



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

**MEETING:  
June 5, 2018**

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

MICHAEL H. VINCENT, PRESIDENT  
GEORGE B. COLE, VICE PRESIDENT  
ROBERT B. ARLETT  
IRWIN G. BURTON III  
SAMUEL R. WILSON JR.



2 THE CIRCLE | PO BOX 589  
GEORGETOWN, DE 19947  
(302) 855-7743 T  
(302) 855-7749 F  
sussexcountyde.gov  
ROBIN GRIFFITH  
CLERK

# Sussex County Council

## AGENDA

JUNE 5, 2018

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Gina Jennings, Finance Director

1. Second Quarter Employee Recognition Awards

### Todd Lawson, County Administrator

1. Wastewater Agreement No. 638-17  
Sussex County Project No. 81-04  
The Estuary – Phase 1C-1c (Construction Record)  
Miller Creek Sanitary Sewer District
2. Planning and Zoning Commission Appointment
3. Delaware Agricultural Land Preservation Program
4. Town of Delmar Presentation and Infrastructure Request
5. Administrator's Report

### 10:15 a.m. Public Hearing

Sussex Shores Chapter 96 Sussex Community Improvement Project  
Sussex County Project #14-13 – Assessment Roll



**Michael Costello, Government Affairs Manager**

1. Department of Corrections – Memorandum of Understanding

**Patricia Deptula, Director of Special Projects**

1. Sussex County Chapter 95 Diamond Acres Streetlighting District

**Hans Medlarz, County Engineer**

1. Millville Sanitary Sewer District – Northwest Expansion II, Irons Lane & PS #311, Project #15-10
  - A. Final Balancing Change Order

**Old Business**

Change of Zone No. 1846 filed on behalf of CMF Bayside, LLC

**Grant Requests**

1. Town of Blades for portable p/a system
2. Milton Little League for field lighting project
3. Grace-N-Mercy for summer youth camp
4. Marine Corps League for Delaware Devil Dogs Detachment #780 golf tournament fundraiser
5. Greater Lewes Community Village for Reduced Fee Program
6. Lewes Senior Citizens Center for Activity Center construction and expansion

**Introduction of Proposed Zoning Ordinances**

**Council Members' Comments**

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

**Possible Action on Executive Session Items**

**1:30 p.m. Public Hearings**

**Conditional Use No. 2126 filed on behalf of Nikolajas Lituinenkous**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR COMMERCIAL VEHICLE STORAGE AND CAR SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 9.54 ACRES, MORE OR LESS” (lying on the south side of Vines Creek Road, approximately 0.44 mile east of Armory Road) (Tax I.D. No. 233-11.00-172.00) (911 Address: 30028 Vines Creek Road, Dagsboro)**

**Conditional Use No. 2127 filed on behalf of Wine Worx, LLC**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EVENT VENUE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 25.60 ACRES, MORE OR LESS” (lying on the west side of Blackwater Road, approximately 1,007 feet north of Burbage Road) (Tax I.D. No. 134-11.00-53.00) (911 Address: 32512 Blackwater Road, Frankford)**

**Adjourn**

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

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 29, 2018 at 5:45 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

###

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 22, 2018**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 22, 2018, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

|                             |                             |
|-----------------------------|-----------------------------|
| <b>Michael H. Vincent</b>   | <b>President</b>            |
| <b>George B. Cole</b>       | <b>Vice President</b>       |
| <b>Robert B. Arlett</b>     | <b>Councilman</b>           |
| <b>Irwin G. Burton III</b>  | <b>Councilman</b>           |
| <b>Samuel R. Wilson Jr.</b> | <b>Councilman</b>           |
| <b>Todd F. Lawson</b>       | <b>County Administrator</b> |
| <b>Gina A. Jennings</b>     | <b>Finance Director</b>     |
| <b>J. Everett Moore Jr.</b> | <b>County Attorney</b>      |

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

**Call to  
Order**

Mr. Vincent called the meeting to order.

**M 293 18  
Amend  
and  
Approve  
Agenda**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to amend the agenda by deleting "Recognition of Retiree Mary Sue Sharp" and to approve the agenda, as amended.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea

**Minutes**

The regular meeting minutes of May 15, 2018 and the Budget Workshop minutes of May 8, 2018 were approved by consent.

**Public  
Comments**

**Public Comments**

Paul Reiger commented on a case before the Board of Adjustment, and referenced the recently adopted ordinance relating to a 5 foot setbacks (side lot).

Dan Kramer came to the podium under Public Comments; however, he did not have any comments relating to County business.

**FY 2019  
Budget**

Mr. Lawson and Mrs. Jennings presented the proposed \$177 million budget for Fiscal Year 2019.

**FY 2019  
Budget  
Presentation**

**FY 2019 Budget Highlights**

- **General Fund Budget is up \$5.4 million**
  - \$0.9 million increase in paramedic and emergency preparedness operations
  - \$0.9 million increase in pension contribution
  - \$3.6 million in grant-in-aid
    - \$1.5 million sports complex loan
    - \$1 million increase for land preservation
    - \$900,000 increase to public safety agencies
    - \$75,000 increase in emergency housing repairs
- \$14.3 million in reserves is being used for one-time expenses
- Governmental capital plan without general fund debt - \$16.6 million
- No change in the County property tax rate
- **Fee Changes**
  - Change in Recorder of Deeds fees to encourage online recording
  - New sewer assessment rates for the RT54 project, Angola North and Concord Road
  - Decrease in sewer assessment rates for Bayview Estates, Millville, Holt's Landing, Long Neck and Miller Creek areas
  - Increase in the sewer service charge of \$6/year (2.1%) to \$292/year
  - Increase in the water service charge of \$6.24/year (2%) to \$312/year

**FY 2019 Budget Focus**

- **Public Safety**
  - \$16.2 million for Sussex County Emergency Medical Services (Paramedics)
  - \$4.3 million for Fire and Ambulance Services
  - \$3.6 million for Sussex County 9-1-1 Center and Emergency Preparedness
  - \$3.1 million for additional Delaware State Police troopers
  - \$575,000 for Local Law Enforcement Grants
- **Wastewater Infrastructure**
  - \$21 million for Rehoboth Beach Wastewater Treatment Plant Improvements
  - \$6.0 million for Unified Sewer District area expansions
  - \$5.0 million for Inland Bays Regional Wastewater Facility Improvements
  - \$2.8 million for South Coastal Regional Wastewater Facility Improvements
- **Economic Development**
  - \$8.5 million for Airport and Business Park Infrastructure
  - \$1.2 million for Broadband Infrastructure
  - \$100,000 for economic development initiatives

**FY 2019  
Budget  
Presentation  
(continued)**

**Budget Summary**

- General Fund - \$74,142,260
- Capital Projects – General Fund - \$16,622,500
- Enterprise - Water & Sewer Funds - \$38,692,642
- Capital Projects – Sewer Fund - \$40,655,000
- Pension - \$6,876,000

**General Fund Highlights**

- No increase in taxes; reserves being used for one-time expenses
- Taxable assessments increased 2.7%
- Overall revenue has increased 5.7%, or \$3.2 million
- Building-related revenue increased \$2.8 million

**Use of Appropriated Reserves**

- Pension Contribution - \$10,000,000
- Sports Foundation Loan - \$1,500,000
- Contingency - \$1,000,000
- Land Preservation - \$1,000,000
- Economic Development Loan - \$500,000
- CIB Carryover Grant - \$85,000
- Carryover Constable Grant - \$80,000
- DTCC Grant - \$60,000

**Personnel Summary:** health insurance costs are up 2 percent; pension is up 5.8 percent; additional \$10 million pension contribution; continue 3 percent contribution for new hires; proposed 2 percent COLA and merits based on performance.

**Mrs. Jennings reviewed a draft ordinance relating to Recorder of Deeds' fees.**

**Also reviewed was General Fund Capital Projects – Expenditures: Libraries – 3 percent; Engineering – 5 percent; Public Safety – 9 percent; Administration – 31 percent; Airport and Industrial Park – 52 percent.**

**Enterprise Funds Highlights**

- Increases in sewer and water service charges (sewer service charge increase of \$6/year (2.1%) to \$292/year and water service charge of \$6.24/year (2%) to \$312/year)
- Operational budget increased \$2.6 million
- Decrease in sewer assessment rates for Bayview Estates, Millville, Holt's Landing, Long Neck, and Miller Creek areas
- Capital budget increased \$21,025,000 (due to Ocean Outfall project being completed this year)
- Continue the 100 foot cap for residential customers that are current on their sewer bills
- No increase in connection fees

**FY 2019  
Budget  
Presenta-  
tion  
(continued)**

**Sewer Expense Highlights**

- Capital Communications Equipment - \$333,500
- Vehicles - \$505,500
- Irrigation Rigs - \$260,500
- Capital Pumping Equipment - \$630,000
- Capital T&M Projects - \$3,190,000

Mr. Lawson advised that the budget and the accompanying budget presentation will be available on the County's website. Public Hearings on the budget will be held on June 19, 2018. The public can comment in person on that date, or submit comments through the County's website at [budget@sussexcountype.gov](mailto:budget@sussexcountype.gov).

**Introduction  
of Proposed  
Ordinances**

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2019".

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS".

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 62 ("FEES"), ARTICLE VI ("RECORDER OF DEEDS") REGARDING ONLINE DOCUMENT RETRIEVAL FEES".

The Proposed Ordinances will be advertised for Public Hearing.

**Adminis-  
trator's  
Report**

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

1. **Sussex County Council Comprehensive Land Use Plan Workshop**

The next Sussex County Council Comprehensive Land Use Plan Workshop will be held on Wednesday, May 23<sup>rd</sup>, at 9:30 a.m. in Council Chambers. A copy of the agenda is attached.

2. **Memorial Day Holiday**

Please note, County offices will be closed on Monday, May 28<sup>th</sup>, to observe the Memorial Day holiday. In addition, Council will not meet on Tuesday, May 29<sup>th</sup>. The next regularly scheduled Council meeting will be held on Tuesday, June 5<sup>th</sup>.

3. **Robert "Bobby" Chaffinch**

It is with sadness that we note the passing of county pensioner Robert "Bobby" Chaffinch on Tuesday, May 15<sup>th</sup>. Mr. Chaffinch began his



**Administrator's  
Report  
(continued)**

**career with Sussex County in April 1994 and retired from the Assessment Department as an Assessor in July 2009 with 15 years of service. We wish to extend our condolences to the Chaffinch family.**

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

**Public  
Hearing/  
Proposed  
Ordinance/  
Chapter 110**

**A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 110, BY DELETING THAT CHAPTER IN ITS ENTIRETY AND AMENDING AND RESTATING IT IN ITS ENTIRETY".**

**Hans Medlarz, County Engineer, and Vince Robertson, Assistant County Attorney, presented the Proposed Ordinance.**

**The Proposed Ordinance states that Chapter 110 of the Code of Sussex County currently regulates, among other things, the design, construction, oversight, fees, usage, etc. of sewer systems, septic system abandonment and County-owned water systems; that, in 2016, Sussex County Council adopted a Unified Sanitary Sewer District for all County owned and operated sewer districts which created the need to amend Chapter 110 of the Code for consistency with the new Unified District; that in 2017, Sussex County adopted the ability to bill by Equivalent Dwelling Units instead of front footage measurements; that the Finance Department has determined that the current method of calculating Sewer Connection Charges should be updated and revised; that the Engineering Department has developed a method of utilizing existing infrastructure capacity for new development, and this method must be integrated into Chapter 110; that the County Engineering Department, with the County Department of Finance has recommended a lowered EDU category for multi-family units; and that the County Engineering Department has developed a Tier System to better regulate and plan for the construction of both County owned and operated sewer and publicly regulated private utility systems.**

**Mr. Medlarz stated that in the existing Chapter 110, definitions are spread throughout the document and that in the proposed Chapter 110, all of the definitions are in one area.**

**Mr. Robertson stated that for better consolidation and organization, the current Chapter 110 is proposed to be deleted and replaced with a new Chapter 110.**

**Mr. Medlarz and Mr. Robertson presented the following information: legal approach to the Proposed Ordinance, review process of the Proposed Ordinance, Utility Planning highlights, Engineering highlights, financial aspects, proposed schedule (July 1, 2018 being the proposed effective date).**

**Public  
Hearing/  
Proposed  
Ordinance/  
Chapter 110  
(continued)**

**Mr. Medlarz presented two proposed staff amendments:**

**Line 4649 §110-88D “Service Charges”**

**As introduced, it states “Retail store(s) buildings(s) 0.10GPD/SF 1.0/2,500 ft<sup>2</sup>”**

**It should state: “Retail store(s) buildings(s) 0.10GPD/SF 1.0/3000 ft<sup>2</sup>”**

**Line 3804 §110-35 “Pretreatment Requirements”**

**To anticipate the possibility that the City of Seaford may be involved in the pretreatment program in the Western Sussex Sewer Area, which County Engineering supports, the City has requested that the following be inserted into this Section:**

**“D. Industrial users discharging into the areas of the Unified Sanitary Sewer District where the City of Seaford provides treatment services shall be subject to the rules and regulations contained within Chapter 6 of the City of Seaford Sewer Use Ordinance, Title 7, Section 6033 of the Delaware Code, and 40 CFR 403 of the Code of Federal Regulations, as they may be amended.”**

**Mr. Robertson referenced the fees that were scattered throughout the existing Chapter 110 and stated that the Proposed Ordinance puts the fees back into the budget process annually.**

**There were no public comments.**

**The Public Hearing and public record were closed.**

**M 294 18  
Amend  
Proposed  
Ordinance**

**A Motion was made by Mr. Arlett, seconded by Mr. Cole, regarding Line 4649, §110-88D regarding “Service Charges”, as introduced it states “Retail store(s) buildings(s) 0.10GPD/SF 1.0/2,500 ft<sup>2</sup>”, and it should state: “Retail store(s) buildings(s) 0.10GPD/SF 1.0/3000 ft<sup>2</sup>”.**

**Motion Adopted: 5 Yeas.**

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

**M 295 18  
Amend  
Proposed  
Ordinance**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, regarding Line 3804 §110-35 “Pretreatment Requirements”, that to anticipate the possibility that the City of Seaford may be involved in the pretreatment program in the Western Sussex Sewer Area, which County Engineering supports, the City has requested that the following be inserted into this Section (new Section D):**

**M 295 18  
Amend  
Proposed  
Ordinance  
(continued)**

**“D. Industrial users discharging into the areas of the Unified Sanitary Sewer District where the City of Seaford provides treatment services shall be subject to the rules and regulations contained within Chapter 6 of the City of Seaford Sewer Use Ordinance, Title 7, Section 6033 of the Delaware Code, and 40 CFR 403 of the Code of Federal Regulations, as they may be amended.”**

**Motion Adopted: 5 Yeas.**

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

**M 296 18  
Amend  
Proposed  
Ordinance**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, regarding Line 5204 (Section 3), that the effective date is July 1, 2018.**

**Motion Adopted: 5 Yeas.**

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

**M 297 18  
Amend  
Proposed  
Ordinance**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, regarding Line 4643 through Line 4645 (Section 110-88D), Establishment of annual service charges; determination of amount of charge, that Section 110-88D should read “Apartment, condo or rental vacation cottage having either a single combined living space with an integrated kitchen or a maximum of 1 bedrooms and having 1 bath is 0.75 EDU.**

**Motion Adopted: 5 Yeas.**

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

**M 298 18  
Adopt  
Ordinance  
No. 2577**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt Ordinance No. 2577 entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 110, BY DELETING THAT CHAPTER IN ITS ENTIRETY AND AMENDING AND RESTATING IT IN ITS ENTIRETY”, as amended.**

**Motion Adopted: 5 Yeas.**

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

**Milton Library Bulkhead Replacement/Repair Project/Bid Results**

Hans Medlarz, County Engineer, presented the bid results for the Milton Library Bulkhead Repair and Replacement Project; bids were received from JJID, Inc. and Kuhn Construction Company. Mr. Medlarz recommended proceeding with the repairs under a suggested value engineering proposal: the Engineering Department recommends the following: award of the Base Bid to JJID, Inc. in the amount of \$460,000; decline of the Bid Alternate 4; and deduct and accept JJID's Change Order Proposal No. 1 (change in scope) in the amount of \$120,000, contingent upon receiving a DelDOT detour permit with the Town of Milton's cooperation. Mr. Medlarz discussed possible contingency items and noted that partial funding for this project is included in the FY2018 Budget with the remaining funds included in the FY2019 Proposed Budget.

**M 299 18 Award Bid/Milton Library Bulkhead Replacement/Repair Project**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, that Contract 18-09, Milton Public Library Bulkhead Replacement, be awarded to JJID, Inc. for the low bid of \$460,000, and to accept JJID's value engineering Change Order Proposal No. 1 resulting in a cost reduction of \$120,000, for a revised project total of \$340,000.

**Motion Adopted: 5 Yeas.**

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

**Grant Requests**

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

**M 300 18 Councilmanic Grant**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to give \$2,500 from Mr. Vincent's Councilmanic Grant Account to the Seaford District Library for security cameras.

**Motion Adopted: 5 Yeas.**

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

**M 301 18 Councilmanic Grant**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to give \$1,000 from Mr. Wilson's Councilmanic Grant Account to the Greenwood Police Department for National Night Out.

**Motion Adopted: 5 Yeas.**

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

**Introduction of Proposed Ordinance** Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.3673 ACRE, MORE OR LESS” (Change of Zone No. 1857) filed on behalf of Elisabeth Ann Burkhardt (Tax I.D. No. 335-8.18-28.00) (911 Address: 1500 Savannah Road, Lewes).

**Council Members’ Comments** Council Members’ Comments

Mr. Cole commented on the new zoning classifications.

**M 302 18 Go Into Executive Session** At 11:57 a.m., a Motion was made by Mr. Arlett, seconded by Mr. Wilson, to recess and go into Executive Session to discuss matters relating to land acquisition.

**Motion Adopted:** 5 Yeas.

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

**Executive Session** At 12:00 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to land acquisition. The Executive Session concluded at 12:45 p.m.

**M 303 18 Reconvene Regular Session** At 12:47 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Burton, to come out of Executive Session and reconvene the Regular Session.

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

**Vote by Roll Call:** Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Absent; Mr. Cole, Absent; Mr. Vincent, Yea

**M 304 18 Approve Land Acquisition/ Agricultural Easement** A Motion was made by Mr. Burton, seconded by Mr. Arlett, that the Sussex County Council approves the County’s participation in Round 22 of the Delaware Agricultural Land Preservation and for the acquisition of an agricultural easement for parcels known as 2018-C and 2018-D.

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

**Vote by Roll Call:** Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Absent; Mr. Cole, Absent; Mr. Vincent, Yea

**M 305 18** At 12:48 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Burton,  
**Recess** to recess until 1:30 p.m.

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

**Vote by Roll Call:** Mr. Arlett, Yea; Mr. Burton, Yea;  
Mr. Wilson, Absent; Mr. Cole, Absent;  
Mr. Vincent, Yea

**M 306 18** At 1:36 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Burton,  
**Reconvene** to reconvene.

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

**Vote by Roll Call:** Mr. Arlett, Absent; Mr. Burton, Yea;  
Mr. Wilson, Yea; Mr. Cole, Yea;  
Mr. Vincent, Yea

**Rules** Mr. Moore read the rules of procedure for zoning hearings.

**Public Hearing/** A Public Hearing was held on the Proposed Ordinance entitled “AN  
**CU 2125** ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPE BUSINESS, SALE AND STORAGE (EXTENSION OF CONDITIONAL USE NO. 1242) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 10.0011 ACRES, MORE OR LESS” (Conditional Use No. 2125) filed on behalf of RS Cordrey Farms, LLC (Tax I.D. No. 234-28.00-59.00 (portion of) and 234-28.00-60.00 (portion of) (911 Address: Not Available).

The Planning and Zoning Commission held a Public Hearing on this application on April 26, 2018 at which time action was deferred. On May 10, 2018, the Commission recommended approval. The Commission determined that, since there were no conditions imposed as part of Conditional Use No. 1242, there were not any recommended conditions imposed as part of this expansion of that original approval. Additionally, the Commission noted that the expansion area covered by this Conditional Use No. 2125 shall be subject to Final Site Plan approval by the Planning and Zoning Commission.

(See the minutes of the Planning and Zoning Commission dated April 26 and May 10, 2018.)

Janelle Cornwell, Planning and Zoning Director, presented the application.

It was noted that the Applicant previously submitted an Exhibit Packet.

**Public  
Hearing/  
CU 2125  
(continued)**

The Council found that James Fuqua, Attorney, was present on behalf of the application. He stated that the proposed 10 acre Conditional Use site is part of two farms owned by the Applicant's family, one containing 79 acres and the other containing 106 acres; that the property is zoned AR-1 which allows a wide variety of agricultural uses including a nursery as a permitted use; that this Conditional Use will permit the retail sale of landscaping material and is an extension of Conditional Use No. 1242 which has been in operation for 20 years on a 16 acre site located directly across Cordrey Road from the application site; that the proposed use will not adversely affect the nature of the area or neighboring properties since it is surrounded by farmland owned by the Applicant's family and is an extension of an existing use; that the Conditional Use will permit expansion of the existing business and will serve the needs of area residents; and that Conditional Use No. 2125 will be considered to be an extension of Conditional Use No. 1242.

There were no public comments.

The Public Hearing and public record were closed.

**M 307 18  
Adopt  
Ordinance  
No. 2578/  
CU 2125**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to Adopt Ordinance No. 2578 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPE BUSINESS, SALE AND STORAGE (EXTENSION OF CONDITIONAL USE NO. 1242) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 10.0011 ACRES, MORE OR LESS" (Conditional Use No. 2125) filed on behalf of RS Cordrey Farms, LLC.

**Motion Adopted:** 5 Yeas.

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

**Public  
Hearing/  
CU 2124**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AGRICULTURAL EDUCATIONAL FACILITY WITH COMMERCIAL KITCHEN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 3.9785 ACRES, MORE OR LESS" (Conditional Use No. 2124) filed on behalf of Jeri Berc (Tax I.D. No. 235-22.00-424.00) (911 Address: 16040 Hudson Road, Milton).

The Planning and Zoning Commission held a Public Hearing on this application on April 26, 2018 at which time action was deferred. On May 10, 2018, the Commission deferred action again.

**Public  
Hearing/  
CU 2124  
(continued)**

The Council found that Jeri Berc was present and stated that she is requesting to operate a non-profit, the Long Life Institute, on her four acre property where she resides on Hudson Road in Milton; that the property is deeded in trust to the entity; that she wishes to provide agricultural education to children with autism, disabilities, etc.; that she proposes a commercial kitchen to be used as an educational facility; that she intends for the kitchen to be used to prepare and preserve food grown by students on site for sale off site; that the mission of the Long Life Institute is to help educate the community about sustainable land use on small acreages and to provide vocational agricultural education to disabled children and young adults; that she acquired the property in 1995 and began to plant an edible landscape; that she has added two horses, two chickens, and a honey bee apiary; and that the entire property is fenced. Ms. Berc commented on safety and legal issues about her property that were raised at the Planning and Zoning Commission's public hearing. Ms. Berc provided her educational and employment background information as well as activities she has been involved in.

Public comments were heard.

Patricia Kaminski and John Bucchioni spoke in support of the application. They stated that the Applicant provides a great service and benefit to children and that the Applicant is a good neighbor.

John Gardoski, Debra Spellman, and Christine Coviello, spoke in opposition to the application. They referenced the Applicant's deed being restricted by Cripple Creek's Restrictive Covenants and stated that neighbors are concerned about a commercial kitchen that could become a larger use; that the buildings and fencing on the property are built with scraps; that the fence is in disrepair and not secure; that a five foot setback does not exist and a building encroaches on another property line; that the piles of horse manure on the site need to be disposed of; that she does not respect other's properties; that Hudson Road is a dangerous road for children and the fencing would not keep children on the site; that the Applicant does not maintain the site and grasses can be in excess of 30+ inches; and that some of the proposed uses can be dangerous for children, especially disabled children.

Paul Reiger commented on what activities and animals are permitted in an AR-1 District, setbacks, and public stables. Mr. Reiger stated that he does not believe the Applicant is able to do what she is proposing; however, he supports what she is doing currently.

There were no additional public comments.

The Public Hearing was closed.

Mr. Moore stated that he will need to review the deeds for the purpose of making a determination on the deed restriction issue.



**M 308 18  
Defer  
Action on  
CU 2124**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to defer action on Conditional Use No. 2124 filed on behalf of Jeri Berc and to leave the record open for Legal's determination on the deed restriction issue.**

**Motion Adopted: 5 Yeas.**

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

**M 309 18  
Adjourn**

**A Motion was made by Mr. Cole, seconded by Mr. Wilson, to adjourn at 3:08 p.m.**

**Motion Adopted: 5 Yeas.**

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

**Respectfully submitted,**

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

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

## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE

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

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

June 5, 2018

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
THE ESTUARY - PHASE 1C-1C (CONSTRUCTION RECORD)  
AGREEMENT NO. 638 - 17

#### DEVELOPER:

Mr. Steve Brodbeck  
Estuary Development, LLC  
8965 Guilford Road, Suite 200  
Columbia, MD 20146

#### LOCATION:

Southeast of Double Bridges Rd. and intersected  
by Camp Barnes Rd.

#### SANITARY SEWER DISTRICT:

Miller Creek Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Residential Community consisting of 16 single  
family homes

#### SYSTEM CONNECTION CHARGES:

\$101,760.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
11/06/15

Department of Natural Resources Plan Approval  
11/24/15

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 15

Construction Admin and Construction Inspection Cost – \$10,531.68

Proposed Construction Cost – \$70,211.18



## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

MICHAEL A. IZZO, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

**June 5, 2018**

## **PROPOSED MOTION**

BE IT MOVED THAT BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, FOR SUSSEX COUNTY PROJECT NO. 81-04, AGREEMENT NO. 638-17 THAT THE SUSSEX COUNTY COUNCIL EXECUTE A CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION AGREEMENT BETWEEN SUSSEX COUNTY COUNCIL AND "ESTUARY DEVELOPMENT, LLC" FOR WASTEWATER FACILITIES TO BE CONSTRUCTED IN "THE ESTUARY – PHASE 1C-1C (CONSTRUCTION RECORD)", LOCATED IN MILLER CREEK SANITARY SEWER DISTRICT.

ORDINANCE NO. 38  
AGREEMENT NO. 638-17

TODD LAWSON  
COUNTY ADMINISTRATOR

## 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  
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FAX (302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.  
ASSISTANT COUNTY ENGINEER

DATE: May 18, 2018

TO: **SUSSEX SHORES ASSESSABLE PARCEL OWNERS**

RE: **NOTICE OF PUBLIC HEARING**  
**SUSSEX SHORES CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENTS (SCI)**  
**SUSSEX COUNTY PROJECT # 14-13**

Dear Owners:

Please be advised that a **Public Hearing** is scheduled for **Tuesday, June 5, 2018** in the Sussex County Council Chambers at **10:15 a.m.** The Council Chambers are located within the Sussex County Administrative Office Building on 2 The Circle, in Georgetown, Delaware. A copy of the Public Hearing Notice is attached.

The Hearing is to allow the property owners of the Sussex Shores Chapter 96 SCI Project # 14-13 an opportunity to comment on the final assessment rate to be levied against each assessable unit in order to finance the project.

An Assessment Roll is on file for viewing in the office of the Sussex County Engineering Department, located on the third floor of the Sussex County Administrative Office Building, as required by Chapter 96 of the Sussex County Code. For your convenience, I am including a copy with this mailing. After the comment session of the Hearing has closed, the Sussex County Council will vote on the adoption of the Assessment Roll. The first billing for the Project will be mailed out in conjunction with County tax bills in August 2018.

Also, enclosed is a copy of the final cost sheet for the project. **The final assessment rate is determined to be \$ 1,211.51 annually per assessable parcel for a twenty (20) year time period, or if preferred, a one-time lump sum payment of \$ 16,464.87 may be made.** These rates are considerably lower than the anticipated rates of \$ 1,614.00 annually for a twenty (20) year time period, or \$ 21,929.00 one-time lump sum payment, provided at the time of the Chapter 96 Election.

If you have questions concerning the enclosed information, please feel free to contact Mrs. Patricia L. Deptula, or Mr. Joe Wright, P.E., of my staff, between the hours of 8:30 a.m. and 4:30 p.m. at (302) 855-7718. Thank you very much.

Sincerely,  
SUSSEX COUNTY ENGINEERING DEPARTMENT

  
Hans M. Medlarz, P.E.  
Sussex County Engineer

Enclosures

Cc: Gina A. Jennings  
Patricia L. Deptula

Joe Wright, P.E.  
Patricia G. Faucett



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

**SUSSEX COUNTY COUNCIL  
NOTICE OF PUBLIC HEARING**

**Sussex Shores**  
**Chapter 96 Sussex Community Improvement Project**  
**Sussex County Project # 14-13**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held in accordance with Sussex County Code, Chapter 96 - Sussex Community Improvements.

An Assessment Roll showing the Annual Assessment for every assessable property within the project boundaries has been completed, based on the final costs of all improvements constructed in accordance with the **Sussex Shores Chapter 96 Sussex Community Improvement Project (Sussex County Project # 14-13)**, and may be examined by any interested party at the offices of the Sussex County Engineering Department, 2 The Circle, Georgetown, Delaware.

This Public Hearing is being held to provide an opportunity for the real property owners of the community to make comments on the rates determined on the Assessment Roll. Sussex County Council will hear and consider any objections which may be made to the Assessment Roll.

The Public Hearing will be held at **10:15 a.m., local time, on Tuesday, June 5, 2018**, in the Sussex County Council Chambers, located at the Sussex County Administrative Office Building, 2 The Circle, Georgetown, Delaware.

Any questions regarding this project shall be directed to the Sussex County Engineering Department, to Patricia Lowe Deptula, Director of Special Projects, or Joseph Wright, P.E., Assistant Sussex County Engineer, at (302) 855-7718.

BY: Hans Medlarz, P.E.  
Sussex County Engineer

**SUSSEX SHORES**

Chapter 96 Sussex Community Improvement Project # 14-13

**FINAL COSTS**

5/18/2018

**I. CONSTRUCTION COSTS**

|                               |                   |
|-------------------------------|-------------------|
| Total Construction Cost       | \$939,587.30      |
| Final Balancing Change Orders | <u>-39,887.89</u> |
| Revised Construction Costs    | \$899,699.41      |

**II. UTILITY RELOCATION COSTS**

|                                |                     |
|--------------------------------|---------------------|
| Verizon                        | \$157,538.14        |
| Mediacom                       | \$34,362.70         |
| Delmarva Power                 | <u>\$325,346.51</u> |
| Total Utility Relocation Costs | \$517,247.35        |

**III. ADDITIONAL OUT OF SCOPE WORK**

|                         |                    |
|-------------------------|--------------------|
| Clearing & Grading      | \$24,111.05        |
| Landscaping             | \$42,050.00        |
| Fencing                 | \$39,682.10        |
| Signage                 | <u>\$38,462.31</u> |
| Total Out of Scope Work | \$144,305.46       |

**II. PROJECT MANAGEMENT COSTS**

|                                    |                     |
|------------------------------------|---------------------|
| Sussex County Administrative Costs | \$20,983.26         |
| Outside Consultant Costs           | <u>\$360,619.61</u> |
| Total Project Management Costs     | \$381,602.87        |

**III. UNIFORM ASSESSMENT**

|                                       |                |
|---------------------------------------|----------------|
| Final Project Cost                    | \$1,942,855.09 |
| Total Assessable Parcels in Community | 118            |
| Interest Rate                         | 4.00%          |

|                               |             |                                |
|-------------------------------|-------------|--------------------------------|
| Lump Sum Repayment Cost       | \$16,464.87 | Per Assesable Parcel           |
| 20 Year Repayment Period Cost | \$1,211.51  | Per Assessable Parcel Per Year |

Project Engineer: George, Miles & Buhr

Approved by County Engineer:

Date:

Approved by County Finance Director:

Date:

Handwritten signatures and dates for the County Engineer and County Finance Director. The County Engineer's signature is dated 5/18/2018, and the County Finance Director's signature is dated 5/18/18.

**ASSESSMENT ROLL for SUSSEX SHORES CHAPTER 96 PROJECT # 14-13**

| TAX MAP    | PARCEL | LOT #  | OWNER   | ANNUAL ASSESSMENT FOR 20 YEARS |  |  |
|------------|--------|--------|---|--------------------------------|--|--|
| 1-34-13.11 | 1      | 2B-3   | Foulkrod, S. Walter, III & Patricia G.              | \$1,211.51                     |  |  |
| 1-34-13.11 | 2      | 7      | O'Reilly, Mairead M.                                | \$1,211.51                     |  |  |
| 1-34-13.11 | 2.01   | 5      | Foulkrod, S. Walter, III & Patricia G.              | \$1,211.51                     |  |  |
| 1-34-13.11 | 3      | 9      | Oetgen, William J. Jr., Phyllis M.                  | \$1,211.51                     |  |  |
| 1-34-13.11 | 4      | 6-8 A  | Bond, Martin C. & Robin H.                          | \$1,211.51                     |  |  |
| 1-34-13.11 | 5      | 4      | Gillespie, James P. & Kathleen M.                   | \$1,211.51                     |  |  |
| 1-34-13.11 | 6      | 1-2 A  | Foulkrod, S. Walter, III & Patricia G.              | \$1,211.51                     |  |  |
| 1-34-13.11 | 7      | 2 B-3  | Papa Properties, LLC                                | \$1,211.51                     |  |  |
| 1-34-13.11 | 8      | 5      | Full House Too, LLC                                 | \$1,211.51                     |  |  |
| 1-34-13.11 | 9      | 7      | Harris, Stanley S. & Rebecca A., Trustees           | \$1,211.51                     |  |  |
| 1-34-13.11 | 10     | 9      | Corrigan, Leigh E. & Thomas L., Trustees            | \$1,211.51                     |  |  |
| 1-34-13.11 | 11     | 8      | Oetgen, Phyllis M., Barbara Dougherty, et al        | \$1,211.51                     |  |  |
| 1-34-13.11 | 12     | 6      | Hall, Leslie A & William L. Busis                   | \$1,211.51                     |  |  |
| 1-34-13.11 | 13     | 4      | Evans Road, LLC                                     | \$1,211.51                     |  |  |
| 1-34-13.11 | 14     | 1-2 A  | Slevin, Sharon S.                                   | \$1,211.51                     |  |  |
| 1-34-13.11 | 15     | 2 B-3  | Neff, Sheila S. & Karen R., & Mari R. Rashford      | \$1,211.51                     |  |  |
| 1-34-13.11 | 16     | 5      | Evans Family Holdings, LLC                          | \$1,211.51                     |  |  |
| 1-34-13.11 | 17     | 7      | Elmore, Stancliff C, Jr. & Maralyn E. Marsteller    | \$1,211.51                     |  |  |
| 1-34-13.11 | 18     | 6      | Frank, Richard W. & B. Rathvon, & M.Glantz          | \$1,211.51                     |  |  |
| 1-34-13.11 | 19     | 4      | Oberhofer, Arthur R.                                | \$1,211.51                     |  |  |
| 1-34-13.11 | 20     | 1-2A   | Ocean Road Ventures I, LLC                          | \$1,211.51                     |  |  |
| 1-34-13.11 | 21     | 2 B-3  | Neff, Christopher F. & Mindy S.                     | \$1,211.51                     |  |  |
| 1-34-13.11 | 22     | 5      | Sipics, Diane T., Trustee                           | \$1,211.51                     |  |  |
| 1-34-13.11 | 23     | 7      | Bracken, Harry Jerome, Jr. & Marilyn Casey          | \$1,211.51                     |  |  |
| 1-34-13.11 | 24     | 4      | Waesche Family I, LLC                               | \$1,211.51                     |  |  |
| 1-34-13.11 | 25     | 1-2 A  | Moag Family Delaware, LLC                           | \$1,211.51                     |  |  |
| 1-34-13.12 | 1      | 11     | Williams, Craig M. & Elizabeth S.                   | \$1,211.51                     |  |  |
| 1-34-13.12 | 2      | 13     | Michaels, Albert H., Jr., & Elizabeth C. Willett    | \$1,211.51                     |  |  |
| 1-34-13.12 | 3      | 16     | Dolan, Philip B. & Maureen C.                       | \$1,211.51                     |  |  |
| 1-34-13.12 | 4      | 15     | Meehan, Bernard L., Trustee                         | \$1,211.51                     |  |  |
| 1-34-13.12 | 5      | 14     | Jarratt, Virginia T.                                | \$1,211.51                     |  |  |
| 1-34-13.12 | 6      | 12     | Peterson, Kent T. & Pamela B.                       | \$1,211.51                     |  |  |
| 1-34-13.12 | 7      | 8 B-10 | Malloy Properties Sussex Shores, LLC                | \$1,211.51                     |  |  |
| 1-34-13.12 | 8      | 11     | Oberdorfer, John, Thomas & William                  | \$1,211.51                     |  |  |
| 1-34-13.12 | 9      | 13     | Oberdorfer, John, Thomas & William                  | \$1,211.51                     |  |  |
| 1-34-13.12 | 10     | 16     | Slagle, Frederick V.W. & Affliates, LLC             | \$1,211.51                     |  |  |
| 1-34-13.12 | 11     | 15     | The Gerrish Beach House, LLC                        | \$1,211.51                     |  |  |
| 1-34-13.12 | 12     | 14     | Seawatch Bethany Beach, LLC                         | \$1,211.51                     |  |  |
| 1-34-13.12 | 13     | 12     | Haaga, Paul G., Jr. & Heather S.                    | \$1,211.51                     |  |  |
| 1-34-13.12 | 14     | 10     | Rawlins, Ronald B. & Barbara P.                     | \$1,211.51                     |  |  |
| 1-34-13.12 | 15     | 9      | Edwards, C. Reath, Trustee                          | \$1,211.51                     |  |  |
| 1-34-13.12 | 16     | 11     | Bond, Martin C. & Robin H.                          | \$1,211.51                     |  |  |
| 1-34-13.12 | 17     | 13     | Hall, Helen S., Susan S., Melinda M., and Leslie A. | \$1,211.51                     |  |  |
| 1-34-13.12 | 18     | 16     | Howard & Joyce Phelps Family, LLC                   | \$1,211.51                     |  |  |
| 1-34-13.12 | 19     | 15     | Rickman, Cynthia K., Trustee                        | \$1,211.51                     |  |  |
| 1-34-13.12 | 20     | 14     | Smith, Robert F. & Claire O.                        | \$1,211.51                     |  |  |
| 1-34-13.12 | 21     | 12     | JWG Properties, LLC                                 | \$1,211.51                     |  |  |
| 1-34-13.12 | 22     | 10     | Pсарos, Perry & Carol K., Trustees                  | \$1,211.51                     |  |  |
| 1-34-13.12 | 23     | 8      | O'Day, R. Jackson                                   | \$1,211.51                     |  |  |
| 1-34-13.12 | 24     | 9      | Korol, Jonathan K. & Janet S. Korol, Trustees       | \$1,211.51                     |  |  |
| 1-34-13.12 | 25     | 11     | The Warrior Cottage, LLC                            | \$1,211.51                     |  |  |
| 1-34-13.12 | 26     | 13     | Haaga, Paul G., Jr. & Heather S.                    | \$1,211.51                     |  |  |
| 1-34-13.12 | 27     | 16     | Martens Family Limited Partnership                  | \$1,211.51                     |  |  |
| 1-34-13.12 | 28     | 15     | The Beach House Trust                               | \$1,211.51                     |  |  |
| 1-34-13.12 | 29     | 14     | Caplan, Mark M. & Linda W.                          | \$1,211.51                     |  |  |
| 1-34-13.12 | 30     | 12     | Pickering, Jeanne C., For Life                      | \$1,211.51                     |  |  |
| 1-34-13.12 | 31     | 10     | Neff, John W.                                       | \$1,211.51                     |  |  |
| 1-34-13.12 | 32     | 8      | Fairhaven-Bethany, LLC                              | \$1,211.51                     |  |  |
| 1-34-13.12 | 33     | 6      | McEvoy, Patrick J. & Helena B., Living Trust        | \$1,211.51                     |  |  |
| 1-34-13.12 | 34     | 5 & 7  | Skiba, Michael J. & Phyllis M.                      | \$1,211.51                     |  |  |
| 1-34-13.12 | 35     | 9      | Nelson, Ralph, Jr., Trustee                         | \$1,211.51                     |  |  |
| 1-34-13.12 | 36     | 11     | Four Winds Investments, LLC                         | \$1,211.51                     |  |  |
| 1-34-13.12 | 37     | 13     | Perdikis, Alexander L. & Dresden M. Koons           | \$1,211.51                     |  |  |
| 1-34-13.12 | 38     | 16     | Kelly, Francis X. & Janet D.                        | \$1,211.51                     |  |  |
| 1-34-13.15 | 156    | 3      | Evans, Rick A.                                      | \$1,211.51                     |  |  |
| 1-34-13.15 | 157    | 1      | Green Shamrock of Bethany, LLC                      | \$1,211.51                     |  |  |
|            |        |        | <b>JLLL Properties, LLC Multi-Family</b>            |                                |  |  |
| 1-34-13.15 | 157.01 | 2      | Unit 1 -JLLL Properties, LLC                        | \$1,211.51                     |  |  |
| 1-34-13.15 | 157.01 | 2      | Unit 2- JLLL Properties, LLC                        | \$1,211.51                     |  |  |

| TAX MAP    | PARCEL | LOT # | OWNER  | ANNUAL ASSESSMENT FOR 20 YEARS |  |  |  |
|------------|--------|-------|--|--------------------------------|--|--|--|
| 1-34-13.15 | 158    | 4     | Goldberg, Robin S. & Nancy Cohen                       | \$1,211.51                     |  |  |  |
|            |        |       | <b>Penncentral, LLC Duplex</b>                         |                                |  |  |  |
| 1-34-13.15 | 159    | 3     | Unit 1 - Penncentral, LLC                              | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 159    | 3     | Unit 2 - Penncentral, LLC                              | \$1,211.51                     |  |  |  |
|            |        |       | <b>Mallard Landing Condo</b>                           |                                |  |  |  |
| 1-34-13.15 | 160    | 1 & 2 | Unit 1 - Manders, Michael K. Sr. & Phoebe M.           | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 160    | 1 & 2 | Unit 2 - Hackman, Mary Hawkins                         | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 160    | 1 & 2 | Unit 3 - Funk, Samuel P & Adam C.                      | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 160    | 1 & 2 | Unit 4 - Bitner Family Group Three, LLC                | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 160    | 1 & 2 | Unit 5 - Hall, David H. & Mary N.                      | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 160    | 1 & 2 | Unit 6 - Denton, Brian C. , Theresa McDonough, et al   | \$1,211.51                     |  |  |  |
|            |        |       | <b>Bethany Sea View Condo</b>                          |                                |  |  |  |
| 1-34-13.15 | 161    | 2 & 3 | Unit 1 - Ocean Road Ventures II, LLC                   | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 161    | 2 & 3 | Unit 2 - Byrne, Richard H. & Carol J.S. , et al        | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 161    | 2 & 3 | Unit 3 - Murray, Christopher C. & Ann M.               | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 161    | 2 & 3 | Unit 4 - Wicand, Jeffrey L. & Catherine C.             | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 161    | 2 & 3 | Unit 5 - Seaview 5, LLC                                | \$1,211.51                     |  |  |  |
| 1-34-13.15 | 161    | 2 & 3 | Unit 6 - Donnelly Seaview, LLC                         | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 1      | 15    | Casey, Dennis P.                                       | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 2      | 14    | South Ocean Way, LLC                                   | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 3      | 12    | Ruhall, LLC  | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 4      | 10    | Fendig, Carlotta J.                                    | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 5      | 8     | Harrity, Grant E. & Anne M., Trustees                  | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 6      | 6     | O'Neill, Michael J. & Donna G.                         | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 7      | 5     | Hall, Thomas & Cheryl                                  | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 8      | 7     | Siciliano, Mark H. & Denise M.                         | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 9      | 9     | Haaga, Paul G., Jr. & Heather S.                       | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 10     | 11    | Bethany Bennett Road, LLC                              | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 11     | 13    | Zink, Philip R. & Martha P.                            | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 12     | 16    | Magruder, Walter H., Jr., Rev Trust                    | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 13     | 15    | Luikart, John F. & Lorry A., Co-Trustees               | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 14     | 14    | Phelps, John H., Sr. & Joanne M.                       | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 15     | 12    | Eastburn, Warren C. & Elizabeth C.                     | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 16     | 10    | Carrera, Mary P.                                       | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 17     | 8     | Fechter, Adam J. & Jennifer C.                         | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 18     | 6     | Starkey, James H. III                                  | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 19     | 4     | Scott, William C. & Janet M., Trustees                 | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 20     | 5     | Geddes, William H. & Sandra B.                         | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 21     | 7     | Jeschke, Curt A. H., Jr., Trustee                      | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 22     | 9     | Jeschke, Curt A. H., Jr., Trustee                      | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 23     | 11    | Phelps-Perlik Family, LLC                              | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 24     | 13    | Manning Family, LLC                                    | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 25     | 16    | Robinson, Stephen W. & Jean M.                         | \$1,211.51                     |  |  |  |
|            |        |       | <b>Landmark Townhouses</b>                             |                                |  |  |  |
| 1-34-13.16 | 26     | 15    | Unit 1 - Fogarty, John R. & Margaret L. (Jennie)       | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 26     | 15    | Unit 2 - Lindsay, Christopher F., Trustee              | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 26     | 15    | Unit 3- Smoot, John B., Jr. & Winton C.                | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 26     | 15    | Unit 4 - Latimer, Richard L., Richard L. Jr., Trustees | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 26     | 15    | Unit 5 - Sigmond, Ward & Suzan M.                      | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 26     | 15    | Unit 6 - Whiteley, Stephen F.                          | \$1,211.51                     |  |  |  |
|            |        |       | <b>The Pilot House Condos.</b>                         |                                |  |  |  |
| 1-34-13.16 | 27     | 14    | Unit A- 103 Unit 1, LLC                                | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 27     | 14    | Unit B- Donnelly, James D. & Mary E.                   | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 27     | 14    | Unit C- Golden, Donald P. & Jeanette E. Trustees       | \$1,211.51                     |  |  |  |
| 1-34-13.16 | 28     | 12    | Phelps, Joanne   | \$1,211.51                     |  |  |  |



**PROPOSED MOTION**

**SUSSEX SHORES**

**CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENT PROJECT # 14-13**

**Be it moved, based upon the recommendation of the Sussex County Engineer, and the Sussex County Finance Director, and in accordance with Sussex County Code, Chapter 96 – Sussex Community Improvements, that Sussex County Council approve the Sussex Shores Chapter 96 Sussex Community Improvement Project # 14-13 Assessment Roll, included in your packet; And that each assessable property within the Project pay the final assessment rate of \$ 1,211.51 annually for a twenty (20) year time period, with the option to make a one-time lump sum payment of \$ 16,464.87. Sussex County Council authorizes the Director of Finance to proceed with the billing for each assessable property in accordance with the Chapter 96 Code.**

**Patricia Lowe Deptula  
Director of Special Projects**

**Date: June 5, 2018**

**ADMINISTRATION**  
MICHAEL J. COSTELLO  
GOVERNMENT AFFAIRS MANAGER  
(302) 854-5060 T  
(302) 855-7749 F  
michael.costello@sussexcountype.gov



**Sussex County**  
DELAWARE  
sussexcountype.gov

## **Memorandum**

**TO:** Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable George B. Cole, Vice President  
The Honorable Robert B. Arlett  
The Honorable Irwin G. Burton III  
The Honorable Samuel R. Wilson Jr.

**FROM:** Michael J. Costello  
Government Affairs Manager

**RE:** **MEMORANDUM OF UNDERSTANDING**

**DATE:** June 1, 2018

---

During Tuesday's meeting, I am scheduled to present the Memorandum of Understanding (MOU) between the State of Delaware Department of Correction and Department of Transportation and Sussex County related for roadside trash removal. A copy of the MOU is attached.

As you know, a formal arrangement between the State and County for roadside trash removal does not exist. As a result of several months of negotiations, this MOU finally codifies our arrangement and allows the County to direct where roadside trash is removed.

I will go over further details on Tuesday.

Please let me know if you have any questions.



April 12, 2018

**MEMORANDUM OF UNDERSTANDING BETWEEN THE  
STATE OF DELAWARE, DEPARTMENT OF CORRECTION, STATE OF  
DELAWARE, DEPARTMENT OF TRANSPORTATION  
AND  
SUSSEX COUNTY**

April 12, 2018

MEMORANDUM OF UNDERSTANDING BETWEEN THE  
STATE OF DELAWARE, DEPARTMENT OF CORRECTION, STATE OF  
DELAWARE, DEPARTMENT OF TRANSPORTATION  
AND  
SUSSEX COUNTY

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April 12, 2018

MEMORANDUM OF UNDERSTANDING BETWEEN THE  
STATE OF DELAWARE, DEPARTMENT OF CORRECTION  
AND  
SUSSEX COUNTY

**Section 1: Parties to the Agreement**

This memorandum of understanding, hereinafter called “the Agreement”, will be between the State of Delaware, Department of Correction, hereinafter referred to as “the DOC,” the State of Delaware, Department of Transportation, hereinafter referred to as “DelDOT,” and Sussex County, hereinafter referred to as “the County.” Upon approval and acceptance, the named representatives will affix their signatures to this agreement in recognition of their commitment to its terms and conditions. Statutory authority for the DOC to enter into this agreement exists in 29 *Del. C.* § 8903(5). Statutory authority for DelDOT to enter into this agreement exists in 29 *Del. C.* § 8401(b)(3).

**Section 2: Purpose**

This agreement provides a shared cost approach to address road-side cleanup and other property maintenance efforts in Sussex County. In recognition of this need, this document outlines the operational guidelines, expected services to be provided, and good faith expected costs to increase road-side clean up and property maintenance in Sussex County. The County’s participation in this agreement is limited solely to funding. All personnel under this agreement shall be either employees of the State or offenders committed to the custody of the DOC. All maintenance of the vehicles used under this agreement shall be the responsibility of the DOC or DelDOT. Nothing in this Agreement shall revise, impact, or modify, any agreements, written or otherwise, between DelDOT and DOC relating to road-side clean up.

**Section 3: Funding Agreement**

- A. The County assumes responsibility to pay 100% of the cost of overtime to include applicable fringe benefits costs for positions utilized by the DOC for road-side cleanup that are in addition to the normal and regular road-side cleanup activities.
- B. DelDOT supplies and maintains a fleet of vehicles for the purpose of DOC’s normal and regular road-side clean up services. DelDOT agrees that those vehicles may be used by DOC in connection with this Agreement. Nothing in this Agreement shall in any way modify any agreement between DelDOT and DOC for the provision of vehicles. DelDOT and DOC may change any and all terms and conditions relating to the vehicles at any time, without notice to the County, including but not limited to, modifying the quantity of vehicles provided and maintenance responsibility.

April 12, 2018

- C. The County will fund associated equipment/clothing for this project. To include cotton work gloves, nitril gloves and “trash grabbers” or collection type equipment used for retrieving trash and debris. Any associated equipment will be invoiced separately and will become property of the County should this agreement be discontinued.
- D. DelDOT will supply any and all trash bags needed by DOC for the purposes of this Agreement.
- E. The maximum amount of funding provided by the County for road-side cleanup for staff overtime and project costs not to exceed \$120,000 annually (based on Fiscal Year)
- F. DOC assumes responsibility to pay 100% of the Personnel Costs other than overtime costs and applicable fringe benefits costs associated with those assumed by the County described in A. above.
- G. DelDOT agrees to provide to DOC regular monthly reports indicating the locations of roadways cleaned, miles covered, and the approximate tonnage of waste collected. DOC will transmit these reports to the County along with the monthly invoice for the overtime hours worked collecting road-side trash under this Agreement.
- H. The County will regularly provide the DOC a list of roads that it would like the DOC to clean. The DOC will provide a status of those roads in its regular monthly reports.
- I. DelDOT will collect any trash bags at the end of a road-side clean up session and will be responsible for the disposal of such trash bags, including, but not limited to, paying any fees associated with the disposal.
- J. Except as set forth in this section, DelDOT will not be responsible for the provision of any other funding or services under this Agreement.

**Section 4: Other Costs Borne by the DOC**

- A. Uniforms and security equipment for DOC staff.
- B. Facilities costs to include building, capital equipment, energy and supplies.
- C. Liability risks incurred from the work performance of officers who participate in supervising inmates engaged in road-side clean up.
- D. All training and operating costs to include weapons, ammunition, and personal equipment needed in the performance of duties.

**Section 5: Minimum Performance Level**

April 12, 2018

- A. The DOC agrees to collect road-side litter and debris on the roadways the County identifies, contingent upon, staffing levels permitting officers to accept voluntary overtime positions.
- B. DOC agrees to prioritize and select road clean up based on feedback from the County.

**Section 6: Effective Date of the Agreement and the Payment Schedule**

- A. This agreement shall become effective upon the date of signature of all parties.
- B. Payment of the County's funding obligation shall be made in monthly installments. All requests submitted to the County for payment of such installments shall be accompanied by a statement of the costs incurred by the DOC which support such payment under the County's funding obligation.
- C. All payments are due within 30 days from receipt of the request for payment.

**Section 7: Agreement Duration and Notification of Termination**

- A. The agreement shall be in effect on a year-to-year basis, unless terminated pursuant to Section 7(B).
- B. This agreement may be terminated by either party at the end of any fiscal year, during any period this agreement is in effect, provided that the other party is given written notice of termination at least 60 days prior to the end of the fiscal year.
- C. Additionally, either party may exercise the right to terminate the provisions of this agreement by giving written notice to the parties of this agreement within thirty (30) days, after which this agreement shall become null and void, should either event described in the following subsections occur:
  - 1. The General Assembly of the State of Delaware fails to appropriate adequate funds for existing personnel required to support the requirements of this agreement.
  - 2. The Sussex County Council fails to appropriate funds anticipated or required pursuant to the terms of this agreement.

**Section 8: Signatures of Respective Parties**

In recognition of their mutual agreement, the persons named shall affix their signatures below on behalf of the parties named herein.

April 12, 2018

SUSSEX COUNTY:

BY: \_\_\_\_\_  
MICHAEL H. VINCENT      Date  
President

ATTEST: \_\_\_\_\_  
Clerk of the County Council Date

APPROVED AS TO FORM

BY: \_\_\_\_\_  
J. Everett Moore, ESQUIRE  
Sussex County Attorney

DEPARTMENT OF CORRECTION

\_\_\_\_\_  
Commissioner      Date

DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Director of Maintenance and Operations Date



**RESOLUTION NO. R \_\_\_\_**

**A RESOLUTION ESTABLISHING THE  
DIAMOND ACRES STREETLIGHTING DISTRICT**

**WHEREAS**, the attached election results certify that the Diamond Acres Proposed Streetlighting District was approved by a majority vote in an election held on Monday, May 14, 2018; and

**WHEREAS**, Sussex County Code, Chapter 95, requires the County Council to issue a determination establishing the District in the form of a Resolution.

**NOW THEREFORE,**

**BE IT RESOLVED** that the Sussex County Council hereby determines that the eligible voters of the Diamond Acres Proposed Streetlighting District have approved the creation of said District; that the properties included in the District are shown on Sussex County Tax Map 2-33-6 Parcels 48, 49.10 through 49.13, 49.20 through 49.35, 50, 65, and 66; that the Diamond Acres Streetlighting District is hereby declared to be considered validly constituted under the provisions of Sussex County Code, Chapter 95; and that the Director of Finance is authorized and directed to bill the owners of all assessable structures within the said District in accordance with Sussex County Code, Chapter 95.

**DIAMOND ACRES  
PROPOSED STREETLIGHTING DISTRICT  
ELECTION RESULTS**

**VOTES CAST IN PERSON:**

|   |           |
|---|-----------|
| Number voting YES in SUPPORT of the Streetlighting District   | <b>09</b> |
| Number voting NO in OPPOSITION of the Streetlighting District | <b>04</b> |

**VOTES CAST BY ABSENTEE BALLOT:**

|   |           |
|---|-----------|
| Number voting YES in SUPPORT of the Streetlighting District   | <b>02</b> |
| Number voting NO in OPPOSITION of the Streetlighting District | <b>01</b> |

**GRAND TOTAL:**

|  |                  |
|--|------------------|
| Number voting <b>YES in SUPPORT</b> of the Streetlighting District   | <b><u>11</u></b> |
| Number voting <b>NO in OPPOSITION</b> of the Streetlighting District | <b><u>05</u></b> |

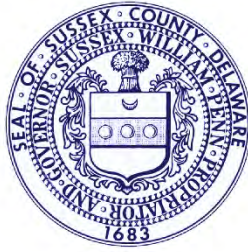
I hereby certify that the above numbers indicate the results of all ballots cast:  
1) by Absentee Ballot; and  
2) those cast between the hours of 12:00 Noon and 7:00 p.m., on Monday, May 14, 2018,  
at the Diamond Acres Proposed Streetlighting District Election.

  
\_\_\_\_\_  
Patricia Lowe Deptula  
Director of Special Projects

5-14-18  
\_\_\_\_\_  
Date

## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE

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

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.  
ASSISTANT COUNTY ENGINEER

## Memorandum

**TO:** Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable George B. Cole, Vice President  
The Honorable Samuel R. Wilson, Jr.  
The Honorable I.G. Burton, III  
The Honorable Robert B. Arlett

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

**RE:** *Millville Sanitary Sewer District:  
Northwest Expansion II – Irons Lane and PS #311  
Final Balancing Change Order*

**DATE:** June 5, 2018

On January 3, 2017, Council awarded Project No. 15-10, Millville Sanitary Sewer District, Northwest Expansion II – Irons Lane and pump station no. 311 to George & Lynch, Inc. in the amount of \$1,167,258.00.

On February 20, 2018, Council approved a balancing change order for Project No. 15-10, Millville Sanitary Sewer District, Northwest Expansion II – Irons Lane and pump station no. 311 to George & Lynch, Inc., reducing the contract by \$106,283.40, for a final contract amount of \$1,060,974.60. The change order adjusted, among other items, the final quantity of Bid Item A-16 from 2 units to 1 unit, allowing for a credit of \$11,285.00 to the contract. However, the consultant, Whitman, Requardt & Associates, later found this to be an error, confirming that 2 units were utilized for the project.

To ensure George & Lynch, Inc. is compensated for their labor and materials, the Engineering Department is requesting approval of a final change order amending the previous change order, which increases the contract total by \$11,285.00 for a final contract price of \$1,072,259.60.



## Change Order No. 2 – Revised Final

Date of Issuance: May 22<sup>nd</sup>, 2018      Effective Date: June 5<sup>th</sup>, 2018

|  |  |                             |
|--|--|-----------------------------|
| Project: Northwest Expansion II        | Owner: Sussex County                                 | Owner's Contract No.: 15-10 |
| Contract: Irons Lane and P.S. #311     | Date of Contract: <u>March 27<sup>th</sup>, 2017</u> |                             |
| Contractor: George & Lynch, Inc. (G&L) | Engineer's Project No.: 14256-024                    |                             |

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

Description: Includes a Contract 15-10 cost increase for an error regarding the actual quantity referenced for Bid Item A-16 (Furnish and Install Grinder Pump) on previously approved and executed Change Order No. 1 - Final documents. Within the Change Order No. 1 - Final documents, the WRA prepared "Balancing of Quantities Change Order Cost Summary Sheet" for Bid Item A-16 referenced an "Actual Quantity" of one (1). The correct "Actual or Final" Quantity number for Bid Item A-16 should be two (2) total units. This (1) missed Bid Item A-16 unit is hereby being accounted for and added to Contract 15-10.

**Attachments:** WRA letter dated May 15<sup>th</sup>, 2018.

| CHANGE IN CONTRACT PRICE:   | CHANGE IN CONTRACT TIMES:  |
|---|--|
| Original Contract Price:<br><br><u>\$ 1,167,258.00</u><br><br>Changed from previously approved Change Orders No. <u>1</u> to No. <u>1</u> :<br><br><u>\$ (106,283.40)</u><br><br>Contract Price prior to this Change Order:<br><br><u>\$ 1,060,974.60</u><br><br>Increase on this Change Order:<br><br><u>\$ 11,285.00</u><br><br>Contract Price incorporating this Change Order:<br><br><u>\$ 1,072,259.60</u> | Original Contract Times: <u>180</u> Calendar Days<br>Substantial Completion (days or date): <u>180</u> days<br>Ready for final payment (days or date): _____<br><br>Changed from previously approved Change Orders No. <u>1</u> to No. <u>1</u> :<br>Substantial Completion (days): <u>+61</u> days<br>Ready for final payment (days):      _____<br><br>Contract Times prior to this Change Order:<br>Substantial Completion (days or date): <u>241</u> days<br>Ready for final payment (days or date): _____<br><br>Unchanged on this Change Order: <u>0</u> days<br>Substantial Completion (days or date): <u>241</u> days<br>Ready for final payment (days or date): _____<br><br>Contract Times with all approved Change Orders:<br>Substantial Completion (days or date): <u>241</u> days<br>Ready for final payment (days or date): _____ |

RECOMMENDED:  
 By: Michael J. Gilbert  
 Engineer (Whitman, Requardt & Assoc.)  
 Date: 5/29/18

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

ACCEPTED:  
 By: Aly B...  
 Contractor (George & Lynch, Inc.)  
 Date: 5/25/18



May 15<sup>th</sup>, 2018

Mr. Brad Hawkes  
Sussex County Engineering Department  
#2 The Circle  
Georgetown, Delaware 19947

Re: Northwest Expansion II  
Irons Lane and P.S. #311  
Contract No. 15-10

Dear Mr. Hawkes:

As a follow-up to the February 20<sup>th</sup>, 2018, Sussex County Council executed and signed Change Order No. 1 – Final documents, Whitman, Requardt and Associates, LLP (WRA) has discovered an error regarding the actual quantity referenced for Contract No. 15-10, Bid Item A-16 (Furnish and Install Grinder Pump). The WRA prepared "Balancing of Quantities Change Order Cost Summary Sheet" (within Line Item No. 3) references an "Actual Quantity" of one (1) unit. The correct "Actual or Final" Quantity number for Bid Item A-16 should be two (2) total units.

The Contract No. 15-10 unit price for Bid Item A-16 is \$11,285.00. Based upon this finding, WRA hereby recommends that payment to George & Lynch, Inc., in the amount of \$11,285.00, be approved and remitted by Sussex County Engineering Department (SCED) to equitably compensate George & Lynch, Inc. for all provided work, equipment and services associated with the omitted grinder pump unit.

On behalf of WRA, please accept our apology for any inconvenience this has caused.

Should you have any questions or comments, please feel free to contact us at this office.

Very truly yours,  
Whitman, Requardt & Associates, LLP

Michael J. Gilbert  
Construction Projects Manager

cc: Hans M. Medlarz, P.E. - (Sussex County Engineering Department)  
Will F. Hinz, P.E. - (Whitman, Requardt and Associates)  
File No. 14256-024

JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
janelle.cornwell@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: April 4, 2018

RE: County Council Old Business Report for CZ 1846 CMF Bayside, LLC

---

The County Council held a public hearing on March 20, 2018. County Council deferred action and left the record open to allow for a new plan to be submitted showing a reduction in the size of the two large ponds in upland area and to submit proposed environmentally sensitive conditions of approval and then allow the public 15 days to provide written comments on these items.

The applicant submitted a new plan showing the removal of the two large ponds in the upland area. The applicant is now proposing to leave the land as woodland. The other small ponds shown on the plan are for stormwater management purposes.

The revised plan showing the removal of the two large ponds and the proposed environmentally sensitive conditions are enclosed.

Comments were received from the public and they were passed onto the Council. The record was closed by County Council.

The Planning and Zoning Department received an application (CZ 1846 CMF Bayside, LLC) to allow for a change in zone from AR-1 (Agricultural Residential District) to a MR-RPC (Medium Density Residential District – Residential Planned Community) located on Williamsville Rd. The Planning and Zoning Commission held a public hearing on February 22, 2018. The following are the draft minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, comments from Sussex Conservation District, PLUS, DelDOT Service Level Evaluation, Environmental Assessment and Public Facility report and a site plan.

The Commission found that James Fuqua, Attorney with Fuqua, Willard, Stevens, and Schab, Rich Rishel of CMF Bayside, LLC, Steve Marsh with George, Miles, and Buhr, and Edward Launay with Environmental Resources were present on behalf of the application; that Mr. Fuqua stated that the property is adjacent to Americana Bayside which is zoned MR-RPC; that the original application was approved for 1,700 residents and this addition will add 74.25 acres into the RPC, that 122



townhouse units are proposed, but would count towards the original 1,700 lots approved as part of the RPC; that there is no new density added to this application and only new land to RPC; that it results into a decrease in overall density; that the property is in the Environmental Sensitive Developing Area land use classification and the area accommodates growth; that water would be provided by Tidewater and it is in the Sussex County sewer district which has adequate capacity; that the site is located in the Indian River School District; that the fire service of the site is Roxana Fire District; that they did do road work on Route 54 as part of the original site with a fee; that approximately 41.5 acres of the parcel are identified as regulated wetlands; that no structures will encroach into any non-tidal wetlands; that there are some tidal wetlands located on the eastern side of the site and a 50 foot buffer is provided; that the ERI wetland determination was submitted to the Army Corp of Engineers and the preliminary jurisdiction letter was issued by the Philadelphia District; that the stormwater management will meet or exceed all regulatory requirements; that stormwater management design will incorporate swales, bio soils, and green technology; that the phase will contain 122 residential townhouse units located in 22 buildings; that the entrances will meet DelDOT requirements; that the roads will meet the County street design requirements; that the streets will be curbed and guttered; that there will be sidewalks on both sides of the streets and street lighting provided; that owners purchasing units in this section will become members of the existing HOA; that new owners will be entitled to the use of all amenities within the community; that no wetlands to be encroached and all wooded areas will remain; that Mr. Launay stated there have been changes to how to identify wetlands; that the changes have impacted four to five acres here; that Mr. Fuqua stated there will be a path that may go into wetlands and will comply; that Mr. Marsh stated they looked at connection to Phase 3 but a large tidal ditch makes it impractical; that there not much traffic on this part and had to build two entrances off of Williamsville Road; that the benefit for internal circulation is not enough to build a bridge over the ditch; that south of the site is in Maryland and is a Conservation area; that there will be open space between the Maryland line; that Mr. Fuqua stated crossing the ditch will require DNREC and Army Corp permits; that Mr. Marsh stated there is an agreement with the State and Freeman company to plow the roads; and that the HOA documents are expandable.

The Commission found that there were no parties in favor of the application.

The Commission found that Thomas Riley, Dave Bishop, Robert Katz and Ron Lewis spoke in opposition to the application; Mr. Riley stated he has concerns with environmental impact; that there are birds in the area and habitat will be impacted; that he had concerns with the four story height buildings and will it the birds ability to fish; that he had concerns with traffic between Maryland and Delaware and maintenance; that people couldn't get out for days in the snow storm; that it is a very aggressive development; that they don't own the property; that the area is sensitive; that there is an issue with emergency vehicle access; that Mr. Bishop stated it appears that ponds will be built; that he has concerns with land already been cleared and is there a barrier for keeping runoff out of wetlands; that Mr. Katz stated he was told there would be safety in the area, lighting, signage, sidewalks, and pathways; that they were put in after occupancy and should get put in before people move in; that Mr. Fuqua stated the ponds are not currently there; that it is just a conceptual plan and plan to create ponds in non-wetland areas; that they have not done any site work; that CMF Bayside is the developer and builders will build the homes; that Mr. Lewis stated that there are homes built at Route 54 and Sand Cove as part of the RPC; that are the entire parcel is part of the change of zone.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Hudson, seconded by Mr. Wheatley, and carried unanimously to defer action for further consideration. Motion carried 5-0.

At their meeting on March 8, 2018, the Planning Commission discussed the application which had been deferred since February 22, 2018.

Mr. Hudson moved that the Commission recommend approval of Change of Zone # 1846 for CMF Bayside, LLC for a change in zone from AR-1 to an MR-RPC based upon the record made during the public hearing and for the following reasons:

1. The site is adjacent to portions of the existing Americana Bayside MR-RPC development. It will be an extension of that development.
2. The proposed density of 122 residential units on 74.25 acres is within the permitted density of the MR District. It is also consistent with the density of the Americana Bayside development, and these units will be included in, and will not exceed, the total number of units permitted as part of the entire Americana Bayside MR-RPC.
3. The proposed development will have sewer service provided by Sussex County and water provided by Tidewater Utilities.
4. The proposed rezoning to an MR-RPC is in compliance with the goals and objectives of the Sussex County Comprehensive Land Use Plan. The Plan also recognizes that a range of housing types are appropriate in the Environmentally Sensitive Developing Area where this project is located, including multi-family and townhouse units.
5. The proposed development will not adversely impact neighboring properties, traffic or the environment.
6. The development will be an extension of the existing Bayside development, and residents will be members of the Americana Bayside Homeowners Association entitling them to use the development's existing recreational amenities and requiring them to pay the required dues and assessments within the development.
7. This recommendation is subject to the following conditions:
  - A. The maximum number of residential dwelling units on this property shall be 122.
  - B. The 122 units approved as part of this extension of the MR-RPC shall be part of the uses approved in conditions #1 and #3 of CZ #1393 and shall not be in addition to these conditions previously imposed on the Americana Bayside MR-RPC project.
  - C. The development shall be served as part of a Sussex County Sanitary Sewer District.
  - D. The Developer shall comply with all requirements and specifications of the County Engineering Department.
  - E. The RPC shall be served by central water.
  - F. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be designed and operated in a manner consistent with Best Management Practices.
  - G. The Final Site Plan for each phase of the development shall contain the approval of the Sussex Conservation District upon it.
  - H. The project will be incorporated as part of the existing Americana Bayside MR-RPC (CZ #1393) and shall be subject to, and benefited by, the conditions opposed upon that development, except as modified herein.



- I. All entrance, roadway, intersection and multi-modal improvements required by DelDOT shall be completed in accordance with DelDOT's determinations.
- J. The interior street design and parking areas shall meet or exceed Sussex County street design specifications and requirements.
- K. The residential units in this development shall be part of the Americana Bayside Homeowners Association responsible for the maintenance of streets, roadways, buffers, stormwater management areas and community areas.
- L. Road naming and addressing shall be subject to the review and approval of Sussex County Mapping and Addressing Department.
- M. The Final Site Plan shall include a landscape plan for all the buffer areas, showing all the landscaping and vegetation to be included in those areas.
- N. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Hudson, seconded by Mr. Wheatley and carried with four (4) votes to forward this application to the Sussex County Council with a recommendation that the application be approved for the reasons stated. Motion carried 4-1. Ms. Stevenson voted no.

**Introduced 10/24/17**

**Council District No. 5 - Arlett  
Tax I.D. No. 533-19.00-297.00  
911 Address: Not Available**

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

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 71.379 ACRES, MORE OR LESS**

**WHEREAS, on the 13th day of September 2017, a zoning application, denominated Change of Zone No. 1846, was filed on behalf of CMF Bayside, LLC; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1846 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of MR-RPC Medium Density Residential District – Residential Planned Community hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on both sides of Williamsville Road approximately 843 feet southwest of E. Sand Cove Road and being more particularly described per the attached legal description (and included on the survey in the application file), as prepared by Steven M. Adkins Land Surveying, LLC.**

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



# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

|   |                                      |             |   |
|---|--------------------------------------|-------------|---|
| ORGANIZATION NAME:  | Town of Blades                       |             |   |
| PROJECT NAME:   | Portable P/A System                  |             |   |
| FEDERAL TAX ID:   | 51-6001393                           | NON-PROFIT: | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?                   |                                      |             |   |
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO *IF YES, FILL OUT SECTION 3B. |                                      |             |   |
| ORGANIZATION'S MISSION:   | Municipality. To serve our citizens. |             |   |
| ADDRESS:  | 20 W Fourth Street                   |             |   |
|   | Blades                               | DE          | 19973   |
|   | (CITY)                               | (STATE)     | (ZIP)   |
| CONTACT PERSON:   | Vikki Prettyman                      |             |   |
| TITLE:  | Town Administrator                   |             |   |
| PHONE:  | 302-629-7366                         | EMAIL:      | vikki.prettyman@townofblades.com                                    |

|   |   |
|---|---|
| <b>TOTAL FUNDING REQUEST:</b> 2000.00   |   |
| Has your organization received other grant funds from Sussex County Government in the last year?                                    | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| If YES, how much was received in the last 12 months?  | 600.00  |
| If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Are you seeking other sources of funding other than Sussex County Council?  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| If YES, approximately what percentage of the project's funding does the Council grant represent?                                    | _____   |

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:  
1000-1200 \_\_\_\_\_

## 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 town is requesting funding for a portable p/a system for the various activities the town has. We have 3 large events that this will serve our community, the Blades Flag Day, the Blades Night Out, and the Blades Recycled Cardboard Boat Regatta.

We see visitors for each event in upwards to 600 people. The p/a system will help us get the word out during the events.

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

| <b>REVENUE</b>   |              |
|--|--------------|
| Please enter the current support your organization receives for this project<br>(not entire organization revenue if not applicable to request)   |              |
| <b>TOTAL REVENUES</b>  | 0.00         |
| <b>EXPENDITURES</b>  |              |
| 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. <b>(Put amounts in as a negative)</b> |              |
| Acquisition of equipment   | -\$ 2,000.00 |
|  |              |
|  |              |
|  |              |
|  |              |
|  |              |
|  |              |
|  |              |
|  |              |
| <b>TOTAL EXPENDITURES</b>  | -\$ 2,000.00 |
| <b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>   | -\$ 2,000.00 |

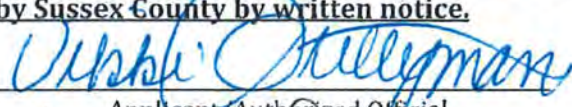
### SECTION 5: STATEMENT OF ASSURANCES

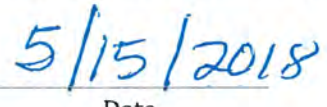
If this grant application is awarded funding, the Town of Blades agrees that:  
(Name of Organization)

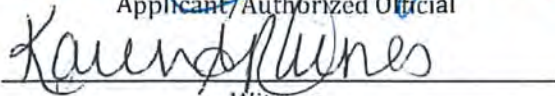
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application.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

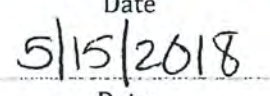
**SECTION 5: STATEMENT OF ASSURANCES (continued)**

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

  
Applicant/Authorized Official

  
Date

  
Witness

  
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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

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

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

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

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

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

Vincent Dallyman  
Applicant/Authorized Official

5/15/2018  
Title

Karen Plines  
Witness

5/15/2018  
Date

Vincent  
5-16-18





# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: The Milton Little League Inc.

PROJECT NAME: Minor League Field Lighting Project

FEDERAL TAX ID: 51-0293060 NON-PROFIT:  YES  NO

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

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

ORGANIZATION'S MISSION: The objective of Milton little League shall be to implant firmly in the children of the community the ideas of good sportsmanship, honesty, loyalty, courage and respect for authority, so that they may be well adjusted, stronger, and happier children and will grow to be good, decent, healthy and trustworthy citizens.

ADDRESS: PO Box 175

Milton De 19968  
(CITY) (STATE) (ZIP)

CONTACT PERSON: Kathy Newcomb

TITLE: Milton Little League Treasurer

PHONE: 302-542-4255 EMAIL: knewcomb@cbanker.com

TOTAL FUNDING REQUEST: \$5,000

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

If YES, how much was received in the last 12 months? 2000.00  
*(Previous Fiscal year used for material down payment)*

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

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

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

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

- |  |   |                                      |
|--|---|--------------------------------------|
| <input type="checkbox"/> Fair Housing                | <input type="checkbox"/> Health and Human Services                              | <input type="checkbox"/> Cultural    |
| <input type="checkbox"/> Infrastructure <sup>1</sup> | <input checked="" type="checkbox"/> Other <u>Children and Physical Activity</u> | <input type="checkbox"/> Educational |

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

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

250

## 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 Milton Little League Inc. serves a small rural community in Milton, Delaware. Milton Little League Inc. was incorporated in March of 1986. Our League charts twenty teams and anticipates approximately 210 players for the 2018 season. The Milton Little League Board consists of fourteen volunteers.

Milton, Delaware is a working class community where the average income is well below the state level. The poverty statistics show that over 25% of the Milton community is living below the poverty level. The poverty is such that our local elementary and middle schools have received grant funds to provide school wide free breakfast and lunch for the entire year for the last three years. The League welcomes and encourages all players to participate and upholds the Little League International rule that a fee to participate is not a prerequisite to play. This allows more Milton Little League youth to participate but hinders the league in their ability to budget park improvements.

The Milton Little League Board would like to continue to improve the park and offer more opportunities to the children of Milton, Delaware. We feel we can do this by adding lights to Field 3 at our park. This past season, we invited a local adult softball league to use the facility and were able to bring in additional income for our league in the amount of \$3,900.00 for that use. A third lit field would allow for the expansion of their league and increased income for our league.

With additional lights, we could also host additional tournaments year round and would be under consideration for more All Star Tournament hosting. All these tournaments bring in additional income through concession stand sales which allows for further park improvements. The additional lighted field will also allow for more practice time for the children within the Milton Little League Program. We have already been awarded \$35,000 in Grants locally and nationally for this project but it must be completed by October 31, 2018 in order for the grant funds to be used.

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

| <b>REVENUE</b>  |                       |
|---|-----------------------|
| Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)   |                       |
| (Grants \$35,000)(Donations this wk \$3,000)  | <b>TOTAL REVENUES</b> |
|   | -38,000.00            |
| <b>EXPENDITURES</b>   |                       |
| 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) |                       |
| Materials for Lighting Project through Musco Lighting   | \$ 60,000.00          |
| Installation if no in kind donations of labor or equipment  | \$ 50,000.00          |
|   |                       |
|   |                       |
|   |                       |
|   |                       |
|   |                       |
|   |                       |
| <b>TOTAL EXPENDITURES</b>   | <b>\$ 110,000.00</b>  |
| <b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>  | <b>\$ 72,000.00</b>   |

### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Milton Little League Inc. agrees that:  
 (Name of Organization)

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

**SECTION 5: STATEMENT OF ASSURANCES (continued)**

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

Kelly Newcomb  
Applicant/Authorized Official

5-18-18  
Date

Yofanda L Bernosini  
Witness

5-18-18  
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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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.

Kelly Nellcub  
Applicant/Authorized Official

Fundraising Committee  
Title

Jonathan R. Berwin  
Witness

5-17-18  
Date

*Burton*  
*5-17-18*



# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Grace -N- Mercy  
PROJECT NAME: Grace -N- Mercy Summer Youth Camp  
FEDERAL TAX ID: 38-3655598 NON-PROFIT:  YES  NO

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

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

ORGANIZATION'S MISSION: Our ultimate goal is to mentor these children as they get older and life happens.  
We want them to know they have options and to always choose the high road.

ADDRESS: PO BOX 70  
GREENWOOD DELAWARE 19950  
(CITY) (STATE) (ZIP)

CONTACT PERSON: JOYCE MIZZELLE  
TITLE: DIRECTOR  
PHONE: 302-249-5400 EMAIL: jmizzelle@aol.com

**TOTAL FUNDING REQUEST: \$7000**

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

If YES, how much was received in the last 12 months? \$500.00

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

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 50%

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

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

45

## 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.

In 2003, we observed the lack of youth programs available to low- moderate income families in Greenwood, Delaware. On further investigation, we found that the problem was not unique to Greenwood; most cities/towns in Sussex County also suffered from the same issue. Sadly, the problem persists in 2018, as there are few summer programs available to children of low- moderate income parents. The few programs that are available have openings that fill quickly and sometimes have fees that many families cannot afford. Due to the county's growth, one can surmise that along with the population growth, the need for summer camp programs will also increase.

Our current camp attendee's live in the following cities: Delmar, Laurel, Seaford, Blades, Bridgeville, Greenwood, Millford and Lincoln.

We have structured our program that the children are able to participate in activities they have never experienced. On Monday's, we have presenters from the University of Delaware 4H Extension teach on health, nutrition and life skills. Every Tuesday, we travel to Dover to AMC Theatre to watch an age appropriate movie an activity that some of our children never experience. . Every Wednesday, we travel to Killen's Pond to the waterpark for a day of outside fun. On Thursday's, there are different activities each week including the fire department, state police, and Spatulearn (Chef). We use Monday, Thursday and some Friday afternoons for social skills activities. Our older counselors will play basketball and kickball games with the campers to reinforce social skills taught throughout the week. Also during this time, they are able to demonstrate what using good sportsmanship qualities look like.



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

| <b>REVENUE</b>   |                   |
|--|-------------------|
| Please enter the current support your organization receives for this project<br>(not entire organization revenue if not applicable to request)   |                   |
| <b>TOTAL REVENUES</b>  | 1,200.00          |
| <b>EXPENDITURES</b>  |                   |
| 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. <b>(Put amounts in as a negative)</b> |                   |
| Fuel for (2) 15 passenger Vans: (Van #1:Lincoln, Milford, Greenwood, Ellendale) (Van #2: Seaford, Laurel, Blades, Bridgeville & Delmar)  | \$ 3,000.00       |
| Meals for Breakfast & Lunch  | \$ 1,900.00       |
| Cleaning Supplies (Toilet Paper/Paper Towels)  | \$ 250.00         |
| Virginia Air & Space Musuem (August 2018) \$15.50 student/ Price Ages: 3-18  | \$ 465.00         |
| Killen's Pond Entry Fees   | \$ 1,500.00       |
| Sports Equipment   | \$ 250.00         |
| Office Supplies  | \$ 300.00         |
| AMC Theatre (Every Tuesday)  | \$ 900.00         |
| <b>TOTAL EXPENDITURES</b>  | <b>\$8,565.00</b> |
| <b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>   | <b>\$7,365.00</b> |

### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Grace -N- Mercy agrees that:  
(Name of Organization)

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

**SECTION 5: STATEMENT OF ASSURANCES (continued)**

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

Joyce Mizelle  
Applicant/Authorized Official

5/13/2018  
Date

Jonekia Showell  
Witness

5/13/2018  
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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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.

Joyce Mizzelle  
Applicant/Authorized Official

5-14-2018  
Title

Jonekia Showell  
Witness

5/14/2018  
Date

*Wilson  
5/22/18*



# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: MARINE CORPS LEAGUE DELAWARE  
DEVIL DOGS DETACHMENT, #780

PROJECT NAME: 6TH ANNUAL GOLF TOURNAMENT

FEDERAL TAX ID: 46-4606352 NON-PROFIT:  YES  NO  
501(C)(4) TAX DEDUCTIBLE

DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?  
 YES  NO \*IF YES, FILL OUT SECTION 3B.

ORGANIZATION'S MISSION: VETERANS ORGANIZATION FOUNDED IN 1923 TO PERPETUATE THE TRADITIONS AND SPIRIT OF ALL MARINES WHO PROUDLY WEAR OR HAVE WORN THE EAGLE, GLOBE AND ANCHORS SIGNIA OF THE UNITED STATES MARINE CORPS. A COMMON QUALITY AMONG MARINES IS EMBODIED BY ITS MOTTO "SEMPER FIDELIS" - ALWAYS FAITHFUL!

ADDRESS: DE DEVIL DOGS DETACHMENT, #780  
P.O. BOX 1476  
SEAFORD DE 19773  
(CITY) (STATE) (ZIP)

CONTACT PERSON: DIANE GEORGE

TITLE: PAYMASTER

PHONE: (302) 629-2225 EMAIL: DGEORGE33@COMCAST.NET

TOTAL FUNDING REQUEST: \$ 600.00

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

If YES, how much was received in the last 12 months? \$ 500.00

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

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

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

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

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

4,500

## 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 MCL DETACHMENT'S ANNUAL GOLF TOURNAMENT HELPS TO SUPPORT THE FOLLOWING SUSSEX COUNTY GROUPS:

1. DE VETERANS TRUST FUND: PROVIDES ASSISTANCE REGARDING FINANCIAL EMERGENCIES. ASSIST VETS WITH TRANSITION ON SEPARATION FROM ACTIVE DUTY. REFER VETS TO SERVICE PROVIDERS FOR EMPLOYMENT, LEGAL ASSISTANCE, CREDIT COUNSELING AND BEHAVIOR HEALTH. FAMILY SERVICES TO INCLUDE DE HOMELESS VETS
2. MARINE RESERVE TOYS 4 TOYS FOUNDATION: DE DEVIL DOGS DETACHMENT TAKES PART IN THE ANNUAL USMC RESERVE TOYS 4 TOYS CAMPAIGN TO RAISE FUNDS COLLECT AND DISTRIBUTE TOYS TO NEEDY CHILDREN
3. EAGLE SCOUT COURT OF HONOR: THE USMC LEAGUE PRESENTS THE "GOOD CITIZENSHIP AWARD" TO THOSE SCOUTS THAT OBTAIN THE HIGHEST RANK IN THE BOY SCOUTS OF AMERICA, THAT BEING, EAGLE SCOUT. THE DE DEVIL DOGS CONTINUALLY WORK WITH AND PRESENT THE AWARD TO THOSE EAGLE SCOUTS IN SUSSEX COUNTY THAT OBTAIN THIS HIGH HONOR IN SCOUTING.

THESE ACTIVITIES ARE ONLY THREE OF THE MANY COMMUNITY OR ORGANIZATIONS THAT THE DE DEVIL DOGS DETACHMENT WORK WITH ON AN ANNUAL BASIS.

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.

N/A

### SECTION 4: BUDGET

|  |                      |
|--|----------------------|
| <b>REVENUE</b>   |                      |
| Please enter the current support your organization receives for this project<br>(not entire organization revenue if not applicable to request)   |                      |
| <b>TOTAL REVENUES</b>  | \$12,000.00          |
| <b>EXPENDITURES</b>  | PROJECTED            |
| 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. <b>(Put amounts in as a negative)</b> |                      |
|  |                      |
| HERITAGE SHORES GOLF COURSE  |                      |
| LUNCH (FOOD & DRINK)   |                      |
| GOLF GOLFIE BAGS   |                      |
| THE GUIDE (SIGNS)  |                      |
| BREAKFAST (FOOD & DRINK)   |                      |
| TIPS   |                      |
|  |                      |
| <b>TOTAL EXPENDITURES</b>  | PROJECTED \$8,000.00 |
| <b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>   | PROJECTED \$4,000.00 |

\* 100% OF FUNDS WILL BE SPENT ON COMMUNITY PROJECTS

### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the MARINE CORPS LEAGUE DE DEVIL DOGS DEPARTMENT agrees that:

(Name of Organization)

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



**SECTION 5: STATEMENT OF ASSURANCES (continued)**

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

CHARLES H. LANDON  
PAST COMMANDER

Applicant/Authorized Official  
DE DEVIL DOGS DETACHMENT, #780

Susan Webb

Witness

24 MAY 2018

Date

5-25-18

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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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.

CHRIS H. Lander  
Past Commandant

DEPT OF DELAWARE  
COMMANDANT

Applicant/Authorized Official  
DE DEVIL DOGS DEPARTMENT, #78  
Susan Webb

Title  
5-25-18

Witness

Date

Vincent  
5-29-18



# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: **Greater Lewes Community Village**

PROJECT NAME: **Aging In Place for Lower Income Individuals**

FEDERAL TAX ID: **45-4573582** NON-PROFIT:  YES  NO

DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?  
 YES  NO \*IF YES, FILL OUT SECTION 3B.

ORGANIZATION'S MISSION: The Greater Lewes Community Village (The Village) provides support, services, social and educational programs, as well as advocacy, for older persons, to enhance the lives of our members and the quality of life for all in our community.

ADDRESS: **16686 Kings Highway**  
**Suite B**

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

CONTACT PERSON: **Jacqueline M. Sullivan**

TITLE: **Executive Director**

PHONE: **302-703-2568** EMAIL: **jmsullivan917@outlook.com**

**TOTAL FUNDING REQUEST: 2,000.00**

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

If YES, how much was received in the last 12 months? **2,000.00**

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

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

If YES, approximately what percentage of the project's funding does the Council grant represent? **<2%**

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

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

177

## 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.

**Purpose.** The Village seeks a \$2000 grant from the Sussex County Council in 2018 to help us fund 5 additional "reduced fee" members, as explained below. In September 2017, the Council gave the Village a \$2000 grant for the same purpose. However, since that time the number of reduced fee members has grown from 21 to 25, resulting in a need for additional funds.

**Village Mission and Growth.** The Village is a volunteer, non-profit organization dedicated to helping older adults live independently for as long as possible. We do this by providing a variety of daily services, such as transportation (our most requested service), home visiting, changing light bulbs, taking out the garbage, assisting in computer problems and helping to pay bills, to name just a few. We also provide educational and social programs, like chair yoga, lunch outings, a book club and boat tours. All of these services are provided for a flat fee of \$500 per year for up to 25 hours of service per month for an individual. This equates to only \$1.67 per hour, which means that the Village cannot operate solely on membership revenue.

The Village opened on November 1, 2013. Since that time, we have welcomed over 177 new members (up from 70 members in 2015) and 122 volunteers. As of September 1, 2017, we had 21 reduced fee members. As of today, that number has grown to 25.

**Reduced Fee Program.** For the reduced fee program, we strive to do two things: (1) admit members who cannot afford even the nominal \$500 annual fee and (2) have reduced fee members constitute 15% of our total members. Reduced fee members pay only \$100 per year for 25 hours of service per month, a difference of \$400 per reduced fee member. Consequently, we are again asking for a grant of \$2000 (5 members x \$400).

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

|  |             |
|--|-------------|
| <b>REVENUE</b>   |             |
| Please enter the current support your organization receives for this project<br>(not entire organization revenue if not applicable to request)   |             |
| <b>TOTAL REVENUES</b>  | 0.00        |
| <b>EXPENDITURES</b>  |             |
| 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. <b>(Put amounts in as a negative)</b> |             |
| 5 reduced fee members at \$400 per member  | \$ 2,000.00 |
| *Note that the revenue derived by The Village from its membership fees covers only 47% of the expenses The Village incurs in providing the service   |             |
| <b>TOTAL EXPENDITURES</b>  | \$ 2,000.00 |
| <b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>   | \$ 2,000.00 |

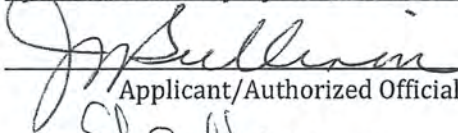
### SECTION 5: STATEMENT OF ASSURANCES

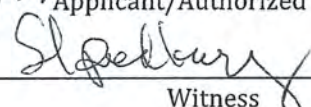
If this grant application is awarded funding, the Greater Lewes Community Village agrees that:  
(Name of Organization)

- 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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**SECTION 5: STATEMENT OF ASSURANCES (continued)**

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- 8) **In the event that the awarded funding is used in violation of the requirements of this grant, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.**

  
\_\_\_\_\_  
Applicant/Authorized Official

  
\_\_\_\_\_  
Witness

May 23, 2018

Date

May 23, 2018

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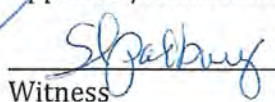
For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County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

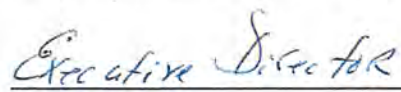
Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used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

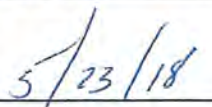
In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

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

  
\_\_\_\_\_  
Applicant/Authorized Official

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Executive Director  
Title

  
\_\_\_\_\_  
Date







# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Lewes Senior Activity Center *Lewes Senior Citizens Center*  
PROJECT NAME: Center Construction and Expansion  
FEDERAL TAX ID: 51-0105685 NON-PROFIT:  YES  NO  
DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?  
 YES  NO \*IF YES, FILL OUT SECTION 3B.  
ORGANIZATION'S MISSION: to encourage and facilitate our members health and welfare through physical, mental, and social activities. We accept any and all individuals who wish to join.  
ADDRESS: 32093 Janice Road  
Lewes DE 19958  
(CITY) (STATE) (ZIP)  
CONTACT PERSON: Dennis Nealen  
TITLE: Executive Director  
PHONE: 302-645-9293 EMAIL: lewesseniorcenter@gmail.com

### TOTAL FUNDING REQUEST: \$7,500.00

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

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

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

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 2%

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

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

1000 +

## 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.

Currently, 17,000 people reside within the service area of the nonprofit Lewes Senior Activity Center. That number is expected to grow to 30,000 over the next six years, and by another 10,000 in the following decade. Over 85% of these new coastal-area residents will be average age 69.

Such seniors who are physically, mentally, and socially active lead longer, healthier, more independent lives. The objective for our center is to provide services and activities to reinforce those lifestyles.

A stronger, more productive senior population will result in reduced health care costs and more vibrant, contributing communities. A campaign to raise the \$1.7 million needed to expand our existing Center is now underway.

At the present time, our center is able to serve 1,000 members, about 300 of whom are "active" at any given time. By doubling the size of our facility, and extending more programs into afternoon time periods, we plan to serve more than 3,000 members, one third of whom would be active, by 2025.

Absent a YMCA, health club, outdoor exercise facilities, and other such amenities in the greater Lewes region, the LSAC serves a critical role, both by encouraging and facilitating healthy lifestyles and helping to assimilate new residents as they move to our region.

**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

| <b>REVENUE</b>   |                         |
|--|-------------------------|
| Please enter the current support your organization receives for this project<br>(not entire organization revenue if not applicable to request)   |                         |
| <b>TOTAL REVENUES</b>  | 803,000.00              |
| <b>EXPENDITURES</b>  |                         |
| 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. <b>{Put amounts in as a negative}</b> |                         |
| Preliminary Planning   | -\$ 30,000.00           |
| Site Work  | -\$ 250,000.00          |
| New Construction   | -\$ 569,000.00          |
| Renovation of Existing   | -\$ 490,000.00          |
| Design Fees  | -\$ 74,500.00           |
| CM & Permits   | -\$ 121,500.00          |
| Operating Costs  | -\$ 176,000.00          |
|  |                         |
| <b>TOTAL EXPENDITURES</b>  | <b>-\$ 1,711,000.00</b> |
| <b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>   | <b>-\$ 908,000.00</b>   |

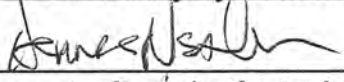
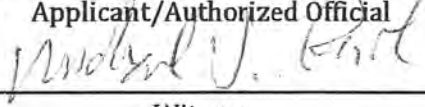
### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Lewes Senior Activity Center agrees that:  
(Name of Organization)

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

**SECTION 5: STATEMENT OF ASSURANCES (continued)**

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

  
\_\_\_\_\_  
Applicant/Authorized Official  
  
\_\_\_\_\_  
Witness

5-23-18  
Date  
5-25-18  
Date

Completed application can be submitted by:

Email: [gjennings@sussexcountyde.gov](mailto:gjennings@sussexcountyde.gov)

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

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

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

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

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

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

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

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

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

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

Applicant/Authorized Official

Witness

Title

5-23-18  
Date

*Burton*  
*5-29-18*

**To Be Introduced 06/05/18**

**Council District No. 2 – Wilson**

**Tax I.D. No. 135-14.00-66.10 and 135-14.00-66.07 (portion of)**

**911 Address: 20205 DuPont Boulevard, Georgetown**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A PETROLEUM FUEL STORAGE AND OFFICE FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.9475 ACRES, MORE OR LESS**

**WHEREAS, on the 4th day of May 2018, a conditional use application, denominated Conditional Use No. 2143, was filed on behalf of Tri Gas & Oil Co., Inc.; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2143 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article XI, Subsection 115-79, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2143 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Georgetown Hundred, Sussex County, Delaware, and lying on the east side of DuPont Boulevard, approximately 766 feet south of Wilson Hill Road, and being more particularly described in the attached deeds prepared by Wm. B. Wilgus, Esq., and Griffin & Hackett, P.A., said parcel containing 1.9475 acres, more or less.**

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

**To Be Introduced 06/05/18**

**Council District No. 2 – Wilson  
Tax I.D. No. 230-5.20-55.00 and 56.00  
911 Address: 18576 Greely Avenue, Lincoln**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TREE COMPANY OPERATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.5851 ACRES, MORE OR LESS**

**WHEREAS, on the 14th day of May 2018, a conditional use application, denominated Conditional Use No. 2144, was filed on behalf of William Caldwell; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2144 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2144 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Cedar Creek Hundred, Sussex County, Delaware, and lying on the south side of Greely Avenue, and being more particularly described in the attached deed prepared by Moore & Rutt, P.A., said parcel containing 2.5851 acres, more or less.**

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



**To Be Introduced 06/05/18**

**Council District No. 4 – Cole  
Tax I.D. No. 334-23.06-10.00  
911 Address: 38737 Seagull Drive, Dewey Beach**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY UNITS (2 DUPLEXES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.169 ACRE, MORE OR LESS**

**WHEREAS, on the 18th day of May 2018, a conditional use application, denominated Conditional Use No. 2145, was filed on behalf of 105 Seagull Drive, LLC; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2145 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2145 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the north side of Seagull Drive, approximately 100 feet west of Coastal Highway, and being more particularly described in the attached legal description prepared by Pennoni Associates, Inc. , said parcel containing 0.169 acre, more or less.**

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

**To Be Introduced 06/05/18**

**Council District No. 5 - Arlett  
Tax I.D. No. 533-11.00-82.00  
911 Address: 36161 Zion Church Road, Frankford**

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

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A HR-1 – RPC HIGH DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 14.8455 ACRES, MORE OR LESS**

**WHEREAS, on the 15th day of May 2018, a zoning application, denominated Change of Zone No. 1858, was filed on behalf of OA Oaks, LLC (Ashton Oaks); and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1858 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation of HR-1 – RPC High Density Residential District – Residential Planned Community as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the northeast side of Zion Church Road, approximately 0.27 mile northwest of Bayard Road, and being more particularly described in the attached deed prepared by Tunnell & Raysor, P.A., said parcel containing 14.8455 acres, more or less.**

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

TO BE INTRODUCED

**To Be Introduced 06/05/18**

**Council District No. 4 – Cole  
Tax I.D. No. 234-12.00-3.00 and 6.00  
911 Address: N/A**

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

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND GR GENERAL RESIDENTIAL DISTRICT TO A GR-RPC GENERAL RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 60 ACRES, MORE OR LESS**

**WHEREAS, on the 15th day of May 2018, a zoning application, denominated Change of Zone No. 1859, was filed on behalf of Boardwalk Development, LLC, c/o Joseph Reed (Henlopen Meadows); and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1859 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District and GR General Residential District] and adding in lieu thereof the designation of GR-RPC General Residential District – Residential Planned Community as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying at the southeast corner of Angola Road and Angola Beach Road, and being more particularly described in the**

attached deed prepared by David W. Baker, Esq., P.A., said parcel containing 60 acres, more or less.

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

TO BE INTRODUCED

MARTIN L. ROSS, CHAIRMAN  
KIM HOEY STEVENSON, VICE CHAIRMAN  
R. KELLER HOPKINS  
DOUGLAS B HUDSON  
ROBERT C. WHEATLEY



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
sussexcountyde.gov

# Sussex County Planning & Zoning Commission

## PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date May 10, 2018

Application: CU 2126 Nikolajs Lituinenkous

Applicant: Nikolajs Lituinenkous  
30028 Vines Creek Rd.  
Dagsboro, DE 19939

Owner: ES Motors Corp.  
30028 Vines Creek Rd.  
Dagsboro, DE 19939

Site Location: 30028 Vines Creek Rd., South side of Vines Creek Rd. approximately  
0.44 miles east of Armory Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Commercial Vehicle storage and car sales

Comprehensive Land  
Use Plan Reference: Low Density Area

Councilmatic  
District: Mr. Cole

School District: Indian River School District

Fire District: Dagsboro Fire District

Sewer: On-Site Septic

Water: On-Site Well

Site Area: 9.54 ac. +/-

Tax Map ID.: 233-11.00-172.00



JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
janelle.cornwell@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: May 30, 2018

RE: County Council Report for CU 2126 Nikolajs Lituinenkous

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The Planning and Zoning Department received an application (CU 2126 Nikolajs Lituinenkous) to allow for an agricultural education facility with commercial kitchen to be located on Hudson Rd. The Planning and Zoning Commission held a public hearing on May 10, 2018. The following are the draft minutes and motion for the Conditional Use from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, DelDOT Service Level Evaluation, comments from the Sussex Conservation District.

The Commission found Nikolajas Lituinenkous was present on behalf of the application; that Mr. Lituinenkous stated he already has car sales at front of property and wants to remove some trees in middle of property to use rear parking and middle parking to store construction vehicles, boats, tractors and etc. as commercial vehicle storage; that the site has been used for vehicle sales for about 5 years; that the repairs and parking are pre-existing prior to zoning; that he has two employees in sales, four owners, three mechanics, and one secretary; that all repairs are all inside with appropriate disposal of waste and only cleaning the cars are outside; that the hours are 9:00 a.m. to 7:00 p.m. for sales, Monday through Saturday, the garage hours are Monday through Friday 9:00 am to 6:00 p.m. and Saturday 9:00 a.m. to 3:00 p.m.; that they have a sign for the repair shop and for sales on-site; that a 32 square foot will be ok; and that they will store the equipment behind the ditch and in front of the cars.

The Commission found that no one spoke in favor or in opposition to the application.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Wheatley, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration. Motion carried 5-0.

At their meeting of May 24, 2018, the Planning Commission discussed the application which has been deferred since May 10, 2018.



Mr. Wheatley moved that the Commission grant approval CU #2126 for Nikolajas Lituinenkous and ES Motors for Commercial Vehicle Storage and Car Sales based upon the record made during the public hearing and for the following reasons:

1. This site been used for automobile repairs and sales for decades. As such, it is a legally nonconforming, or grandfathered use. This conditional use merely gives formal approval to these longstanding uses.
2. There are other small business uses and commercial or business uses in the area, and the next door property appears to be used currently as some sort of junk or storage yard. This use is consistent with the area and will not have an adverse effect to it.
3. The use car sales facility at this location, which has been used for this type of purpose for many years, is of a public or semi-public character and is desirable for the general convenience and welfare of the area.
4. No parties appeared in opposition to this application.
5. This recommendation for approval is subject to the following conditions and stipulations:
  - A. The existing signage shall be permitted.
  - B. Security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.
  - C. Any dumpster shall be screened from view of neighbors and roadways. The dumpster locations shall be shown on the Final Site Plan.
  - D. All repairs shall be performed indoors.
  - E. No junked, unregistered or permanently inoperable vehicles or trailers shall be stored on the site.
  - F. The site shall be subject to all DeIDOT entrance and roadway requirements.
  - G. The automotive sales hours shall only be from 9:00 am through 7:00 pm, Monday through Saturday. The garage hours shall only be between 9:00 am and 6:00 pm on weekdays, and 9:00 am until 3:00 pm on Saturdays. There shall not be any Sunday hours.
  - H. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission. The Final Site Plan shall clearly show the areas set aside for vehicle sales and vehicle storage.

Motion by Mr. Wheatley, seconded by Mr. Hopkins and carried unanimously to grant Preliminary Approval with Final Site Plan approval by Planning and Zoning Commission. Motion carried 5-0.



JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
janelle.cornwell@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: May 2, 2018  
RE: Staff Analysis for CU 2126 Nikolajs Lituinenkous

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2126 Nikolajs Lituinenkous to be reviewed during the May 10, 2018 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 233-11.00-172.00 to allow for commercial vehicle storage and car sales to be located at 30028 Vines Creek Rd. The size of the property is 9.54 ac. +/-.

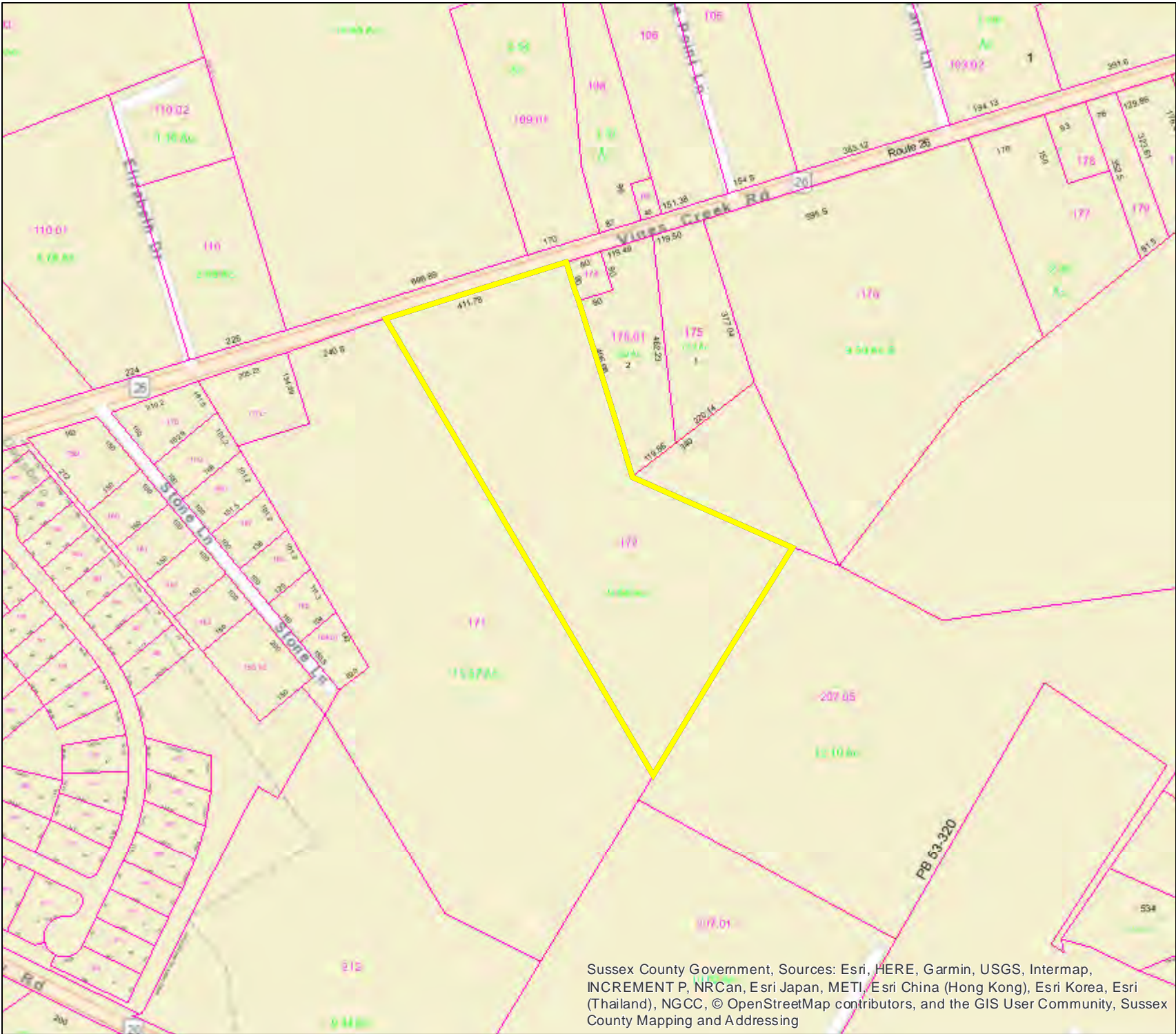
The 2008 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the property has the land use designation Low Density Areas.

The surrounding land use to the north are Environmentally Sensitive Developing Areas and Town Center. The land use to the south is Low Density and Mixed Residential Areas. The land use to the east is Low Density. The land use to the west is Low Density and Town Center. Further east is the Town of Dagsboro. The Low Density Areas land use designation recognizes that business development should be largely confined to businesses that address the needs of single family residences and agriculture. It should also permit industrial uses that support or depend on agricultural uses. The focus of retail and office should provide convenience goods and services to nearby residents and should be limited in their location, size and hours of operation.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north are zoned AR-1 (Agricultural Residential District) and CR-1 (Commercial Residential District). The properties to the south are zoned AR-1 (Agricultural Residential District) and MR (Medium Density Residential District). The properties to the east are zoned AR-1 (Agricultural Residential District). The properties to the west are zoned AR-1 (Agricultural Residential District) and some are located within the Town of Dagsboro. There are no known Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for commercial vehicle storage and car sales could be considered consistent with the land use, area zoning and uses.





**Addresses / Parcels**

■ TaxParcels

**Council Districts**

■ Fire Districts

■ County District 01

■ County District 02

■ County District 03

■ County District 04

■ County District 05

□ County Boundaries

**Schools/Libraries**

▮ School Buildings (Various)

▮ School Library

▮ Public Library

▮ Special Library

▮ DOE School Districts

▮ DOE VoTech School Districts

**Hydrology**

~ Streams / Rivers

■ Lakes, Ponds, Bays

**Flood Zones**

■ 0.2% Annual Chance Flood Hazard

■ A

■ AE

■ AO

■ Open Water

■ VE

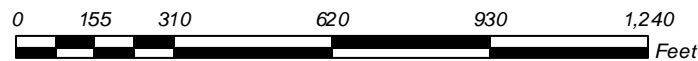
■ Public Protected Lands

■ Municipalities

■ Communities

■ Boundaries State County

Sussex County Government, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing





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▭ TaxParcels

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▭ Streams / Rivers

▭ Lakes, Ponds, Bays

**Flood Zones**

▭ 0.2% Annual Chance Flood Hazard

▭ A

▭ AE

▭ AO

▭ Open Water

▭ VE

▭ Public Protected Lands

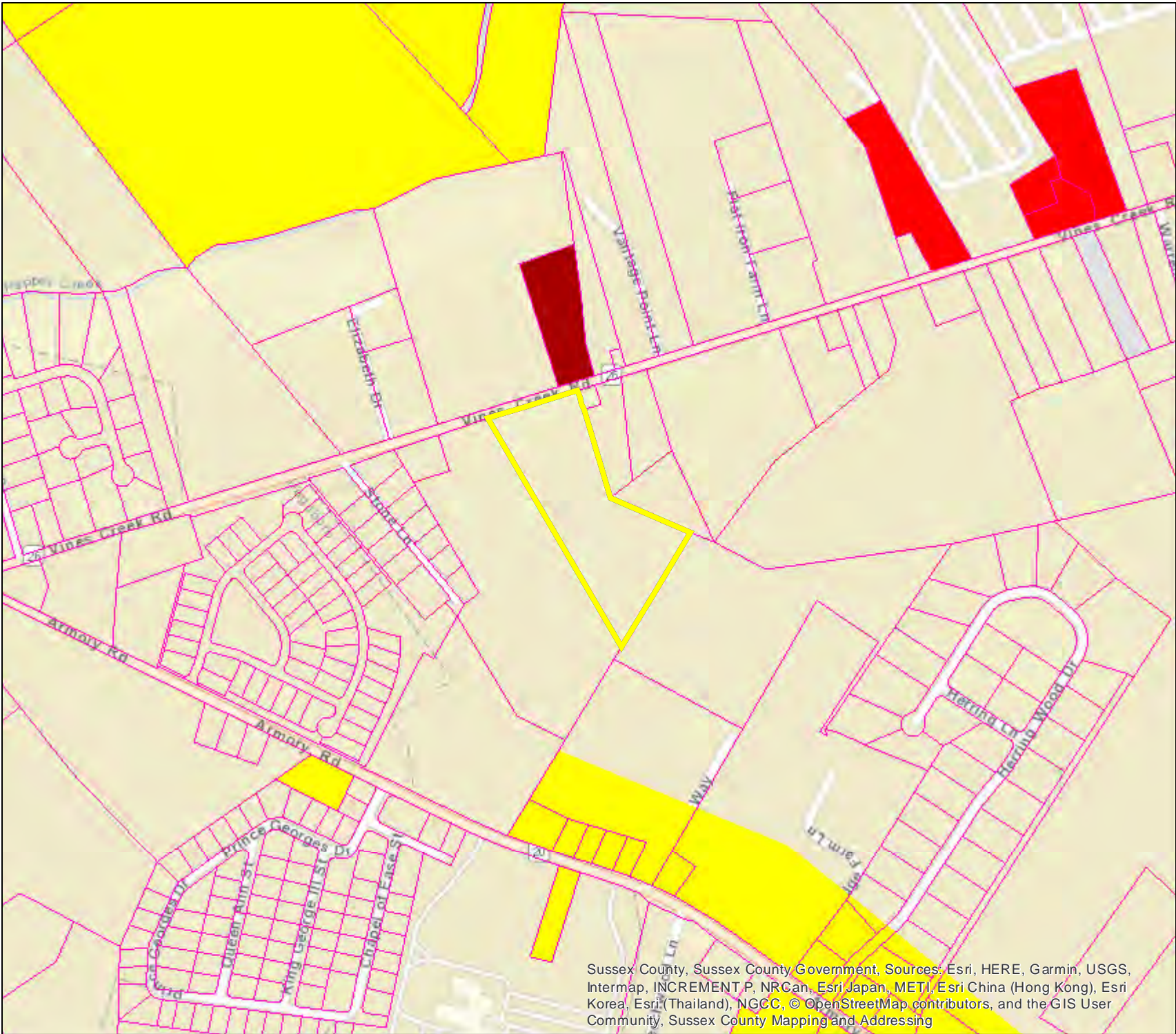
▭ Municipalities

▭ Communities

▭ Boundaries State County

Sussex County Government, Sussex County Mapping and Addressing, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





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- 📖 School Library
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- 📖 DOE School Districts
- 📖 DOE VoTech School Districts

**Hydrology**

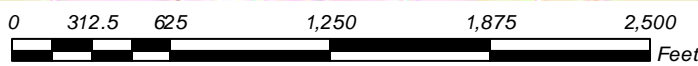
- ~ Streams / Rivers
- Lakes, Ponds, Bays

**Flood Zones**

- 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- Open Water
- VE
- Public Protected Lands
- Municipalities
- Communities
- Boundaries State County

Sussex County, Sussex County Government, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing

*Sussex County Map*



**Introduced 01/16/18**

**Council District No. 4 – Cole  
Tax I.D. No. 233-11.00-172.00  
911 Address: 30028 Vines Creek Road, Dagsboro**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR COMMERCIAL VEHICLE STORAGE AND CAR SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 9.54 ACRES, MORE OR LESS**

**WHEREAS, on the 7th day of December 2017, a conditional use application, denominated Conditional Use No. 2126, was filed on behalf of Nikolajs Lituinenkous; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2126 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2126 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Dagsboro Hundred, Sussex County, Delaware, and lying on the south side of Vines Creek Road, approximately 0.44 mile east of Armory Road, and being more particularly described per the attached deed prepared by Griffin & Hackett, P.A., said parcel containing 9.54 acres, more or less.**

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

MARTIN L. ROSS, CHAIRMAN  
KIM HOEY STEVENSON, VICE CHAIRMAN  
R. KELLER HOPKINS  
DOUGLAS B HUDSON  
ROBERT C. WHEATLEY



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
sussexcountyde.gov

# Sussex County Planning & Zoning Commission

## PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date May 10, 2018

Application: CU 2127 Wine Worx, LLC.

Applicant: Wine Worx, LLC.  
32512 Blackwater Rd.  
Frankford, DE 19945

Owner: Wine Worx Real Estate Holdings, LLC.  
32512 Blackwater Rd.  
Frankford, DE 19945

Site Location: 32512 Blackwater Rd., West side of Blackwater Rd., approximately  
1,007 ft. north of Burbage Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Event venue

Comprehensive Land  
Use Plan Reference: Low Density and Mixed Residential (small portion) Areas

Councilmatic  
District: Mr. Cole

School District: Indian River School District

Fire District: Millville Fire District

Sewer: On-Site Septic

Water: On-Site Well

Site Area: 26.00 ac. +/-

Tax Map ID.: 134-11.00-53.00



JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
janelle.cornwell@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: May 30, 2018

RE: County Council Report for CU 2127 Wine Worx, LLC

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The Planning and Zoning Department received an application (CU 2127 Wine Worx, LLC) to allow for an agricultural education facility with commercial kitchen to be located on Hudson Rd. The Planning and Zoning Commission held a public hearing on May 10, 2018. The following are the draft minutes and motion for the Conditional Use from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that submitted into the record were a site plan, staff analysis and DelDOT Service Level Evaluation.

The Commission found Adrian Mobilia was present on behalf of the application; that Mr. Mobilia stated he is requesting a Conditional Use for an event venue at a farm winery in order to continue planned activities; that they have provided live entertainment indoors and outdoors, wedding and bridal showers, weddings, food trucks, etc. at the request of customers; that they have an oversized septic system to accommodate weddings; that they have 54 dedicated parking spaces with additional overflow; that they plan to hold events for 20-150 people; that the internal limit is 200 people for outdoor events; that they are legally permitted to be open until 1:00 am; however, their internal policy is to close at 11 pm and cut off events by 10:30 pm; that they normally close by 6 pm or 7 pm; that they have three (3) full time employees and ten (10) part-time employees; that they have paid over \$7,300 in excise tax and \$2,200 to date to local charities; that they would like to continue what they are doing; and that live outdoor entertainment does use amplified sound on the patio.

The Commission found that no one spoke in favor or in opposition to the application.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Hudson, seconded by Mr. Wheatley, and carried unanimously to defer action for further consideration. Motion carried 5-0.

At their meeting of May 24, 2018, the Planning Commission discussed the application which has been deferred since May 10, 2018.



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE

Mr. Hudson moved that the Commission grant approval CU #2127 for Wine Worx, LLC for an Event Venue based upon the record made during the public hearing and for the following reasons:

1. The site is 26 acre parcel of land owned by the applicant. It has County approval for a winery, and this is an extension of that agricultural use.
2. The applicant intends to hold events that are connected with the primary use as a winery, such as live entertainment, craft nights, weddings, birthday parties and similar events.
3. The site will have 54 dedicated parking spaces, plus plenty of room for overflow parking.
4. With the conditions and limitations placed upon the Conditional Use, it will not adversely affect neighboring or adjacent properties or area roadways.
5. The applicant testified that the existing customers have been asking to use the winery for these activities. This use will serve that need in Sussex County.
6. This use promotes agricultural activities in Sussex County and is an innovative agritourism destination.
7. No parties appeared in opposition to this application.
8. This recommendation is subject to the following conditions:
  - A. All events shall end no later than 10:30 p.m. and clean up may occur after 10:30 p.m.
  - B. Food and beverage service and music or similar entertainment is permitted.
  - C. As stated by the Applicant, there shall be nor more than 200 people at any event.
  - D. All parking areas shall be generally shown on the Final Site Plan. No parking shall be permitted on any nearby County Roads.
  - E. All entrance locations shall be subject to the review and approval of DelDOT.
  - F. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hudson, seconded by Mr. Wheatley and carried unanimously to grant Preliminary Approval with Final Site Plan approval by Planning and Zoning Commission. Motion carried 5-0.



JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
(302) 855-7878 T  
(302) 854-5079 F  
janelle.cornwell@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: May 2, 2018  
RE: Staff Analysis for CU 2127 Wine Worx, LLC

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2127 Wine Worx, LLC to be reviewed during the May 10, 2018 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 134-11.00-53.00 to allow for an event venue to be located at 32512 Blackwater Rd. The size of the property is 26 ac. +/-.

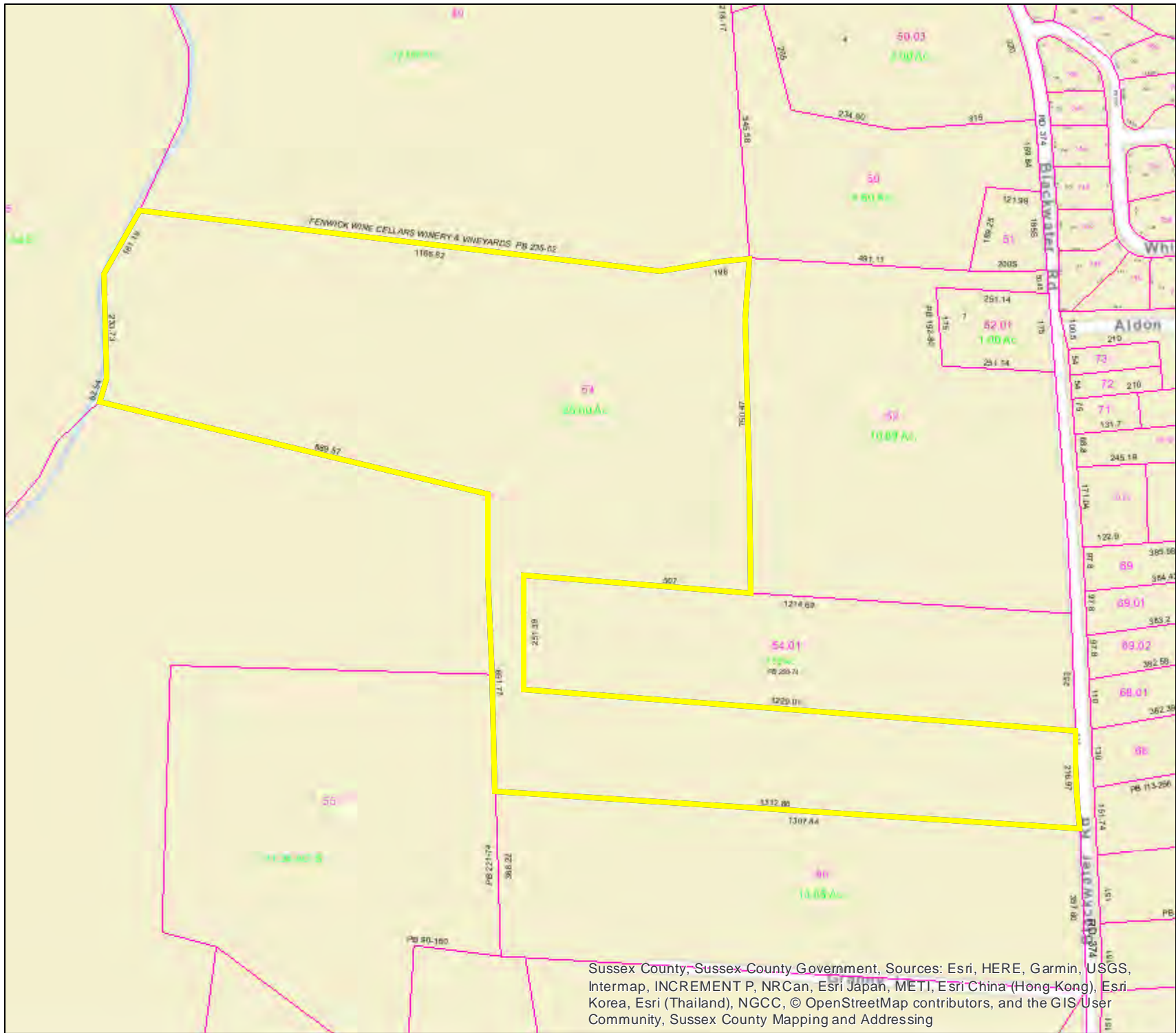
The 2008 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the property has the land use designation Low Density Areas and Mixed Residential Areas.

The surrounding land use to the north and east are Low Density, Mixed Residential Areas and Environmentally Sensitive Developing Areas. The land use to the south is Low Density and Mixed Residential Areas. The land use to the west is Low Density. The Low Density Areas land use designation recognizes that business development should be largely confined to businesses that address the needs of single family residences and agriculture. It should also permit industrial uses that support or depend on agricultural uses. The focus of retail and office should provide convenience goods and services to nearby residents and should be limited in their location, size and hours of operation.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north are zoned AR-1 (Agricultural Residential District) and MR (Medium Density Residential District). The properties to the east are zoned AR-1 (Agricultural Residential District) and GR (General Residential District). The properties to the south and west are zoned AR-1 (Agricultural Residential District). There are no known Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for an event venue would be considered consistent with the land use, area zoning and uses.





**Addresses / Parcels**

■ TaxParcels

**Council Districts**

■ Fire Districts

■ County District 01

■ County District 02

■ County District 03

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□ County Boundaries

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**Hydrology**

▮ Streams / Rivers

▮ Lakes, Ponds, Bays

**Flood Zones**

▮ 0.2% Annual Chance Flood Hazard

▮ A

▮ AE

▮ AO

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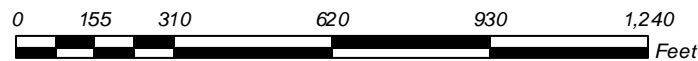
▮ Public Protected Lands

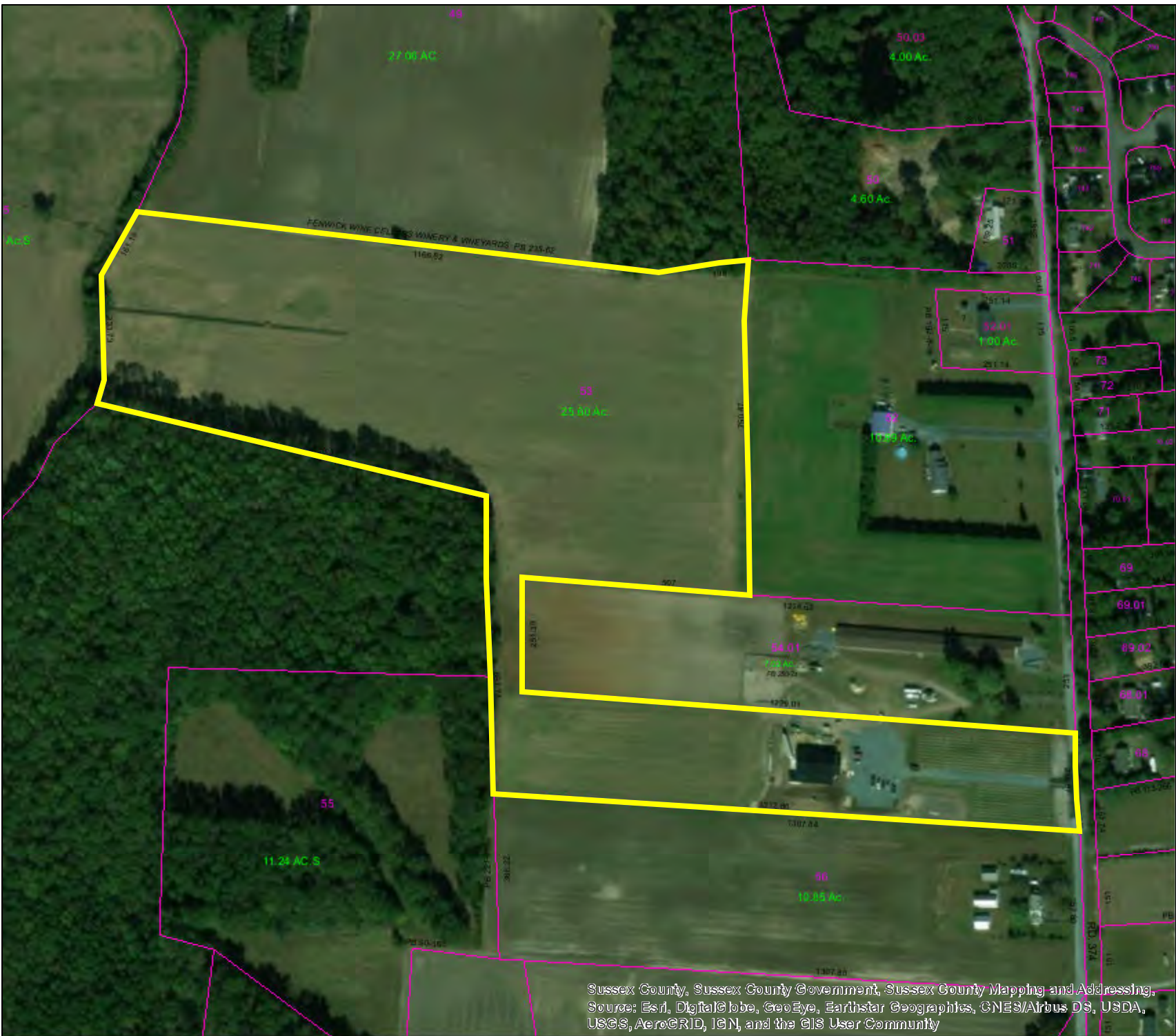
▮ Municipalities

▮ Communities

▮ Boundaries State County

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Streams / Rivers

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**Flood Zones**

0.2% Annual Chance Flood Hazard

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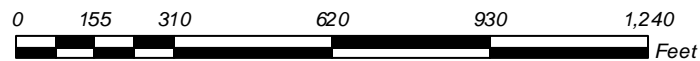
Public Protected Lands

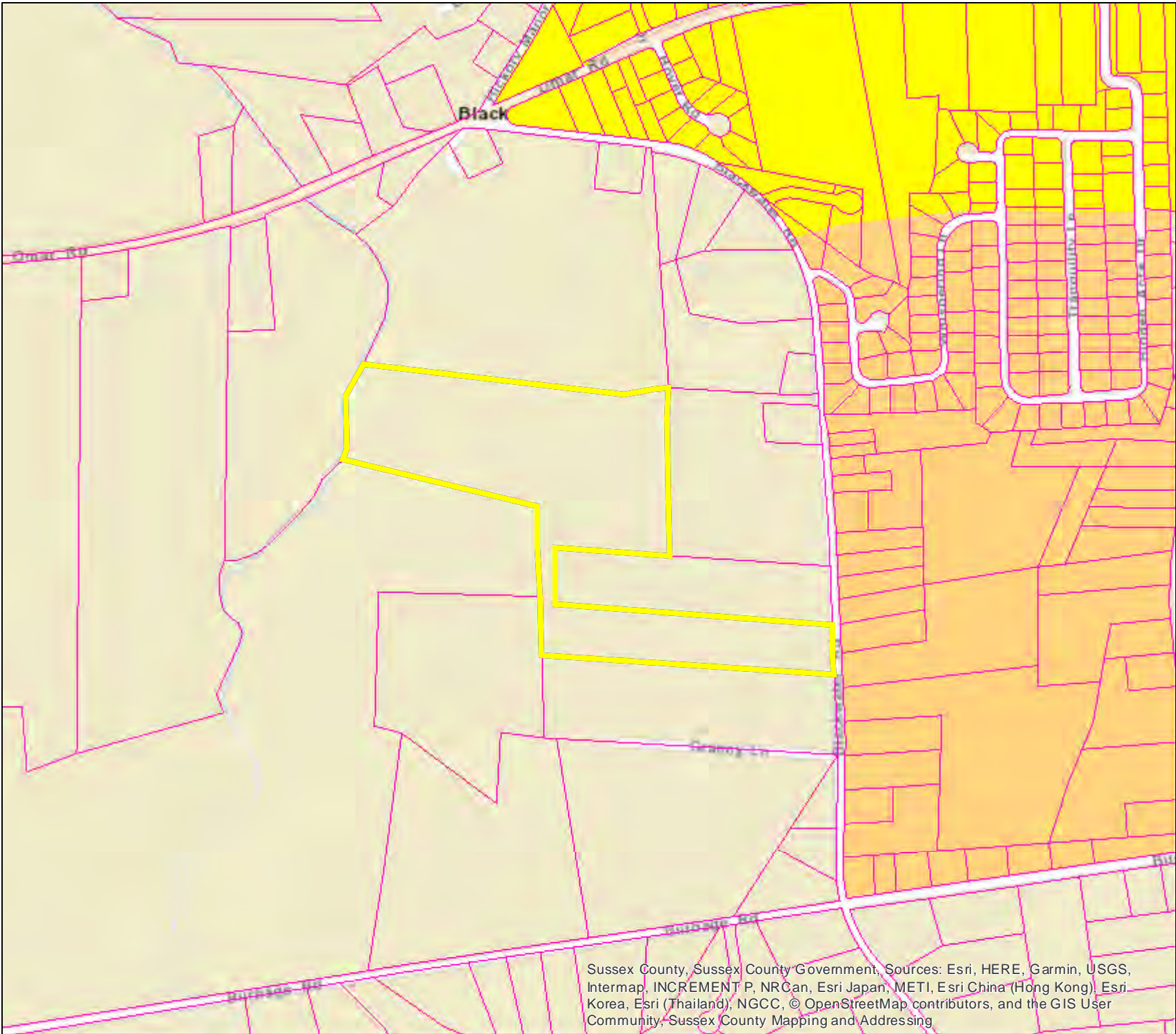
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Sussex County, Sussex County Government, Sussex County Mapping and Addressing,  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA,  
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**Introduced 01/16/18**

**Council District No. 4 – Cole  
Tax I.D. No. 134-11.00-53.00  
911 Address: 32512 Blackwater Road, Frankford**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EVENT VENUE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 25.60 ACRES, MORE OR LESS**

**WHEREAS, on the 21st day of December 2017, a conditional use application, denominated Conditional Use No. 2127, was filed on behalf of Wine Worx, LLC; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2127 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2018, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.**

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

**Section 1. That Chapter 115, Article VI, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2127 as it applies to the property hereinafter described.**

**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the west side of Blackwater Road, approximately 1,007 feet north of Burbage Road, and being more particularly described per the attached deed prepared by Scott and Shuman, P.A., said parcel containing 25.60 acres, more or less.**

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