



Sussex County Council Public/Media Packet

**MEETING:
February 25, 2014**

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**Sussex County Council
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MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
GEORGE B. COLE
JOAN R. DEEVER
VANCE PHILLIPS



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Sussex County Council

AGENDA

FEBRUARY 25, 2014

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Bob Jones, Project Engineer

1. Sussex County Airport, Concrete Apron Repairs, Phase 2
 - A. Bid Award

Juel Gibbons, Project Engineer

1. Administration Building, Atrium Infill Project, Contract No. 13-08
 - A. Change Order No. 1 – Balancing Change Order

Brad Hawkes, Director of Utility Engineering

1. Administration Building, First Floor Renovation Project
Project No. 12-32, Phases 1 and 2
 - A. Substantial Completion and Balancing Change Order

Attorney General's Office -

Freedom of Information Act (FOIA) Road Show Presentation

Todd Lawson, County Administrator

1. Administrator's Report



Hal Godwin, Deputy County Administrator

1. Legislative Update / Committee Action Update

Grant Requests

- 1. Sussex Academy for the Sussex County Science Fair.**
- 2. Improved Order of Red Men for the COPD Foundation Fundraiser.**

Introduction of Proposed Zoning Ordinances

Any Additional Business Brought Before Council

12:30 p.m. Luncheon Meeting with the Sussex Conservation District
Location: Sussex County's West Complex

Sussex County Council meetings can be monitored on the internet at www.sussexcountype.gov.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 18, 2014 at 4:50 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

###

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 18, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 18, 2014, at 1:00 p.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Vance Phillips	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 086 14
Amend
and
Approve
Agenda**

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

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of February 11, 2014 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**READ ALOUD DELAWARE, GEORGETOWN, DELAWARE.
RE: Letter in appreciation of grant.**

**Board of
Assessment
Review
Appoint-
ments**

Mr. Lawson referenced the Board of Assessment Review, which meets the first 15 working days of March each year to consider property assessment appeals. Appointments to the Board are made by the Council and run for a term of 5 years. Board member Lester Beachy's term expires this month; Mr. Beachy has agreed to serve another 5 five years. Board member Ron Patterson (Councilman Cole's appointment) has indicated that he no longer wishes to serve. Mr. Lawson reported that Mr. Cole would like to appoint Harry Kreger to serve the balance of Mr. Patterson's term, which expires in February 2017.

**M 087 14
Approve
Appoint-
ments to
the Board
of Assess-
ment
Review**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, that the Sussex County Council approves the appointment of Lester Beachy to the Sussex County Board of Assessment Review effective February 1, 2014 for a term of five years and the appointment of Harry Kreger to the Sussex County Board of Assessment Review for the balance of District 4's term which is February 2017.

Motion Adopted: 5 Yeas.

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

**Adminis-
trator's
Report**

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

1. DNREC Workshop on Biggert-Waters Flood Insurance Reform Act of 2012

The Department of Natural Resources and Environmental Control (DNREC) will host a two-hour workshop on the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12), on Friday, February 21, from 9:30 to 11:30 a.m. at the CHEER Community Center, 20520 Sand Hill Road, in Georgetown. The workshop is designed to educate floodplain management officials and insurance agents who write flood insurance policies in Delaware.

Richard Sabota, Insurance Specialist with FEMA Region 3, will conduct the training and explain the changes BW-12 is bringing to the National Flood Insurance Program and premium costs. Anyone interested in attending the workshop should register with Greg Williams, Environmental Scientist, DNREC Division of Watershed Stewardship, by calling (302) 739-9921 or e-mailing Gregory.Williams@state.de.us.

2. Services for Charles P. Spicer, Jr.

As noted in last week's report, Charles Spicer, County pensioner, passed away on February 8, 2014. Mr. Spicer served as Clerk of the Peace from January 1987 through 1994 and Sheriff from January 1995 until his retirement in 1999.

Services for Mr. Spicer will be held on Wednesday, February 19, at Melson Funeral Home, 38040 Muddy Neck Road, Ocean View, where the family will receive friends after 11:00 a.m. and the funeral service will begin at 12:00 p.m. In lieu of flowers, the family suggests donations be made in Mr. Spicer's memory to the American Heart Association, 200 Continental Drive, Suite 101, Newark, DE 19713, or the charity of your choice.

**Legislative
Update**

Hal Godwin, Deputy County Administrator, presented the following legislative update:

House Bill No. 167 – “AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE WITH REGARD TO EMPLOYMENT PRACTICES” (also known as “ban the box” bill)

Synopsis: This Bill would prohibit a public employer from inquiring into or considering the criminal record, criminal history or credit history or score of an applicant before it makes a conditional offer to the applicant. It would permit inquiry and consideration of criminal background after the conditional offer has been made. The Bill specifies that once a background check is conducted, an employer shall only consider felonies for 10 years from the completion of sentence, and misdemeanors for 5 years from the completion of sentence. Further, employers are required to consider several enumerated factors when deciding whether to revoke a conditional offer based on the results of a background check. Police forces, the Department of Corrections and other positions with a statutory mandate for background checks are excluded from these provisions. The Bill also requires contractors with State agencies to employ similar policies where not in conflict with other State or federal requirements.

This Bill has passed the House and is currently assigned to the Senate Industrial Relations Committee.

On February 4th, the Council stated its position to oppose the proposed legislation; however, it was noted that, if Mr. Godwin sees the legislation moving forward, the Council supports an amendment to the Bill removing the 10 year and 5 year restrictions.

Mr. Godwin referenced Council’s directive to pursue amendments to the Bill that would remove the 10 year and 5 year restrictions. Mr. Godwin reported that, on February 4th, he was unaware that those amendments had already been adopted and added to the Bill.

Mr. Phillips asked Mr. Godwin to discuss the amended Bill with Karen Brewington, Human Resources Director, to determine if it meets her standards.

House Bill No. 243 – “AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LEASES”

Synopsis: Currently possession actions involving rental of residential or commercial property fall within the exclusive jurisdiction of the Justice of the Peace Court. There is no clear statement of jurisdiction for agricultural leases, though the possession issues are similar. This legislation provides that the Justice of the Peace Court has exclusive jurisdiction over agricultural lease matters and requires that service of process for any such action shall be provided by either personal service or certified mail, return

**Legislative
Update
(continued)**

receipt requested.

Mr. Godwin noted that this legislation will place agricultural leases under the Justice of the Peace Court where all other leases are.

Mr. Godwin asked if the Council wants to take a position on the proposed legislation.

No consensus was stated; although Mr. Wilson stated that the legislation is probably a good idea.

Senate Bill No. 160 – “AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE GROSS VEHICLE WEIGHT OF LIVE-HAUL POULTRY TRUCKS”

Synopsis: This Bill would increase the weight limit for live-haul poultry trucks operating on Delaware highways within 100 miles of the plant in order to accommodate the poultry industry and ensure public safety. In addition, the Bill would provide for a weight variance of 3 percent to account for variations in bird weight. Live haul poultry trucks are granted the increased weight limit and associated variance provided that these trucks are in compliance with several conditions aimed at ensuring public safety. Provided these conditions are met, this Bill would allow a live-haul poultry truck to weigh up to 92,700 pounds before any penalty is assessed for exceeding weight restrictions.

Mr. Godwin noted that he brought this Bill to the Council’s attention since it relates to agriculture.

The Council did not take a position on this proposed legislation.

Senate Bill No. 166 – “AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL”

Synopsis: This Bill defines “industrial landfill” in conformity with the Department of Natural Resources and Environmental Control’s *Regulations Governing Solid Waste*. This Bill also establishes a height restriction, or vertical limit, for an industrial landfill at 130 feet above the mean sea level of the area.

The Council did not take a position on this proposed legislation.

[Mr. Godwin noted that the Legislature is currently out of session.]

**Wetlands
Advisory
Committee
Update**

Mr. Godwin reported on the meeting of the Wetlands Advisory Committee, which last met on Tuesday, February 11, 2014. He reported on what has been established since the Committee’s monthly meetings began in September 2013:

**Wetlands
Advisory
Committee
Update
(continued)**

- **Voting rules for the twenty eight (28) members.**
- **What establishes wetlands.**
- **How many acres of wetlands there are in the State.**
- **Who currently regulates tidal and non-tidal wetlands.**

Mr. Godwin reported that the Committee meets monthly and that six meetings have been held to date; the next meeting of the Committee is scheduled in March. Mr. Godwin stated that he needs the Council’s opinion on a matter prior to the March meeting.

Mr. Godwin reported that the question he needs to ask the Council was received only twenty minutes prior to the Council meeting on this date and that for this reason, he was not prepared to submit the question.

Mr. Godwin noted that at the last meeting of the Committee, the Committee Chair Michael Parkowski posed a question verbally to the Committee and it seemed complex; for this reason, Mr. Godwin asked that the Chairman put the question in writing so that it could be presented to the Council, in writing.

Mr. Godwin proposed to present the question to Council at the February 25th meeting.

Mr. Lawson reminded Council that the February 25th meeting will be the last meeting before the two-week break and the next meeting for the Committee is scheduled on March 12th. For this reason, information to Council members on this matter will be conveyed via email or regular mail between this date and February 25th to allow an opportunity for review and consideration so that Council can provide direction/position at the February 25th Council meeting.

**M 088 14
Incentive
Based
Approach/
Wetlands
Advisory
Committee
Goals**

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, that the Sussex County Council recommends an incentive based approach rather than a regulatory approach towards the goals of the Wetlands Advisory Committee.

Motion Adopted: 4 Yeas, 1 Nay.

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

**Public
Hearing/
C/Z
No. 1741**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO MR-RPC MEDIUM DENSITY RESIDENTIAL – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 30.695 ACRES, MORE OR LESS” (Change of

**Public
Hearing/
C/Z**

**No. 1741
(continued)**

Zone No. 1741) filed on behalf of Bay Forest Club, LLC (Tax Map I.D. 134-8.00 Parcels 17.00, 17.02, and 18.00 – no 911 address available).

The Planning and Zoning Commission held a Public Hearing on this application on January 23, 2014 at which time action was deferred. On February 13, 2014, the Commission recommended that the application be approved with the following conditions:

- A. That the conditions imposed by Ordinance No. 1670 for Change of Zone No. 1526 shall apply to this application, with the exception of the so noted total number of units. The property that is the subject of this application shall be integrated into the overall development scheme of the Bay Forest Club project, and as a result, those conditions shall apply equally to this tract as part of the overall development.**
- B. The number of units associated with this application shall be 84.**
- C. As a result of this application, the total maximum number of units for the entire Bay Forest Club project shall be 892 units so designated as follows: 151 – 85 foot single family lots, 14 – 75 foot single family lots, 216 – 70 foot single family lots; 7 – 65 foot single family lots; 93 – 28 foot by 42 foot cottages, 109 – 34 villas, and 302 – 30 foot attached/detached villas – 892 Total Residential Units.**
- D. Any wetlands on the area shall be marked appropriately by “Carsonite Markers” for the information of residents and the homeowners association.**
- E. Before proceeding with any construction involving the land that is the subject of this application, the applicant shall submit a revised Master Plan combining under both Change of Zone No. 1526 and Change of Zone No. 1741 integrating this land into the entire Bay Forest Development.**

Jim Fuqua, Attorney; Tom Natelli, Principal of Bay Forest Club, LLC; and Kenneth Usab, P.E. and Principal with Morris Ritchie Associates, were present on behalf of the application. They stated that the Bay Forest Club development is an approved Residential Planned Community consisting of 808 units that is well under construction (approximately 50 percent built); that this application is for an additional 30.695 acres to be included in the existing RPC project to include the construction of an additional 84 units that will be a part of the same development subject to the same covenants; that they propose that the approval of this application be subject to the same 21 conditions that exist on the existing RPC (Ordinance No. 1670 - Conditional Use No. 1526), subject to an amendment to Condition No. 1 to increase the number of units; that the proposed plan is consistent with the existing project; that the site is located east of White’s Neck Road and north of Millville; that the land, to a very large extent, is surrounded by the existing RPC that the site contains three parcels; that the majority of the site is the former Jim’s Hide-Away campground (188 campsites and miscellaneous buildings); that the site is an in-fill parcel; that the existing Residential Planned Community (385 acres) was approved in March of 2004 subject to 21 conditions; that if this application is approved, the

**Public
Hearing/
C/Z
No. 1741
(continued)**

developers will submit a revised master plan with minor modifications to include this area; that there was a Phase 1 environmental site assessment prepared by Geo Technology Associates Inc.; that there was a nutrient reduction – stormwater management report prepared by Morris Ritchie & Associates; that an environmental assessment and public facilities evaluation report was prepared by Morris Ritchie & Associates; that no federally listed endangered or threatened species exist in the development impact area; that the Army Corp of Engineers approved the wetlands delineation; that the developers went through the Preliminary Land Use Services process and responded to the comments; that an Executive Summary was submitted into the record; that according to the State's Strategies Map, the site is located in a Level 3 Investment Area; that according to the Comprehensive Land Use Plan, the site is located in an Environmentally Sensitive Developing Area which is designated as a growth area; that central water will be provided by Tidewater Utilities and central sewer will be provided by Sussex County; that adequate sewer capacity is available according to the County Engineering Department; that a sewer concept plan has been approved by the Engineering Department; that the concept plan was approved for 120 units and that only 84 units are proposed; that DelDOT has issued a Letter of No Objection; that the developer has an agreement with DelDOT for off-site improvements; that Bay Forest Club LLC has an existing agreement with DelDOT as part of the original RPC as to any offsite road improvements that DelDOT may require; that the new homes to be constructed on the infill parcel will be provided utility services and emergency services by the providers currently serving Bay Forest Club; that the future owners of these homes will be members of the Bay Forest Club Homeowners Association and they will have full access to all community recreational amenities and they will be subject to the restrictions and covenants of the development and they will pay assessments the same as existing residents; that regarding the existing Residential Planned Community, Phase 1 is completed and Phases 2.1 and 2.2 are under construction; that in 2010, there was an amendment to Phase 2 that revised the configuration of some of the residential units and approved a bridge across Collins Creek to the future phases of the project to further interconnectivity inside the project; that if this application is approved, there will be interconnections to the existing Residential Planned Community; that no homes are proposed off of the main boulevards into the site; that each phase contains a community center; that the project is designed to create communities within the overall Residential Planned Community; that emergency access has been provided; that there are pedestrian connections throughout the project; that the project's design includes greenway areas; that the entrance to Jim's Hide-Away will be removed; that enhanced buffers are provided along White's Neck Road; that there will not be any negative impacts to the wetlands; that the existing campground is close to the wetlands; that there will be buffers from the wetlands; that all storm water management areas will comply with all State regulations; that Collins Creek will be preserved; that extensive landscaping will be provided; that each community will have a green area for greenhouses and herb gardens; that sidewalks will be provided; that the

**Public
Hearing/
C/Z
No. 1741
(continued)**

design creates a sense of privacy for the homeowners; that the developers intend on creating a nice community in which owners take pride in; that this expansion will be the same as the existing project; that if the application is approved, the developers are requesting that the existing conditions of approval be incorporated into this application with the exception of the total number of units permitted; that the project will be phased; that the project will not have a negative effect on traffic; that property values will not be negatively affected; that the project will help the county's tax base; that a 100 foot buffer from Collins Creek is proposed; that the buffers are a part of the open space and will be maintained by the homeowners association; that multi-modal paths connect to other developments in the area; that the wetlands on the site will be marked; that the existing campground is in the process of being demolished; that the campground was not open in 2013; that additional amenities are proposed; that there will be two pool facilities; that what this application will enable them to do is start to look at how to preserve the environmental edge, preserve forested areas, and integrate the community from one side of Collins Creek to the other; that the plans were submitted to the existing residents for their review; and that the community has been kept fully informed.

In conclusion, Mr. Fuqua referenced "Carsonite Signs" and he stated that this type of signage can be institutional looking and that the Applicant would prefer using other signage. Mr. Fuqua asked that Condition D recommended by the Commission be amended by deleting the word "Carsonite". If amended, the condition would read as follows: Any wetlands on the area shall be marked appropriately by markers for the information of residents and the homeowners association.

Mr. Fuqua advised that the Applicant will be back before Council sometime later this year relating to the number of units in the existing RPC.

There were no public comments and the Public Hearing and Public Record were closed.

**M 089 14
Amend
P&Z's
Recom-
mended
Condition
for C/Z
No. 1741**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to amend Condition D recommended by the Planning and Zoning Commission to read as follows: Any wetlands on the area shall be marked appropriately by markers for the information of residents and the homeowners association.

Motion Adopted: 5 Yeas.

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

**M 090 14
Adopt
Ordinance
No. 2338**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to Adopt Ordinance No. 2338 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO MR-RPC

M 090 14
Adopt
Ordinance
No. 2338
(C/Z
No. 1741)
(continued)

MEDIUM DENSITY RESIDENTIAL – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 30.695 ACRES, MORE OR LESS” (Change of Zone No. 1741) filed on behalf of Bay Forest Club, LLC, with the following conditions, as amended:

- A. That the conditions imposed by Ordinance No. 1670 for Change of Zone No. 1526 shall apply to this application, with the exception of the so noted total number of units. The property that is the subject of this application shall be integrated into the overall development scheme of the Bay Forest project, and as a result, those conditions shall apply equally to this tract as part of the overall development.**
- B. The number of units associated with this application shall be 84.**
- C. As a result of this application, the total maximum number of units for the entire Bay Forest Club project shall be 892 units so designated as follows: 151 – 85 foot single family lots, 14 – 75 foot single family lots, 216 – 70 foot single family lots; 7 – 65 foot single family lots; 93 – 28 foot by 42 foot cottages, 109 – 34 villas, and 302 – 30 foot attached/detached villas – 892 Total Residential Units.**
- D. Any wetlands on the area shall be marked appropriately by markers for the information of residents and the homeowners’ association.**
- E. Before proceeding with any construction involving the land that is the subject of this application, the applicant shall submit a revised Master Plan combining under both Change of Zone No. 1526 and Change of Zone No. 1741 integrating this land into the entire Bay Forest Development.**

Motion Adopted: 5 Yeas.

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

Under Old Business, the Council discussed Conditional Use No. 1968 filed on behalf of Ray Baker.

Old
Business/
C/U
No. 1968

The Planning and Zoning Commission held a Public Hearing on this application on September 12, 2013 at which time the Commission deferred action. On September 26, 2013, the Commission recommended that the application be approved with the following conditions:

- A. All processed wastewater must be collected and treated off-site by a third party.**
- B. All operations shall be contained within existing structures on the site.**
- C. No on-site sales shall be permitted.**
- D. No taverns or public tastings shall be permitted from the site.**
- E. As stated by the applicant, there shall not be any employees in the micro-distillery other than the applicant and his family.**
- F. Delivery of materials to and from the site shall occur between the hours**

**Old
Business/
C/U
No. 1968
(continued)**

of 8:00 a.m. and 4:30 p.m.

G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

The County Council held a Public Hearing on this application on September 26, 2103 at which time action was deferred and the record was left open for the purpose of checking for deed restrictions.

Lawrence Lank, Director of Planning and Zoning, reported that on October 7, 2013, a memo was received from the County Attorney stating that no deed restrictions on the use of the property were found.

**M 091 14
Adopt
Ordinance
No. 2339
(C/U
No. 1968)**

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, to Adopt Ordinance No. 2339 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MICRO-DISTILLERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 4.06 ACRES, MORE OR LESS” (Conditional Use No. 1968) filed on behalf of Ray Baker, with the following conditions:

- A. All processed wastewater must be collected and treated off-site by a third party.**
- B. That all operations shall be contained within existing structures on the site.**
- C. No on-site sales shall be permitted.**
- D. No taverns or public tastings shall be permitted from the site.**
- E. As stated by the applicant, there shall not be any employees in the micro-distillery other than the applicant and his family.**
- F. Delivery of materials to and from the site shall occur between the hours of 8:00 a.m. and 4:30 p.m.**
- G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Motion Adopted: 4 Yeas, 1 Nay.

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

**Grant
Requests**

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

**M 092 14
Council-
manic
Grant**

A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to give \$550.00 (\$200.00 each from Mr. Wilson’s and Mr. Phillips’ Councilmanic Grant Accounts and \$50.00 each from Mr. Cole’s, Mrs. Deaver’s, and Mr. Vincent’s Councilmanic Grant Accounts) to the Delaware Community Foundation for the Georgetown-Millsboro Rotary Club’s Flags For Heroes campaign.

Motion Adopted: 5 Yeas.

M 092 14
(continued) **Vote by Roll Call:** **Mrs. Deaver, Yea; Mr. Cole, Yea;**
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 093 14 **A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to give**
Council- **\$1,000.00 from Mr. Vincent’s Councilmanic Grant Account to the Nanticoke**
manic **River Arts Council for Gallery 107 operating expenses.**
Grant

Motion Adopted: **5 Yeas.**

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

M 094 14 **A Motion was made by Mr. Wilson, seconded by Mr. Phillips, to give**
Council- **\$1,000.00 (\$750.00 from Mr. Vincent’s Councilmanic Grant Account and**
manic **\$250.00 from Mr. Wilson’s Councilmanic Grant Account) to the Town of**
Grant **Bridgeville for speed warning detection systems.**

Motion Adopted: **5 Yeas.**

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

Proposed **Mr. Phillips introduced the Proposed Ordinance entitled “AN**
Ordinance **ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN**
AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A STORAGE
FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND
LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY,
CONTAINING 11.6327 ACRES, MORE OR LESS” (Conditional Use No.
1985) filed on behalf of Eugenia Athan (Tax Map I.D. 134-15.00-118.00 part
of). The Proposed Ordinance will be advertised for Public Hearing.

Additional **Under Additional Business, Paul Reiger of Georgetown discussed concerns**
Business **regarding several things taking place on the property adjacent to his**
property. Mr. Reiger referenced paperwork that he previously submitted
to the Council members and he stated that he has a list of questions that he
would like answered.

Under Additional Business, Mr. Phillips referenced the Delaware Technical
& Community College’s event at the Sussex County Airport on this date
dedicating the Theodore C. Freeman Powerplant Education Building. Mr.
Phillips commented on the Governor’s statement regarding infrastructure
that will not be funded if the gas tax is not passed. Mr. Phillips commented
on the economic impact of the County’s Runway Expansion Project and he
asked that the County’s Budget Committee look for \$600,000 to pay for the
State’s portion of this project.

**Additional Business
(continued)**

Under Additional Business, Mr. Cole referenced the Council's recent light agendas and he asked the Council to consider moving meetings to twice a month instead of weekly. Mr. Cole asked that staff take a look at this and place the matter on a future agenda for discussion.

**M 095 14
Go Into
Executive
Session**

At 2:52 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to recess the Regular Session and to go into Executive Session for the purpose of discussing issues relating to personnel and pending/potential litigation.

Motion Adopted: 5 Yeas.

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

**Executive
Session**

At 2:54 p.m., an Executive Session of the Sussex County Council was held in the First Floor Caucus Room for the purpose of discussing issues relating to personnel and pending/potential litigation. The Executive Session concluded at 3:12 p.m.

**M 096 14
Reconvene
Regular
Session**

At 3:13 p.m., a Motion was made by Mr. Phillips, seconded by Mr. Wilson, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 5 Yeas.

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

There was no action on Executive Session Items.

**M 097 14
Adjourn**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 3:13 p.m.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**

Sussex County
Engineering Department

MICHAEL A. IZZO, P.E.
County Engineer



2 THE CIRCLE
P.O. BOX 589
GEORGETOWN, DE 19947

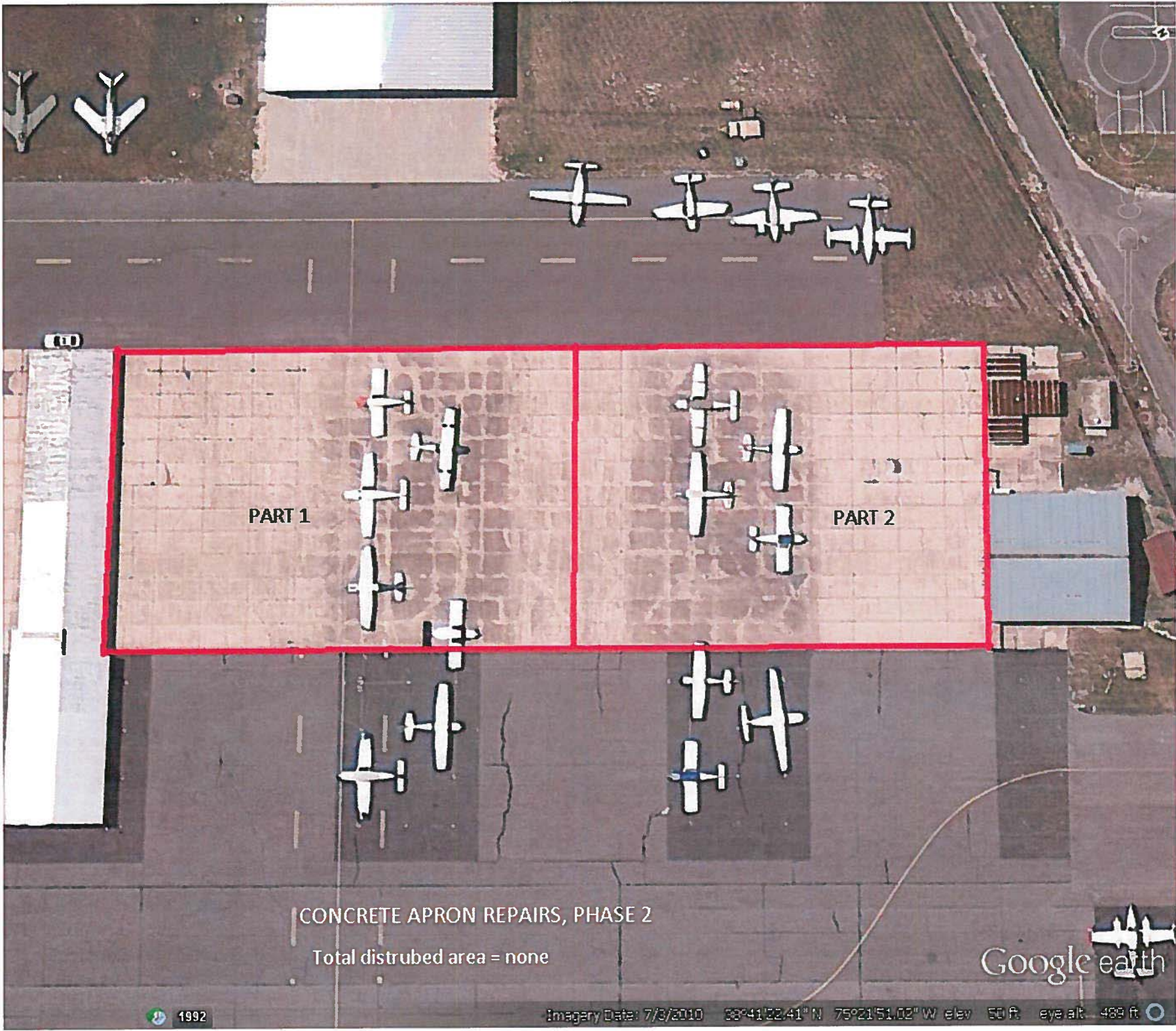
Administration 302-855-7718
Environmental Services 302-855-7730
Public Works 302-855-7703
Utility Engineering 302-855-7717
Utility Permits 302-855-7719
Utility Planning 302-855-1299
FAX: 302-855-7799

CONCRETE APRON REPAIRS, PHASE 2
SUSSEX COUNTY PROJECT 13-13
BID OPENING, 10:00 a.m., FRIDAY, FEBRUARY 14, 2014

BIDDER	BID AMOUNT
* Mitten Construction Company Dover, DE	\$ 170,245.00
Eastern Highway Specialists, Inc. Wilmington, DE	\$ 204,790.00
All States Construction Company, Inc. Bishopville, MD	No Bid
Concrete Protection & Restoration, Inc. Baltimore, MD	No Bid
Hopkins Construction, Inc. Bridgeville, DE	No Bid
JJID, INC. Bear, DE	No Bid

***Apparent Low Bidder**

ENGINEER'S ESTIMATE: \$189,640.00



PART 1

PART 2

CONCRETE APRON REPAIRS, PHASE 2

Total disturbed area = none









AIA[®]

Document G701[™] – 2001

Change Order

PROJECT (Name and address):

Sussex County Atrium
2 The Circle
Georgetown, DE 19947

TO CONTRACTOR (Name and address):

John L. Briggs & Co.
106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947

CHANGE ORDER NUMBER: 001-Revised

DATE: December 19, 2013
Revised January 17, 2014
Revised February 10, 2014.
Revised February 18, 2014

ARCHITECT'S PROJECT NUMBER:

CONTRACT DATE: August 06, 2013

CONTRACT FOR:

OWNER:

ARCHITECT:

CONTRACTOR:

FIELD:

OTHER:

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

- (COP 3-R) Deduct originally specified carpet border & Add additional field carpet required -(\$1,200)
- (COP 4) Steel Angle in Caucus Room. +\$1,455.00
- (COP 5) Delete and Add Painting in Caucus Room. -(\$95.00)
- (COP 6) Extension of walls to provide improved sound attenuation. +\$2,286.00
- (COP 7) Eliminate 2 walls in conference room. -(\$500.00)
- (COP 8R) 1 single and 1 double set of 3070 Wood Doors. +\$1,489.00
- (COP 10) Millwork Improvements. + \$3,566.00
- (COP 13) Credit for eliminate flanking insulation at acoustical ceiling: -(\$180.00)
- (COP 14) Premium time to complete Terrazzo Work. + \$561.00

The original Contract Sum was	\$ 133,900.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 133,900.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 7,382.00
The new Contract Sum including this Change Order will be	\$ 141,282.00

The Contract Time will be increased by Fifteen (15) days.

The date of Substantial Completion as of the date of this Change Order therefore is February 10, 2014

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Davis Bowen & Friedel, Inc.
ARCHITECT (Firm name)

One Plaza E, Suite 200, P.O. Box 93,
Salisbury, MD 21801

ADDRESS

BY (Signature)

Chris Cullen

(Typed name)

2/20/2014

DATE

John L. Briggs & Co.
CONTRACTOR (Firm name)

106 E. Laurel Street, P.O. Box 90,
Georgetown, DE 19947.

ADDRESS

BY (Signature)

Kari D. Long

(Typed name)

2/18/14

DATE

Sussex County Engineering Department
OWNER (Firm name)

2 The Circle, P.O. Box 589, Georgetown,
DE 19947

ADDRESS

BY (Signature)

Juell Gibbons

(Typed name)

DATE

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

Mr. Cullen:

We are pleased to submit a price for the following....

~~Cost to add carpet to the corridor area surrounding the caucus room~~

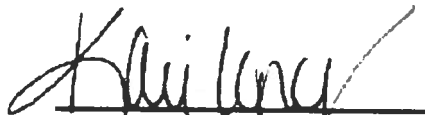
~~COP #3
Creative Flooring: \$8,710.00
JLB 5% P&O. \$436.00
For a Sum of: \$9,146.00~~

Deduct originally specified carpet border and Add additional field carpet required.

COP #3-R
Deduct carpet border: (\$2,600.00)
Add field carpet: \$1,400.00
For a Credit of: (\$1,200.00)

Please let me know if any further information is needed.

Sincerely,
John L. Briggs & Co.


Karl Long
John L. Briggs & Co.

SAT 1308 - C/O #3, 3-R

CREATIVE FLOORING CONTRACTORS, INC.

P.O. BOX 350

SMYRNA, DE 19977

(302) 653-7521

FAX (302) 653-3633

EMAIL

creative-flooring@comcast.net

CHANGE ORDER

13041-2

11/14/2013

John L Briggs & Co.

SCAO Atrium Infill

P.O. Box 90

Georgetown, DE 19947

CFC Job # 13041

Change carpet finish in Caucus room from having border around entire area to only an accent strip 7" wide at door threshold

COP#3-R

Deduct originally specified carpet border 65sy @ \$40/sy (\$2,600.00)

Add additional field carpet required 35sy @ \$40/sy \$1,400.00

~~Add threshold - minimum 65sy @ \$40/sy \$2,600.00~~

No change in labor costs

ADD \$1,400.00

November 20, 2013

Lisa M. Rose

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085


Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

Mr. Cullen:

We are pleased to submit a price for the following....

(4) Furnish and Install steel angle in caucus room ...	
Material:	\$521.00
16 hours labor @ \$42/hour:	\$672.00
Extra Epoxy:	\$72.00
JLB 15% P&O:	\$190.00
For a Sum of:	\$1,455.00

Sincerely,
John L. Briggs & Co.



Karl Long
John L. Briggs & Co.

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

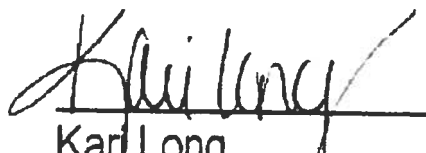
Mr. Cullen:

We are pleased to submit a price for the following....

(5) Delete and add painting in conference room ...
Credit to delete wall in caucus room: (\$125.00)
Additional painting for new pocket: \$30.00
For a Credit of: (\$95.00)

Please let me know if any further information is needed.

Sincerely,
John L. Briggs & Co.


Karl Long
John L. Briggs & Co.

SAT 1308 - C/O #5

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

November 27, 2013

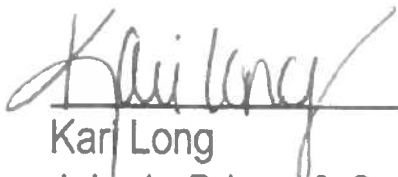
Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

Mr. Cullen:

We are pleased to submit a price for the following...

- (6) Install new walls shown on drawing 1-11/12, Install framing and drywall to underside of deck, and install acoustical ceiling directly to accent stone panels.
- | | |
|---------------|------------|
| KB Coldiron: | \$2,177.00 |
| JLB 5% P&O: | \$109.00 |
| For a Sum of: | \$2,286.00 |
- (7) Eliminate 2 walls in the conference room
- | | |
|------------------|------------|
| KB Coldiron: | (\$500.00) |
| For a Credit of: | (\$500.00) |
-

Sincerely,
John L. Briggs & Co.


Karl Long
John L. Briggs & Co.



Verizon Message Center

Wednesday, Nov 27 at 9:05 AM

From: Mike White <mike@kbcoldiron.com>
To: jlbriggsco@verizon.net
Subject: RE: SCAO Atrium Infill

Ok.

Labor and insurance deleted.....\$250.00
Material.....\$250.00
Total deduct.....- \$500.00

Change order #7

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

Mr. Cullen:

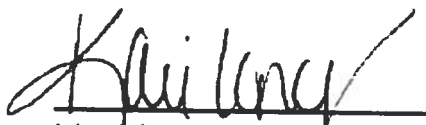
We are pleased to submit a price for the following....

(8-R) Furnish & Install 3 replacement wood doors with split finish cherry x oak.

Salisbury Door & Hardware:	\$1,295.00
<u>JLB 15% P&O:</u>	<u>\$194.00</u>
For a Sum of:	\$1,489.00

Please let me know if any further information is needed.

Sincerely,
John L. Briggs & Co.


Karl Long
John L. Briggs & Co.

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

November 25, 2013

Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

Mr. Cullen:

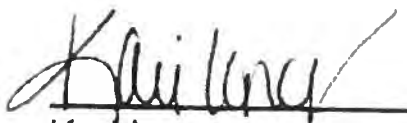
We are pleased to submit a price for the following....

Supply labor and material to stain all casework and trim to match arch. Control sample.
Change species of wood from red oak to plain sawn cherry.

Patriot Millwork (See Attached details):	\$3,101.00
JLB 15% Profit and Overhead:	<u>\$ 465.00</u>
TOTAL:	\$ 3,566.00

Please let me know if any further information is needed.

Sincerely,
John L. Briggs & Co.


Karl Long
John L. Briggs & Co.

SAT 1308 - C/O #10

PATRIOT.

Architectural Millwork
850 North Church Street, Wilmington, DE 19801
302/654-2665 Fax 302/654-5555

SUSSEX COUNTY ATRIUM INFILL - COR #2 STAIN / CHERRY
ESTIMATE NO. E - 2949

JOHN L. BRIGGS & CO.
PH: FX: EMAIL -

ATTN: KARI LONG

DATE: 11/21/13

WE ARE PLEASED TO OFFER THE FOLLOWING MILLWORK QUOTATION BASED ON DRAWINGS FOR THE ABOVE PROJECT:

<u>ITEM NO.</u>	<u>DESCRIPTION</u>
01	SUPPLY LABOR AND MATERIAL TO STAIN ALL CASEWORK & TRIM TO MATCH ARCH. CONTROL SAMPLE.
02	CHANGE SPECIES OF WOOD FROM RED OAK TO PLAIN SAWN CHERRY.
03	<u>FINISH NOTES:</u> ALL DOORS AND DRAWERS TO BE STAINED FRONT AND BACK. ALL FINISHED ENDS TO BE STAINED ON THE OUTSIDE, CLEAR ON THE INSIDE. THE BOTTOM OF THE UPPERS TO BE STAINED ON THE OUTSIDE, CLEAR ON THE INSIDE. EDGE BANDING OF ALL CABINETS TO BE STAINED. INTERIOR OF ALL CABINETS TO BE CLEAR. TOPS OF THE UPPERS TO BE STAINED.
04	PLEASE ALLOW 6-8 BUSINESS DAYS FOR COLOR MATCHING.

TOTAL: ADD \$3,101.00

PLEASE NOTE: THIS ESTIMATE IS APPLICABLE FOR FORTY-FIVE DAYS FROM DATE OF SUBMITTAL. PRICING IS BASED UPON PAYMENT TERMS OF NET 35 DAYS FROM DATE OF INVOICE. IF AWARDED THIS ORDER, MATERIAL DELIVERY WILL BE SCHEDULED FOUR (4) TO SIX (6) WEEKS AFTER RECEIPT OF ALL APPROVED DRAWINGS, SAMPLES & FIELD DIMENSIONS. CUSTOMER WILL BE ADVISED OF AVAILABILITY OF LONG LEAD TIME ITEMS. CUSTOM ORDERS WILL REQUIRE A DEPOSIT PRIOR TO START OF PROJECT. UNLESS OTHERWISE SPECIFIED AND NOTED, ALL PLASTIC LAMINATE SELECTIONS WILL BE QUOTED USING MID-RANGE LEVEL PRICING. UNLESS OTHERWISE NOTED, AWI CERTIFICATION IS EXCLUDED FROM THIS PROPOSAL.

EXCLUSIONS: A) TAXES, B) UNION LABOR FOR INSTALLATION, C) UNION FABRICATION, D) CONCEALED BLOCKING

THANK YOU FOR THIS OPPORTUNITY TO BE OF SERVICE. IF YOU SHOULD HAVE ANY QUESTIONS OR REQUIRE FURTHER INFORMATION, PLEASE FEEL FREE TO CALL.

SINCERELY,

PATRIOT MILLWORK

JOSEPH HILFERTY

PATRIOT MILLWORK
CO #10 CHERRY UPGRADE CHANGE ORDER
SUSSEX COUNTY ATRIM IN-FILL PROJECT
CONTRACTOR: JOHN L. BRIGGS & COMPANY

12/2/2013

<u>ITEM #</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1	Add for 3/4" Cherry MDF panel goods	\$ 546.00
2	Add for 1/4" Cherry panel goods	\$ 98.00
3	Add for Cherry edge banding	\$22.00
4	Add for Cherry hardwood	\$ 86.00
5	Add for Custom Stain match	\$74.00
6	Add for white wood sanding all components	\$ 192.00
7	Add for staining / sealing / top coat of all Cherry components.	<u>\$2,083.00</u>
		<u>\$3,101.00</u>

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

Mr. Chris Cullen
Davis, Bowen & Friedel, Inc.
One Plaza East, Suite 200
Salisbury, MD 21801

Mr. Cullen:

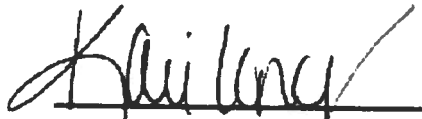
We are pleased to submit a price for the following....
Eliminate flanking insulation at acoustical ceiling ...

KB Coldiron: (\$180.00)

For a total Credit of: (\$180.00)

Please let me know if any further information is needed.

Sincerely,
John L. Briggs & Co.


Karl Long
John L. Briggs & Co.

SAT 1308 - C/O #13

COP
#13

K. B. COLDIRON, INC.

PO BOX 297
FRANKFORD, DELAWARE 19945

302-436-2611 302-436-4224
FAX 302-436-4260

TO : JOHN L. BRIGGS CO.
106 EAST LAUREL STREET
GEORGETOWN, DE. 19947

CHANGE ORDER

Number _____

PHONE	
JOB NAME/LOCATION SUSSEX COUNTY ADMIN. OFFICES ATRIUM INFILL	
JOB NUMBER	JOB PHONE
EXISTING CONTRACT NO.	DATE OF EXISTING CONTRACT

We hereby agree to make the change(s) specified below:

1. Eliminate flanking insulation at acoustical ceiling

NOTE: This Change Order becomes part of and in conformance with the existing contract.

WE AGREE hereby to make the change(s) specified above at this price		-\$180 .00
DATE	PREVIOUS CONTRACT AMOUNT	\$
AUTHORIZED SIGNATURE (CONTRACTOR)	REVISED CONTRACT AMOUNT	\$
ACCEPTED – The above prices and specifications of this Change Order are satisfactory and are hereby accepted. All work to be performed under same terms and conditions as specified in original contract unless otherwise stipulated.	Date of acceptance:	
	Owner's Signature	



Friday, Feb 14 at 4:27 PM

From: Juel Gibbons <jgibbons@sussexcountyde.gov>
To: "John L. Briggs & Co." jlbriggsco@verizon.net
Cc: "Chris Cullen (clc@dbfinc.com)"
Subject: RE: Atrium Change Order

Hi Jenny

The County is willing to cover 50% of the \$1,122.00 that was quoted in your letter (i.e. \$561.00). If this is agreeable to you, then Change Order #1 will have to be amended again to incorporate this. Please let me know if this is acceptable to you ASAP.

Thanks
Juel

From: Juel Gibbons
Sent: Wednesday, February 12, 2014 1:24 PM
To: 'John L. Briggs & Co.'
Subject: RE: Atrium Change Order

Hi Jenny

This is the first time I'm seeing this letter. Will discuss internally and get back to you ASAP.

Thanks
Juel

From: John L. Briggs & Co. [mailto:jlbriggsco@verizon.net]
Sent: Wednesday, February 12, 2014 10:21 AM
To: Juel Gibbons
Subject: Atrium Change Order

Please see attached letter from Reds. It was dated 1/30 but I can't find where or if it was ever sent to you. Please review and let us know an response as soon as you can.

Jenny Mohler
John L. Briggs & Co
(P) 302-856-7033
(F) 302-856-7085

John L. Briggs & Co.

106 E. Laurel Street
P.O. Box 90
Georgetown, DE 19947
(P) 302-856-7033 (F) 302-856-7085

January 30, 2014

Ms. Juel Gibbons
Sussex County Engineering Dept.
2 The Circle
Georgetown, DE 19947

Re: Sussex County Atrium / Terrazzo

Ms. Gibbons –

I would like you to consider a change order for the premium time needed to complete the Terrazzo Work.

During the bidding, in trying to figure out ways to be the low bidder, we figured that this work could be done during the day, because it could easily be isolated. I did not know that the electric wire would have to run down the occupied corridor. This would also cover patching of the holes from the existing rail removable.

4 days @ \$280.38 ... For a Sum of: \$1,122.00

Sincerely,
John L. Briggs & Co.



Charles D. Dolson III
President

ROMAN MOSAIC AND TILE COMPANY

ESTABLISHED 1902 - INCORPORATED 1917

TILE - TERRAZZO - MARBLE

West Chester, PA
Manheim, PA
Linthicum, MD

1105 Saunders Court
P.O. Box 1567
West Chester, PA 19380-0049
Phone: (810) 692-3100
Fax: (810) 430-7739

January 16, 2014

John L. Briggs & Co.
106 East Laurel Street
P.O. Box 90
Georgetown, DE 19947

Reference: Sussex County Admin Offices
Premium Time / Flashing/Grinding

Dear Whom it May Concern:

Please find enclosed the Change Work Order tickets listed below for extra work completed at the above referenced project.

<u>Date</u>	<u>Amount</u>	<u>Change Work Order No.</u>
01/07/14	\$ 280.38 - 1	26137
01/07/14	\$ 358.50	26136
01/08/14	\$ 280.38 - 2	26138
01/08/14	\$1,902.31	26135
01/09/14	\$ 280.38 - 3	25281
01/10/14	\$ 280.38 - 4	25383

TOTAL \$ 3,382.33

Please issue a change order in the amount of Three Thousand Three Hundred Eighty Two Dollars and Thirty Three Cents (\$3,382.33) to cover this extra work.

Regards,

Roman Mosaic and Tile Company

Becky A. Nickerson
Project Accountant

Enclosure

SAT

ROMAN MOSAIC & TILE COMPANY

ESTABLISHED 1902 -- INCORPORATED 1917
TILE - TERRAZZO - MARBLE

12/31/13

West Chester, PA
Saunders Court
Manheim, PA
Linthicum, MD
PA 19380

Phone (610) 692-3100
Fax (610) 430-7739

1105
PO Box 1567
West Chester,

CHANGE/EXTRA WORK REQUEST

Project:	Sussex County Admin Offices	Date:	12 / 27 / 13
Contractor:	John L Briggs & Co	Attention:	Kari Long
Change Request #:	RMT-002	Fax #	
Date received:		Sender:	Ollie Bartine

We have reviewed the documents associated with the above noted change request and find the following extra work or listed issues that are beyond the scope of our contract:

Prep, clean, and patch areas at removed post. .

If we are to proceed with this work we must complete field verified and signed T&M Tickets and our contract sum must be increased by an amount not to exceed:

SIX HUNDRED DOLLARS -- \$600.00
(Our breakdown of cost for this change is attached for your review)

The duration for completion of our work shall be increased by an estimated 1 days if we are to proceed with this extra work or by an equitable amount of time if no time estimate can be estimated or agreed to at the time the change order is issued.

A Change Order must be received in order for us to proceed with any added work. Our entitlement to payment for all authorized extra work, not ordered by the owner, shall not be contingent upon or limited by any payment you may receive from the Owner for the work. Payment for any extra work will be made within 30 days of issuance of our invoice. Any payments received from the owner for our work performed will be held in trust by the authorizing party for the benefit of Roman Mosaic and Tile Co.

Authorization to Proceed:

Signature: Charles D. Dolson III
 Name Printed: CHARLES D. DOLSON III
 Date of Acceptance: 12/31/13

**ROMAN MOSAIC AND TILE CO.
INCORPORATED**

CHANGE WORK ORDER

28137

YELLOW COPY TO BE
FURNISHED TO PERSON
AUTHORIZING WORK

JOB (Name and Number) Sussex Co. Admin Offices 03.7706.00

BILL TO: John L. Briggs, Co.

ADDRESS: _____

NATURE OF WORK: Premium Time only

DAY: Tuesday **DATE** 01/07/2014

CHANGE NO.: _____ **SHEET NO.** _____ **OF** _____

TIME: REG. O/T (1-1/2X) D&L (2X)

FLEX CONTRACT WORK EXTRA WORK

WORK AREA: Main Lobby 1st Floor

THE FOLLOWING MATERIALS AND LABOR HAVE BEEN USED IN CONNECTION WITH ABOVE CHANGE ORDER

QUANTITY	MATERIALS	UNIT COST	AMOUNT	LABOR							
				NO.	CLASSIFICATION	HOURS EACH	TOTAL HOURS	UNIT COST	AMOUNT		
			\$0.00	1	Foreman	8	8	\$18.51	\$148.08		
			\$0.00	1	Helper	8	8	\$16.19	\$129.52		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
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			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00				0		\$0.00		
			\$0.00	LABOR SUB TOTAL						\$277.60	
			\$0.00		Superintendent			\$75.00	\$0.00		
SUB TOTAL			\$0.00				TOTAL LABOR			\$277.60	
SALES TAX			0%	\$0.00	INSURANCE & TAXES				\$0.00		
TRAVEL EXPENSE			\$0.00	\$0.00	SUB TOTAL				\$277.60		
BOARD			\$0.00				MARKUP	0%	\$0.00		
PARKING			\$0.00				TOTAL LABOR			\$277.60	
EPOXY / CLOTHING / TOOLS			\$0.00	\$0.00				TOTAL MATERIAL			\$0.00
TOOL RENTAL			\$0.00	\$0.00				TOTAL LABOR AND MATERIAL			\$277.60
								BOND	1%	\$2.78	
TOTAL MATERIAL			\$0.00				TOTAL EXTRA WORK COST			(\$280.38)	

Approved for Materials and Labor:

(Company Name)

BY: _____
(Authorized Signature/Title)

Date: _____

Billing Reference #: _____

NOTES: _____

Roman Representative: _____

Date: _____

SUSSEX COUNTY ADMIN OFFICE BUILDING - FIRST FLOOR RENOVATIONS

SUSSEX COUNTY PROJECT 12-32

BALANCING CHANGE ORDER SUMMARY

February 17, 2014

ITEM NO.	ITEM DESCRIPTION	FINAL ITEM COST
1	Interior wall changes - treasury area	\$2,910.08
2	Casework revisions - treasury area	\$363.24
3	Credit for signage and light fixture + add VCT	\$673.58
4	Cover seam - additional cove base	\$133.88
5	Void	\$0.00
6	Delete window glass	-\$208.18
7	Add'l painting - hallway & breakroom	\$1,200.00

BALANCING CHANGE ORDER AMOUNT

\$5,072.60

**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1.	Project Name:	<u>Sussex County First Floor Renovations</u>
2.	Sussex County Contract No.	<u>12-32</u>
3.	Change Order No.	<u>1 Final Balancing</u>
4.	Date Change Order Initiated -	<u>2/17/14</u>
5.	a.	Original Contract Sum <u>\$199,000.00</u>
	b.	Net Change by Previous Change Orders <u>\$0.00</u>
	c.	Contract Sum Prior to Change Order <u>\$199,000.00</u>
	d.	Requested Change <u>+\$ 5,072.60</u>
	e.	Net Change (No. of days) <u>0</u>
	f.	New Contract Amount <u>\$204,072.60</u>
5.	Contact Person	<u>Brad Hawkes</u>
	Telephone No.	<u>302-855-7717</u>

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:

See attached summary sheet

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?:

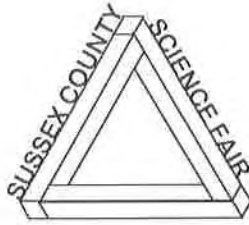
Yes No

E. APPROVALS

- | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 1. | 

Kent Construction Co., Inc. | <u>2/20/14</u>

Date |
| 2. | _____
County Engineer | _____
Date |
| 3. | _____
President, Sussex County Council
Sussex County Council | _____
Date |



Promoting Science Research by Delaware Students

February 6, 2014

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

Dear County Council,

This year marks the 22nd annual Sussex County Science Fair for local middle and high school students; an event that owes much gratitude to the Sussex County Council. With your support, many of our middle and high school students have been able to showcase their ingenuity and diligence with scientific research and projects that have gone on to achieve high level recognition at the regional and national level. We thank you very much for this past support, and request that you consider assisting our efforts to fund the 2014 Fair.

This year, the fair will be held on March 3, 2014 at the Sussex Academy of the Arts and Sciences School in Georgetown. As always, the fair is run entirely by volunteers. We are fortunate to have the support of several businesses and organizations providing special awards for student participants, but we would not be able to cover the cost of the operation of the fair without community support. Any funding you could contribute would once again be greatly appreciated and recognized in our program, at the Awards Ceremony, and on our web site: <http://www.sussexcountysciencefair.org/supporters.htm>

Thank you very much for your consideration and for helping to provide an opportunity for students to showcase their science, mathematics, and engineering research projects.

Sincerely,

Eve J. Aldred, M.D.

Sussex County Science Fair
Steering Committee Co-Chairs

Eve Aldred, M.D.
aldred5@verizon.net

Rob Schroeder
rdschroe711@gmail.com

Helen Gieske
hgieske@verizon.net

Great Pocahontas of Delaware
Degree of Pocahontas

Ruth E. Topper
34071 Clematis Street
Lewes, De.19958-2625
Tel.,302-645-2193
Cell 717-418-2901

Dear George B.Cole District 4 Sussex County Councilman

On October 26,2013, I was elected as the Great Pocahontas of Delaware under the Improved Order of the Red Men. Our motto precepts are Freedmon,Friedship,and Charity. As an active organization,we are to help those in need through organized local charitable

.Each new Great Pocahontas choose a charity to sponsor during her year's term to aid and to bring awareness to the community. The cause I have chose is Chronic Obstructive Pulmonary Disease (COPD)

Having COPD myself , I know the difficulty of breathing and not being able to perform everyday activities that others enjoy. COPD is the third leading killer in the United States and someone dies every four minutes. There is no cure for COPD ,but the COPD Foundation is working to teach people about the disease and how to prolong their life. I am delighted to report that there are 189 pulmonary Rehab centers in 39 states .There is only 70 centers open. Trying to get 250 center open in the United States.Many Delaware needs a COPD center since there is a rise in this disease .Included with this letter I have provided you with a brocture about COPD and perhaps it will help you understand the need for monies to advance education information and research.

I am very passionate about educating people about COPD and raising funds for COPD Research.Therefore, I am asking you for support. I am asking you for a donation to the COPD Foundation. Please make check to COPD Foundation and mail to:

Ruth E. Topper
34071 Clematis Street
Lewes, De. 19958-2625

Another way to help is to donate a gift certificate for an auction item to be auction off at a dinner during my term as Pocahontas. I will be glad to make arrangements to obtain the gift.

I would appreciate your help and support. Those people and there in the future with COPD will thank you also

Thank you so much and I am looking forward to hearing from you . If there are any questions please call me at 302-645-2193 or cell phone 717-418-2901

Thank you again

Sincerely yours,
Ruth E. Topper
Great Pocahontas of Delaware
Improved Order of Red Men

Ruth E. Topper

911 Address: Unavailable due to multiple numbers.

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 9.45 ACRES, MORE OR LESS (Tax Map I.D. No. 134-9.00-21.00) (part of)

WHEREAS, on the 3rd day of February 2014, a zoning application, denominated Change of Zone No. 1746 was filed on behalf of Castaways Bethany Beach, LLC; and

WHEREAS, on the ____ day of ____ 2014, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1746 be _____; and

WHEREAS, on the ____ day of ____ 2014, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [C-1 General Commercial District] and adding in lieu thereof the designation MR Medium Density Residential District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying east of Cedar Neck Road (Road 357) across from Sandy Cove Road (Road 358) and being north of Ocean View and being more particularly described per the attached legal description prepared by Land Tech Land Planning, LLC, said parcel containing 9.45 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.

THE PRESERVE AT CEDAR PINES
EXISTING C-1 (GENERAL COMMERCIAL)
PROPOSED REZONING TO MR
(MEDIUM DENSITY RESIDENTIAL)

Beginning at a point located on the easterly R.O.W. of County Road 357, (Cedar Neck Road), said point being a corner for this parcel and lands N/F Bethany Mini Storage, LLC; Thence by and with the easterly R.O.W. of County Road 357, (Cedar Neck Road), N 15°10'23" E a distance of 326.16' to a point; Thence by and with other lands of Castaways Bethany Beach, LLC, S 79°59'53" E a distance of 1,277.78' to a point; Thence by and with lands N/F James E. Syphard, Jr., S 19°05'37" W a distance of 329.53' to a point; Thence by and with lands N/F Bethany Mini Storage, LLC, N 79°58'21" W a distance of 1,255.10' to the Point of Beginning.

Said parcel contains 9.45 acres of land, being the same more or less.

911 Address: Unavailable due to multiple numbers.

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 17.80 ACRES, MORE OR LESS (Tax Map I.D. No. 134-9.00-21.00) (part of)

WHEREAS, on the 3rd day of February 2014, a zoning application, denominated Change of Zone No. 1747 was filed on behalf of Castaways Bethany Beach, LLC; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1747 be _____; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE,

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [MR Medium Density Residential District] and adding in lieu thereof the designation MR-RPC Medium Density Residential District – Residential Planned Community 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 east of Cedar Neck Road (Road 357) across from Sandy Cove Road (Road 358) and being north of Ocean View and being more particularly described per the attached legal description prepared by Land Tech Land Planning, LLC, said parcel containing 17.80 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.

**THE PRESERVE AT CEDAR PINES
PROPOSED MR – RPC**

Beginning at a point located on the easterly R.O.W. of County Road 357, (Cedar Neck Road), said point being a corner for this parcel and lands N/F Bethany Mini Storage, LLC; Thence by and with the easterly R.O.W. of County Road 357, (Cedar Neck Road), N 15°10'23" E a distance of 326.16' to a point; Thence N 15°09'08" E a distance of 92.42' to a point; Thence by and with other lands of Castaways Bethany Beach, LLC, S 80°48'07" E a distance of 137.76' to a point; Thence N 09°11'53" E a distance of 24.40' to a point; Thence S 80°48'07" E a distance of 266.71' to a point; Thence N 09°11'53" E a distance of 214.40' to a point; Thence S 80°48'07" E a distance of 75.32' to a point; Thence N 09°11'53" E a distance of 303.52' to a point; Thence S 80°48'07" E a distance of 191.37' to a point; Thence S 09°11'53" W a distance of 213.60' to a point; Thence S 80°48'07" E a distance of 169.21' to a point; Thence S 12°37'58" E a distance of 28.02' to a point; Thence S 29°42'22" W a distance of 97.97' to a point; Thence S 27°35'29" W a distance of 21.46' to a point; Thence S 45°06'06" W a distance of 37.21' to a point; Thence S 09°44'06" E a distance of 41.79' to a point; Thence S 19°11'59" W a distance of 2.23' to a point; Thence S 80°48'07" E a distance of 506.89' to a point; Thence by and with lands N/F James E. Syphard, Jr., S 19°05'37" W a distance of 561.56' to a point; Thence by and with lands N/F Bethany Mini Storage, LLC N 79°58'21" W a distance of 1,255.10' to the Point of Beginning;

Said parcel contains 17.80 acres of land, being the same more or less.

911 Address: Unavailable due to multiple numbers.

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 11.56 ACRES, MORE OR LESS (Tax Map I.D. 134-9.00-21.00) (Part of)

WHEREAS, on the 3rd day of February 2014, a conditional use application, denominated Conditional Use No. 1986 was filed on behalf of Castaways Bethany Beach, LLC; and

WHEREAS, on the ____ day of _____ 2014, 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. 1986 be _____; and

WHEREAS, on the ____ day of _____ 2014, 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 V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1986 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 east of Cedar Neck Road (Road 357) across from Sandy Cove Road (Road 358) and north of Ocean View and being more particularly per the attached legal description prepared by Land Tech Planning, LLC, said parcel containing 11.56 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.

THE PRESERVE AT CEDAR PINES PROPOSED MR - MULTIFAMILY

Beginning at a point located on the easterly R.O.W. of County Road 357, (Cedar Neck Road), said point being a corner for this parcel and " The Reservation " subdivision; Thence by and with " The Reservation " subdivision and lands N/F Wilgus Development, Corp, S 80°48'07" E a distance of 1,339.86' to a point; Thence by and with lands N/F The State of Delaware S 18°39'50" W a distance of 61.86' to a point; Thence S 21°39'50" W a distance of 300.00' to a point; Thence by and with lands N/F James E. Syphard, Jr., S 19°05'37" W a distance of 91.01' to a point; Thence by and with other lands of Castaways Bethany Beach, LLC, N 80°48'07" W a distance of 506.89' to a point; Thence N 19°11'59" E a distance of 2.23' to a point; Thence N 09°44'06" W a distance of 41.79' to a point; Thence N 45°06'06" E a distance of 37.21' to a point; Thence N 27°35'29" E a distance of 21.46' to a point; Thence N 29°42'22" E a distance of 97.97' to a point; Thence N 12°37'58" W a distance of 28.02' to a point; Thence N 80°48'07" W a distance of 169.21' to a point; Thence N 09°11'53" E a distance of 213.60' to a point; Thence N 80°48'07" W a distance of 191.37' to a point; Thence S 09°11'53" W a distance of 303.52' to a point; Thence N 80°48'07" W a distance of 75.32' to a point; Thence S 09°11'53" W a distance of 214.40' to a point; Thence N 80°48'07" W a distance of 266.71' to a point; Thence S 09°11'53" W a distance of 24.40' to a point; Thence N 80°48'07" W a distance of 137.76' to a point; Thence by and with the easterly R.O.W. of County Road 357, (Cedar Neck Road), N 15°09'08" E a distance of 565.37' to the Point of Beginning;

Said parcel contains 11.56 acres of land, being the same more or less.