1.00	LS	\$150.00	\$150.00	
						Material Total: \$4,425.00
	Equipment:	Qty	Unit	Unit Cost	Total	
	STS	16.00	HR	\$15.66	\$250.56	
						Equipment Total: \$250.56
	Subcontract:	Qty	Unit	Unit Cost	Total	
				\$0.00	\$0.00	
						Subcontract Total: \$0.00
						Item Total: \$7,071.88



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – Electrical Construction**
2. Sussex County Project No. C19-17
3. Change Order No. 15
4. Date Change Order Initiated - 2/8/22
5.
 - a. Original Contract Sum \$22,178,674.00
 - b. Net Change by Previous Change Orders (\$289,838.23)
 - c. Contract Sum Prior to Change Order \$21,888,835.77
 - d. Requested Change \$ 28,119.42
 - e. Net Change (No. of days) _____
 - f. New Contract Amount \$21,916,955.19
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

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

6. Factors Affecting Time of Completion

 7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Replacement of lighting and panel board at the RBWWTP. Inner duct modifications at SCRWF.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No

E. APPROVALS

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

Signature Date

Representative's Name in Block Letters

2. Sussex County Engineer

Signature Date

3. Sussex County Council President

Signature Date



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	050		
RFP Subject	RBWWTP T-1 & B-10 Electrical		
Issued By	D. Murray	Issue Date	Jan. 11, 2022

Description of proposed changes:

Contractor is requested to submit a proposal for the following work:

T-1

Refer to RFI-086.

1. Provide light switch at each door to control lower-level lighting fixtures.
2. Replace wall-pack light fixtures on second level. Locate lighting fixture as near to each door as possible outside the 3' explosion-proof envelope.

B-10

Refer to RFI-088.

1. Replace panelboard LP1 with new panelboard as specified.
 - Rename panelboard GPB10
 - Minimum bus ampacity 125A
 - Main Circuit Breaker 125A
 - Evaluate condition of feeder and branch circuit conductors. If there is sufficient conductor length and conductors are not corroded after cutting at terminations and stripping insulation, reuse existing conductors. If not suitable for reuse, replace conductors from transformer and to nearest device on each circuit.



15342 S. DuPont Hwy
Harrington DE 19952

Office: 302.566.6248
Fax: 302.566.6251

Bryon Warren
President
302-270-5719

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

February 3, 2022

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 50

Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 50. Our price does not include the use of Prevailing Wages. Our price is **\$12,018.72** and includes the following:

Description of proposed changes:

Contractor is requested to submit a proposal for the following work:

T-1

Refer to RFI-086.

1. Provide light switch at each door to control lower-level lighting fixtures.
2. Replace wall-pack light fixtures on second level. Locate lighting fixture as near to each door as possible outside the 3' explosion-proof envelope.

B-10

Refer to RFI-088.

1. Replace panelboard LP1 with new panelboard as specified.
 - Rename panelboard GPB10
 - Minimum bus ampacity 125A
 - Main Circuit Breaker 125A
 - Evaluate condition of feeder and branch circuit conductors. If there is sufficient conductor length and conductors are not corroded after cutting at terminations and

stripping insulation, reuse existing conductors. If not suitable for reuse, replace conductors from transformer and to nearest device on each circuit.

If this RFP is accepted, we are requesting 10 days be added to the contract.

Exclusions

1. No permit fees.
2. No cutting.
3. No patching or painting.
4. No liquidated damages.

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

Sincerely,

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

#SCRWF Upgrade No.3 and RBWWTP CIP Upgrade Phase 2 : RFP No. 050
Totals (Summary) - Bid Summary: Default

Material	
Non-Quoted	\$1,620.42
Quotes	4,200.00
Sales Tax (0.00%)	0.00
Total Material	\$5,820.42
Labor	
Direct (61.88 hours @ \$70.00)	\$4,331.60
Non-Productive Labor	0.00
Total Labor (61.88 hours)	\$4,331.60
Direct Job Expenses	\$0.00
Tools and Miscellaneous Materials	0.00
Subcontracts	0.00
Job Subtotal (Prime Cost)	\$10,152.02
Overhead (10.00%)	1,015.20
Profit (5.00%)	558.36
Job Total	\$11,725.58
Bond	
Bond	293.14
Job Total with Bond	\$12,018.72
Actual Bid Price	\$12,018.72
Material to Direct Labor ratio: 0.57	
Prime Cost per square foot	\$0.00
Job Total per square foot	\$0.00
Actual Bid Price per square ft	\$0.00
Labor cost per square foot	\$0.00
Labor hours per square foot	0.00
Gross Profit %	15.53
Gross Profit \$	\$1,866.70
Net Profit %	7.08



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	059		
RFP Subject	SCWRF FO Cable and Inner Ducts		
Issued By	B. Cardinal	Issue Date	Jan. 28, 2022

Description of proposed changes:

Contractor is requested to submit a proposal for making the following modifications to the fiber optic cable loop and corresponding inner duct installation.

1. For the new fiber optic cable loop to be installed at SCRWF, delete the specified armored fiber optic cable (ExpressLT Dry by Prysmian) and substitute FREEDM Loose Tube by Corning (pending final submittal approval).
2. Delete all 1/2" ID fiber optic inner duct for the underground fiber optic cable loop to be installed in underground ducts, and substitute in certain places the 1" ID version of the inner duct, same type and manufacturer. In general, the changes to the inner duct will include the following:
 - a. Delete all 1/2" ID inner duct on the project
 - b. In existing 2" underground ducts, install only the cables directly in the ducts; no inner duct is to be installed.
 - c. In existing 4" underground ducts and in new 4" underground ducts, install two (2) 1" ID inner ducts.
3. Installation and approximate quantities, per our interpretation of the Contract Documents, are indicated below (fiber optic cables are 24F):
 - a. DB-AB2 2 inner ducts in existing 4" duct; each with one cable
 - b. DB-FOA2 2 inner ducts in existing 4" duct; each with one cable
 - c. DB-5P 2 inner ducts in existing 4" duct; one with cable and one with pull tape
 - d. DB-BB1 2 inner ducts in new 4" duct; one with cable and one with pull tape
 - e. DB-EB1 2 inner ducts in new 4" duct; one with cable and one with pull tape
 - f. DB-5O 2 inner ducts in existing 4" duct; each with one cable
 - g. DB-B (-2) 2 inner ducts in new 4" duct; each with one cable
 - h. DB-MF 2 inner ducts in new 4" duct; one with cable and one with pull tape
 - i. DB-LTS 2 inner ducts in new 4" duct; one with cable and one with pull tape
 - j. DB-6D 2 inner ducts in new 4" duct; one with cable and one with pull tape



- k. DB-RS2 2 inner ducts in new 4" duct; each with one cable
- l. DB-6A 2 inner ducts in new 4" duct; one with cable and one with pull tape
- m. DB-6B 2 inner ducts in new 4" duct; one with cable and one with pull tape
- n. DB-6C 2 inner ducts in new 4" duct; each with one cable
- o. DB-5M 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- p. DB-5L 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- q. DB-5K1 2 inner ducts in each of two (2) existing 4" ducts; two (2) inner ducts with cables and two inner ducts with pull tape
- r. DB-5G 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- s. DB-2 0 (zero) inner ducts in existing 2" duct, with two cables
- t. DB-5I 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- u. DB-5H 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- v. DB-5E 2 inner ducts in existing 4" duct; each with one cable
- w. DB-MB1 2 inner ducts in new 4" duct; one with cable and one with pull tape
- x. DB-MB2 2 inner ducts in new 4" duct; one with cable and one with pull tape
- y. DB-HW4 2 inner ducts in new 4" duct; one with cable and one with pull tape
- z. DB-HW1 2 inner ducts in new 4" duct; one with cable and one with pull tape
- aa. DB-PB 2 inner ducts in new 4" duct; each with one cable
- bb. DB-HW2 2 inner ducts in new 4" duct; one with cable and one with pull tape
- cc. DB-HW3 2 inner ducts in new 4" duct; one with cable and one with pull tape
- dd. DB-FOA 2 inner ducts in existing 4" duct; one with cable and one with pull tape



15342 S. DuPont Hwy
Harrington DE 19952

Office: 302.566.6248
Fax: 302.566.6251

Bryon Warren
President
302-270-5719

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

February 3, 2022

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 59

Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 59. Our price does not include the use of Prevailing Wages. Our price is **\$16,100.70** and includes the following:

Description of proposed changes:

Contactors are requested to submit a proposal for making the following modifications to the fiber optic cable loop and corresponding inner duct installation.

1. For the new fiber optic cable loop to be installed at SCRWF, delete the specified armored fiber optic cable (ExpressLT Dry by Prysmian) and substitute FREEDM Loose Tube by Corning (pending final submittal approval).
2. Delete all 1/2" ID fiber optic inner duct for the underground fiber optic cable loop to be installed in underground ducts, and substitute in certain places the 1" ID version of the inner duct, same type and manufacturer. In general, the changes to the inner duct will include the following:
 - a. Delete all 1/2" ID inner duct on the project
 - b. In existing 2" underground ducts, install only the cables directly in the ducts; no inner duct is to be installed.
 - c. In existing 4" underground ducts and in new 4" underground ducts, install two (2) 1" ID inner ducts.

3. Installation and approximate quantities, per our interpretation of the Contract Documents, are indicated below (fiber optic cables are 24F):

- a. DB-AB2 2 inner ducts in existing 4" duct; each with one cable
- b. DB-FOA2 2 inner ducts in existing 4" duct; each with one cable
- c. DB-5P 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- d. DB-BB1 2 inner ducts in new 4" duct; one with cable and one with pull tape
- e. DB-EB1 2 inner ducts in new 4" duct; one with cable and one with pull tape
- f. DB-5O 2 inner ducts in existing 4" duct; each with one cable
- g. DB-B (-2) 2 inner ducts in new 4" duct; each with one cable
- h. DB-MF 2 inner ducts in new 4" duct; one with cable and one with pull tape
- i. DB-LTS 2 inner ducts in new 4" duct; one with cable and one with pull tape
- j. DB-6D 2 inner ducts in new 4" duct; one with cable and one with pull tape
- k. DB-RS2 2 inner ducts in new 4" duct; each with one cable
- l. DB-6A 2 inner ducts in new 4" duct; one with cable and one with pull tape
- m. DB-6B 2 inner ducts in new 4" duct; one with cable and one with pull tape
- n. DB-6C 2 inner ducts in new 4" duct; each with one cable
- o. DB-5M 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- p. DB-5L 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- q. DB-5K1 2 inner ducts in each of two (2) existing 4" ducts; two (2) inner ducts with cables and two inner ducts with pull tape
- r. DB-5G 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- s. DB-2 0 (zero) inner ducts in existing 2" duct, with two cables
- t. DB-5I 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- u. DB-5H 2 inner ducts in existing 4" duct; one with cable and one with pull tape
- v. DB-5E 2 inner ducts in existing 4" duct; each with one cable
- w. DB-MB1 2 inner ducts in new 4" duct; one with cable and one with pull tape
- x. DB-MB2 2 inner ducts in new 4" duct; one with cable and one with pull tape
- y. DB-HW4 2 inner ducts in new 4" duct; one with cable and one with pull tape
- z. DB-HW1 2 inner ducts in new 4" duct; one with cable and one with pull tape
- aa. DB-PB 2 inner ducts in new 4" duct; each with one cable
- bb. DB-HW2 2 inner ducts in new 4" duct; one with cable and one with pull tape
- cc. DB-HW3 2 inner ducts in new 4" duct; one with cable and one with pull tape
- dd. DB-FOA 2 inner ducts in existing 4" duct; one with cable and one with pull tape

If this RFP is accepted, we are requesting 10 days be added to the contract.

Exclusions

- 1. No permit fees.
- 2. No cutting.
- 3. No patching or painting.
- 4. No liquidated damages.

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

Sincerely,

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

#SCRWF Upgrade No.3 and RBWWTP CIP Upgrade Phase 2 : RFP No. 059

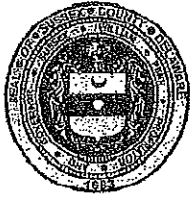
Totals (Summary) - Bid Summary: Default

Material	
Non-Quoted	\$8,000.00
Quotes	0.00
Sales Tax (0.00%)	0.00
Total Material	\$8,000.00
Labor	
Direct (80.00 hours @ \$70.00)	\$5,600.00
Non-Productive Labor	0.00
Total Labor (80.00 hours)	\$5,600.00
Direct Job Expenses	\$0.00
Tools and Miscellaneous Materials	0.00
Subcontracts	0.00
Job Subtotal (Prime Cost)	\$13,600.00
Overhead (10.00%)	1,360.00
Profit (5.00%)	748.00
Job Total	\$15,708.00
Bond	
Bond	392.70
Job Total with Bond	\$16,100.70
Actual Bid Price	\$16,100.70
Material to Direct Labor ratio: 0.59	
Prime Cost per square foot	\$0.00
Job Total per square foot	\$0.00
Actual Bid Price per square ft	\$0.00
Labor cost per square foot	\$0.00
Labor hours per square foot	0.00
Gross Profit %	15.53
Gross Profit \$	\$2,500.70
Net Profit %	7.08

South Coastal RWF & Rehoboth Beach WTF Upgrade

2/8/2021

Vendor/Contract	Description	Contract Value
Michael F. Ronca & Sons, Inc.	SCRWF/RBWWTP General Construction	42,437,879.44
BW Electric Inc.	SCRWF/RBWWTP Electrical Construction	21,916,955.19
BW Electric Inc. CO#3	DP&L Service Entrance Modification Conduit System	235,637.33
BW P.O.	Soil Screening @ Rehoboth Plant	4,504.50
City of Rehoboth	Direct Payment for repairs to piping in oxidation ditches	324,996.81
GHD	Amd 11 - SCRWF Expansion to 10mgd - Planning & Concept	241,938.68
	Amd 12 - SCRWF Expansion Construction Docs	2,240,280.73
	Amd 13 - Value Engineering	95,080.15
	Amd 14 - Rehoboth WTP Capital Improvement Program Upgrade Phase 2/Joint Project with SCRWF Expansion	398,410.63
	Amd 16 - Ocean Outfall Discharge Modeling & Wetlands Delineation for SCRWF and Add'l Design Services for Rehoboth WTP Capital Improvement Program	181,089.72
	Amd 18 - RBWTP CIP Upgrade Phase 2 - Add'l Design	172,153.01
	Amd 19 - SCRWF Upgrade 3 Add'l Design	108,073.71
	Amd 20 - SCRWF Upgrade 3/RBWTP Upgrade Phase 2 Construction Engineering	6,589,558.49
Core & Main	Influent FM Consolidation Materials	339,944.59
Core & Main	Effluent FM Pipeline Materials	227,603.39
Delmarva Power	Improve service entrances for both projects. Payment not distributed.	175,000.00
G&L	FM Consolidation & Influent Consolidation Phase II	973,229.04
G&L Work- Effluent Relocation		316,635.20
G&L Work - RB Treatment Plant	Parking Lot Repavement	
Kershner Environmental Technologies	Belt Press	295,000.00
Melvin Joseph	Material Screening	80,000.00
DSWA	Loading, Hauling & Disposal of Debris	33,000.00
	Hauling of Rehoboth Oxidation Ditch Remnants	39,663.15
Totals		77,426,633.76



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Lewes Public Library, Inc.
PROJECT NAME: Annual Shakespeare Festival
FEDERAL TAX ID: 51-0350650 NON-PROFIT: YES NO

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

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

ORGANIZATION'S MISSION: The Lewes Public Library anticipates the needs of the community and adapts, creates and supports classes and programs for all ages that encourage a love of reading, exploration and discovery. The Library provides access for a wide variety of educational, informational and recreational materials to all members of the community through traditional resources and emerging technologies.
(revision adopted by the LPL Board, 2017)

ADDRESS: 111 Adams Avenue

Lewes DE 19958
(CITY) (STATE) (ZIP)

CONTACT PERSON: Beckie Healey
TITLE: Director Emeritus
PHONE: 302-645-9828 EMAIL: beckiehealey@comcast.net

TOTAL FUNDING REQUEST: \$ 2500

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

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

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

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 6

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- Fair Housing
 Infrastructure¹

- Health and Human Services
 Other _____

- Cultural
 Educational

BENEFICIARY CATEGORY

- Disability & Special Needs
 Elderly Persons
 Minority

- Victims of Domestic Violence
 Low to Moderate Income²
 Other all encompassing _____

- Homeless
 Youth

BENEFICIARY NUMBER

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

SECTION 3: PROGRAM SCOPE

- A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The Lewes Public Library Shakespeare Festival continues to provide platforms for the celebration of the spoken word that includes lectures, demonstrations, workshops, recitals and concerts, and professional and amateur performances of live theater throughout the year. These will lead up to a month full of activities in April 2022. The LPL hosted its first summer intensive for teens last August. This proved highly successful and will be repeated for the youngsters of Sussex County in August 2022.

Additionally, the library and the Shakespeare Festival seek to create Bold Words, a unique experience for young writers and performers to collaborate in creation of text-based public performance of original material. This concept complements but is distinct from existing efforts in other area programs. Bold Words fulfills a need for young people by creating opportunities to experience the benefits and challenges of a creative alliance with other artists. The collaborative experience has demonstrated benefits for positive development, but such opportunities for young people are currently not available in the community served by the Lewes Public Library. Public participation in the resulting performances will enrich immersion in the humanities for the community with an accessible and rewarding experience.,

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	29,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL -one lump sum that would include benefits, OPERATING COSTS -supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION -acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Personnel (scholars, planners, honoraria, etc.)	-\$ 32,000.00
Operating (supplies, rentals, marketing, etc.)	-\$ 6,400.00
Evaluations	-\$ 200.00
Staff Time	-\$ 4,000.00
Volunteer time translates to \$8,646, and is not included	
TOTAL EXPENDITURES	-\$ 42,600.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 13,600.00


SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Lewes Public Library agrees that:
(Name of Organization)

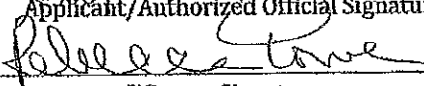
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application.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

SECTION 5: STATEMENT OF ASSURANCES (continued)

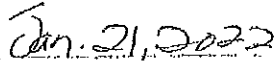
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom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



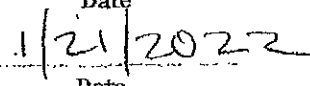
Applicant/Authorized Official Signature



Witness Signature



Date



Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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

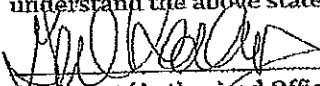
For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

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

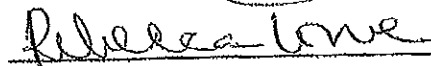
Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used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

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


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



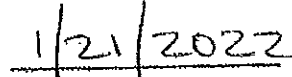
Applicant/Authorized Official Signature



Witness Signature



Title



Date

Council Grant Form

Legal Name of Agency/Organization ~~SUSSEX COUNTY FRATERNAL ORDER OF POLICE LODGE #2~~
Fraternal Order of Police - Sussex County Lodge No 2 Inc.

Project Name 1) Sharing a Thanksgiving Dinner with a needy family. 2)
Share Christmas with a needy family, Support C.O.P,'s, etc.

Federal Tax ID 51-0255625

Non-Profit Yes

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

Organization's Mission Severely hampered, However, there are still people who need our support. We still will make every attempt to support the following: Concerns of Police Survivors (C.O.P.'S Delaware Chapter). Share your Christmas (with a needy family). Share Thanksgiving (with a needy family). Georgetown Police Youth Academy. Home of the Brave (Veteran's Home). As we have not had our annual golf tournament due to the virus, we are running a deficit of \$1,500 as we are trying to honor our commitments to the needy and youth in our community. We are currently trying to start a PAL (Police Athletic League) in the Georgetown area which has proven to be highly successful in New Castle and Kent Counties. We continue to be a steward for our Sussex County Communities while inflation has soared.

Address 36 Autumnwood Way

Address 2 Chapel Green

City Lewes

State Delaware

Zip Code 19958

Contact Person Jerry E. Gibson

Contact Title Treasurer, FOP Sussex Lodge 2

Contact Phone Number Cell: 302-381-5595; Land Line: 302-945-0990

Contact Email Address jegibson7@aol.com

Total Funding Request \$3,000.00

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

If YES, how much was received in the last 12 months? 2000.00

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

If YES, approximately what percentage of the project's funding 30.3

does the Council
grant represent?

Program Category
(choose all that
apply)

Other

Program Category
Other

Community Services

Primary Beneficiary
Category

Disability & Special Needs

Beneficiary Category
Other

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

475

Scope

We are supporting programs that aid disadvantaged youth, assist poor families (especially at Thanksgiving and Christmas. Police survivors, Military Veterans, Fire and Police disabled, our Health and Welfare Fund which furnishes needed aid to Officers when other sources are not available.

Religious
Components

N/A

Please enter the
current support your
organization receives
for this project (not

0.00

entire organization
revenue if not
applicable to request)

Description	Concerns of Police Survivors
Amount	500.00
Description	Share the Christmas with needy family
Amount	1,500.00
Description	Camp Barnes
Amount	500.00
Description	Georgetown Police Youth Program
Amount	200.00
Description	Home of the Brave (Veteran's Home)
Amount	250.00
Description	Hardship Family Student Scholarship
Amount	500.00
Description	Heath and Welfare Lodge Fund
Amount	1,500.00
Description	Thanksgiving Dinner (to needy family)
Amount	300.00
TOTAL EXPENDITURES	5,250.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -5,250.00

Name of Organization Sussex FOP Lodge 2

**Applicant/Authorized
Official** Jerry E. Gibson

Date 01/24/2022

**Affidavit
Acknowledgement** Yes

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

Council Grant Form

Legal Name of Agency/Organization ~~Fort Miles Historic Association~~
Fort Miles Historical Association Inc

Project Name M10 Display at Fort Miles

Federal Tax ID 20-0142663

Non-Profit Yes

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

Organization's Mission

The mission of FMHA is to educate the public on Fort Miels and its role in the protection of Delaware and the United States as whole. Fort Miles was a Coast Artillery fortification built during WW2 to protect the Delaware Bay. Today the Fort is known as Cape Henlopen State Park. It is the singular most complete facility of its type.

Every April there is a large public presentation of the uniforms, base life, Ww2 in general and now post WW2 as well.

In an endeavor to attract public attention and increase visitor ship, many attractions are brought in. Ovee the years, the FMHA and its partner group, the Harbour Defenses of the Delaware Living History Association have been able to bring in large equipment that would have been used by our troops in WW2. This has included GMC DUKWs and Stuart tanks, every year the equipment is rotated to increase the public attraction and keep folks visiting the park.

Address PO Box 52

Address 2	Lewes
City	Delaware
State	DE
Zip Code	1997
Contact Person	Larry Boyer/Donald G Hattier
Contact Title	Treasurer FMHA/Director HDDLHA
Contact Phone Number	302 528 4921 Larry / 302 245 1543 Donald
Contact Email Address	dhattier@verizon.net
Total Funding Request	\$1,000.00 or what you can
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of	33

the project's funding does the Council grant represent?

Program Category (choose all that apply) Cultural, Educational

Program Category Other

Primary Beneficiary Category Victims of Domestic Violence

Beneficiary Category Other General public and veterans

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 2500

Scope The purpose is to cover a portion of the shipping involved in getting a 1944 M18 Hellcat tank destroyer, manufactured by Buick. (https://en.wikipedia.org/wiki/M18_Hellcat) This was the fastest armored vehicle made during WW2 and was very successful against its main target, the German Panzers. Current value of this piece is in excess of \$475,000 This vehicle is rarely if ever seen outside a museum. There have never been any displayed in Delaware. The owner is located in PA and has generously offered to display this at Fort Miles. All costs other than shipping are being covered by the owner. Those other costs include crew, fuel (1.5 MPG) and operational expenses. The annual (minus the virus items) display has used this

type of attraction to get more public interest in the Fort. Numbers have grown steadily over the years from 500 in 2011 (approx) to over 2500 in 2019.

Private business and the FMHA and State Parks are also donating money to this. Many individuals are being approached. The event is April 23rd.

Please call 302 245 1543 for a better explanation.

Religious Components

None

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

2,000.00

Description

transportation from PA to the Fort

Amount

3,000.00

Description

the above includes highway travel, fuel and police escort fees

Amount

Description

The vehicle is over sized and at 36,000 lbs requires heavy towing gear.

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

Description

Amount

TOTAL EXPENDITURES 3,000.00

TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION -1,000.00

Name of Organization Fort Miles Historic Association

Applicant/Authorized
Official Larry Boyer

Date 01/22/2022

Affidavit Yes
Acknowledgement

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Council Grant Form

Legal Name of Agency/Organization	Delaware River and Bay Lighthouse Foundation
Project Name	Restoration and Volunteer Support
Federal Tax ID	23-3023123
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	N/A
Address	P.O. Box 708
Address 2	
City	;Lewes
State	DE
Zip Code	19958
Contact Person	Rick Zeigler
Contact Title	President

Contact Phone Number	(302) 644-7046
Contact Email Address	rickz711@gmail.com
Total Funding Request	15000
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	No
If YES, approximately what percentage of the project's funding does the Council grant represent?	N/A
Program Category (choose all that apply)	Other
Program Category Other	Restoration and Volunteer Support

Primary Beneficiary Category

Other

Beneficiary Category Other

Community Benefit Historic Structures

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

125

Scope

The Delaware Bay River and Lighthouse Foundation has been working on the restoration of the Harbor of Refuge Lighthouse for more than 20 years. Each summer the DBRLF 100% volunteer team undertakes 3 to 5 restoration trips plus sponsor tours and other recreational activities centered around the lighthouse. The lighthouse brings in more than 1000 visitors, to Sussex County and the Town of Lewes, to see the light house. About 100 to 200 people tour the lighthouse by boat and also get the experience to climb the light. Each person that comes to Sussex County and Lewes as recreational visitor spends an estimate of between \$50 and \$100 per person with the local Sussex businesses. A total estimated impact of between \$50,000 and \$100,000 on the economy of Sussex County. The funding received will allow the foundation volunteers to get to the lighthouse and continue the important restoration of this cultural icon in Sussex County. This \$15,000 will pay for the transportation of the volunteers working on the lighthouse. Being an Ocean and Bay based beacon one cannot just drive up to the lighthouse. A launch boat is hired to move both the volunteers and scores of materials needed to maintain the lighthouse in good condition so that visitors will continue to come see this shining beacon.

Lighthouse tourism is very popular. Your assistance will allow this to continue. Additionally, the restoration teams need to purchase materials for the work. Retail sales of paint, tarps and other supplies runs about \$5,000 a year money that is spent in Sussex County. The economic impact is very positive to the County. As more restoration work is undertaken the foundation expects even more visitors to Sussex and Lewes leaving a positive economic impact. Hopefully the council can help the foundation in this important work and help in the maintenance of this shining beacon of maritime history in Sussex County.

Religious Components

N/A

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

0.00

Description

Launch and Transportation Support

Amount

15,000.00

Description

Amount

Description

Amount

Description

Amount	
Description	
Amount	
Description	
Amount	
Description	
Amount	
Description	
Amount	
TOTAL EXPENDITURES	15,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-15,000.00
Name of Organization	Delware River and Bay Lighthouse Foundation
Applicant/Authorized Official	Rick Zeigler
Date	01/30/2022
Affidavit Acknowledgement	Yes

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

To Be Introduced: 2/8/22

Council District 4: Mr. Hudson
Tax I.D. No.: 134-12.00-1198.00
911 Addresses: 31631 Reading Street, Millville

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A TREEHOUSE AND YURT TO BE UTILIZED FOR SHORT-TERM RENTALS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.26 ACRES, MORE OR LESS.

WHEREAS, on the 16th of November 2021, a conditional use application, denominated Conditional Use No. 2323 was filed on behalf of Leslye Brossus and

WHEREAS, on the ____ day of _____ 2022, 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. 2323 be _____; and

WHEREAS, on the ____ day of _____ 2022, 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 115, Subsection 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2323 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, being lot 45 within the Banks Acres Subdivision, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (Route 349) and being more particularly described in the attached legal description prepared by Superior Title Corporation, containing 0.26 acres, more or less.

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

To Be Introduced: 2/8/22

Council District 5: Mr. Rieley
Tax I.D. Nos. 134-16.00-700.02
911 Address 34282 Central Avenue, Frankford, DE 19945

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE AND BOAT REPAIR BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS

WHEREAS, on the 17th day of November 2021, a conditional use application, denominated Conditional Use No. 2324 was filed on behalf of Zachary Bedell; and

WHEREAS, on the ____ day of _____ 2022, 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. 2324 be _____; and

WHEREAS, on the ____ day of _____ 2022, 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. 2324 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 Baltimore Hundred, Sussex County, Delaware, and lying on the west side of Central Avenue (S.C.R. 84) approximately 350-ft south of Substation Road (S.C.R. and being more particularly described in the attached legal description prepared by Tomasetti Law, LLC, said parcel(s) containing 5.00 acres, more or less.

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

To Be Introduced: 2/8/22

Council District 5: Mr. Rieley
Tax I.D. Nos. 533-9.00-58.00
911 Address: Jay Patch Road, Selbyville

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CAMPGROUND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 30.76 ACRES MORE OR LESS

WHEREAS, on the 17th day of November 2021, a conditional use application, denominated Conditional Use No. 2325 was filed on behalf of David & Sandra Blank; and

WHEREAS, on the ____ day of _____ 2022, 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. 2325 be _____; and

WHEREAS, on the ____ day of _____ 2022, 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. 2325 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 Baltimore Hundred, Sussex County, Delaware, and lying on the northeast side of Jay Patch Road (S.C.R. 376A) approximately 0.5 miles southeast of Pepper Road (S.C.R. 376) and being more particularly described in the attached legal descriptions prepared by Elzufon Austin Tarlov & Mondell, P.A., said parcels containing 30.76 acres more or less.

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