

Sussex County Council Public/Media Packet

MEETING: March 10, 2020

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

COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT IRWIN G. BURTON III, VICE PRESIDENT DOUGLAS B. HUDSON JOHN L. RIELEY SAMUEL R. WILSON JR.





SUSSEX COUNTY COUNCIL

<u>A G E N D A</u>

MARCH 10, 2020

<u>10:00 A.M.</u>

*AMENDED on March 5, 2020 at 9:00 a.m.¹

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

- 1. Planning & Zoning Director Selection
- 2. Administrator's Report

10:15 a.m. Public Hearings

- 1. Plantation Medical Annexation
- 2. Sycamore Chase

John Ashman, Director of Utility Planning

- 1. Request for permission to prepare and post notices
 - A. Ocean Park Annexation
 - **B.** Herola Property Annexation



Eric Littleton, Airport Manager

1. R & H Filter Company, Inc. Lease

Hans Medlarz, County Engineer

- 1. South Coastal Regional Wastewater Facility Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Plant Capital Improvement Program Upgrade Phase 2 – General Construction, Project C19-11
 - A. Change Order No. 1
- 2. The Owl's Nest Pavement Improvements, Project T20-01
 - A. Jerry's Inc. Final Balancing Change Order and Substantial Completion
- 3. Mallard Creek Sanitary Sewer Expansion, Project S20-26
 - A. George, Miles & Buhr, LLC Standalone USDA Engineering Agreement

Old Business

Memorandum of Understanding (MOU) between Sussex County and DelDOT regarding the process of land use applications

Grant Requests

- 1. Laurel Elementary School for 5k run and wellness walk
- 2. Town of Bethel for anniversary celebration
- 3. Police Unity Tour, Chapter 10 for Annual Police Unity Memorial Bicycle Tour

Introduction of Proposed Zoning Ordinances

Council Members' Comments

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

* Possible Action on Executive Session Items

<u>Adjourn</u>

Sussex County Council meetings can be monitored on the internet at <u>www.sussexcountyde.gov</u>.

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In accordance with 29 <u>Del.C.</u> §10004(e)(2), this Agenda was posted on March 3, 2020 at 4:40 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.

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¹ Per 29 Del. C. § 10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended to add an Executive Session to include Land Acquisition listed therein. The agenda amendment was required to address matters which need immediate Council attention and which arose after the initial posting of the agenda but before the start of the Council meeting.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEB. 25, 2020

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 25, 2020, at 9:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

	Michael H. Vincent Irwin G. Burton III Douglas B. Hudson John L. Rieley Samuel R. Wilson Jr. Todd F. Lawson Gina A. Jennings J. Everett Moore Jr.	President Vice President Councilman Councilman Councilman County Administrator Finance Director County Attorney	
Call to Order M 095 20 Approve Agenda	The Invocation and Pledge of Allegiance were led by Mr. Vincent.		
	Mr. Vincent called the meeting to order. A Motion was made by Mr. Wilson, seconded by Mr. Hudson, to approve the Agenda, as posted.		
	Mr. Wi	idson, Yea; Mr. Rieley, Yea; ilson, Yea; Mr. Burton, Yea; ncent, Yea	
Minutes	The minutes of February 18, 2020 were approved by consent.		
Corre- spondence	Mr. Moore reported on correspondence received from the following: 'Just A Hand Up' Community Navigation.		
Public Comment	A public comment period was held and Keith Steck spoke.		
Retiree Richard Johnson	The Council recognized Richard Johnson, Mapping and Addressing, who is retiring after 28 years and 7 months of service to Sussex County.		
Office of State Planning/ Strategies Map	Mr. Lawson reported that representatives of the Office of State Planning were in attendance, including Connie Holland, State Planning Director; David Edgell (Principal Planner for Kent County), Miriam Pomilio (GIS Coordination), and Tricia Arndt (Principal Planner for New Castle and resident of Sussex).		
Presentation	Ms. Holland noted that the purpose of their visit was not to present a draft of the new State Strategies, but to give Council an overview of the reason for		

StateState Strategies, as well as how Investment Levels 1, 2 and 3 arePlanningdetermined. She reiterated that the information is derived from the 57 local(Con't.)jurisdictions and the 3 counties, taking into consideration their respective
Comprehensive Land Use Plans.

Mr. Edgell presented a brief overview of the State Strategies that included: Origination of the State Spending Strategies, Delaware Code Requirement, Strategies Purpose, Delaware Facts, State Growth, State Spending Strategies (Use by Agencies), State Strategies and Local Government Planning, Why Update, Update Process, Data and Maps, and Components/Levels.

State Code requires that the Delaware Strategies for State Policies and Spending be updated every five years, with 2015 being the most recent update. The purpose of the State Strategies is to manage land use decisionmaking with the provision of infrastructure and services that takes into the consideration the best use of the State's natural and fiscal resources. Land use decisions are made at the local level, with the majority of infrastructure and services supporting those land use decisions often being a state-funded responsibility, i.e. state roads; public school construction, operations and transportation; paramedics; and State Police. It was noted that many state agencies, local governments and citizens use the document as a guideline to make appropriate and cost-effective investments in all areas of the State. Local governments also use the Strategies as they develop their Comprehensive Land Use Plans. In the update process, the final plan is approved by the Governor and Cabinet Committee. The maps for the 2020 update will be released on March 30 and takes into consideration municipal and county comp plans and their growth areas, favored development and preservation, as well as the areas that are out of play. An analysis is then completed using the geographic information system, which results in this information being classified into four Investment Levels. Investment Level 1 includes the areas that are already developed (municipalities, towns or urban/urbanizing areas within the counties) with infrastructure and services in place; Level 2 includes growth areas where quite a bit of development activity is occurring; Level 3 includes those areas that are in the long-term growth plans of the counties or municipalities; Level 4 are the areas that are rural in nature and where the majority of the State's open space and natural areas are located; and the 'Out of Play' areas refer to lands that are protected or preserved by legal mechanism, code or ownership.

The projected timeline includes:Public Comment PeriodMarch 30 – April 30Public WorkshopsMarch/AprilRedraft based on WorkshopsMayFinal Presentation to CCSPIJune 1Governor approval of StrategiesTBDFinal document posted to WebsiteTBDwww.stateplanning.delaware.gov

State	Public Workshop Schedule: (All workshops 5:30 – 7:00 p.m.; Public		
Planning	Presentation at 6:00 p.m.)		
(Con't.)	March 30	Appoquinimink Library, Middletown	
	March 31	Route 9 Innovation Center, New Castle	
	April 1	Laurel Public Library, Western Sussex	
	April 2	Council Chambers, Georgetown	
	April 7	Lewes Fire Station #2, Nassau	
	April 8	Milford Public Library, Milford	
	April 9	Dover Public Library, Dover	

brief question and answer period followed that included Α funding/spending priorities, the various investment levels and expectation of services/infrastructure within each level, and any coordination with DelDOT's investment levels. Ms. Holland reiterated that the State Planning Office is the liaison between the State and the 57 municipalities and 3 counties. It was noted that after the preliminary maps are reviewed, any comments by the County should be submitted in writing.

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

Report 1. Delaware State Police Activity Report

> The Delaware State Police year-to-date activity report for January 2020 is 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 191 troopers assigned to Sussex County for the month of January.

2. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Seagrove (aka Harlton) – Phase 5 received Substantial Completion effective February 21st.

3. Council Meeting Schedule

A reminder that Council will not meet on March 3rd. The next regularly scheduled Council meeting will be held on Tuesday, March 10th, at 10:00 a.m.

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

At 9:40 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Wilson, M 096 20 to recess the Regular Session and go into Executive Session for the purpose Go Into of discussing matters relating to Job Applicants' Qualifications. Executive

Session

M 096 20 (Con't.)	Motion Adopted:	5 Yeas.
	Vote by Roll Call:	Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea
Executive Session	At 9:51 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to Job Applicants' Qualifications. The Executive Session concluded at 11:53 a.m.	
M 097 20 Reconvene Regular	At 11:56 a.m., a Motion was made by Mr. Burton, seconded by Mr. Hudson, to come out of Executive Session and to reconvene the Regular Session.	
Session	Motion Adopted:	4 Yeas; 1 Absent.
	Vote by Roll Call:	Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Absent; Mr. Burton, Yea; Mr. Vincent, Yea
E/S Action	There was no action on Executive Session matters.	
M 098 20 Recess	At 11:57 a.m., a Motion was made by Mr. Burton, seconded by Mr. Hudson, to recess until 1:30 p.m.	
	Motion Adopted:	4 Yeas; 1 Absent.
	Vote by Roll Call:	Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Absent; Mr. Burton, Yea; Mr. Vincent, Yea
M 099 20 Reconvene	At 1:30 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Burton, to reconvene.	
	Motion Adopted:	5 Yeas.
	Vote by Roll Call:	Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Yea; Mr. Burton, Yea; Mr. Vincent, Yea
Rules	Mr. Moore read the rules of procedure for zoning hearings.	
Public Hearing/ C/Z 1903 W. Wayne Baker	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 A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 17.25 ACRES, MORE OR	

(Con't.)

PublicLESS" (Change of Zone No. 1903) filed on behalf of W. Wayne Baker (Tax I.D.Hearing/No. 133-6.00-43.00) (911 Address: Not available).C/Z 1903

The Planning and Zoning Commission held a Public Hearing on this application on January 23, 2020, at which time the Commission recommended that the application be deferred; on February 13, 2020, the Commission recommended approval.

(See the minutes of the Planning and Zoning Commission dated January 23 and February 13, 2020.)

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

An Exhibit Booklet provided by the Applicant was previously distributed to Council.

The Council found that Mark Davidson, Pennoni & Associates, representing the applicant, and W. Wayne Baker (the applicant), were present on behalf of the application.

Mr. Davidson discussed the proposed use and location of the property. Discussion included: (1) that the applicant is seeking a change in zoning to C-2 Medium Commercial; (2) that in Ordinance No. 2550, Sussex County Council desired to create a more specific C-2 Medium Commercial Zoning District to promote better planning and predictability within Sussex County; (3) that the purpose of the C-2 district is to support uses that include retail sales and performance of consumer services; (4) that the C-2 District shall primarily be located near arterial collector streets, and that Route 113 is a principle arterial and it accommodates community commercial uses (the property is located along Route 113 at the intersection of Governor Stockley Road); (5) that the commercial zoning is in the vicinity of other commercial zoned properties; (6) that the Baker family has owned the property since 1964 and owns a number of convenience stores and service stations throughout Sussex County; (7) that the family would like the property to be developed at some point in the future, and the property is an ideal place for the future growth of their business; (8) that the DelDOT service level evaluation confirms that a Traffic Impact Study is not currently required, but DelDOT would do a TIS for whatever is proposed for the property; (9) that the site is in a Tier III County sewer area and that the applicant is looking at onsite wastewater treatment system for this property; (10) that the 2015 State Strategies Map identifies the area as an Investment Level 4 and that infrastructure needs will be funded by the developer; and (11) that the proposed rezoning meets the general purpose of the zoning laws being located in an appropriate location, meeting the purpose of this district and future Land Use Plan strategies and objectives of the Comprehensive Land Use Plan.

(Con't.) There were no public comments in support of or in opposition to the application.

The Public Hearing and public record were closed.

M 100 20 A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt Ordinance No. 2709 entitled "AN ORDINANCE TO AMEND THE Approve Ordinance COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN No. 2709 **AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM** CZ 1903/ COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, W. Wayne CONTAINING 17.25 ACRES, MORE OR LESS" (Change of Zone No. Baker 1903) filed on behalf of W. Wayne Baker (Tax I.D. No. 133-6.00-43.00) (911 Address: Not available).

Motion Adopted:5 Yeas.Vote by Roll Call:Mr. Wilson, Yea; Mr. Hudson, Yea;
Mr. Rieley, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

M 101 20 At 1:49 p.m., a Motion was made by Mr. Burton, seconded by Mr. Hudson, to adjourn.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

Nancy J. Cordrey Assistant Clerk of the Council

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

RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) WEST REHOBOTH AREA, TO INCLUDE TWO PARCELS OF LAND ALONG THE SOUTHWEST SIDE OF PLANTATION ROAD LOCATED IN THE LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer Sanitary Sewer District (SCUSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of Rehoboth Beach, the inclusion of this area will be beneficial; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (a), the Sussex County Council may, upon request of the County Engineer, revise the boundary of an established sewer district when 50 or more houses have been connected by posting a public notice in four public places in the district describing the new or revised boundary; and

WHEREAS, the Sussex County Council has caused to be posted a public notice in at least four public places in the district, as verified by the affidavit of Phillip C. Calio, a copy of which affidavit and public notice is attached hereto and made a part hereof; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (b), the Sussex County Council shall, within ninety days after posting the public notices pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE, BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above in the Rehoboth Beach area and further described as follows:

NOTE: The above description has been prepared using Sussex County Tax Map 334-12.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and right-of-way by purchase, agreement, or condemnation in accordance with the existing statutes; and

BEGINNING at a point, situate at the intersection of the northerly right of way (ROW) of Plantation Road, a point on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), and the southwesternmost property line of lands now or formerly (N/F) of Key Properties Group, LLC, said point further being 141'± from the centerline of Craig Boulevard; thence proceeding by and with said ROW and SCUSSD boundary in a southeasterly direction a distance of 520'± to a point, said point being on the northerly ROW of Plantation Road; thence leaving said ROW and SCUSSD boundary and proceeding in a southwesterly direction across Plantation Road a distance of 60'± to a point, said point being on the southerly ROW of Plantation Road, said point also being the easternmost property corner of lands N/F Metropolitan Community Church of Rehoboth; thence leaving said ROW and proceeding by and with said church lands in a southwesterly and northwesterly direction respectively a total distance of 660.99' to a point, said point being the westernmost property corner of lands N/F of Metropolitan Community Church of Rehoboth, said point also being the southernmost property corner of lands N/F of Double R. Holdings, LLC; thence leaving said Church lands and proceeding by and with said Double R. Holdings lands in a northwesterly and northeasterly direction respectively a total distance of 533.45' to a point, said point being

the northernmost property corner of lands N/F Double R. Holdings, LLC, said point also being on the southerly ROW of Plantation Road; thence leaving said Double R. Holdings lands and said ROW and proceeding in a northeasterly direction across Plantation Road a distance of 60'± to a point, said point being that of the **BEGINNING**.

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to prepare maps, plans, specifications, and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any and all structures required to provide for the safe disposal of sewage in the sanitary sewer district, as amended.

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT PLANTATION MEDICAL EXPANSION AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscriber, PHILLIP C. CALIO, personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

- A. On February 20, 2020 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On February 20, 2020 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On a post in the easterly Right-of-Way (ROW) of Plantations Road, 181'± southeast of Postal Lane,
 - 2. On a post in front of DEC Pole 23835 in the westerly ROW of Plantations Road,
 - 3. On a post in front of DEC Pole 162131 in the westerly ROW of Plantations Road,
 - 4. On a post in front of DEC Pole 162132 in the westerly ROW of Plantations Road,
 - 5. On a post in westerly ROW of Plantations Road 1950'± northwest of John J. Williams Highway,
 - 6. On a post in front of DEC Pole 158110 in the westerly ROW of Plantations Road,
 - 7. On a post in front of a stop sign at the intersection of Plantations Road and Dot Sparrow Drive,
 - 8. On a post in front of a stop sign at the intersection of Plantations Road and Craig Boulevard.

HILLIP C. CALIO this 21st day of teb. A.D., 2020 SWORN TO AND SUBS CRIBÉ before me d NOTARY PUBLIC

My Commission Expires_

SHARON E. SMITH NOTARY PUBLIC STATE OF DELAWARE My Commission Expires on 6/14/22

PUBLIC NOTICE

EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT PLANTATION MEDICAL EXPANSION – WEST REHOBOTH AREA FILE NUMBER: OM 9.13-AX

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **February 4, 2020**, to consider expanding the boundary of the West Rehoboth Area of the Sussex County Unified Sanitary Sewer District (SCUSSD) to include properties situated on the south side of County Road 275 (Plantations Road). The parcels are located in the Lewes and Rehoboth Hundred, Sussex County, Delaware and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEGINNING at a point, situate on the southerly Right-Of-Way (ROW) of Plantations Road, a point on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), and the northernmost property corner of lands Now-or-Formerly (N/F) of Michael W. & Kathryn T. Burkhart, Trustees; thence proceeding by and with said sewer district boundary in a northeasterly direction, crossing Plantations Road, a distance of 60'± to a point, said point being on the northerly ROW of Plantations Road, said point also being the centerline of Craig Blvd; thence proceeding by and with said ROW and continuing with said district boundary in a southwesterly direction a distance of $930' \pm$ to a point, said point being the southernmost property corner of Woods Cove; thence leaving said ROW and continuing by and with said district boundary in a southerly direction, crossing Plantations Road, a distance of 60'± to a point, said point being on the southerly ROW of Plantations Road, said point also being the easternmost property corner of lands N/F of Juanita B. Walker; thence leaving said ROW and continuing with said district boundary a distance of 460'± to a point, said point being the southernmost property corner of lands N/F of Juanita B. Walker; thence leaving said district boundary and proceeding in a northwesterly direction a distance of 930'± to a point, said point being the westernmost property corner of lands N/F of Michael W. & Kathryn T. Burkhart, Trustees, said point also being on the SCUSSD boundary; thence proceeding by an with said Burkhart lands and district boundary in a northeasterly direction 465'± to a point, said point being that of the **BEGINNING**.

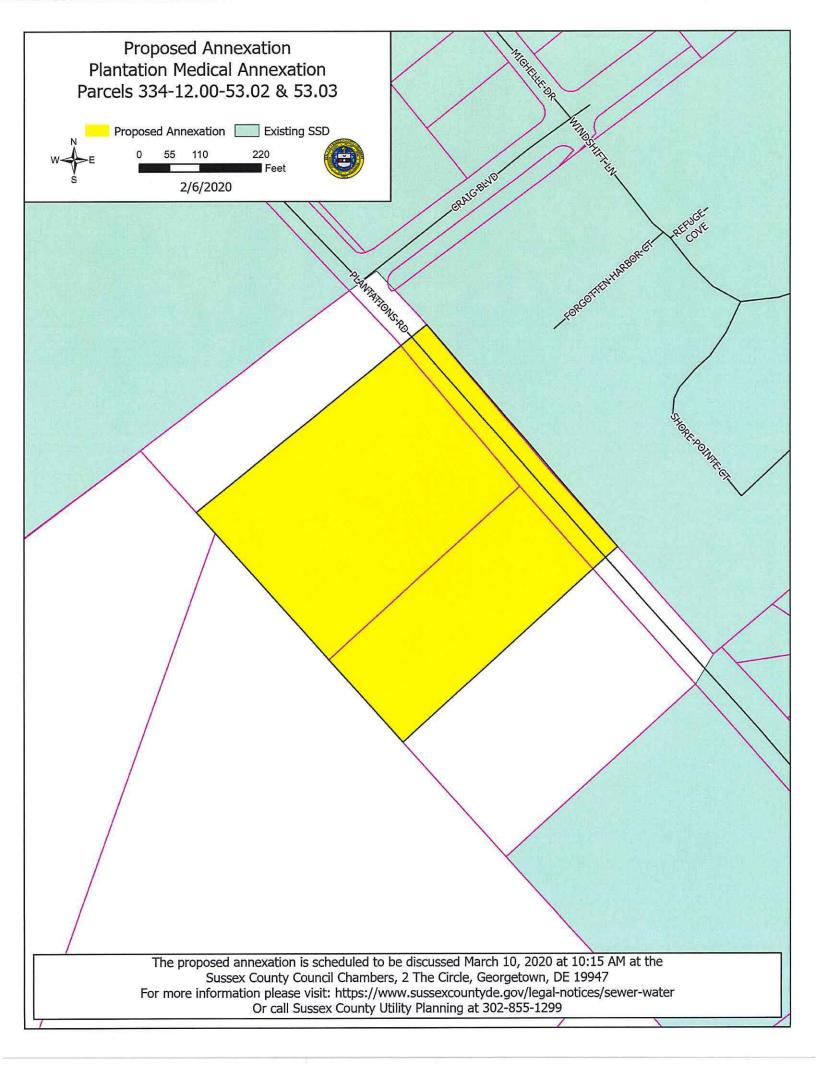
The proposed expansion of the SCUSSD is within these boundaries and said to contain 10.10 acres more or less. The boundary description has been prepared using Sussex County tax map numbers 334-12.00.

A map outlining and describing the extension to the SCUSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:15 am on March 10, 2020 in the Sussex County Council Chambers. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-1299.

Hans M. Medlarz, P.E. County Engineer



RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) MILLER CREEK AREA, TO INCLUDE SEVERAL PARCELS OF LAND ALONG THE NORTH AND WEST SIDE OF BAYARD ROAD LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer Sanitary Sewer District (SCUSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of the Bayard area, the inclusion of this area will be beneficial; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (a), the Sussex County Council may, upon request of the County Engineer, revise the boundary of an established sewer district when 50 or more houses have been connected by posting a public notice in four public places in the district describing the new or revised boundary; and

WHEREAS, the Sussex County Council has caused to be posted a public notice in at least four public places in the district, as verified by the affidavit of Phillip C. Calio, a copy of which affidavit and public notice is attached hereto and made a part hereof; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (b), the Sussex County Council shall, within ninety days after posting the public notices pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE, BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above in the Miller Creek area and further described as follows:

NOTE: The above description has been prepared using Sussex County Tax Map 134-18.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and right-of-way by purchase, agreement, or condemnation in accordance with the existing statutes; and

Beginning at a point, said point being on the SCUSSD (Miller Creek Area) boundary, said point also being on the easterly Right of Way (ROW) of Bayard Road (SCR 84), said point also being the northwesternmost property corner of The Woodlands subdivision; thence proceeding by and with said sewer district boundary and ROW in a southeasterly direction a distance of 286'± to a point, said point being the northwesternmost property corner of lands Now or Formerly (N/F) of Dianne H. Archut, Trustee; thence leaving said sewer district boundary and proceeding in a westerly direction a distance of 60'± to a point, said point being on the westerly ROW of Bayard Road (SCR 84), said point also being on the easterly property line of The Meadows at Bayard subdivision; thence proceeding by and with said subdivision and ROW boundary in a southeasterly direction a distance of 284'± to a point, said point the southeasternmost property corner The Meadows At Bayard subdivision, said point also being on the northern boundary of lands N/F Wendy Schooley & Harld W.T. Purnell II; thence leaving said ROW and continuing with said subdivision boundary in a southwesterly direction a distance of 900'± to a point. said point being the southwesternmost property corner of The Meadows At Bayard subdivision; thence leaving said subdivision boundary and proceeding with Purnell lands in a northwesterly, southwesterly, southeasterly, southeasterly direction respectively a distance of 682'± to a point, said point being the northwesternmost property corner of lands N/F of Brian T. Hutchinson; thence proceeding with said Hutchinson lands in a southwesterly and southeasterly direction a distance of 372'± to a point, said point being

on the northerly ROW of Bayard Road; thence proceeding with said ROW in a southwesterly direction a distance of 151'± to a point, said point being the easternmost property corner of lands N/F of Timothy S. & Jody D. McManus; thence proceeding by and with said McManus lands in a northwesterly, southwesterly, southeasterly direction a distance of 807'± to a point, said point being on the northerly property line of Lands of Sun Marine Maintenance Co. (PB 25-134); thence proceeding with said Sun Marine lands in a northwesterly direction a distance of 514'± to a point, said point being the southeasternmost property corner of Inads N/F of Norris J. Sr. & Kitty F. Adkins; thence proceeding by and with said Adkins lands in a northeasterly and northwesterly direction a distance of 1,556'± to a point, said point being the southeasternmost property corner of other lands N/F of Norris J. Sr. & Kitty F. Adkins; thence proceeding with said other lands of Adkins in a northeasterly, northwesterly, northerly direction a distance of 1,944'± to a point, said point being on the westerly property line of McCabe Properties LLC; thence proceeding by and with said McCabe lands in a southeasterly, northeasterly direction a distance of 1,902'± to a point, said point being the southernmost property corner of lands N/F David L. Tunnell, et al; thence proceeding with said Tunnel lands in a northeasterly and southeasterly direction a distance of 651'± to a point, said point being the northernmost property corner of lands N/F of Joel D. Gusky; thence proceeding with said Gusky lands in a southwesterly, southeasterly, southwesterly and northeasterly direction respectively a distance of 631'± to a point, said point being on the westerly ROW of Peppers Corner Road (SCR 365); thence proceeding with said ROW in a southeasterly direction a distance of 679'± to a point, said point being on the westerly ROW of Bayard Road (SCR 84), said point also being the northeasternmost property corner of lands N/F of Harold Walters & Laura Campbell Walters; thence leaving said ROW and proceeding by and with said Walters lands in a southwesterly and southeasterly direction respectively a total distance of 453'± to a point, said point being the northernmost property corner of lands N/F of Ricky E. Knox & John S. Holland; thence proceeding by and with said Knox & Holland lands in a southeasterly and southwesterly direction respectively a total distance of 450'±to a point, said point being on the westerly ROW of Bayard Road (SCR 84); thence proceeding in a northeasterly direction across Bayard Road a distance of 50'± to a point, said point being that of the **BEGINNING**.

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to prepare maps, plans, specifications, and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any and all structures required to provide for the safe disposal of sewage in the sanitary sewer district, as amended.

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT SYCAMORE CHASE EXPANSION AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

COUNTY OF SUSSEX)(

BE IT REMEMBERED, That the subscriber, PHILLIP C. CALIO, personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

- A. On February 20, 2020 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On February 20, 2020 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. On a post in front of DEC Pole 14499 in the westerly Right-of-Way (ROW) of Bayard Road, 60' east of Angola Road,
 - 2. On a post in front of a stop sign, at the exit of The Meadows At Bayard, at the intersection of Privy Lane and Bayard Road,
 - 3. On a post in front of DEC Pole 14493 in the westerly ROW of Bayard Road at the intersection with Central Avenue,
 - 4. On a post in front of DEC Pole 14495 in the westerly ROW of Bayard Road 287'± southeast of the centerline of Central Avenue,
 - 5. On a post in front of a stop sign at the intersection of Tee Box Blvd. at the intersection with Central Avenue at the exit of Bethany Forest,
 - 6. On a post in front of DEC Pole 22065 in the southerly ROW of Beaver Dam Road 85'± southeast of Thornton Road at the entrance of Silver Woods,
 - 7. On a post in front of a stop sign at the intersection of Beaver Dam Road and Parker House Road.
 - 8. On a post in front of a stop sign at the intersection of Parker House Road and Double Bridges Road.

PHILLIP Ć. CA 10 day of Feb. A.D., 2020 this 2 SWORN TO AND SUBSCRIBED before me on SHARON E. SMITH NOTARY PUBLIC STATE OF DELAWARE NOTARY PUBLIC My Commission Expires on 6/14/22 My Commission/Expires

PUBLIC NOTICE

PROPOSED SYCAMORE CHASE EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (MILLER CREEK AREA)

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **February 4, 2020** to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Miller Creek Area, to include the Sycamore Chase subdivision on Bayard Road, being situate in Baltimore Hundred, Sussex County, Delaware.

This action is in conformity with 9 Del.C §6502.

A description of the area, which is contiguous to and to be added to the SCUSSD is described as follows:

Beginning at a point, said point being on the SCUSSD (Miller Creek Area) boundary, said point also being on the easterly Right of Way (ROW) of Bayard Road (SCR 84), said point also being the northwesternmost property corner of The Woodlands subdivision; thence proceeding by and with said sewer district boundary and ROW in a southeasterly direction a distance of 286'± to a point, said point being the northwesternmost property corner of lands Now or Formerly (N/F) of Dianne H. Archut, Trustee; thence leaving said sewer district boundary and proceeding in a westerly direction a distance of 60'± to a point, said point being on the westerly ROW of Bayard Road (SCR 84), said point also being on the easterly property line of The Meadows at Bayard subdivision; thence proceeding by and with said subdivision and ROW boundary in a southeasterly direction a distance of 284'± to a point, said point the southeasternmost property corner The Meadows At Bayard subdivision, said point also being on the northern boundary of lands N/F Wendy Schooley & Harld W.T. Purnell II; thence leaving said ROW and continuing with said subdivision boundary in a southwesterly direction a distance of 900'± to a point, said point being the southwesternmost property corner of The Meadows At Bayard subdivision; thence leaving said subdivision boundary and proceeding with Purnell lands in a northwesterly, southwesterly, southeasterly, southeasterly direction respectively a distance of 682'± to a point, said point being the northwesternmost property corner of lands N/F of Brian T. Hutchinson; thence proceeding with said Hutchinson lands in a southwesterly and southeasterly direction a distance of 372'± to a point, said point being on the northerly ROW of Bayard Road; thence proceeding with said ROW in a southwesterly direction a distance of 151'± to a point, said point being the easternmost property corner of lands N/F of Timothy S. & Jody D. McManus; thence proceeding by and with said McManus lands in a northwesterly, southwesterly, southeasterly direction a distance of $807' \pm to$ a point, said point being on the northerly property line of Lands of Sun Marine Maintenance Co. (PB 25-134); thence proceeding with said Sun Marine lands in a northwesterly direction a distance of 514'± to a point, said point being the southeasternmost property corner of lnads N/F of Norris J. Sr. & Kitty F. Adkins; thence proceeding by and with said Adkins lands in a northeasterly and northwesterly direction a distance of 1,556'± to a point, said point being the southeasternmost property corner of other lands N/F of Norris J. Sr. & Kitty F. Adkins; thence proceeding with said other lands of Adkins in a northeasterly, northwesterly, northerly direction a distance of 1,944'± to a point, said point being on the westerly property line of McCabe Properties LLC; thence proceeding by and with said McCabe lands in a southeasterly, northeasterly direction a distance of 1,902'± to a point, said point being the southernmost property corner of lands N/F David L. Tunnell, et al; thence proceeding with said Tunnel lands in a northeasterly and southeasterly direction a distance of 651'± to a point, said point being the northernmost property corner of lands N/F of Joel D. Gusky; thence proceeding with said Gusky lands in a southwesterly, southeasterly, southwesterly and northeasterly direction respectively a distance of 631'± to a

point, said point being on the westerly ROW of Peppers Corner Road (SCR 365); thence proceeding with said ROW in a southeasterly direction a distance of 679'± to a point, said point being on the westerly ROW of Bayard Road (SCR 84), said point also being the northeasternmost property corner of lands N/F of Harold Walters & Laura Campbell Walters; thence leaving said ROW and proceeding by and with said Walters lands in a southwesterly and southeasterly direction respectively a total distance of 453'± to a point, said point being the northernmost property corner of lands N/F of Ricky E. Knox & John S. Holland; thence proceeding by and with said distance of 450'±to a point, said point being on the westerly and southeasterly direction respectively and southwesterly direction respectively a for a point, said point being on the westerly ROW of Bayard Road (SCR 84); thence proceeding in a northeasterly direction across Bayard Road a distance of 50'± to a point, said point being that of the **BEGINNING.**

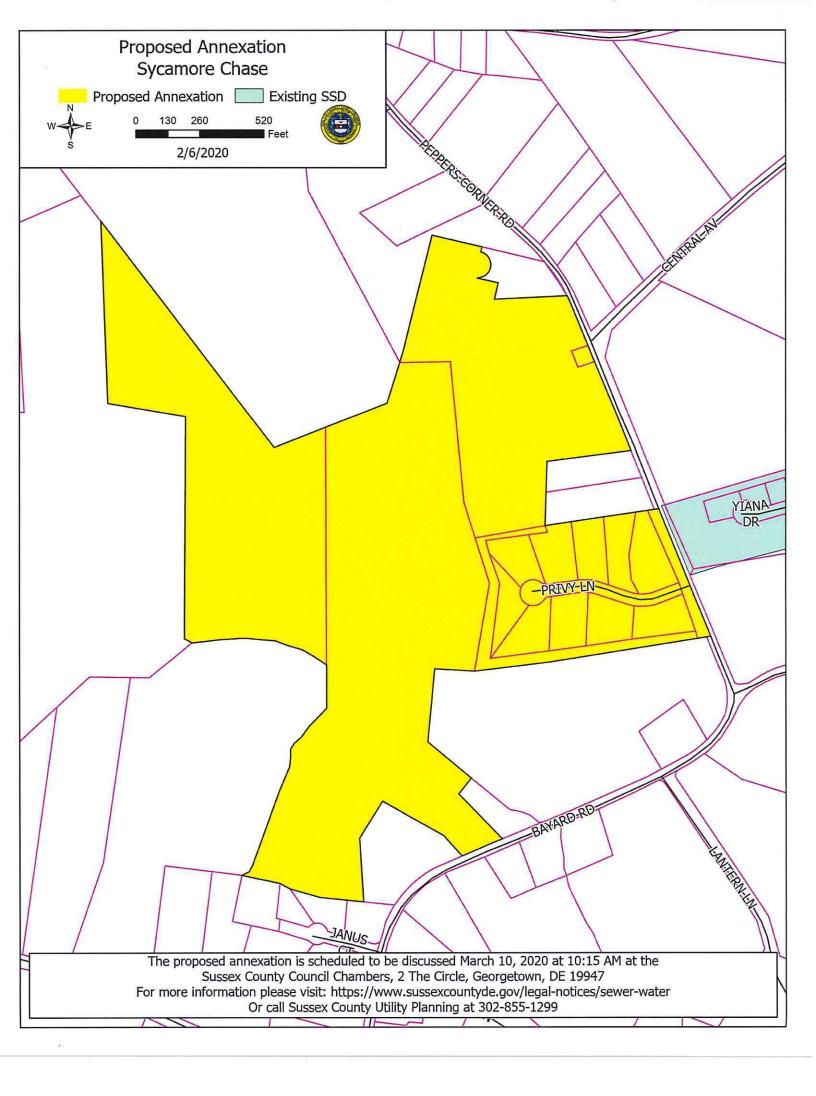
NOTE: The above description has been prepared using Sussex County Tax Map 134-18.00 & 134-19.00 and Sussex County property assessment records. The annexation contains 55 acres more or less.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 10:15 a.m. on March 10, 2020 in the Sussex County Council Chambers, 2 The Circle, Georgetown, Delaware 19947. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-1299).

Hans M. Medlarz, P.E. County Engineer



ENGINEERING DEPARTMENT

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





DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

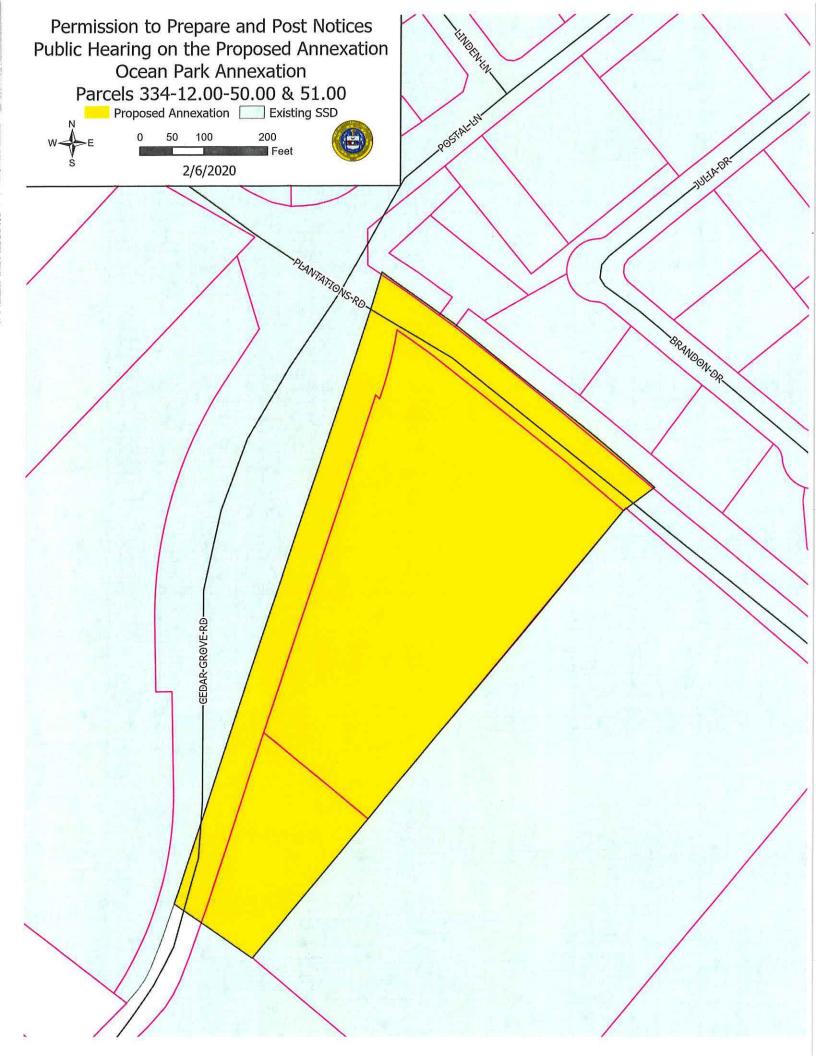
JOHN J. ASHMAN DIRECTOR OF UTILITY PLANNING

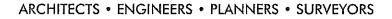
<u>Proposed Ocean Park Expansion of the</u> <u>Sussex County Unified Sanitary Sewer District</u>

PERMISSION TO POST FACT SHEET

- Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area)
- Includes parcels on the corner of Plantation Road and Cedar Grove Road.
- The Engineering Department has received a request from DBF on behalf of their client HKLS, LLC the owners/developers of a project known as Ocean Park on parcels 334-12.00-50.00 & 51.00.
- The expansion would consist of 5.482 acres more or less and has received preliminary site plan approval (January 9, 2020).
- The project will be responsible for System Connection Charges of \$6,360.00 per EDU based on current rates.
- The Engineering Department would like to request permission to prepare and post notices for a Public Hearing on the annexation of the area.
- A tentative Public Hearing is currently scheduled for April 28, 2020 at the regular County Council meeting.







Michael R. Wigley, AIA, LEED AP W. Zachary Crouch, P.E. Michael E. Wheedleton, AIA Jason P. Loar, P.E. Ring W. Lardner, P.E. Jamie L. Sechler, P.E.

January 24, 2020

DAVIS

BOWEN & FRIEDEL, INC.

Sussex County Utility Planning 2 The Circle Georgetown, DE 19947

Attn: John Ashman,

RE: Ocean Park Sewer District Expansion Request Tax Map No.: 3-34-12.00-50.00 and 51.00 DBF #: 2604A003

Dear Mr. Ashman:

On behalf of our client, HKLS, LLC, we are pleased to submit a request to extend the Sussex County Unified Sewer District to serve the above referenced parcels. The parcels are being developed as Ocean Park. Ocean Park completed a sewer study and sewer concept plan and was included in the recently approved Spring Arbor Rehoboth sewer construction plans. Furthermore, Ocean Park received preliminary site plan approval on January 9, 2020. The area of the expansion is 5.482 acres and attached to this letter is the expansion request fee of \$750.00 (Check #203).

If you have any questions or require additional information, please do not hesitate to contact me at (302) 424-1441 or via email at <u>rwl@dbfinc.com</u>.

Respectfully Submitted, Davis, Bowen & Friedel, Inc.

Ring W. Lardner, P.E. Principal

P:\HKLS, LLC\2604A001 Ocean Park\Docs\Sussex County Engineering\2020-01-24 Sewer District Expansion\HKLS Request.docx

ENGINEERING DEPARTMENT

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





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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

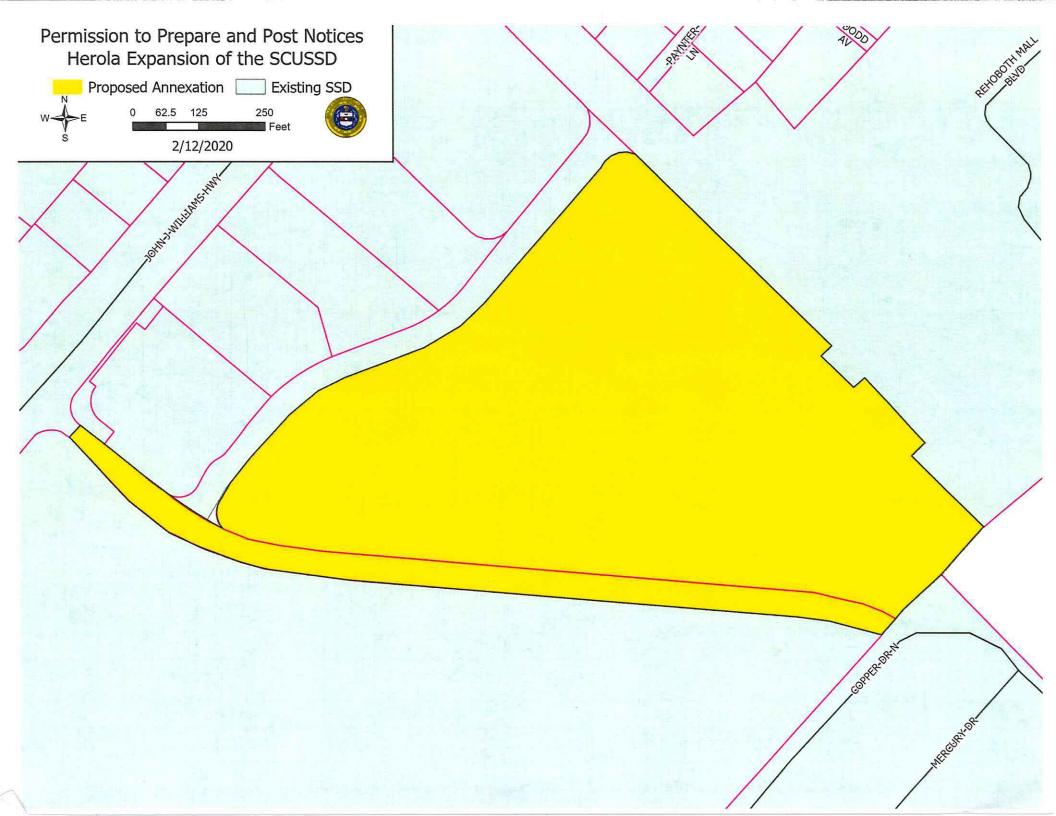
JOHN J. ASHMAN DIRECTOR OF UTILITY PLANNING

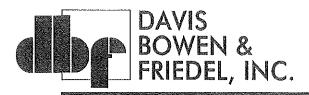
<u>Proposed Herola Expansion of the</u> <u>Sussex County Unified Sanitary Sewer District</u>

PERMISSION TO POST FACT SHEET

- Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area)
- Includes parcel along Route Route 24, John J. Williams Highway.
- The Engineering Department has received a request from DBF on behalf of their client OA Rehoboth, LLC the owners/developers of a project known as Lands of Herola Family LLC on parcel 334-12.00-127.01.
- The expansion would consist of 18.793 acres more or less.
- The project will be responsible for System Connection Charges of \$6,360.00 per EDU based on current rates.
- The Engineering Department would like to request permission to prepare and post notices for a Public Hearing on the annexation of the area.
- A tentative Public Hearing is currently scheduled for April 28, 2020 at the regular County Council meeting.







ARCHITECTS ENGINEERS SURVEYORS

Michael R. Wigley, AIA, LEED AP W. Zachary Crouch, P.E. Michael E. Wheedleton, AIA Jason P. Loar, P.E. Ring W. Lardner, P.E. Jamie L. Sechler, P.E.

February 6, 2020

Mr. John Ashman Utility Planning Division Sussex County Engineering Department 2 The Circle, Box 589 Georgetown, Delaware 19947

RE: Herola Property Sewer System Annexation TM# 334-12.00-127.01 DBF# 0818S001.J01

Dear Mr. Ashman:

On behalf of our client, OA Rehoboth, LLC, we are hereby requesting that Sussex County Council consider extending the Unified Sanitary Sewer District boundaries. The purpose of this extension would be to provide sanitary sewer service to a parcel of land referenced by Sussex County Tax Map as Parcel Number 334-12.00-127.01.

The application fee in the amount of \$1,500.00 (Check #3112) is enclosed as well as a copy of the deed for the property which provides a metes and bounds description and a survey plat with additional information.

Thank you for your assistance in this matter. If you should have any questions or concerns, please contact me at (302) 424-1441.

Sincerely, Davis, Bowen & Friedel, INC.

repar

Karl J. Kreppein Designer

P:Vocean Atlantic/0818C032 Herola Property/DOCS/SCE/2020-02-05_Herola_Sussex Co Swr Dist Boundary Expansion.docx

Enc.

ENGINEERING DEPARTMENT

ADMINISTRATION AIRPORT & BUSINESS PARK ENVIRONMENTAL SERVICES PUBLIC WORKS RECORDS MANAGEMENT UTILITY ENGINEERING UTILITY PERMITS UTILITY PLANNING FAX (302) 855-7718 (302) 855-7774 (302) 855-7730 (302) 855-7703 (302) 854-5033 (302) 855-7717 (302) 855-7719 (302) 855-1299 (302) 855-7773





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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

ERIC LITTLETON, C.M. AIRPORT MANAGER

MEMORANDUM

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable Irwin G. Burton III, Vice President The Honorable Douglas B. Hudson The Honorable John L. Rieley The Honorable Samuel R. Wilson, Jr.

FROM: Eric Littleton, C.M., Manager, Delaware Coastal Airport and Business Park

- **RE:** *R & H Filters Lease Agreement*
- DATE: March 10, 2020

R & H Filters, Inc. has leased Lot 19B in the Sussex County Industrial Park (now Delaware Coastal Business Park) since 1985. R & H Filters is a small family owned business operating a facility for the fabrication of sintered glass products used for filtration of various materials in the chemical and pharmaceutical industries.

R & H Filters, Inc. initial lease term was for ten (10) years with five (5) five (5) year options the last of which will expire on March 15, 2020. Airport and County officials have been working with the Davidsons over the last six (6) months on a lease acceptable to both parties.

The initial term of the lease will be three (3) years, with the option to extend for two (2) two (2) year terms. Rent for the 1.0-acre lot will begin at \$2,500.00/year which brings us to Fair Market Value and into compliance with our FAA Grant Assurances; with Consumer Price Index increases built into the lease after the initial three (3) year term.

Please feel free to call me at 855-7774 with any questions.

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



ENGINEERING DEPARTMENT

(302) 855-7718 (302) 855-7774 (302) 855-7730 (302) 855-7703 (302) 855-7703 (302) 855-7717 (302) 855-7719 (302) 855-71299
(302) 855-1299 (302) 855-7799





DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

Memorandum

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable I.G. Burton, III, Vice President The Honorable Douglas B. Hudson The Honorable John L. Rieley The Honorable Samuel R. Wilson, Jr.

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.1 B. Electrical Construction, Project C19-17, Change Order No.2

DATE: March 10, 2020

Intergovernmental Background:

On August 8, 2017, the County Council approved a comprehensive wastewater agreement with the City of Rehoboth Beach. Treatment capacity allocation and associated debt service was based on a percentage of the facility's year-round permitted design capacity. The County's initial debt service allocation was set at the historical 42% mark. However, it allows an increase up to 50% after the first year of full operation of the upgraded wastewater plant. Operational, maintenance and administrative costs are split on actual flow percentages.

The Agreement is set up as a partnership allowing the City and the County to jointly develop alternatives for the next phases of the treatment plant upgrade project. On July 20, 2018, the City Commissioners agreed to accept the County's offer to assume the design and construction of Phase 2, consisting of mainly electrical work, under \$6.0 million, 10-year, 0% interest alternative financing agreement which County Council approved on July 31, 2018.

In the spring of 2019, a failure of the influent screen forced the acceleration of the headworks component, previously included in Phase 3. The City requested the integration of this work into Phase 2 triggering a modification to the alternative financing agreement and a GHD design amendment. On June 4, 2019, Council approved a supplemental alternative financing agreement up to 3.0 million in additional funds using the initial 42%/58% cost split and charging 2% interest, the same as an SRF financing arrangement.



The Town of Selbyville participated in the original ocean outfall construction with Sussex County and therefore owns 9.1% of the capacity. The distribution of the operational expenses related to the outfall are governed by the December 29, 2008 agreement between the parties. The agreement is silent on future capital expenses such as major repairs. On November 13, 2018, Council approved a partial effluent forcemain relocation/replacement. The segment in question, containing Selbyville's tie-in, had been slated for replacement due to three (3) line breaks in the previous 2 years.

The Engineering and Finance Departments met with Town officials and presented two alternatives for amending the Agreement. The Town expressed and we subsequently transmitted the cost share scenarios and associated specific agreement modifications to the Town Manager. They will be presented to the Town Council for a vote and then the selected option will be presented to County Council for final approval.

Professional Services Background:

GHD, Inc., held the County's engineering services contract associated with the SCRWF since December 7, 2001. They also held the City of Rehoboth Beach's engineering services contract associated since 2000. Council reaffirmed GHD as the "Engineer of Record" South Coastal in 2016 and again on May 14, 2019, at which time Council also included professional services associated with the City's Wastewater Treatment Plant. Since contract inception, Sussex County awarded twenty (20) amendments under this base contract. The amendments associated with the various design aspects of the SCRWF and the City's WTP total \$10,026,805 to date.

Amendments 11 - 13 were associated with South Coastal's RWF Treatment Process Upgrade No.3. The 11th amendment covering planning and conceptual design was approved by Council on October 25, 2016 and used in the 2018 budgeting process. The 12th amendment was approved August 22, 2017 for development of construction documents excluding any construction phase services. Lastly, on July 11, 2017 Council awarded the 13th one for electrical value engineering design and constructability reviews.

Amendments 14 - 18 were associated with the City's Wastewater Treatment Plant. On July 24, 2018, Council approved the 14th for design services of the Phase 2 capital upgrade project. On October 2, 2018 Council approved the 15th for design services associated with the wastewater transmission line crossing of the Lewes-Rehoboth Canal allowing Pump Station No. 202 to be diverted to the City's treatment plant. On February 5, 2019 Council approved the 16th incorporating scope changes to the electrical motor control center design scope, as part of the City's WTP Phase 2 project. On March 26, 2019 Council approved the 17th for a flow diversion of Pump Station No. 204 to the gravity sewer on the opposite side of SR-1 and ultimately to the City's plant. On June 4, 2019 Council approved the 18th for the design of the headworks improvements under an expanded scope of the Phase 2 project.

On June 18, 2019 Council approved the 19th Amendment covering development of South Coastal bid alternates associated mostly with the influent forcemains, the fiber optic network and the pre-cast concrete construction. The consolidation of thirteen (13) influent forcemains outside of the South Coastal plant headworks into two (2) eliminated a complex cast-in-place concrete riser box expansion offering overall construction cost savings.

On February 4, 2020, Council approved 20th amendment for award of construction phase, inspection services, control programming services of the treatment components and a comprehensive site mapping effort during construction. Previously, GHD, Inc had already provided additional design services for both SCRWF and the City's WTP valued at approximately \$250,000 which were rolled into Amendment 20.

During the development of the scope of services, the Engineering Department met with GHD, Inc. several times discussing the approach with the intent of obtaining the most economical path forward by optimizing the County's involvement. The specific cost savings items to be assumed by County staff were associated with on site management, process coordination, fiscal oversight and supplemental inspection services.

Overall South Coastal Project Summary:

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

- a. Effluent Forcemain Relocation/Replacement; Construction completed.
- b. Influent Forcemain Consolidation; In house consolidation design with Council award of the materials purchase on October 22, 2019. Installation under the General Labor & Equipment Contract is ongoing with full completion in May 2020.
- c. Drainage Network Rerouting; The design completed but construction was not included in the base bid. After comparison between the General Labor & Equipment Contract and a possible change order under Ronca's general construction contract it was determined the latter was more advantageous from a cost and scheduling standpoint.
- d. General Construction Project C19-11; awarded on on December 17, 2019 to M.F. Ronca & Sons, Inc.
- e. Electrical Construction Project C19-17; awarded on December 17, 2019 to BW Electric, Inc.
- f. Mobile Belt Filter Press; awarded on January 7, 2020 Council to Kershner Environmental Technologies. Staff confirmed the condition and picked up the unit. It will first be deployed on a temporary basis under the South Coastal project.
- g. DP&L expenses; on February 4, 2020 Council approved contract.

The 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.

Contractual Summary:

The South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Phase 2 projects were designed as separate prime contractor bids for the electrical work and the general/structural work items. Both contractors were invited to a de-briefing meeting on December 10, 2019 were no scope gaps were discovered. To the contrary, the Team agreed on five (5) value engineering opportunities on the electrical side not affecting project integrity. Unfortunately, DP&L's change to the service entrance location added costs. Nevertheless, on February 4, 2020 Council awarded Change Order No.1 to the Electrical Construction, Project C19-17 by BW Electric, Inc.in the credit amount of \$759,374.80.

Since then the Department concluded the negotiations for the following open items:

- Proposed Change Order Request 554-001: Modification to the SCRWF drainage network at a cost of \$104,592.96.
- Proposed Change Order Request 554-002: \$5,250.00 credit for deletion of record drawing requirement.
- Proposed Change Order Request 554-003: Modification of the RBWTF influent force mains at a cost of \$97,294.31. This item was still under design at time of bidding.
- Proposed Change Order Request 554-013: \$6,850.00 credit for deletion of flow meter. This influent line was eliminated under the forcemain consolidation.

The Engineering Department now requests acceptance of M.F. Ronca & Sons, Inc. Change Order No. 1 in the amount of \$196,637.27 and BW Electric, Inc. Change Order No. 2 in the credit amount of \$6,800.00.

South Coastal RWF & Rehoboth Beach WTF Upgrade 3/4/2020

Vendor/Contract	Description	Contract Value
Michael F. Ronca & Sons, Inc.	SCRWF/RBWWTP General Construction	39,723,037.27
BW Electric Inc.	SCRWF/RBWWTP Electrical Construction	21,419,299.20
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	398,410.03
	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	Effluent FM Consolidation Materials	271,438.60
Core & Main	Effluent FM Pipeline Materials	227,603.39
Delmarva Power	Improve service entrances for both projects	175,000.00
G&L	FM Consolidation & Influent Consolidation Phase II	973,229.04
G&L Work- Effluent Relocation		316,635.20
Kershner Environmental Technologies	Belt Press	295,000.00
Totals		73,427,827.82



SUSSEX COUNTY CHANGE ORDER REQUEST

A. <u>ADMINISTRATIVE</u>:

1. Project Name: SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – General Construction

2.	Susse	ex County Project No.	C19-11
3.	Chang	ge Order No.	1
4.	Date Change Order Initiated -		1/31/20
5.	a.	Original Contract Sum	<u>\$39,526,400.00</u>
	b.	Net Change by Previous Change Orders	\$ 0
	 c. Contract Sum Prior to Change Order d. Requested Change e. Net Change (No. of days) 		\$39,526,400.00
			\$196,637.27
			00
	f. New Contract Amount		\$39,723,037.27

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
- X 4. Design Change
 - 5. Overrun/Underrun in Quantity

6.	Factors Affecting Time of Completior
υ.	racions Anecting Time of Completic

____ 7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER: Additional SCRWF storm drain construction, influent force main modifications and elimination of the record documents and construction photos.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No _____

E. <u>APPROVALS</u>

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

	AN	3/5/2020
Signature	0	Date
1		

<u>Scott Wachinski</u> Representative's Name in Block Letters

Sussex County Engineer alla Signature Date

3. Sussex County Council President

Signature

Date



179 Mikron Road, Bethlehem, PA 18020

February 18, 2020

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. 554-001 SCRWF Storm Drain Construction – Rev HDPE

Dear Mr. Clark:

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

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-001 SCRWF Storm Drain Construction - Rev HDPE

<u>ltem</u>	Description						
Item 1	Installation of Approx. 800 LF 24" HDPE & 150 LF 15" HDPE Storm Sewer Piping and PC Concr. Structures to Include Piping/Structure Install, Clearing/Grubbing, Clean Water Diversion & Restoration per GHD RFP-010.						
	Labor: Foreman Operating Engineer Laborer	<u>Qtv</u> 64.00 128.00 128.00	<u>Unit</u> МН МН МН	Unit Cost \$120.65 \$106.59 \$71.32	<u>Total</u> \$7,721.60 \$13,643.52 \$9,128.96	Labor Total:	\$30,494.08
	Materials: PC Concr. Storm Structures Frames, Grates & Covers 24" HDPE Flared End Sections 24" HDPE Smooth Bore Storm Pipe 15" HDPE Smooth Bore Storm Pipe R-4 Rip Rap Aggr. AASHTO #57 CR Aggr. Misc. Sand Bags, Hosing, Etc. for Swale Water Diversion	<u>Qty</u> 1.00 2.00 800.00 160.00 30.00 220.00 180.00 1.00	<u>Unit</u> LS EA LF LF TN TN LS	Unit Cost \$10,015.00 \$200.00 \$12.45 \$6.30 \$49.75 \$35.90 \$27.30 \$1,250.00	Total \$10,015.00 \$400.00 \$1,008.00 \$1,492.50 \$7,898.00 \$4,914.00 \$1,250.00	Material Total:	\$36,937.50
	Equipment: 40 K lb. Hyd. Exc. 2.5 CY RTL w/ SD RT Backhoe AWD Tri. Ax. Dump Truck 6" Diesel Pump w/ Acc. 8/0 x 24/0 Trench Box STS	<u>Qtv</u> 64.00 64.00 64.00 8.00 8.00 8.00 64.00	Unit HR HR HR HR HR HR HR HR HR	Unit Cost \$109.19 \$102.94 \$90.42 \$73.37 \$50.17 \$156.49 \$31.30	Total \$6,988.16 \$6,588.16 \$5,786.88 \$4,695.68 \$401.36 \$1,251.92 \$2,003.20	Equipment Total:	\$27,715.36
	Subcontract: Restoration Subcontractor	<u>Qtv</u> 1.00	<u>Unit</u> LS	<u>Unit Cost</u> \$2,200.00	<u>Total</u> \$2,200.00	Subcontract Total:	\$2,200.00
						Item Total:	\$97,346.94

Notes 1. Pipe trench dewatering is specifically excluded from PCOR. Should groundwater need to be controlled for installation of Storm Piping additional costs will apply.

2/18/2020

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-001 SCRWF Storm Drain Construction - Rev HDPE

2/18/2020

CHANGE ORDER SUMMARY

Item 1		50 LF 15" HDPE Storm Sewer Piping and PC Install, Clearing/Grubbing, Clean Water Diversion
Labor Materials Equipmen Subcontra		\$30,494.08 \$36,937.50 \$27,715.36 \$2,200.00
Subtotal		\$97,346.94
Contracto	r Overhead & Profit @ 7.5% (Concession)	\$7,136.02
Contr. Ov	erhead & Profit on Subcontr. @ 5%	\$110.00
Item Tota	I	\$104,592.96
Change O	rder Total	\$104,592.96



QUOTATION

Lorraine Kenney (610) 272-4531 • Fax: (610) 272-4295 e-mail: lkenney@Lane-enterprises.com

DATE: February 18, 2020

Drain with Lane

То

Scott Wachinski Michael F Ronca Phone: 610-759-5100 Mobile: 610-972-1355 <u>SWachinski@mfronca.com</u> Frankford Sussex Co. DF

Project Frankford, Sussex Co., DE Info.

Salesperson	Job Name Shipping Method		F.O.B.			Bid Date	e Pages
LORRAINE KENNEY		Lane Truck	Jobsite				1 of 1
Description		Туре	Gauge	Unit	Quantity	Unit Price	Extended Cost
Per AASHTO M294 -	- DOT Grade						
24" HD100 - ST - M2	294 / Solid	HDPE	TYPE S	LF	800	12.45	\$9,960.00
24" End Section		HDPE	TYPE S	EA	2	200.00	\$ 400.00
15" HD100 – ST – M2	294 / Solid	HDPE	TYPE S	LF	160	6.30	\$1,008.00
Per ASTM F2648 – Re	ecycle Grade						
24" HD100EC - ST -	F2648 / Solid	HDPE	TYPE S	LF	800	11.80	\$9,440.00
24" End Section		HDPE	TYPE S	EA	2	200.00	\$ 400.00
15" HD100EC - ST -	F2648 / Solid	HDPE	TYPE S	LF	160	5.80	\$ 928.00
							Sales tax is not included

Lane – StormKeeper Chambers - In Stock

Note: Detention systems are subject to greater leakage than typical single run storm sewer applications and therefore are not appropriate for applications requiring long-term containment or hydrostatic pressure. Any leakage performance shall be addressed by systems designed by others (eg: impervious liners).

Prices quoted above are firm for orders placed and shipped within 30 days of quote date. It is the customer's responsibility to ensure quantities and materials provided are in compliance with project specifications. Prices are F.O.B. jobsite, full truck load quantities, per our trucks. Any variation of pipe or changes in quote may require revised quoting. Split shipments or partial loads are available for pick up or will incur additional freight charges. HDPE prices include bell end with silt tight rated gasket conforming to AASHTO M294 /ASTM F2648. Returns require approval. Subject to a minimum 35% restocking fee plus any additional freight or loading charges. Terms are Net 30 with approved credit. Applicable sales taxes are not included.

ATLANTIC	CONCRETE PRODUCTS, IN	С.	PHONE # RETURN FAX
Contract Sp	ecification Co	nfirmation Form	(215) 945-5600 (215) 945-93
CONTRACTOR:		nca & Sons, Inc	DATE IN: February 6, 2020
PROJECT:	South Coastal S	Storm - Structures	, man han a a a dao ina a dao ana a dao
PO # {			INTERNAL PO#
PROJECT LOCATION:	any- Sussex C	STATE De	lawan
TELEPHONE # Voice	-610-759-5100	TNeubert@mfronca.com>	ATTN: Travis Neubert <
GASKETS R (Resize structur effect pricing)			MANHOLE FURST
	vnene POSSiste	- PIL	1 Taps by Contractor
COATHERGS: INSIDE !	•	OTHER C. Asphałtic (Seaboard) Green Epoxy Black Coal Tar Epoxy	INTERNAL USE ONLY
RADE RINGS:			
DITIONAL INFORMATION	ł:		DATED:
ELEASE DATE:		RY DATE:	
	**************************************		DATE:

Barry Sullivan

From: Sent: To: Cc: Subject: Attachments: Travis Neubert <TNeubert@mfronca.com> Thursday, February 6, 2020 10:10 AM Jerry Donahue **Kevin Shehab** South Coastal Storm - Structures SC-C0203.pdf; 02723 - Storm Sewer Piping.pdf; 02724 - Catch Basins.pdf; 02605 -Manholes.pdf

Jerry,

No Netaila

Need pricing for the following structures (spec attached) delivered to Rehoboth, DE please:

42", 48" will Deducing Sale. Storm Inlets I-12B o Rim 11.20 o 24" RCP Inv. In/Out 7.45 315 4975 FM I-12C Rim 11.00 0 Rim 11.00 15" RCP Inv. Out 8.00 20 400EA 0 I-12D Rim 10.70 Rim 10.70 24" RCP Inv. In/Out 5.56 /14 1,200+0 0 0 I-12E Rim 10.60 0 24" RCP Inv. In/Out 4.54 66 1.350 m 0 Strom Manholes SDMH-1 . o 24" RCP Inv. In/Out 6.79 126 ₩ 1, 3-25 2 4H-2 SDMH-2 0 24" RCP Inv. In/Out 6.37 6.03 1, 295 SDMH-3 o Rim 12.75 24" RCP Inv. In/Out 5.90 85 1.370
15" RCP Inv. In 7.30 FRONT 550

Spec for Inlets and Manholes attached as well as drawing with angle orientations for structures.

Reach us with questions,

All JAAMes, GRATES, BURES by Confuscion

Thank you,

Travis Neubert 610-342-5422

All Type on Tule to by Contractor



179 Mikron Road, Bethlehem, PA 18020

February 19, 2020

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. 554-002 Credit – Delete Record Docs & Construction Photos

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 credit amount of Five Thousand Two Hundred Fifty Dollars and 00 Cents......(-\$5,250.00).

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

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-002 Credit - Delete Record Docs &	Construction Photos	2/19/2020					
CHANGE ORDER SUMMARY							
ITOM 1	Credit - Removal of Record Drawings and Construction Photo Documentation from Contract Scope as Outlined in GHD's RFPs 012 & 013 Provided via Email 02.18.20.						
Labor Materials Equipment Subcontract	\$0.00 (\$5,000.00) \$0.00 \$0.00						
Subtotal	(\$5,000.00)						
Contractor Overhead & Profit @ 5% (Credit)	(\$250.00)						
Contr. Overhead & Profit on Subcontr. @ 5%	\$0.00						
Item Total	(\$5,250.00)						

(\$5,250.00)

Change Order Total

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-002 Credit - Delete Record Docs & Construction Photos

<u>ltem</u>	Description						
Item 1	Credit - Removal of Record Drawings and Construction Photo Documentation from Contract Scope as Outlined in GHD's RFPs 012 & 013 Provided via Email 02.18.20.						
	Labor:	<u>Qtv</u>	<u>Unit</u>	<u>Unit Cost</u> \$0.00	<u>Total</u> \$0.00	Labor Total:	\$0.00
	Materials: Delete Asbuilts/Photos	<u>Qtv</u> -1.00	<u>Unit</u> LS	<u>Unit Cost</u> \$5,000.00	<u>Total</u> (\$5,000.00)	Material Total:	(\$5,000.00)
	Equipment:	<u>Qtv</u>	<u>Unit</u>	<u>Unit Cost</u> \$0.00	<u>Total</u> \$0.00	Equipment Total:	\$0.00
	Subcontract:	<u>Qtv</u>	<u>Unit</u>	<u>Unit Cost</u> \$0.00	<u>Total</u> \$0.00	Subcontract Total:	\$0.00

Item Total: (\$5,000.00)

2/19/2020



179 Mikron Road, Bethlehem, PA 18020

March 2, 2020

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. 554-003 RBWWTP Influent Force Main Modifications - Rev

Dear Mr. Clark:

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

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-003 RBWWTP Influent Force Main Modifications - Rev	3/2/2020
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CHANGE ORDER SUMMARY

Labor \$14,795.20 Materials \$15,586.96 Equipment \$13,198.52 Subcontract \$28,045.00 Subtotal \$71,625.68 Contractor Overhead & Profit @ 15% \$6,537.10 Contr. Overhead & Profit on Subcontr. @ 5% \$1,402.25	Lower Ex. DI 12" Infl. San. FM, Perf. Wet Tap Ex. 16" Infl. San. FM and Install 16" FM Item 1 Interconnect Piping, Incl. Pumping of Residual Sewage From Ex. FM, in Accordance with GHD RFP-006 Figure 02 Drawing.					
Item Total \$79,565.03	Materials Equipmer Subcontra Subtotal Contracto Contr. Ove	act or Overhead & Profit @ 15% erhead & Profit on Subcontr. @ 5%	\$15,586.96 \$13,198.52 \$28,045.00 \$71,625.68 \$6,537.10 \$1,402.25			

Install/Removal of Temp 16" DI Influent Header Bypass Piping per GHD RFP-006 Fig. 03, Item 2 Including FPS CIP Concr. Bulkhead.

Labor Materials Equipment Subcontract	\$11,670.08 \$10,851.00 \$2,921.28 \$0.00
Subtotal	\$25,442.36
Contractor Overhead & Profit @ 15%	\$3,816.35
Contr. Overhead & Profit on Subcontr. @ 5%	\$0.00
Item Total	\$29,258.71

Credit - Eliminate Modifications to 12" DI Influent Piping at T-1 Pretreatment Facility. Remove Item 3 Ex. 12" and Install Cap at Lower Chamber Only.

Labor Materials Equipment Subcontract	(\$5,235.96) (\$3,329.00) (\$1,460.64) \$0.00
Subtotal	(\$10,025.60)
Contractor Overhead & Profit @ 15%	(\$1,503.84)
Contr. Overhead & Profit on Subcontr. @ 5%	\$0.00
Item Total	(\$11,529.44)
Change Order Total	\$97,294.31

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-003 RBWWTP Influent Force Main Modifications - Rev

<u>ltem</u>	Description						
Item 1	Lower Ex. DI 12" Infl. San. FM, Perf. Wet Tap Ex. 16" Infl. San. FM and Install 16" FM Interconnect Piping, Incl. Pumping of Residual Sewage From Ex. FM, in Accordance with GHD RFP-006 Figure 02 Drawing.						
	Labor: Foreman Operating Engineer Laborer	<u>Qty</u> 40.00 40.00 80.00	<u>Unit</u> MH MH MH	Unit Cost \$120.65 \$106.59 \$71.32	<u>Total</u> \$4,826.00 \$4,263.60 \$5,705.60	Labor Total:	\$14,795.20
	Materials: 12" DI Pipe, Fittings & Accessories 16" DI Pipe, Fittings & Accessories AASHTO #57 Misc	<u>Qtv</u> 1.00 1.00 120.00 1.00	<u>Unit</u> LS LS TN LS	Unit Cost \$4,737.80 \$6,291.16 \$35.90 \$250.00	Total \$4,737.80 \$6,291.16 \$4,308.00 \$250.00	Material Total:	\$15,586.96
	Equipment: 40 K lb. Hyd. Exc. RT Backhoe AWD Tri. Ax. Dump Truck 4" DP Diesel Pump w/ Acc. 8/0 x 24/0 Trench Box STS	<u>Qtv</u> 40.00 40.00 40.00 8.00 4.00 40.00	<u>Unit</u> HR HR HR HR D HR	Unit Cost \$109.19 \$90.42 \$73.37 \$50.17 \$156.49 \$31.30	Total \$4,367.60 \$3,616.80 \$2,934.80 \$401.36 \$625.96 \$1,252.00	Equipment Total:	\$13,198.52
	Subcontract: Wet Tap Subcontractor (Including Tap Sleeve/Valve)	<u>Qtv</u> 1.00	<u>Unit</u> LS	<u>Unit Cost</u> \$28,045.00	<u>Total</u> \$28,045.00	Subcontract Total:	\$28,045.00 \$71,625.68
Item 2	Install/Removal of Temp 16" DI Influent Header Bypass Piping per GHD RFP-006 Fig. 03, Including FPS CIP Concr. Bulkhead.						

Labor: Foreman Mechanic/Fitter Carpenter Laborer	Qtv 24.00 48.00 8.00 32.00	<u>Unit</u> MH MH MH MH	Unit Cost \$120.65 \$122.18 \$78.45 \$71.32	Total \$2,895.60 \$5,864.64 \$627.60 \$2,282.24	Labor Total:	\$11,670.08
Materials: 16" DI Pipe, Fittings & Accessories 4000 PSI Concrete S/L Misc. Supports/Form Lumber	<u>Qtv</u> 1.00 1.00 1.00	<u>Unit</u> LS LS LS	Unit Cost \$9,936.00 \$350.00 \$565.00	<u>Total</u> \$9,936.00 \$350.00 \$565.00	Material Total:	\$10,851.00
Equipment: Luil Mtri. Hndir. STS	<u>Qty</u> 24.00 24.00	<u>Unit</u> HR HR	<u>Unit Cost</u> \$90.42 \$31.30	<u>Total</u> \$2,170.08 \$751.20	Equipment Total:	\$2,921.28
Subcontract:	<u>Qtv</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u> \$0.00	Subcontract Total:	\$0.00

Item Total:

\$25,442.36

Item 3	Credit - Eliminate Modifications to 12" DI Influent Piping at T-1 Pretreatment Facility. Remove Ex. 12" and Install Cap at Lower Chamber Only.						
	Labor: Foreman Mechanic/Fitter Laborer	<u>Qty</u> -12.00 -24.00 -12.00	<mark>Unit</mark> MH MH MH	Unit Cost \$120.65 \$122.18 \$71.32	<u>Total</u> (\$1,447.80) (\$2,932.32) (\$855.84)	Labor Total:	(\$5,235.96)
	Materials: 12" DI Pipe, Fittings & Accessories 12" DI Cap w/Accessories Misc. Supports	<u>Qtv</u> -1.00 1.00 -1.00	<u>Unit</u> LS LS LS	<u>Unit Cost</u> \$3,289.00 \$210.00 \$250.00	<u>Total</u> (\$3,289.00) \$210.00 (\$250.00)	Material Total:	(\$3,329.00)
	Equipment: Lull Mtrl. Hndlr. STS	<u>Qty</u> -12.00 -12.00	<u>Unit</u> HR HR	<u>Unit Cost</u> \$90.42 \$31.30	<u>Total</u> (\$1,085.04) (\$375.60)	Equipment Total:	(\$1,460.64)
	Subcontract:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u> \$0.00	Subcontract Total:	\$0.00
						Item Total:	(\$10,025.60)

Notes

Notes
 Excavation dewatering requiring equipment greater than 2" trash pump is specifically excluded. Should groundwater management by means of well points or similar be required, additional costs will apply.
 Wet Tap pricing based on stainless steel tap sleeve. If DI Tap Sleeve required, additional cost of \$3,795.00 + Contractor OH&P would apply.
 Wet Tap pricing assumes min. 4'-0" cover over existing pipe, and use of Worm-gear Tapping Valve. If pipe cover is less than 4'-0", requiring use of Bevel-gear Tapping Valve, additional cost of \$4,305.00 + respective OH&P would apply.
 PCOR assumes minimum 9' clearance between existing 16" Influent Force Mains available for horizontal wet tap and interconnect piping. Should inadequate clearance exist, requiring angled wet tap and addl. fittings to complete interconnect piping, addl. costs will apply.
 PCOR assumes work can be completed without removal/reinstallation of existing security fence. gate. etc.

PCOR assumes work can be completed without removal/reinstallation of existing security fence, gate, etc.
 PCOR assumes all necessary advance test pit excavation to be paid in accordance with RBWWTP Contingent Unit Price Work Item F-2



SUSSEX COUNTY CHANGE ORDER REQUEST

A. <u>ADMINISTRATIVE</u>:

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.		2
4.	Date (Change Order Initiated -	3/5/20
5.	a.	Original Contract Sum	\$22,178,674.00
	b.	Net Change by Previous Change Orders	_(\$759,374.80)_
	C.	Contract Sum Prior to Change Order	\$21,419,299.20
	d.	Requested Change	(\$6,800.00)
	e.	Net Change (No. of days)	0
	f.	New Contract Amount	\$21,412,499.20
6.	Conta	ct 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
- X 4. Design Change
- 5. Overrun/Underrun in Quantity

6.	Factors Affecting	Time of Completion
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- 7. Other (explain below):
- C. BRIEF DESCRIPTION OF CHANGE ORDER: Credit for deletion of flow meter.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No	

E. <u>APPROVALS</u>

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

Pausa		3-6-20	
Signature		Date	
Bryon	S. Warren,	President	

Representative's Name in Block Letters

2. Sussex County Engineer

Signature

Date

3. Sussex County Council President

Signature

Date



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.	RFP No. 013			
RFP Subject	RFP Subject RBWWTP Influent Flow Meter			
Issued By	D. Murray	Issue Date	Feb. 20, 2020	

Description of proposed changes:

- 1. Provide a credit for Magnetic Flow Meter FE/FIT-01-83-01 listed in Section 17200 Article 2.10.H and shown in the plan on Drawing RB-E9214.
- 2. Provide a credit for conduit and conductors shown on Drawing RB-E9215 between FIT and PCS-T1.
- 3. Provide a credit for conduit and conductors shown on Drawing RB-E9215 between FIT and panelboard GPT1.
- 4. Provide credit for ground grid conductor shown on Drawing RB-E9414.
- 5. Analog input for FIT-01-83-01 shown on IO list in Section 17101 will become a spare.
- 6. Circuit breaker for FIT-01-83-01 shown on panelboard GPT1 schedule on Drawing RB-E9401 will become a spare.





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 5, 2020

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 13

Dear Hans Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 13. Our price does not include the use of Prevailing Wages. Our price is a *credit of \$-6,800.00* and includes the following:

- 1. Credit for Magnetic Flow mEter FE/FIT-01-83-01 shown on drawing RB-E9214.
- 2. Credit for conduit and conductors shown on drawing RB-E9215 between FIT and PCS-T1.
- 3. Credit for conduit and conductors shown on drawing RB-E9215 between FIT and panelboard GPT1.
- 4. Credit for the ground grid conductor shown on drawing RB-E9414.
- 5. Analog input for FIT-01-83-01 will become a spare.
- 6. Circuit breaker for FIT-01-83-01 indicated on drawing RB-E9401 will become a spare.

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

ENGINEERING DEPARTMENT

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





DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

Memorandum

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable Irwin G. Burton III, Vice President The Honorable Samuel R. Wilson, Jr. The Honorable John L. Rieley The Honorable Douglas B. Hudson

FROM: Hans Medlarz, P.E.

RE:

THE OWL'S NEST PAVING IMPROVEMENTS, PROJECT T20-01 Jerry's, Inc. – Final Balancing Change Order and Substantial Completion Α.

DATE: March 10, 2020

Election results for the proposed Owl's Nest Chapter 96 Sussex Community Improvements project were presented to Council on June 11, 2019. Based on affirmative Election results and Engineering Department recommendation, Council adopted Resolution No. R 013 19 authorizing the Department to perform improvements and for the County Engineer and Finance Director to determine a uniform rate for billing after substantial completion.

The Engineering Department advertised Sussex County Project T20-01 on August 9, 2019. Four (4) bids were received, publicly opened and read aloud on Wednesday, August 28, 2019. A preliminary project estimate developed in March 2019 and utilized for the Petition and Election stages of the Chapter 96 Program included a \$5,000 HOA contribution to the Project. Based on bid results the HOA increased their project contribution to \$20,000. This contribution amount maintained the estimated assessment roll utilized in the Project Election.

On September 17, 2019 Council awarded Project T20-01 to Jerry's Inc., of Milford, DE, for a \$87,653.65 contract amount, and the Notice to Proceed was later issued, effective November 4, 2019. The roadway improvements were modified to include a paying fabric interlayer with related costs offset by underruns of bid items as detailed by Change Order No. 1, presented to Council and approved on January 14, 2020.

Final restoration was completed on January 30, 2020 and all final project costs submitted with Application for Payment No. 2. The attached Change Order No. 2 serves as Final Balancing of the contract amount. The Engineering Department recommends approval of Change Order No. 2, Final Balancing, along with Substantial Completion effective January 30, 2020 and release of retainage.

The Engineering Department will next coordinate an assessment roll with the Finance Director for billing, schedule and hold a public hearing on the proposed rates and return to Council for a final Resolution to adopt the assessment roll for the Chapter 96 Sussex Community Improvement project.





SUSSEX COUNTY CHANGE ORDER REQUEST

A. <u>ADMINISTRATIVE</u>:

1. Project Name: THE OWL'S NEST PAVEMENT IMPROVEMENTS

2.	Sussex County Project No.		T20-01
3.	Chang	ge Order No.	2
4.	Date (Change Order Initiated -	_03/04/2020_
5.	a.	Original Contract Sum	\$87,653.65
	b.	Net Change by Previous Change Orders	\$ 0
	С.	Contract Sum Prior to Change Order	\$87,653.65
	d.	Requested Change	(\$2,892.74)
	e.	Net Change (No. of days)	0
	f.	New Contract Amount	\$84,760.91
		27 2 37	

6. Contact Person: <u>Hans Medlarz, P.E.</u>

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

_

X 5. Overrun/Underrun in Quantity

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

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Final balancing change order to reconcile quantities with final pay request: application No. 2.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

	Yes X No	
E.	APPROVALS	
1.	Jerry's Inc., Contractor	
	Signature	3/5/20 Date
	EPIC PARKS Representative's Name in Block Letters	

Sussex County Engineer 2. adlant ac Signature

3. Sussex County Council President

Signature	Date

ENGINEERING DEPARTMENT

ADMINISTRATION AIRPORT & INDUSTRIAL PARK ENVIRONMENTAL SERVICES PUBLIC WORKS RECORDS MANAGEMENT	(302) 855-7718 (302) 855-7774 (302) 855-7730 (302) 855-7703 (302) 855-7703 (302) 855-7747
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
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FAX	(302) 855-7799



Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

<u>Memorandum</u>

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable Irwin G. Burton III, Vice President The Honorable Douglas B. Hudson The Honorable John L. Rieley The Honorable Samuel R. Wilson, Jr.

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

RE: Mallard Creek Sewer Expansion A. George, Miles & Buhr, LLC – Standalone USDA Engineering Agreement

DATE: March 10, 2020

On August 29, 2017 Council approved the Engineering Department to post notices for an expansion of the Sussex County Unified Sanitary Sewer District to serve the Mallard Creek subdivision in the Holt's Landing area. Favorable polling led to a public hearing on October 20, 2017. The results of the hearing were presented to Council on November 7, 2017 with a recommendation for annexation. Resolution No. R 032 17 was adopted as recommended.

The Engineering Department developed preliminary engineering reports since that time for coordination of project funding. A letter of conditions from the United States Department of Agriculture (USDA) dated September 27, 2019 outlined loan and grant funding associated with the Mallard Creek Sewer Extension Project, administered by the Rural Utilities Service (RUS). Funding assistance in the amount of \$2,773,000 was then approved by letter dated October 16, 2019, with funds obligated as of September 30, 2019.

A community meeting was held in January 2020 to update Mallard Creek residents on design alternatives and funding estimates. Most recently, at the February 4, 2020 meeting, Council approved motions for issuance of general obligation bonds and the USDA loan resolution applicable to the project. The sewer expansion project now proceeds into a design phase having funding secured.

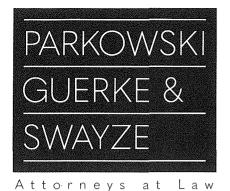
The Engineering Department's procurement process for 5-year Professional Service Contracts began in January 2019 with issuance of RFP 19-22, Miscellaneous Engineering Services. An explanation of the selection process and a Selection Committee recommendation were presented to Council at the May 14, 2019 session. Council approved a motion selecting three (3) consulting engineering firms to provide professional services: Davis, Bowen & Friedel (DBF); George Miles and Buhr (GMB); and KCI Technologies, Inc. (KCI). Additionally, the motion authorized the Engineering Department to negotiate Base Professional Service Agreements for a five-year period



of July 1, 2019 through June 30, 2024. Project-based contract amendments under the base agreements, or individual project-specific agreements if required by a funding source, were each to be brought to Council for authorization.

The Engineering Department coordinates with each consulting engineering firm to discuss various capital projects, including staffing, schedules and expertise to efficiently utilize the professional services available. In this case, GMB was asked to develop and submit a scope of work with fee estimate for preliminary design, final design, and bidding phase services. Additionally, a standalone project-based agreement for professional services is required with USDA funding, therefore the Department worked with GMB to make necessary Federal revisions to the original base agreement.

As requested, GMB provided a draft Base Owner-Engineer Professional Services Agreement for design and bidding services associated with the Mallard Creek Sewer Expansion, Project S20-26, with an estimated total cost of \$177,780.00. The agreement, scope and cost were reviewed and forwarded to the USDA for concurrence. The Engineering Department recommends authorization of the professional services agreement with GMB at a not-to-exceed value of \$177,780.00, for design and bidding of the Mallard Creek Sewer Expansion, Project S20-26, contingent upon USDA approval.



VINCENT G. ROBERTSON Rehoboth Beach Office 302-226-8702 <u>vrobertson@pgslegal.com</u> Firm Website: <u>www.pgslegal.com</u>

- TO: Sussex County Counc
 - Sussex County Council Todd Lawson, County Administrator
 - FROM: Vince Robertson, Esq. Assistant County Attorney
 - RE: DelDOT MOU Update
 - DATE: March 5, 2020

Recall that during the public hearing on the MOU between Sussex County and DelDOT, several revisions were suggested. These suggestions followed the prior recommended changes from the Planning & Zoning Commission. After the public hearing, I met with representatives of DelDOT to discuss the comments and recommended changes. They were constructive and helpful, and most of them should be implemented. At your request, please allow this Memo to outline those recommended changes. After considering these, staff will undertake your direction on finalizing the MOU for approval at a later meeting.

Note that this Memo does not cover minor word changes, additions or deletions, or text revisions that are not substantive. Instead, it is intended to broadly cover the more significant changes. These are as follows:

- 1. Generally accept the changes suggested by the Planning & Zoning Commission that are not modified here.
- 2. Reorganize the MOU into a more readable format (instead of following the format of the 1988 MOU). This more clearly organizes the document by land use type and by traffic impact and the steps that follow each one.

Sussex County Council Todd Lawson, County Administrator RE: DelDOT MOU Update March 5, 2020 Page 2

- 3. Reorganize certain areas into list, or outline form, wherever possible. Since this does not change the content, I am not going to list them all here. But, examples include the reformatting into list form the "Level of Service" explanation and the events the must occur prior to a hearing on a land use application.
- 4. Change "Fee in Lieu" to "Area Wide Study Fee". There was a public comment to replace the definition of "Area Wide Study Fee", but the current definition is mandated by DelDOT's requirements, so it should remain the DelDOT definition for consistency.
- 5. There was a request to delete the existing statement that where staff and DelDOT agree that the traffic impact from a proposed change in land use is diminutive, staff can waive the Preliminary Traffic Analysis ("PTA") requirement. Staff believes this should be left in, as it gives flexibility to waive the PTA at the beginning of the land use process if it is known to create little or no traffic impact.
- 6. It is recommended to confirm that where traffic impact is "negligible", no further traffic analysis will be necessary. That change will be made. But DelDOT has requested an additional line confirming that "DelDOT may still identify the need for a TOA in a subsequent plan review process." In other words, as a project gets fine-tuned and goes through site plan review, additional information that comes in may warrant a TOA.
- 7. It is recommended to permit developer to do its own TIS instead of payment of an Area Wide Study Fee.
- 8. There was agreement from P&Z and several groups that commented to delete the reference to seasonal traffic counts. Instead, traffic counts are dictated by DelDOT's manuals that are based on industry standards.
- 9. There was a request to delete the ability of Sussex County to require a TIS as part of a proposed land use project. Staff recommends that this tool remain available to Sussex County should the need arise.

Sussex County Council Todd Lawson, County Administrator RE: DelDOT MOU Update March 5, 2020 Page 3

- 10. There was a request to delete the ability to do an Area Wide Study Fee when DelDOT has determined that an area has already been the subject of a TIS or TOA. It is recommended to leave this in, as it allows greater flexibility in areas where the roads have already been sufficiently studied.
- 11. It maintains that DelDOT should recommend phasing wherever and whenever appropriate for Sussex County's consideration. But it should be clarified that this DelDOT recommendation should come in prior to Preliminary Site Plan approval. It should also be clarified that phasing can refer to a number of building permits and not just an area of land within a development.
- 12. Concerns were stated about Sussex County participating in DelDOT's "negotiations" with a developer, and what that means. "Negotiations" may not convey what was intended- Sussex County wants to be notified about, participate in and be aware of discussions and determinations between DelDOT and a developer with regard to a project. And, be aware of any changes that may occur. This paragraph should be revised to more clearly describe this.

I will be available to present this information and answer any questions you may have regarding this information or the MOU during the discussion slated to occur during the March 10, 2020 Council Meeting.

VGR

Cc (by email): Jamie Whitehouse Todd Lawson Robin Griffith Marc Cote Drew Boyce Everett Moore Bob Wheatley







Memorandum

To: Sussex County Council The Honorable Michael H. Vincent, President The Honorable Irwin G. Burton III, Vice President The Honorable Douglas B. Hudson The Honorable John L. Rieley The Honorable Samuel R. Wilson, Jr.

From: Jamie Whitehouse, AICP, Planning & Zoning Manager

- CC: Everett Moore, County Attorney
- Date: March 6, 2020
- RE: Memorandum of Understanding Between Sussex County and Delaware Department of Transportation (DelDOT)

The Planning and Zoning Commission held a Public Hearing in relation to the Memorandum of Understanding ("MOU") between Sussex County and Delaware Dept. of Transportation on December 12, 2019. Due to the length of the December 12 meeting, Chairman Wheatley announced that the record would be left open and that the public hearing would be continued at the meeting of January 9, 2020 to allow any additional speakers an opportunity to speak before the Commission.

The Public Hearing was continued at the Planning and Zoning Commission meeting of January 9, 2020, after which the record was closed. At the meeting of January 23, 2020, the Commission recommended approval of the MOU subject to recommended changes, as outlined below.

On January 28, 2020, County Council held a public hearing. At that meeting, County Council deferred action on the MOU to allow for further consideration.

The following are the minutes for the Planning and Zoning Commission meetings:

December 12, 2019 Planning and Zoning Commission Meeting

The MOU describes the coordination process between Sussex County and DelDOT regarding the process of land use applications.

Ms. Cornwell outlined that three written responses had been received in relation to the MOU and were part of the record for this Application. Mr. Mark Cote from DelDOT was also present to answer any questions from the Commission.



County Council Report for Memorandum of Understanding ("MOU) with Delaware Department of Transportation $P a g e \mid 2$

Mr. Robertson and Mr. Cote provided a brief overview of the background to the MOU and what was included within it. That Title 9 of the Delaware Code requires a MOU to be created, and that the previous version of the MOU dates back to 1988; that an update was/is required.

(A copy of the Mr. Robertson and Mr. Cote's presentation is appended to these minutes).

The Commission found that Mr. Jeff Stone on behalf of the group SARG was present to speak to the proposed MOU; that this is an extraordinary opportunity to transform the development process. Mr. Stone gave a presentation regarding the 40 comments from SARG, copies of which were submitted into the record. A copy of the presentation is appended to these minutes.

The Commission found that Ms. Yul Lee of Lewes was present to speak to the proposed MOU; that she is concerned that DelDOT can make recommendation but that the County is under no obligation to follow DelDOT's recommendations; that she agrees with Mr. Jeff Stone that the County should have its own Transportation Advisor(s) independent of DelDOT;

The Commission found that Mr. Keith Steck of the Delaware Coalition for Open Government was present to speak about the proposed MOU; that he recognizes the work that has gone into the document so far; that he does have comments; that the document should be clear as to which county entity is in charge, as this is not clear; that the document has a heavy emphasis on road transportation and does not mention other modes of transport such as DART; that the document should make reference to land use settings such as residential, commercial and industrial, and the size of these developments that the MOU applies to; that it does not appear to apply to industrial parks; that there are no exclusions within the document; that there is no definition of what types of vehicles are considered; that there needs to be further discussion on the types of vehicles and their definitions; that the document should include a timeframe for its lifetime so that it can be reviewed, such as every five years; that the document does not have a strong enough emphasis on safety of pedestrians and bicycle traffic, especially in light of the cyclist and pedestrian deaths in the County over the past several years; that the volume of traffic should also consider emergency response times; that these factors should be included in the MOU.

The Commission found that Mr. Tom Ford was present to speak to the proposed MOU; that on pg. 9, item 5; he thinks the words "*and bonded*" should be added; that in item 16, he thinks that it should be strengthened to require County Council to be provided with updates on progress on major project; that a threshold should be defined for this; that Public Hearings before the County should be required for major projects;

The Commission found that Ms. Betty Tustin, a professional traffic engineer, was present to speak to the proposed MOU; that she appreciates that this is a work in progress; that she has written comments that she has submitted; that she requested that the MOU be subject to a further public hearing prior to being considered by County Council; that she agrees with Mr. Cote that Level of Service 'F' is not necessarily failing; that Sussex County is unique with an influx of seasonal traffic; that this is hard to accommodate; that the MOU should reflect this; that the approach to TIS preparation is changing as society changes and that the MOU should reflect this; that Sussex County's trip generation patterns and rates are changing as people retire and people start to work more flexible hours in the workplace; that workers are allowed to work from home now; that these factors change the traffic flow; that GPS systems are becoming more advanced and that this allows motorists to be re-routed.

County Council Report for Memorandum of Understanding ("MOU) with Delaware Department of Transportation $P a g e \mid 3$

The Commission found that Mr. Robert Horsey was present to speak to the proposed MOU; that he asked if the Commission could provide or public a comparison with the 1988 MOU; that on pg. 5 he urges the Commission not to tie the TIS to phasing of developments and instead tie it to Building Permits; that this will add a level of complexity; that he strongly urges the Commission to consider the insertion of the words "Substantial Completion" or similar into the document; that he does not consider the document to be a fix-all for the County; that reliance should not be placed solely on Developers to fix the County's problems; that believes a State-wide initiative should be considered, such as a gasoline tax for all motorists; that he requests that the record be left open to allow others to comment;

The Commission found that Mr. David Hutt, Attorney was present and gave a presentation (a copy is appended to these minutes); that he recognizes a common theme in public comments is the need for more clarity in the document; that the ownership of "the TIS" needs to be more clearly defined to ensure that the preparer of the TIS is made clear 'i.e. 'the Developer's TIS'; that the Commission may wish to consider revising or deleting paragraph 3; that there are some areas of the County that do no experience seasonal traffic; that 'requirements by DelDOT' needs to be more clearly defined; that the document should be more clear that Sussex County is the final decision maker on land-use matters;

The Commission found that Mr. Bob Viscount of Lewes was present to speak to the proposed MOU. That he lives in the Villages of Five Points; that he supports the comments of Mr. Stone; that the lack of a Transportation expert within the County is a defect in the process; that the County should enhance the application process by exploring this; that the whole issue of phasing should not be deferred to DelDOT and that this is the County's responsibility; that any ambiguous processes should be clarified.

The Commission found that Mr. Kevin Rosenberg of Lewes wished to speak to the MOU; that on Pg.6 the text of the old MOU had been retained; that this causes some confusion; that he would support its removal; that he isn't sure whether this is tied to other agencies; that on Pg. 9 No. 4 he thinks that there is some unnecessary repetition in the text that the County may wish to consider removed; that he is concerned that it may just be stating the obvious; that is concerned that the document uses strong language as to when Building Permits may be withheld and that this text could be more flexible to account for unusual circumstances; that a discretion to withhold Certificates of Occupancy and/or Building Permits would seen to be a more reasonable wording.

Chairman Wheatley noted that, due to the late hour of the meeting, that the Commission may wish to leave the hearing open to allow potential additional speakers an opportunity to speak at a future meeting of the Commission. The Commission would, however, only allow new speakers to speak when the Public Hearing is continued.

Motion by Ms. Stevenson, seconded by Ms. Wingate and carried unanimously to table the discussion and leave the public hearing open until the next regular meeting of the Commission (January 9th, 2020). Motion carried 5-0.

Mr. Robertson clarified that the record is open until that meeting if anyone wishes to submit additional comments.

January 9, 2020 Public Hearing - Minutes

The MOU describes the coordination process between Sussex County and DelDOT regarding the process of land use applications. Continuation of Public Hearing.

Ms. Cornwell stated that staff did receive some additional comments that were provided and sent via email regarding some changes from seven different people. Also, staff have received a letter from the American Council of Engineers, Delaware Chapter, who are supporting the MOU comments provided by members of the Property Business Alliance.

Chairman Wheatley stated that everyone is allowed one trip to the podium. Since this is a continuation of last hearing, if someone spoke the last time, then they have already had their trip.

The Commission found that Mr. Joe Caloggerro with the Traffic Group, Vice President, Baltimore, MD was present to comment on the MOU. He represents the working group that sent information to the Commission on January 7th. The working group is comprised of engineers and developers. On January 7th he submitted a revised MOU with a letter outlining the requested modifications and he had copies for everyone. Ms. Cornwell asked to have it emailed to the Commission.

Mr. Caloggerro stated that the goal of the revised MOU is to modify and document the process so that is more similar to the DelDOT process and that would provide more clarity to the government staff, consultants, developers and especially the general public.

The Commission found that Mr. Richard. Barasso from Milton, speaking as a private citizen not representing any group, was present to comment on the MOU. Mr. Barasso stated that the last public hearing resulted in a number of suggestions regarding the draft MOU for land development coordination. Mr. Barasso supports the County in exercising its authority and to fully develop its capabilities to best leverage the MOU as an instrument to help protect, preserve and enhance public welfare and safety. The best examples of the County meeting this responsibility was the work and implementation during the 2019 Comprehensive Plan process; that growth is putting pressure on the County's transportation system; that responding to this pressure requires combination of capacity improvements, implementation of better approaches to land use, and transportation coordination; that there are more than fifty strategies outlined in the transportation element in the Comprehensive Plan; that County Government was clear in acknowledging that change was needed; that additionally, over the next five years over a billion dollars on infrastructure will be spent in Sussex County; that the County's responsibility for direct oversight and engagement will be critical to ensure the maximum turn on investment for all who live here; that for years we have been told that the County had no authority over roads; that this was DelDOT's responsibility; that, in the words of the draft MOU, Sussex County is solely responsible for land use in the County; that land use decisions drive and determine traffic levels; that traffic is the direct result of land use; that the County is therefore responsible for traffic; that his responsibility cannot be met without the responsibility to act; that this is why laws and regulations have been adopted over the years granting County government the authority to act on behalf of the residents in many areas; that until last year, the current MOU was unknown to the public and to many officials at both the County and State levels; that when it did come to light, it became much clearer that the County actually did have a great deal of unused authority to influence traffic impact decisions at least in certain circumstances; that in Paragraph B it states that the local government can specify what if any comments they have with regard to the Level of Service; County Council Report for Memorandum of Understanding ("MOU) with Delaware Department of Transportation

Page | 5

that in the section regarding the basis of requirement Paragraph C, it states local agencies have more stringent TIS requirements than those provided in this section; that lastly, in the section entitled "Future Traffic in Paragraph D", DelDOT and the local zoning land development agency will collaborate on roads and developments will be used to generate and distribute vehicle trips; that it is clear that the County has the authority to impose requirements as it relates to traffic impact studies; that to this point, Mr. Barrasso suggests in Paragraph 7 the MOU draft needs to be strengthened beyond just stating Sussex County conduct the TIS; that this section must be expanded to identify greater inclusion input by County agencies who, at the end of the day, are most knowledgeable about local issues; that at the very least, reference back to Chapter II in the manual is warranted; that the fact that Sussex County is responsible for the traffic in the County and have the authority to ensure that the traffic studies and improvements are done in the best interest of the residents; that beyond this MOU draft, there is the issue of capability in the county; that in public hearings, the County has previously admitted that it lacks the knowledge and the expertise and the capability to best understand and review and scrutinize the traffic analysis improvement recommended by DelDOT; that considering the fact that Sussex County is the fastest growing county in the State, with severe traffic safety and issues, and has the largest backlog of improvements and as mentioned earlier that a billion dollars is needed to spend on infrastructure; that it is time for the County to resolve this lack of capability; that stating that the County does not have the capability, is viewed by many as an excuse; that the issues facing citizens could be more benefited by the investment in a contract traffic planner or consultant.; that Delaware State Police data for Sussex County, outlined that 2019 fatal traffic accidents have increased 36%; that combined with the 13% increase in personal injury crashes; that he draft MOU must be revised to reflect these realities; that the Commission must fulfill their obligations to its responsibilities, exercise its authority, develop capabilities to protect, to preserve and enhance community and individual property rights; that the public is looking forward to the details in the Commission's recommendations to Council resulting from these public hearings.

Upon their being no one else wishing to speak, Chairman Wheatley announced that the public hearing was closed for the MOU.

Planning and Zoning Commission Meeting of January 23, 2020

The Commission discussed the Memorandum of Understanding which was deferred from the January 9, 2020 meeting.

Mr. Robertson outlined that, based upon the input at those meetings, that a number of revisions had been made to the draft MOU document, and that a 'red line' version had been prepared showing the changes; that this version includes line numbers to assist in understanding where changes have been made. Mr. Robertson outlined that the 'red line' version will be made available online prior to the County Council Public Hearing scheduled for January 28, 2020.

Mr. Hopkins moved that the Commission recommend approval of the MOU between Sussex County and the Delaware Department of Transportation for the following reasons, but also subject to the following recommendations: Page | 6

- 1. The DelDOT MOU is required by Title 9 of the *Delaware Code*. Title 9 also requires Sussex County to establish a traffic Level of Service, or "LOS" suitable to both DelDOT and Sussex County.
- 2. Our current MOU dates back to 1988, and a review and update of the MOU is appropriate at this time. Several of the terms and processes identified in the current MOU have been revised. It is necessary for a new MOU to incorporate these revisions.
- 3. The prior MOU only addressed rezonings. The proposed revised MOU addresses not only rezoning decisions, but also Major Subdivisions, Residential Planned Communities and Residential Conditional Uses.
- 4. The new MOU is the result of significant work and discussions between representatives of Sussex County and representatives of DelDOT.
- 5. Constructive public comment was received through a hearing spread over two different Planning & Zoning Meetings. That information was taken into account while looking at appropriate recommendations to Council for possible revisions to the draft MOU.
- 6. It is clear in the MOU, and with the recommended revisions, that Sussex County retains control over land use decisions within its jurisdiction.
- 7. Based on the information provided during the public hearings, this recommendation for approval is subject to the following recommendations. For ease of tracking, many of them reference line numbering. A line-numbered version of the MOU should be utilized during the public hearing at County Council. A redlined version of these changes will also be forwarded to County Council with these recommendations. The recommendations are as follows:
 - 1. In the 6th "WHEREAS" clause at line 25, the word "the" should be deleted.
 - 2. Paragraph 3 at lines 103 to 107 should be deleted. While it is necessary to take into account seasonal traffic volumes in all traffic analyses, this is already undertaken as part of DelDOT's mandated methods of analysis. The rest of the paragraphs should be renumbered accordingly.
 - 3. At Paragraph 5, line 110, add the word "Diminutive" prior to "Negligible". Both are defined terms, and in neither case should additional traffic analysis be required.
 - 4. In Paragraph 7, at line 128, the following sentence should be added for clarity about how a TIS is reviewed by DelDOT: "DelDOT shall provide a technical evaluation of the TIS in the form of written comments in a Traffic Impact Study Review Letter (TISRL)." Then, the next sentence should be revised so that it states: "DelDOT's scoping requirements for the TIS and its TISRL should consider the effects of active or proposed transportation improvements in the adopted Six (6) Year Capital Improvements Program, Current Transportation Plans and Committed Off-Site Improvements, the current Sussex County Comprehensive Plan and recommend phasing for development as may be appropriate given the location of the project."
 - 5. In Paragraph 10, at line 154, letter (d) should be revised so that it states "(d) the application will have a diminutive, negligible or minor impact (with no requirement

for a TIS) as described above." This way it is clear that such smaller land use applications can proceed to a public hearing without the need for a TIS.

- 6. In Paragraph 11, at line 156, change the word at the beginning of the first sentence from "When" to "if".
- 7. In Paragraph 12, at line 164, delete the first sentence of Paragraph 12 in its entirety, and revise the remaining sentences of Paragraph 12 so that the paragraph now states: "If, in DelDOT's opinion, there are appropriate conditions of approval that it recommends should be imposed upon a land use decision, DelDOT shall offer those conditions as part of the TISRL or as part of its Technical Advisory Committee review for consideration by Sussex County. Any such proposed conditions shall be clearly summarized by DelDOT in its analysis of the TOA, the TISRL or other written comments. Sussex County shall consider the proposed conditions but shall not be obligated to include them as part of any approval."
- 8. In Paragraph 13, at line 174, change "required by DelDOT" to "recommended by DelDOT". In the same Paragraph, at lines 174-177, change the second sentence to state: "To accomplish this, DelDOT should clearly and concisely state what phasing is appropriate for the subject land use application so that Sussex County may impose that recommendation into its various approvals as appropriate." At line 188, change "TIS" to reference "TISRL" and add the word "process" after "TISLR".
- 9. Delete Paragraph 14 at lines 193-194 in its entirety.
- 10. Under the heading "Site Plan Coordination", at Paragraph 4 at line 275, add the words "Unless bonded in accordance with DelDOT requirements" to the beginning of the sentence to confirm that DelDOT may grant an entrance permit if certain construction work is bonded.
- 11. Under the heading "Site Plan Coordination", at Paragraph 5 lines 278-280, add a similar reference to bonding, so that the sentence now states: "Sussex County will withhold issuance of the Certificate of Compliance until DelDOT has received appropriate bonding or has accepted the entrance construction and issued the notice to the owner that the entrance construction permit has been issued."
- 12. Under the heading "Site Plan Coordination", add a new Paragraph 6: "The coordination described in this Section shall take into consideration any phasing of the land use project."
- 13. In addition to recommendations 1-12, the following more general recommendations should also be considered by Council:
 - a. A comment was received that "Fee In Lieu" should be changed to "Area Wide Study Fee" at line 46, with the following new definition: "A fee collected to complete an Area Wide Study that includes the proposed land use or transportation improvements that benefit the proposed land use. Payment of an Area Wide Study Fee in lieu of a TIS will not preclude a developer's responsibility for funding and/or construction of its share of off-site improvements. Those improvements may be determined to be needed by the Area Wide Study or other studies including TIS's received

for other nearby developments." DelDOT was unable to comment on this suggestion; County Council should consult with DelDOT as to whether this is an appropriate revision.

b. Comments were received about re-organizing the MOU for clarity. The proposed MOU is organized so that it follows the general format and order of the 1988 MOU, rather than completely re-writing the document. However, County Council, with staff, should consider re-organizing parts of the document for clarity.

Motion by Mr. Hopkins and seconded by Mr. Mears to recommend approval of the Memorandum of Understanding, as revised, and based upon the reasons outlined in the motion. Motion carried unanimously 5-0.

SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION
PAyable to; Laure) Elementary School
SECTION 1 APPLICANT INFORMATION
ORGANIZATION NAME: LAUREL Elementary 5K Committee
PROJECT NAME: Laurel Elementary Dog Day 2 5k
PROJECT NAME: Laurel Elementary Dog Day Z 5k FEDERAL TAXID: 51-6000-279 NON-PROFIT: XYES INO
DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?
YES XNO *IF YES, FILL OUT SECTION 3B.
ORGANIZATION'S MISSION: Provide the opportunity for students to participate in a schoul/community event focused on wellness, fitness, and healthy living.
ADDRESS: Laurel Elementary School
815 S. Central Avenue
1 aurel DE 19956
(CITY) (STATE) (ZIP)
CONTACT PERSON: Donna Sewa
TITLE: <u>Committee</u> Chairperson
PHONE: Committee Chairperson 302/875-6140 EMAIL: donna. Saya@laurel. K12. de.
TOTAL FUNDING REQUEST: #1,500
$\frac{101\text{AL FONDING REQUEST:}}{100000000000000000000000000000000000$
Has your organization received other grant funds from Sussex County Government in the last year? $V(S) = V(S) = V$
Has your organization received other grant funds from Sussex County Government in XYES XNO the last year? 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 YES NO
If you are asking for funding for building or building improvements, do you own the YES NO building in which the funding will be used for?
Are you seeking other sources of funding other than Sussex County Council?
If YES, approximately what percentage of the project's funding does the Council grant represent? $\sim 50\%$
- 2019년 1월 1997년 1월 1 1월 1997년 1월 1

SECTION 2: PROGRAM DESCRIPTION PROGRAM CATEGORY (choose all that apply) Fair Housing Health and Human Services Cultural Xother health/wellness Educational Infrastructure¹ **BENEFICIARY CATEGORY** Homeless Disability & Special Needs Victims of Domestic Violence Elderly Persons Low to Moderate Income² Youth Minority Other **BENEFICIARY NUMBER** Approximately the total number of Sussex County Beneficiaries served annually by this program: $\sim |SO$ **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 This is a continual Louvel student/family/ Community event. It is a 5k run/wellness walk in Laurel. benefit. walk in Laurel. 100% of all proceeds support our ischool. We are a low income school district and with the proceeds, we will be able to provide positive supports, progrems, activities, and incentives to our students. 乱的动物的机

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.

2.5 \$

alth

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	
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)	
supplies spacks water	300.
t-shirts	9.00.
trophies medals	300
printings/mailings/flyprs	CZS ;
Personnel - police officer	200
Custodiens	200
Races 2 run - race coordinators	1200
TOTAL EXPENDITURES	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Laure Flement 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.

r	SECTION 5: STATEMENT OF ASSURA	NCES (continued)	
4)	All information and statements in this application are ad information and belief.	ccurate and complete to the b	est of my
5)	All funding will benefit only Sussex County residents.		
6)	All documents submitted by the applicant are defined as review under the Freedom of Information Act of the Sta	-	able for
7)	All funding will be used exclusively for secular purposes be used to advance or inhibit religious purposes.	s, i.e., non-religious purposes	and shall not
8)	In the event that the awarded funding is used in viol	ation of the requirements of	<u>of this grant</u>
	the awarded funding shall be reimbursed to Sussex	County within a timeframe	designated
	by Sussex County by written notice.		f tha 👔
	Dan Saise	2/24/20	
	Applycant/Authorized Official	/ Date	
	A	2-27-20	
	Witness	Date	T. State in
1			imy (

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

Thanks so much we appreciate your past support and hope for your continual support this year. Donne Save 302-875-6140 donna. sava claurel. K12. de. US

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

Witness

Title

4-20

Date Rev. 08/20102C



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SI	ECTION 1 APPLICANT INFOR	MATIO	ON		
ORGANIZATION NAME: Town of Bethel					
PROJECT NAME: 225th Town Anniversary Celebration				a harbar takata na da ya kata kata kata kata kata kata kata	
e	1-0125019	an man ta an an Analan an Anala An Analan an Analan a	NON-PROFIT:	YES	NO
DOES YOUR ORGANIZATIO	N OR ITS PARENT ORGANIZATION	HAVE A	A RELIGIOUS AF	FILIATIO)N?
	YES NO *IF YES, FILL O	OUT SEC	CTION 3B.		
ORGANIZATION'S MISSION: The Town of Bethel and the Bethel Historical Society have developed a committee has been organized to coordinate activities to honor the 225th anniversary of the founding of the Town of Bethel. The purpose of the anniversary celebration is to promote community involvement, bring people to Bethel who might not know about the town and to honor the history of the town.					
ADDRESS:	P.O. Box 310				
7769 Main Street				Nadiza de manarite e de la casa da ser se constructiva de manaria. Nadiza de manarite de la casa de la casa de manarite de manarite de manarite de manarite de manarite de manarite	
	Bethel	DE		1	9931
	(CITY)	(STATE)		(Z	ZIP)
CONTACT PERSON: Mary McCoy					
TITLE:	Secretary Bethel Town Council				
PHONE:	302-877-813 _{EMAIL:} tob310bethel@gmail.com				
	TOTAL FUNDING REQUEST: 3,00	00.00)	enertenen itak	
Has your organization received other grant funds from Sussex County Government in YES NO the last year?					
If YES, how much was received in the last 12 months? 15,000.00					
If you are asking for funding for building or building improvements, do you own the YES INO building in which the funding will be used for?					
Are you seeking other sources of funding other than Sussex County Council?					
If YES, approximately what percentage of the project's funding does the Council grant represent? 20%					

SECTION 2: PROGRAM DESCRIPTION				
PROGRAM CATEGORY (choose all that apply)				
Fair Housing	Health and Human Services	Cultural		
Infrastructure ¹	Other Tourism	Educational		
	BENEFICIARY CATEGORY			
Disability & Special Need	Victims of Domestic Violence	Homeless		
Elderly Persons	Low to Moderate Income ²	Youth		
Minority	Other County Tourism			
	BENEFICIARY NUMBER			
Approximately the total	number of Sussex County Beneficiaries served	l annually by this program:		

SECTION 3: PROGRAM SCOPE

1000

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.

On Saturday, June 13, 2020, the Town of Bethel will be celebrating its 225th anniversary. We are looking to raise around \$25,000 to help us fund all the activities to help us with this important town event.

The Town of Bethel and the Bethel Historical Society are working hard to help make this anniversary celebration truly special.

We will start off the celebration with a parade through town, then move on to music throughout the day including some well-known local bands, a craft show, food trucks, as well as many other vendors and activities, some highlighting the town of Bethel and things that would have been done around the late 1790's to early 1800's.

Bethel is best known for being the home of the Victory Chimes, a sailing ram vessel, among many other ships built right here in town on the Broad Creek. Bethel previously held a Heritage Day yearly which was quite popular and well attended. The last Heritage Day celebration was in 2002.

We are working with the Western Sussex Chamber of Commerce to help promote the event for visitors to the area. Many former residents have already expressed an interest in returning with their families for this celebration. We are hoping the event will bring the beauty and specialness of Bethel to more people.

The Town is committing \$7,500 for the event, which is almost equal to the total property tax revenue of the whole town but the Town has the funds to commit this money through prudent spending and money management.

The rest of the funds we hope to get through sponsorships, community donations and fund raising activities.

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	7,500.00
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)	
Parade	-2000
Bands/Sound Stage	-8500
Tables/Chairs/Tents/Lighting	-950
Parking/Incidentals (permits, etc)	-1400
DSP Coverage/EMS	-7000
Advertising/Publications	-2000
Amusements/Wagons	-1000
Lavatory/Cleanup/Trash/	-2000
TOTAL EXPENDITURES	-\$ 24,850.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 17,350.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the **Town of Bethel** 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.
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- 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.
- All funding will benefit only Sussex County residents. 5)
- All documents submitted by the applicant are defined as public documents and available for 6) review under the Freedom of Information Act of the State of Delaware.
- All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not 7) 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.

Leslie M. Shaver Feb. 27, 2020

Applicant/Authorized Official Signature

Mary McCoy Witness Signature

Date 2-27-2020

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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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.

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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.

Leslie M. Shaver Applicant/Authorized Official Signature

Mary McCoy Witness Signature

Treasurer Title Feb. 27, 2020

Date

Vincent 2 Dres 09/2010



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

	SECTION 1 APPLICAN	IT INFORMATION		
ORGANIZATION NAME:	Police Unity Tour,	Chapter 10		
PROJECT NAME: Annual Police Unity Memorial Bicycle Tour 2020				
FEDERAL TAX ID: NON-PROFIT: YES NO				
DOES YOUR ORGANIZAT	TION OR ITS PARENT ORGA	NIZATION HAVE A RELIGIOUS AFI	FILIATION?	
	YES NO *IF	YES, FILL OUT SECTION 3B.		
ORGANIZATION'S MISSION: The Police Unity Tour was founded in New Jersey by a small delegation of law enforcement officers as a way to recognize and remember all fallen men and women. While raising monies to support the National Law Enforcement Memorial Fund & Museum, the annual cycling tour in the month of May has grown to more than 3500 cyclists and support personnel from around the world. The tour comprises active duty and retired police personnel and registered family members of the fallen known as survivors. I ride for our grand-father Charles of the Lewes PD: The motto "We ride for those who died" is the cornerstone of the mission.				
ADDRESS:	11 Iowa Ave			
	Lewes			
		Delaware	19958	
	(CITY)	(STATE)	(ZIP)	
CONTACT PERSON:	JuneRose Futc	her		
TITLE:	Cyclist/Survivor			
PHONE:	302-645-8829 _{EMAIL:} jfutcher@dtcc.edu			
	TOTAL FUNDING REQU	JEST: \$500	narrye	
Has your organization re the last year?	eceived other grant funds fr	om Sussex County Government in	YES NO	
If YES, how much was re	ceived in the last 12 month	s?	500	
If you are asking for fund	ling for building or building	improvements, do you own the	YES NO	

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

building in which the funding will be used for?

If YES, approximately what percentage of the project's funding does the Council grant represent? 15%

SECTION 2: PROGRAM DESCRIPTION				
PROGRAM CATEGORY (choose all that apply)				
Fair Housing	Health and Human Services	Cultural		
Infrastructure ¹	Other	Educational		
Disability & Special Needs	BENEFICIARY CATEGORY Victims of Domestic Violence	Homeless		
Elderly Persons	Low to Moderate Income ²	Youth		
Approximately the total num	Other fallen law enforcement programs/memory BENEFICIARY NUMBER nber of Sussex County Beneficiaries served 200			

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 generous grant money will enable me to complete my fundraising and permit me to ride as a registered member cyclist/survivor of the Police Unity Tour while representing the Lewes PD and our fallen grand-father, Charles Wilson Futcher, Sr. who died in the line of duty in 1939. The money supports the cycling tour operation, logistics, provisions and accommodations. We ride approximately 300 miles protected by police motorcades from New Jersey to Washington, DC. The entire delegation (made of separate chapters and regions) comprises nearly 3000 cyclists in law enforcement and family of fallen from around the world. The highlight is arriving in Lewes/Sussex County, my hometown on 5/10/2020. More than half of the proceeds are dedicated to the National Law Enforcement Officer's Memorial Fund & Museum.

This program, while raising awareness for fallen men and women in law enforcement, provides me the opportunity to preserve community legacy, recognize our fallen grand-father Charles and all of law enforcement right here in my hometown and community. Additionally, my role and commitment to the Police Unity Tour is a show of gratitude towards law enforcement for their support and generosity in our family's journey of memorial dedications in Delaware and Washington, DC.

The costs of equipment, bicycle accessories, maintenance, gear and personal logistics are substantial and require year long planning, training and transportation. I need all the support that may be offered.

I am an active member of the Delaware Chapter, Concerns of Police Survivors. The legacy of historical fallen across many generations and decades is likewise significant and is a personal mission for which I am devoted.

As a survivor, descendant as a grand-daughter I qualify as a cyclist and a civilian representative of the Lewes PD and the City of Lewes.

Our family will be always be remembered for their loss more than 80 years ago. Our grand-father Charles will always be remembered for his sacrifice and will never be forgotten: Town Officer Charles Futcher, Sr, Lewes Police Department, End-of-Watch 13 August, 1939 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.

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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	3,500.00	
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) Image: Description of the project of the proj		
TOTAL EXPENDITURES	\$ 0.00	
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 3,500.00	

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the JuneRose Futcher/PUT Ch.10 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.
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POUCE UNTY TOUR

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.
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Applicant/Authorized Official Witness

2/12/2020

Date 2020 Date

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- 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

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

JuneRose Futcher

Applicant/Authorized Official

Witness

Cyclist/Survivor

Title

Date