

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



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ROBIN GRIFFITH
CLERK

Sussex County Council

AGENDA

JUNE 26, 2018

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Administrator's Report

Cindy Green, Register of Wills

1. Presentation and discussion related to Senate Bill No. 238 and the storage of wills

Old Business

1. Change of Zone No. 1850 filed on behalf of Swann Cove West, LLC
2. Conditional Use No. 2124 filed on behalf of Jeri Berc
3. Conditional Use No. 2129 filed on behalf of Brian P. Lessard, Lessard Builders, Inc.

Hans Medlarz, County Engineer

1. Route 54 Expansion of the Fenwick Island Area of the Unified Sanitary Sewer District



- A. Discussion and Possible Introduction of a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$786,007 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE ROUTE 54 EXPANSION OF THE FENWICK ISLAND SEWER AREA OF THE UNIFIED SANITARY SEWER DISTRICT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”**
- 2. Inland Bays Regional Wastewater Facility (IBRWF), Regional Biosolids and Septage Receiving Facility, Contract 18-19**
 - A. Recommendation to Award**
- 3. Whitman Requardt & Associates – North Coastal Planning Area Base Contract**
 - A. Amendment 7B – IBRWF: Regional Biosolids & Septage Facilities Construction Administration and Resident Project Representative (RPR)**
 - B. Amendment 7C – IBRWF: Regional Biosolids & Septage Facilities Control System Coordination, Testing & Programming**
- 4. FY 2019 General Labor & Equipment Contract, Project 19-01**
 - A. Amendment 13 – Engineering Design & Inspection Assistance**

John Ashman, Director of Utility Planning

- 1. Ellendale Water – Adoption of Revised Water District Boundary**
- 2. Robinsonville Road Expansion – Approval to Post Notices**

Vince Robertson, Assistant County Attorney

- 1. Presentation and discussion related to AR-1 Zoning and “farm uses”**

Grant Requests

- 1. Ocean View Historical Society for Coastal Towns Museum project**
- 2. Delaware National Guard Youth Foundation for summer recreational camp**
- 3. Rehoboth Beach Historical Society for capital campaign**
- 4. Delaware Center for the Inland Bays for cleanup efforts**
- 5. Rehoboth Beach Film Society for mini-theater, and equipment repairs and upgrades**

6. Eastern Shore AFRAM Festival for audio, tent and staging costs
7. Downtown Milford for the Ladybug Festival
8. Georgetown Historical Society for building renovations
9. City of Rehoboth Beach for Bicycle Trail

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Adjourn

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

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 19, 2018 at 4:45 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, JUNE 19, 2018

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, June 19, 2018, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 345 18
Amend
and
Approve
Agenda**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to amend the agenda by deleting “Register of Wills Cindy Green – Presentation and discussion related to the storage of wills and Senate Bill No. 238”, 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 minutes of June 12, 2018 were approved by consent.

**Corre-
spondence**

Mr. Cole reported that the following correspondence was received:

**LORD BALTIMORE ELEMENTARY SCHOOL ROBOTICS TEAM,
OCEAN VIEW, DELAWARE.**

RE: Letter in appreciation of grant.

**Public
Comments**

Public Comments

Paul Reiger referenced the June 18, 2018 Board of Adjustment meeting and specifically setbacks, and asked that a copy of the recently adopted ordinance regarding setbacks be sent to the Board of Adjustment members. Mr. Reiger stated that, at the same meeting, a reference was made regarding letters received from builders, architects, etc. and he asked that those letters be made public on the County’s website.

**Public
Comments
(continued)**

Additionally, Mr. Reiger asked that the Council consider developing regulations regarding scrap tires.

Dan Kramer commented on the application and selection process of the Planning and Zoning Commission member (agenda item on this date).

Keith Steck made suggestions relating to the Board of Adjustment, i.e. rules of procedure and a mechanism for public comment. Mr. Steck also requested that the Board of Adjustment include on the agendas the case number and name to each Findings of Fact submitted for approval, to define the term “Findings of Fact”, and to explain the process for and development of Findings of Fact. (Mr. Steck submitted written comments into the record.)

**Public
Hearing/
Proposed
Ordinance/
Recorder
of Deeds
Fees**

A Public Hearing was held on 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”.

This Ordinance modifies the fee structure for the online document retrieval services of the Office of the Recorder of Deeds. Under this Ordinance, non-subscribers are charged \$1.00 for each document downloaded. Subscribers can sign an agreement for unlimited downloads on a monthly basis. A single-user subscriber account will cost \$50.00 per month and a multiple-user subscriber account, for up to ten users, will cost \$300.00 per month.

Public comments were heard.

Dan Kramer questioned why the County is proposing this ordinance when the Department is already making a profit; questioned if computers (for public access) will be removed from the Recorder of Deeds’ office; and questioned if the public will be charged if they visit the Recorder of Deeds’ office and want copies.

Scott Dailey, Recorder of Deeds, stated that the public will continue to be able to research property records in the Recorder of Deeds Office for free and that the Proposed Ordinance will reduce fees and increase accessibility to the property database.

There were no additional public comments.

The Public Hearing and public record were closed.

**M 346 18
Adopt
Ordinance
No. 2580**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt Ordinance No. 2580 entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 62 (“FEES”), ARTICLE VI (“RECORDER OF DEEDS”) REGARDING ONLINE DOCUMENT RETRIEVAL FEES”.

**M 346 18
(continued)**

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/
Assessment
Rolls**

A Public Hearing was held on the Assessment Rolls for Sewer and Water Districts. Mrs. Jennings reported that the Assessment Rolls reflect the County's records for equivalent dwelling units (EDUs) and billable front footage for each sewer and water district. These records have been made available in the billing office for public inspection and review. These records are subject to individual appeal via the Board of Assessment Review. Mrs. Jennings noted that this Public Hearing is on the list of properties and applicable front footage and EDUs that will be billable by the rates established in the rate ordinance.

There were no public comments.

The Public Hearing and public record were closed.

**M 347 18
Adopt
Assessment
Rolls**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that the Sussex County Council hereby adopts the Assessment Rolls for all Sussex County sanitary sewer and water districts for the period July 1, 2018 through June 30, 2019.

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/
Proposed
Ordinance/
Sewer and
Water
Service
Charges**

A Public Hearing was held on 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".

Mrs. Jennings reviewed highlights of the sewer and water budget. (A comprehensive presentation was given at the May 22, 2018 Council meeting.)

There were no public comments.

The Public Hearing and public record were closed.

**M 348 18
Adopt
Ordinance
No. 2581**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to Adopt Ordinance No. 2581 entitled "AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES

**M 348 18
Adopt
Ordinance
No. 2581
(continued)**

**FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT,
AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY
WATER AND SANITARY SEWER DISTRICTS”.**

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/
Proposed
Ordinance/
Annual
Operating
Budget/
FY 2019**

**A Public Hearing was held on the Proposed Ordinance entitled “AN
ORDINANCE ESTABLISHING ANNUAL OPERATING BUDGET
FOR FISCAL YEAR 2019”.**

**Mrs. Jennings reviewed highlights of the \$177 million annual operating
budget for Fiscal Year 2019. (A comprehensive presentation was given at
the May 22, 2018 Council meeting.)**

**Mrs. Jennings presented a recommendation to amend the Introduced
Budget Ordinance to move funding (\$536,000) from 2018 to 2019 for
agriculture land preservation due to the fact that the State does not need
the funding until 2019.**

Public comments were heard.

**Dan Kramer stated that he did not see anything in the Budget about
giving raises to County employees. Mr. Kramer also referenced
employees that are Union members.**

**Terry Jester, President of the Sussex County Volunteer Firefighters
Association, thanked the Council for its continued support of the fire and
ambulance service and for the additional \$500,000 in funding for
ambulance service.**

There were no additional public comments.

**At the request of Council, Mrs. Jennings clarified that included in the
budget is a 2% COLA for County employees and that there will also be
merit increases.**

The Public Hearing and public record was closed.

**M 349 18
Budget
Amendment**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to add
\$536,000 to Grant-In-Aid and to amend the Budget for \$536,000 to
Appropriated Reserves.**

Motion Adopted: 5 Yeas.

**M 349 18
(continued)**

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

**M 350 18
Adopt
Ordinance
No. 2582**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to Adopt Ordinance No. 2582 entitled “AN ORDINANCE ESTABLISHING ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2019”, 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**

**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 Tuesday, June 19th, at 1:00 p.m. in Council Chambers. A copy of the agenda is attached.

2. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Seagrove (aka Harlton) - Phase 3 and Windmill Woods - Phase 2 received Substantial Completion effective June 12th.

3. Remembering Sussex County Paramedic Stephanie Callaway

This past Sunday, June 17, 2018, marks the 10th anniversary of the death of Sussex County Paramedic Stephanie Callaway. Stephanie was riding in an ambulance en route to the hospital and caring for a patient when the ambulance crashed, killing both Stephanie and her patient. During her career with Sussex County, Stephanie rose to the rank of Paramedic II and served as a Field Training Officer, Public Information Officer, and member of the Honor Guard. She was also President of the Sussex County Paramedic Association and an active member of the Lewes Fire Department. Our thoughts continue to be with Stephanie’s family on her very unfortunate passing.

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

**In Remem-
brance**

Robert Stuart, EMS Director, commented on the 10-year anniversary of the tragic death of Sussex County Paramedic Stephanie Callaway.

Interview/ P&Z Nominee	The Council conducted a public interview for Planning and Zoning Commission nominee Holly Wingate (nominated by Councilman Arlett – District 5).
M 351 18 Approve Planning and Zoning Commission Appoint- ment	<p>A Motion was made by Mr. Arlett, seconded by Mr. Cole, that the Sussex County Council approves the appointment of Holly Wingate to the Sussex County Planning and Zoning Commission, effective July 1, 2018, until June 30, 2021.</p> <p>Motion Adopted: 4 Yeas, 1 Abstention.</p> <p>Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Abstained; Mr. Cole, Yea; Mr. Vincent, Yea</p> <p>[Holly Wingate will fill the seat to be vacated by Marty Ross as of June 30, 2018.]</p>
Wastewater Agreement	Mr. Lawson presented a wastewater agreement for the Council’s consideration.
M 352 18 Execute Wastewater Agreement Ocean View Beach Club	<p>A Motion was made by Mr. Arlett, seconded by Mr. Burton, based upon the recommendation of the Engineering Department, for Sussex County Project No. 81-04, Agreement No. 990-4, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Windansea, LLC for wastewater facilities to be constructed in Ocean View Beach Club – Phase 3A Sewer, located in the Bethany Beach Sanitary Sewer District.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea</p>
Herring Creek Area Expansion of the Unified SSD	Hans Medlarz, County Engineer, presented a proposed USDA Loan Resolution and a Draft Ordinance in regard to the construction and equipping of an extension of sanitary sewer services to Herring Creek (Phase 2). The Loan Resolution would authorize and provide for the incurrence of indebtedness (\$5,600,000) for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its sewer services facility. The Proposed Ordinance authorizes the issuance of general obligation bonds to finance or reimburse the County for a portion of the cost of the design, construction and equipping of the project. Mr. Medlarz reported that the Finance and Engineering Departments recommend Council’s approval of the USDA Loan Resolution for Phase 2 and the introduction of the associated ordinance.

**M 353 18
Approve
Loan
Resolution/
Herring Creek**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Finance and Engineering Departments, that the USDA Loan Resolution authorizing supplemental indebtedness for the Herring Creek Area Expansion Project, Phase 2, be approved.

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/
Bonds/
Herring Creek**

Mr. Wilson introduced the Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$5,600,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE CONSTRUCTION AND EQUIPPING OF AN EXTENSION OF SANITARY SEWER SERVICES TO HERRING CREEK AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

The Proposed Ordinance will be advertised for public hearing.

**Property
Maintenance
RFP**

Hans Medlarz, County Engineer, reported that the Engineering Department solicited for a second time, proposals for a one (1) year site maintenance agreement. On April 24, 2018, Council approved the award of Base Bids 1 and 2 to Cutting Edge Lawn Care Services, Inc. and Base Bid 3 to Layaou Landscaping, Inc. However, neither Cutting Edge Lawn Care Services, Inc. nor Layaou Landscaping, Inc. could perform the services satisfactorily. Mr. Medlarz reported that the Engineering Department subsequently terminated the respective contracts for Base Bids 1, 2 and 3. The Engineering Department contacted the third lowest bidder, Creative Visions Landscaping, and confirmed in writing that they would honor their overall bid for all three Base Bid items in the annual not to exceed amount of \$70,506.10, \$9,930.00 and \$23,329.40, respectively. If their performance is satisfactory, the Engineering Department would award an additional year, for up to 5 years, at the same unit cost per cut. Partial funding for this contract has been approved in the Fiscal Year 2019 Budget and funding for subsequent years will be budgeted accordingly.

**M 354 18
Terminate
Bids and
Award
Bids/
Property
Maintenance
RFP**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, that Base Bids 1 and 2 to Cutting Edge Lawn Care Services, Inc. and Base Bid 3 to Layaou Landscaping, Inc. for the 2018 Sussex County Delaware Coastal Airport, Industrial Park and Business Park Property Maintenance RFP, originally approved by Council on April 24, 2018, be terminated based on non-performance; and Be It Further Moved to award Base Bids 1, 2 and 3 to Creative Visions Landscaping for the annual not-to-exceed amounts of \$70,506.10, \$9,930.00 and \$23,329.40, respectively.

**M 354 18
(continued)**

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 the following grant requests.

**M 355 18
Council-
manic
Grant**

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to give \$2,000.00 (\$1,200.00 from Mr. Burton's Councilmanic Grant Account, and \$200.00 each from Mr. Arlett's, Mr. Cole's, Mr. Vincent's, and Mr. Wilson's Councilmanic Grant Accounts) to Autism Delaware for the Blue Jean Ball fundraiser.

Withdrawn

Mr. Burton and Mr. Arlett withdrew their Motions.

**M 356 18
Council-
manic
Grant**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to give \$2,000.00 (\$400.00 from each Councilmanic Grant Account) to Autism Delaware for the Blue Jean Ball fundraiser.

Motion Adopted: 5 Yeas.

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

**M 357 18
Council-
manic
Grant**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$1,500.00 from Mr. Burton's Councilmanic Grant Account to the Slaughter Neck Community Action Organization for senior center building repairs.

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**

**M 358 18
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to give \$1,000.00 (\$650.00 from Mr. Wilson's Councilmanic Grant Account, \$250.00 from Mr. Vincent's Councilmanic Grant Account and \$100.00 from Mr. Arlett's Councilmanic Grant Account) to Primeros Pasos Early Learning Center for tuition assistance.

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**

**M 359 18
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Burton, to give \$2,000.00 from Mr. Cole's Councilmanic Grant Account to Camp Rehoboth for the Sundance event fundraiser.

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**

**M 360 18
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Burton, to give \$1,500.00 (\$750.00 each from Mr. Cole's and Mr. Burton's Councilmanic Grant Accounts) to the Mid Atlantic Symphony Orchestra for the 2017-2018 concert series.

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
Ordinances**

Mr. Burton introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LAWNMOWER AND SMALL ENGINE REPAIR BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 0.83748 ACRES, MORE OR LESS" (Conditional Use No. 2150) filed on behalf of Leo Sweeney (Tax I.D. No. 230-21.00-12.01 (portion of) (911 Address 10449 Cedar Creek Road, Lincoln).

Mr. Cole 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 CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.51646 ACRES, MORE OR LESS" (Change of Zone No. 1863) filed on behalf of Triumph I, LLC.

The Proposed Ordinances will be advertised for Public Hearing.

**Council
Members'
Comments**

Council Members' Comments

Mr. Burton referenced the discussion relating to buffers and density at the June 12, 2018 Council meeting. He asked that Council proceed with the drafting of an ordinance relating to density. In regard to the buffer discussion, Mr. Burton stated that Council will be seeking professional/expert input, and that the County Administrator will

**Council
Members'
Comments
(continued)**

make contact with the professionals/experts and coordinate a discussion with Council.

Mr. Cole referenced comments made by Mr. Steck during the public comment section and he stated that some of the issues raised should be addressed, i.e. rules of procedures, agenda items, findings of fact.

Mr. Moore noted that the Board of Adjustment and the Planning and Zoning Commission have Rules of Procedure in place and he will forward those rules to the Council members.

Mr. Cole referenced a letter received from the Delaware Department of Natural Resources & Environmental Control relating to the availability of technical assistance for state, county and municipal governments through its Resilient Community Partnership (RCP) Program.

**M 361 18
Adjourn**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to adjourn at 11:25 a.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.}

SUSSEX COUNTY COUNCIL

COMPREHENSIVE PLAN WORKSHOP

JUNE 19, 2018

On June 19, 2018, beginning at 1:00 p.m., the Sussex County Council held a Comprehensive Plan Workshop in the Sussex County Council Chambers.

The following were present:

Michael H. Vincent	President
George B. Cole	Vice President
Robert B. Arlett	Councilman
I.G. Burton III	Councilman
Samuel R. Wilson, Jr.	Councilman
Todd F. Lawson	County Administrator
Janelle Cornwell	Planning and Zoning Director
Vince Robertson	Assistant County Attorney

Also present were John Mullen and Erika Morgan from McCormick Taylor.

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to approve the minutes of the Sussex County Council Comprehensive Plan Workshop dated June 6, 2018.

Motion Adopted: 5 Yeas.

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

Public comments were heard.

The purpose of the workshop was to hold an open discussion among the County Council, the Consultant, and staff regarding the Draft Comprehensive Plan and specifically, the following chapters: Chapter 8 – Housing, Chapter 5 – Conservation, Chapter 6 - Recreation and Open Space, Chapter 10 - Historical Preservation, Chapter 11 - Intergovernmental Coordination, Chapter 12 - Community Design, and Chapter 13, Mobility.

Council discussed the next steps in the process. A revised draft of the Plan will be prepared and distributed to Council. Thereafter, the revised draft will be considered at a regular Council meeting after which it will be sent as a draft to Preliminary Land Use Service (PLUS) of the Delaware Office of State Planning Coordination.

The workshop adjourned at 4:22 p.m.

Respectfully submitted,

Robin A. Griffith
Clerk of the Council

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

Link: <https://sussexcountyde.gov/sussex-county-council-comprehensive-plan-workshop-13>

DRAFT

Memo

To: Sussex County Council
From: Cynthia Green, Register of Wills
CC:
Date: 6/15/2018
Re: SB 238 – Deposit of Original Wills

This memo is to provide you with a brief overview of my discussion on Tuesday, June 19, 2018.

Sussex County Register of Wills is interested in getting on board with New Castle County in the depositing of original Wills for customers in Sussex County. There will be a minimal fee to the customer and a meeting would be required for the customer or attorney to provide us with the Will. I plan to send a couple of my staff to New Castle County to find out the proper procedures once this Bill is approved.

There will be costs incurred to get this up and going. We have to purchase a waterproof, fireproof filing cabinet and specific envelopes for the Wills to be stored in. once the Bill is approved I plan to have some of my staff visit New Castle County to see the proper procedures necessary to implement this.

This is a service to our customers of Sussex County. We have had many inquiries during my term as the Register of why we do not have the capability to store Wills for customers.

Thank you.

Cindy Green



SPONSOR: Sen. Richardson & Sen. Pettyjohn & Rep. Wilson
Sen. Hocker; Rep. Baumbach

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE REGISTER OF WILLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 2513, Title 12 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 2513. Deposit of original wills with Register in New Castle County and Sussex County.

4 (a) An original will may be deposited by any testator, testatrix, attorney-in-fact or attorney-at-law for safekeeping
5 in the office of the Register of Wills for New Castle County or Sussex County upon payment of a fee of \$5.

6 (e) The Register, upon receipt of notice of death and an affidavit of the proposed personal representative which
7 alleges that, at the time of the decedent's death, the decedent was not a resident of ~~New Castle County~~ the county in which
8 the will was deposited at the time of the decedent's death, shall deliver the will to the probate officer or Register of Wills for
9 the county or state where the decedent is alleged to have resided at the decedent's death.

10 (h) The fee to be paid the Register may be increased or reduced by the ~~New Castle County Council~~ county council
11 in which the will was deposited, at its the county council's election.

SYNOPSIS

Under current law, a person may deposit, for a fee, an original will with the Register of Wills in New Castle County for safekeeping. The person is not required to be a resident of New Castle County, but only the New Castle County Register of Wills is authorized to store original wills.

This Act expands current law to authorize the Register of Wills in Sussex County to similarly store original wills.

Author: Senator Richardson

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: June 20, 2018

RE: County Council Old Business Report for CZ 1850 Swann Cove West, LLC

The County Council held a public hearing on June 12, 2018. County Council deferred action pending a recommendation by the Planning Commission.

The Planning and Zoning Department received an application (CZ 1850 Swann Cove West, 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 Old Mill Bridge Rd. and Herring Way. The Planning and Zoning Commission held a public hearing on May 24, 2018. The following are the draft minutes 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, site plan, exhibit booklet, comments from Sussex Conservation District, Delaware Electric Co-op, DNREC Divisions of Air Quality and Fish and Wildlife, Sussex County Engineering Department Utility Planning Division and DelDOT. This is an extension to an existing Residential Planned Community and the HOA agrees with the extension, and one letter in opposition.

The Commission found James Fuqua, Attorney with Fuqua, Willard, Stevens and Schab, Jim Swann, owner of Swann Cove and Steve Gorski, with Duffield Associates, Inc. were present on behalf of the application; that Mr. Fuqua stated the application is to rezone 7.236 ac. to MR-RPC for 20 single family lots; that it would be a part of the existing Swann Cove West, MR-RPC; that in 2002 Change of Zone application CZ 1470 was approved which rezoned 10 ac. to B-1 at the same time CZ 1471 was approved which rezoned 109.5 acres to MR-RPC; that the applications were approved on July 23, 2002; that the RPC was approved with 15 conditions, one of the conditions was there is a maximum number of 372 units; that the development has been developed in eight phases with 362 single family lots; that the RPC is fully developed and the infrastructure is completed; that there are two amenity areas in the development; that the community has two access points, one on Route 54 and the other on Old Mill Bridge Road; that the 7.236 acres proposed to be rezoned to MR-RPC was not owned by Swann's at the time of the original application; that Delaware Electric Co-op owned the land; that they would like to incorporate this parcel into the RPC; that the HOA has no objection to the inclusion of the parcel; that this phase would be considered phase 9 of the development; that this is a better use than commercial development or a separate subdivision; that



the Land Use classification per the Comprehensive Plan is Environmental Sensitive Developing Area; that no TIS or TOA was required; that the entrance has been approved and constructed; that there will be a ROW dedication along Old Mill Bridge Road with a permanent easement; that water will be provided by Artesian Water Company; that the site will be served by County Sewer; that electric will be provided by Delaware Electric Co-op; that there are no threatened or endangered species or historical resources on the site; that the lot sizes and setbacks will comply with the original RPC; that the minimum lot sizes are 7,500 square feet with a minimum width of 60 feet; that there will be sidewalks on both sides of the cul-de-sac; that stormwater management will meet DNREC regulations; that the development will have 1.5 acre of open space; that .32 ac. on the south side of Herring Way will remain wooded; that the gross density is 2.7 which is less than the 3.4 per acre approved for the original RPC; that the homeowners will be members of the Swann Cove HOA; that this is an addition to or extension of the existing CZ 1471; that there be two additional conditions; that one new condition would be that the maximum number of lots within phase 9 not exceed 20; that the second condition would be that the approval would be an extension of CZ 1471 and is subject to the conditions imposed on CZ 1471; that he submitted proposed findings and conditions; that it is a meandering way to get from commercial site to Old Mill Bridge Road and it is not a lot of benefit to cut through the development; that the main roads are built to DelDOT standards and are State maintained roads; that Mr. Gorski stated the stormwater management will meet Sussex Conservation District requirements and will have a pond and bio swale; and that are no known drainage issues.

The Commission found that no one spoke in favor of the application.

The Commission found that Gary Ward spoke in opposition to the application; that Mr. Ward stated he has concerns with the buffer to his house; that the new lots are about nine feet off the ditch; that he has concerns with the setbacks to the lots and houses; and that he has concerns with the stormwater management.

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

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

At their meeting of June 14, 2018, the Planning Commission discussed the application which has been deferred since May 24, 2018.

Mr. Wheatley moved that the Commission recommend approval CZ 1850 for Swann Cove West, LLC, for a change of zone from AR-1 to MR-RPC based upon the record made during the public hearing and for the following reasons:

1. This application is for an extension of the Swann Cove West MR-RPC (CZ #1471), which includes 372 units on 109 acres. The expansion area consists of 20 single family lots on 6.913 acres. This expansion area is identified as "Phase 9" of the Swann Cove MR/RPC.
2. This expansion area will use the existing Swann Cove entrances on Route 54 and Old Mill Bridge Road.
3. The residents of this expansion area shall become part of the existing Swann Cove HOA, and shall be entitled to use all of the existing Swann Cove amenities.
4. This new MR/RPC area will include 1.5 acres of open space, or approximately 21% of the site.

5. The site is located in the Environmentally Sensitive Development Area which is designated as “Growth” area under the Comprehensive Plan.
6. The density of this application is approximately 2.89 units per acre, which is less than the 3.4 units per acre in the existing MR/RPC.
7. The site is located within the Sussex County Sewer District and the water service area of Artesian Water Company.
8. This expansion of the existing Swann Cove MR/RPC will not adversely affect neighboring roadways, traffic or the community.
9. The Findings of Fact supporting approval of CZ #1471 are incorporated by reference herein.
10. This recommendation for approval is subject to the following conditions and stipulations:
 - A. The maximum number of lots permitted in Phase 9 of Swann Cove West shall not exceed 20.
 - B. Phase 9 of Swann Cove West shall be an extension of the Swann Cove West MR-RPC (CZ #1471) and is subject to the conditions imposed on CZ #1471, approved on July 23, 2002, as amended and subject to any revisions caused by these conditions.
 - C. As proposed by the Applicant, Phase 9 of Swann Cove West shall be subject to the existing Swann Cove West Homeowners Association covenants and deed restrictions. The residents of Phase 9 of Swann Cove West shall become members of the Swann Cove Homeowners Association and shall have access to the amenities within Swann Cove. The Applicant shall record with the Recorder of Deeds all necessary documents evidencing that this condition has been met.
 - D. The streets shall meet or exceed the County street design standards.
 - E. The applicant shall submit a revised RPC Master Plan for the entire Swann Cove MR/RPC to include this new Phase 9.
 - F. The Final Site Plan shall contain the review and approval of the Sussex Conservation District for the design and location of all stormwater management areas.
 - G. Deliveries of dirt, fill or other similar materials shall only be made to or from the site between the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday.
 - H. No other outdoor construction activities shall occur at the site except between the hours of 7:30 a.m. through 7:00 p.m., Monday through Friday, and 8:30 a.m. through 2:00 p.m. on Saturdays. There shall be no construction activities at the site on Sundays.
 - I. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Wheatley, seconded by Mr. Hudson and carried unanimously to forward this application to Sussex County Council with a recommendation that the application be approved. Motion carried 5-0.

Introduced 1/23/18

**Council District No. 5 - Arlett
Tax I.D. No. 533-12.00-73.02
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 (EXTENSION OF CHANGE OF ZONE NO. 1471) FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.236 ACRES, MORE OR LESS

WHEREAS, on the 9th day of January 2018, a zoning application, denominated Change of Zone No. 1850, was filed on behalf of Swann Cove West, 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 Change of Zone No. 1850 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 MR-RPC Medium Density Residential District-Residential Planned Community as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the northeast and southeast corners of Herring Way and Old Mill Bridge Road, and being more particularly described per the attached legal description, said parcel containing 7.236 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.

JANELLE M. CORNWELL, AICP
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Sussex County

DELAWARE
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Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: June 20, 2018

RE: County Council Old Business Report for CU 2124 Jeri Berc

The County Council held a public hearing on May 22, 2018. County Council deferred action pending a recommendation by the Planning Commission.

The Planning and Zoning Department received an application (CU 2124 Jeri Berc) 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 April 26, 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, results from DelDOT, comments Sussex Conservation District, staff analysis, letters in favor of and in opposition to the application.

The Commission found Jeri Berc was present on behalf of the application; that Ms. Berc stated she would like to run a non-profit on a 4 acre parcel where she resides and possibly have a commercial kitchen in the future to prepare food grown on site to be sold offsite; that she is to provide agricultural education to a person with disabilities and people with autism or developmental disabilities; that she is working to establish educational programs with the Consortium for Children with Autism in the Cape Henlopen School District and with Community Integrated Strategies (CIS); that in 1995 she purchased the property and planted an edible landscape; that she has added honey bees and now lives on the property; that she has retired from the USDA; that she has degrees in biology and soil science; that she is a certified landscape designer and manager; that she has had students come and see what is happening on the site and tours; that she has established the Long Life Institute as a nonprofit 501-C(3) non-profit entity; that the property is deeded in trust to the entity; that the purpose of the kitchen is to allow students to process food; that if approved a commercial kitchen will be constructed into another facility on Sweetbriar Road and she will look into using that facility instead of building her own commercial kitchen; that the intent is to grow, process, sell and work with students to learn these things; that there will be no food service delivery; that there will only be four to five students on site; that there may be opportunities for classes of up to 20 to come to the site to pick berries or pears; that the deed does allow for six animals; that she has two horses in a maintained pasture, grows hay, has two chickens for eggs, one bee hive, fruit trees and nut trees; that people can learn about sustainable horticulture and agriculture processes like



rainwater collection; that there is four to five students most days with aides and sometimes there are larger groups to tour if they are interested; that at the maximum to date she has had ten people visit the site; that there is a long driveway and parking is available; that she does not expect a lot of cars; that she would like to do Milton Garden Tour; that she will follow school hours; that a tractor is used two times a year to mow the hay; that she does not have early hours; that an existing 760 square foot cottage would house the commercial kitchen; that the cottage would have to be updated with septic and water system; that there is ability to turn around on the site; that they will process products such as blackberry jam, pear sauce, tomato sauce, dehydrating fruit and veggies; that there is no road side stand and there is a deed restriction preventing onsite sales; that she has no intention to feed people or have a shelter; and that the use of the kitchen is only to process the food grown on site and be able to be sold offsite.

The Commission found that Diana Bahri, spoke in favor to the application; that Ms. Bahri stated her son volunteered on the site for several years and she has helped him a lot; she has taught him how to take care of the land; that her son is very grateful for what he has learned; and that Ms. Berc is a good person, knowledgeable and selfless.

The Commission found that Ed Coviello, Robert Smith, Deborah Spellman, John Gardoski, John Doran, Carolyn Burgess, Danica Paul, George Grose, Stephanie Smith, and Archie Holden spoke in opposition to the application; that Mr. Coviello stated that Ms. Berc is his neighbor; that he doesn't know what she intends to do; that they don't need this operation in the area; that they are paying for new schools going up in the area; that the buses will not be able to turn around on the site; that they need bathrooms on the site; that this is not a benefit to kids or others; that this should be done at schools; that Mr. Smith stated he has not seen a detailed educational plan; that the Consortium will have kitchens available in the new building and maybe Ms. Berc could look into using the kitchen at the other facilities without having a commercial kitchen onsite; that he has concerns with the future of the non-profit; that there is no mission or Board of Directors to guide the nature of the project; that screening around the property would be good; that Ms. Berc stated she talked to the coordinator and they don't expect a large bus; that Ms. Spellman stated this parcel is part of Cripple Creek and the restrictions state there shall be no customer traffic from the business; that this is a noble cause and a good farm; that it is a good project; that Ms. Berc is using a neighbor's parcel for the horses; that Mr. Gardoski stated he has issues with the look of the site; that he has concerns with liability; that parking is an issue; that he has been there since 1970 and one of the buildings is on his property as well as a portion of the driveway; that the condition of the buildings is poor; that Mr. Doran stated he thinks this is a wonderful thing but not a good plan; that Ms. Burgess stated she had concerns with approving a dream and there is no plan; that she is concerned that the buildings are not properly permitted; that Ms. Paul stated she has a view of the property and Ms. Berc is not maintaining the upper acre of the land; that she is keeping the horses on the parcel adjacent to her property; that the parcel is not as big as she thinks it is; that Mr. Grose stated he has concerns about the kids visiting her facility getting into pools and near the bees; that Ms. Smith stated they should consider an assessment of the project; that she questions the need for this use; that there should be conditions on it; and that Mr. Holden stated this should not be in a residential area.

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

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

At their meeting of May 10, 2018, the Planning Commission discussed the application which has been deferred since April 26, 2018.

The Commission discussed the deed restrictions for Cripple Creek Subdivision; that this parcel is not part of the subdivision; that the parcel is subject to some but not all of Cripple Creek restricted covenants; that the restrictions said nothing about commercial uses; that Mr. Robertson read into the record the recorded covenants for Cripple Creek and this parcel; that the covenants stated the property owners of Cripple Creek are aware of and agree to Cripple Creek's being a farm-type rural community where people have the freedom to grow crops, livestock, and fowl, and that in the normal course of these agricultural and rural activities, there may be some noise, odors, or dust that could be offensive to non-agricultural people or those not accustomed to a rural existence; therefore, the residents of Cripple Creek agree not to institute or be a party to any petitions or legal actions against any agricultural activities in Cripple Creek or the surrounding agricultural areas, as Cripple Creek residents are in favor of agricultural activities and are aware of the dust, noise, and odor that could occur on occasion; that the covenants also stated that Ms. Berc is entitled to have twice the number of livestock as people within Cripple Creek; that Ms. Berc is entitled to have 20 livestock, including long eared mules; that people in Cripple Creek are only allowed to have 10 livestock including long eared mules; that there shall be no more than two pigs or hogs; that there shall be no more than 50 fowl; that in the recorded restricted covenants it also stated to help in choosing your desired livestock and or fowl the following is the maximum total of each livestock or fowl allowed on Ms. Berc property is 8 horses, 3 sheep, 8 goats, 8 cattle, 10 geese, 10 ducks, 25 chickens and 2 pigs or hogs; that restricted covenants mention potential nuisance but does not go into great detail what is or what is not a nuisance; that there was discussion if the proposed use is permitted or if it does require the Conditional Use; that if it is determined to be appropriate for an Conditional Use, conditions could be placed on the parcel; and that a Conditional Use on the property with the appropriate conditions would further define the situation and give Ms. Berc more protection with moving forward with what she wants to do.

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

At their meeting of May 24, 2018, the Planning Commission discussed the application which had been deferred since April 26, 2018.

Ms. Stevenson moved that the Commission recommend approval of CU #2124 for Jeri Berc for an Agricultural Education Facility with Commercial Kitchen based upon the record made during the Public Hearing and for the following reasons:

1. The applicant is seeking to use her property as a small education facility associated with agricultural uses that occur on the property. As stated by the applicant, this includes small plots of crops grown on the property, canning fruit and vegetables that grow on the property, and tending to farm animals on the property. All of this is consistent with the underlying AR-1 Agricultural Zoning of the property.
2. There was concern about the request for a "Commercial Kitchen" as part of this Conditional Use. This kitchen, if built, shall only be for educational purposes. The applicant clarified this request during the public hearing to confirm that it will only be a small kitchen used for educational purposes by students for canning fruits and vegetables grown on the property and other similar uses. The applicant shall not use the kitchen for large-scale commercial food production or cooking food or complete meals on the premises.
3. The property is adjacent to the Cripple Creek Development. That the development is a unique residential development with a very defined agricultural farming theme to it. While this property is not part of the Cripple Creek development, there are several recorded restrictive covenants that are common to both. In neither case is there a prohibition against

commercial uses. But, both contemplate that the properties will be used for agricultural purposes. In fact, the recorded covenants include provisions for agricultural uses, the keeping of large and small farm animals, and the effects that go along with them. According to the documents, even “non-agricultural type people” must accept the consequences of these activities, and agree not to take any action against their neighbors for these types of activities.

4. There is no indication that the use will have any adverse impact upon neighboring or adjacent properties. To the contrary, it will be consistent with the anticipated agricultural uses on surrounding properties in Cripple Creek. The use is also consistent with the Sposato landscaping business right across the road.
5. The applicant is seeking to focus on providing educational outreach to Sussex County residents with disabilities or who suffer from brain damage or similar ailments. This use is in a good location, in close proximity to the new Sussex Consortium School that is being built as part of the Cape Henlopen School District. The applicant also intends to use the site for Osher Lifelong Learning classes for adults.
6. The use will not generate a significant amount of traffic, or otherwise have an adverse effect on traffic or area roadways.
7. The use, as an agricultural education facility, is of a public or semi-public character that will be a benefit to Sussex County.
8. This use is subject to the following conditions:
 - A. As stated by the applicant, the requested kitchen shall only be used for educational purposes, to be used by students to prepare and preserve food grown by students on the site. The Kitchen shall not be used for other commercial meal production or food preparation purposes.
 - B. All parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.
 - C. The applicant shall comply with all DelDOT entrance and roadway improvement requirements.
 - D. The applicant shall submit a Final Site Plan, which shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Ms. Stevenson, seconded by Mr. Hudson and carried unanimously to forward this application to Sussex County Council with a recommendation that the application be approved.
Motion carried 5-0.

Introduced 1/9/18

**Council District No. 3 - Burton
Tax I.D. No. 235-22.00-424.00
911 Address: 16040 Hudson Road, Milton**

ORDINANCE NO. ____

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

WHEREAS, on the 6th day of December 2017, a conditional use application, denominated Conditional Use No. 2124, was filed on behalf of Jeri Berc; 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. 2124 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. 2124 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying on the west side of Hudson Road approximately 400 feet south of Eagles Crest Road and being more particularly described in the attached deed prepared by Ellis & Szabo, LLP, said parcel containing 3.9785 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.

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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: June 20, 2018

RE: County Council Old Business Report for CU 2129 Brian P. Lessard, Lessard Builders, Inc.

The County Council held a public hearing on June 12, 2018. County Council deferred action pending a recommendation by the Planning Commission.

The Planning and Zoning Department received an application (CU 2129 Brian P. Lessard, Lessard Builders, Inc.) to allow for a Conditional Use to allow for mini-storage located on Argos Corner Rd. and Coastal Hwy. (Rt. 1). The Planning and Zoning Commission held a public hearing on May 24, 2018. The following are the draft minutes 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, site plan, photos, exhibit booklet, comments from the Sussex Conservation District and the Sussex County Engineering Department Utility Planning Division.

The Commission found James Fuqua, Attorney with Fuqua, Willard, Stevens and Schab, Brian Lessard, owner, Pat Ryan, with Ryan Architecture and Kevin Minnich, with Minnich Engineering were present on behalf of the application; that Mr. Fuqua stated the parcel of land contains 11 acres; that it is zoned GR and AR-1; that there are some residential lots to the south of the property; that Taylor Marine is across Argos Corner Road; that the site will utilize an on-site well with a tank for fire protection and on-site septic system; that DelDOT did not require a TIS; that DelDOT would except a contribution to the area wide study fee; that because the property is adjacent to Route 1 it is also subject to DelDOT's Corridor Capacity Preservation Program; that the entrance will be located off of Argos Corner Road; that there is 0.58 acres of non-tidal wetlands located in the south corner along Route 1 and it will be protected with a 25 foot buffer; that the stormwater management will be constructed in accordance to Sussex Conservation District regulations and will use Best Management Practices; that there will be 12 buildings of various size, all one story buildings and less than 15 feet in height; that two of the buildings will be climate controlled; that the climate controlled units will have interior access for climate control and sprinkler system for fire protection; that there will be one 40,000 gallon water tank with a maximum height of 18 feet; that the area surrounding the buildings will be paved; that some of the paved area is for outdoor storage with a maximum 80 boats and RV's to be stored outside; that the site is near Jellystone Campground and it would be convenient for them; that Taylor Marine has outside storage; that the Applicant is requesting one



freestanding lighted sign of 96 square feet (per side) as well as a 32 square foot sign (per side) at the entrance; that an office will be in the first building to allow for access to the storage area through a secured gate; that the storage area and stormwater pond will be fenced with black 6 foot chain link fence; that the office will be opened seven days a week from 8:00 a.m. through 6:00 p.m.; that access to the climate controlled buildings will only be allowed during those hours; that there will only be one employee during office hours; that the non-climate controlled buildings, vehicle storage area will be accessible from 6:00 a.m. through 10:00 p.m.; that the facility will have a security system; that the lighting will be minimal and on a timer with the lighting turning off at 10:00 p.m.; that there will be no contractor or businesses at the facility; that they will incorporate a 20 foot buffer along Route 1 per CHCOZ; that Mr. Lessard does own another facility near Lewes; that the population is increasing and is increasing the need for storage facilities; that this site is located less than two miles south of Milford and the new hospital; that the area is expected to experience growth; that this site is in character with the area and is needed; that it is an appropriate use of the site; and that the intent of the plan was to have A-frame type roof.

The Commission found that no one spoke in favor of the application.

The Commission found that Chris Hitchens spoke in opposition to the application; and that Mr. Hitchens stated he was hoping they would leave the woods as a buffer to his back yard and neighbor's yard. Mr. Fuqua stated that he and his client will talk with Mr. Hitchens.

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

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

At their meeting of June 14, 2018, the Planning Commission discussed the application which has been deferred since May 24, 2018.

Ms. Stevenson moved that the Commission recommend approval of C/U 2129 for Brian Lessard – Lessard Builders, Inc., for mini storage buildings based upon the record made during the Public Hearing and for the following reasons:

1. The use as a mini- storage facility is of a public or semi-public character and is desirable for the general convenience and welfare of area residents.
2. Entrance and roadway improvements will be constructed in accordance with DelDOT requirements. The proposed use as a storage facility generates less traffic than other retail, commercial, or residential uses. As a result, the use will not adversely affect traffic on adjacent roadways.
3. The site is located just south of Milford and the hospital currently under construction. The facility is needed and will serve the anticipated increasing population and business needs in the area.
4. Because this application is a conditional use, the underlying zoning will not be changed and the use will be limited to that of a storage facility with site design reviewed and approved by the Commission.
5. The site has no environmental restraints associated with the property and the small area of on-site wetlands will be protected by a 25 foot buffer.
6. The site is located adjacent to Route 1, a major arterial road which is appropriate for the proposed use. The site is also located along Argo's Corner Road directly across from an

established boat dealership which has substantial outdoor display and storage of boats. The proposed use is consistent with the character of the area.

7. The site's location between Route 1 and the boat dealership would not be appropriate or desirable for residential development under its currently zoning.
8. With conditions and stipulations placed upon it, the conditional use will not have an adverse impact on nearby properties or uses.
9. This recommendation for approval is subject to the following conditions and stipulations.
 - A. No outside storage, except for boats, trailers, campers, recreational vehicles (RV's), and vehicles, shall be allowed on the premises. The number of boats, trailers, campers, recreational vehicles (RV's), and vehicles stored on the site shall not exceed 80.
 - B. All buildings shall be one story tall and shall not exceed 15 feet in height except that the water tank shall not exceed 18 feet tall.
 - C. Security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.
 - D. Entrance and roadway improvements required by DelDOT shall be constructed in accordance with DelDOT regulations and the site design shall be in compliance with DelDOT's Corridor Capacity Preservation Program.
 - E. The area used for the storage buildings and the storage of boats, trailers, campers, recreational vehicles (RV's), and vehicles shall be fenced and gated. The type of fencing shall be shown on the Final Site Plan.
 - F. There shall not be any building contractor's or subcontractor's offices or workshops within the project.
 - G. Stormwater Management design shall meet or exceed DNREC requirements and shall be approved the Sussex Conservation District.
 - H. One office for management and security of the facility shall be permitted.
 - I. A landscape buffer shall be established along the Route 1 right of way in compliance with the Combined Highway Corridor Overlay Zone Section of the Zoning Ordinance. A landscape plan for the site shall be included with the final site plan.
 - J. There shall be a maintained, forested buffer of 50 feet from neighboring properties to the south and east of the site identified as Tax Map Numbers 230-7.00-95.01, 230-7.00-94.00, 230-7.00-93.00, and 230-7.00-89.00.
 - K. One lighted sign with a maximum area of 32 square feet per side shall be permitted.
 - L. Any dumpsters shall be screened from view of neighbors and roadways. The dumpster locations shall be shown on the Final Site Plan.
 - M. No junked, unregistered or permanently inoperable vehicles or trailers shall be stored on the site.
 - N. The hours of operation shall only be from 6:00 a.m. through 10:00 p.m. daily.
 - O. 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 size and location of buildings related to the facility.

Motion by Ms. Stevenson, seconded by Mr. Wheatley and carried unanimously to forward this application to Sussex County Council with a recommendation that the application be approved. Motion carried 5-0.

Introduced 1/23/18

**Council District No. 3 – Burton
Tax I.D. No. 230-7.00-95.00, 96.00, and 97.00
911 Address: 22754 Argos Corner Road, Lincoln**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MINI-STORAGE BUILDINGS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 11.70 ACRES, MORE OR LESS

WHEREAS, on the 11th day of January 2018, a conditional use application, denominated Conditional Use No. 2129, was filed on behalf of Brian P. Lessard, Lessard Builders, 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. 2129 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 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2129 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 at the southeast corner of Argos Corner Road and Coastal Highway (Route 1), and being more particularly described per the attached legal descriptions, said parcels containing 11.70 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.

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

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HANS M. MEDLARZ, P.E.
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: **RT-54 AREA OF THE UNIFIED SANITARY SEWER DISTRICT**
PROJECT NO. 14-10; SUPPLEMENTAL SRF LOAN
INTRODUCTION OF ORDINANCE

DATE: June 26, 2018

Based on petitions received, Sussex County Council held two public hearings considering a sewer district expansion for the Route 54 area west of the then Fenwick Island Sanitary Sewer District. On June 3, 2015, Council approved the expansion. The project was funded using the Delaware State Revolving Fund (SRF) utilizing \$621,650 in grant and \$1,427,032 in loan monies. On June 27, 2017, the Council authorized the issuance of its General Obligation Bonds in the maximum principal amount of up to \$2,048,682 pursuant to Ordinance No. 2507.

On August 4, 2015, Council approved a contract with Hazen & Sawyer for the design of Project 14-10. The project was publicly advertised and, on June 20, 2017, Council made an award to George & Lynch, Inc. in the amount of \$2,230,511. The project duration was 160 calendar days with a completion in early 2018, followed by a DelDOT paving project utilizing State funds.

On July 18th, 2017, County Council approved a petition driven request to further expand the sewer district (Williamsville Phase II Expansion) to include parcels along Route 54 and West Line Road. This new expansion area included six (6) parcels that were not served as part of the original contract, so additional infrastructure was needed. The associated cost increase was offset by decreasing unstipulated contingent bid items for a net reduction of (\$6,948.90) combined with a 24-calendar day time extension.

The overall project requires, despite the cost reduction, additional funding, which was applied for through SRF. On May 18, 2018, the County received an SRF offer in the amount of \$786,007 for a term of 30-years at 2% interest. Finance and Engineering Departments now recommend Council's introduction of the associated ordinance authorizing the issuance of up to \$786,007 of general obligation bonds of Sussex County in connection with increased costs associated with the Route 54 expansion of the Fenwick Island Area Expansion of the Unified Sanitary Sewer District.





STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
OFFICE OF THE SECRETARY
ENTERPRISE BUSINESS PARK
97 COMMERCE WAY, SUITE 106
DOVER, DELAWARE 19904

ENVIRONMENTAL FINANCE

TELEPHONE: (302) 739-9941
FAX: (302) 739-2137

May 10, 2018

Todd F. Lawson
Sussex County Administrator
Sussex County Administrative Office
Building 1st Floor
2 The Circle, PO Box 589
Georgetown DE 19947

RE: Delaware Water Pollution Control Revolving Fund Binding Commitment Offer
Route 54 Expansion of the Fenwick Island Sewer District Project Supplemental

Dear Mr. Lawson:

On behalf of the Delaware Water Pollution Control Revolving Fund (Fund), the Delaware Department of Natural Resources and Environmental Control (Department) is pleased to advise you that the Fund has authorized a Supplemental Loan (Loan) from the Fund to Sussex County (County) in the amount of **\$786,007** for a term of **thirty (30) years** as result of increased construction costs for the Route 54 Expansion of the Fenwick Island Sewer District Project (Project).

With this supplemental loan, the new total loan will be \$2,834,689 with a 21st Century Fund Grant of up to \$621,650 after the project has been completed.

The County shall pay semi-annual interest only payments during project construction at the interest rate of 2 percent. Semi-annual interest and principal payments shall be paid by the County sufficient to amortize the remaining principal loan balance over the loan term and interest rate stated above.

It is understood that a General Obligation Pledge of the County will secure the Loan. The County must, if applicable, provide the Fund with evidence that other funds and/or financing are in place for Project costs not funded with the proceeds of the Loan, prior to the closing of the Loan. All legal costs, incurred by the Fund, associated with loan closing shall be borne by the County and will become a part of loan proceeds.

The Fund reserves the right to withdraw or alter the terms of the commitment if, between the date of the County's loan application and the date of the closing, the County incurs any debt or its financial condition changes in any way deemed material by the Fund at its sole discretion. Loan closing and the disbursement of funds in connection with this Loan shall be subject to the

Delaware's Good Nature Depends on You!

Mr. Todd F. Lawson
May 10, 2018
Page | 2

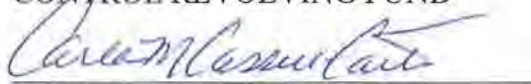
satisfaction of any condition established by the Fund. The County shall comply in all respects with all applicable federal laws, regulations and other requirements related to, or arising out of, or in connection with the Project and the funding by the Fund.

The County shall also comply in all respects with the Federal Single Audit Act and OMB Circular A-133, 2 CFR 200 Subpart F, as a sub-recipient of Federal funds. The Catalog of Federal Domestic Assistance (CFDA) number for the Fund is 66.458. Where noncompliance of such requirements is determined by the Department, the issue shall be referred to the Proper Federal authority and/or agency for consultation and/or enforcement action.

If you have any questions concerning the foregoing, please contact this office (302) 739-9941. If you concur with the terms and conditions herein stated, please acknowledge your acceptance thereof by signing below and returning the original to this office no later than June 10, 2018.

If Loan closing shall not have occurred within 120 days of receipt of this letter, the Fund reserves the right to discontinue processing the County's loan application.

Sincerely,
FOR THE DELAWARE WATER POLLUTION
CONTROL REVOLVING FUND



Carla M. Cassell-Carter
Acting Chief of Administration
DRNEC Office of the Secretary, Environmental Finance

The foregoing terms and conditions are hereby acknowledged and accepted this ____ day of _____, _____.

By: _____
Todd F. Lawson
Sussex County Administrator

(SEAL OF THE COUNTY)

CC: Robert J. Zimmerman, DNREC
Greg Pope, DNREC
Keith Kooker, DNREC
Hans Medlarz, Sussex County
Gina Jennings, Sussex County

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$786,007 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE ROUTE 54 EXPANSION OF THE FENWICK ISLAND SEWER AREA OF THE UNIFIED SANITARY SEWER DISTRICT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, pursuant to Title 9, Delaware Code, Section 7001(a) Sussex County (the "County") has "all powers which, under the Constitution of the State, it would be competent for the General Assembly to grant by specific enumeration, and which are not denied by statute" (the "Home Rule Power");

WHEREAS, acting pursuant to its Home Rule Power, and pursuant to Title 9, Delaware Code, Chapters 65 and 67, the County has authorized the design, construction and equipping of the wastewater collection, conveyance and transmission facilities for the Route 54 expansion of the Fenwick Island Sewer Area of the Unified Sanitary Sewer District (the "Project");

WHEREAS, pursuant to Title 9, Delaware Code, Section 6706, the County is authorized to issue its bonds and to pledge its full faith and credit thereto, to finance the cost of any object, program or purpose for which the County is authorized to raise, appropriate or expend money under Chapter 67 of Title 9;

WHEREAS, pursuant to Ordinance No. 2507 adopted on June 27, 2017, the County authorized the issuance of its General Obligation Bonds in the maximum principal amount of up to \$2,048,682 for the Project;

WHEREAS, the County previously issued its General Obligation Bond (Route 54 Expansion-Fenwick Island Project), Series 2017B-SRF in the maximum aggregate principal amount of up to \$2,048,682 (the "2017B Bond") on June 29, 2017 to secure a loan from the Delaware Water Pollution Control Revolving Fund (acting by and through the Delaware Department of Natural Resources & Environmental Control) ("DNREC") to fund the Project;

WHEREAS, the County requires additional funding due to increased construction costs of the Project and desires to accept a supplemental loan from DNREC to fund the increased construction costs of the Project; and

WHEREAS, acting pursuant to the aforesaid authority, the County desires to authorize the issuance of general obligations of the County to finance the increased construction costs of the Project and for the other purposes described herein.

NOW THEREFORE THE COUNTY OF SUSSEX HEREBY ORDAINS (AT LEAST FOUR FIFTHS OF THE MEMBERS OF COUNCIL CONCURRING HEREIN):

Section 1. Amount and Purpose of the Bonds. Acting pursuant to Title 9, Delaware Code, Chapters 65 and 67, Sussex County shall issue its negotiable general obligations in the maximum aggregate principal amount not to exceed \$786,007 (the "Bonds") to finance or reimburse the County for a portion of the increased cost of the design, construction and equipping of the Project, with the expectation that a grant in the amount of \$621,650 will be provided by the 21st Century Fund (acting on their own behalf or by and through DNREC) (or any successor agency) to reduce the combined principal amount of the 2017B Bond and the Bonds outstanding to \$2,213,039 upon Project completion.

The monies raised from the sale of the Bonds (including the investment earnings thereon) after the payment of the costs of issuance, shall be held in one or more Project accounts and shall be expended only for the purposes authorized herein or as may otherwise be authorized by subsequent action by County Council. Authorized purposes include the costs of planning, constructing, acquiring and equipping the Project or any portion thereof; interest on the Bonds and any interim financing during the construction period and for a period of up to one year following the estimated date of completion; the reasonable costs of issuance of the Bonds and any interim financing; the repayment of temporary loans incurred with respect to the Project; and the reimbursement of authorized costs previously expended by the County from other funds.

Section 2. Security for the Bonds. The principal, interest and premium, if any, on the Bonds may be paid by ad valorem taxes on all real property subject to taxation by the County without limitation as to rate or amount, except as limited by Title 9, Delaware Code Section 8002 (c). Pursuant to Title 9, Delaware Code, Section 6706, the full faith and credit of the County is pledged to such payment. The Bonds shall contain a recital that they are issued pursuant to Title 9, Delaware Code, Chapter 67, which recital shall be conclusive evidence of their validity and of the regularity of their issuance. While the Bonds are backed by the County's full faith and credit, it is expected that the debt service will be paid from revenues of the Fenwick Island Sewer Area of the Unified Sanitary Sewer District.

Section 3. Terms of the Bonds. The Bonds shall be sold at such prices and upon such other terms and conditions consistent with the provisions of this Ordinance and otherwise as the County Administrator shall determine to be in the best interests of the County. The Bonds shall bear interest at such rate or rates and shall mature in such amounts and at such times, but not exceeding thirty (30) years from the date of completion of the Project, and shall be subject to redemption, as the County Administrator shall determine.

Section 4. Sale of the Bonds. The Bonds may be issued in one or more series and shall be sold in one or more public sales or private negotiated transactions upon such terms and conditions as the County Administrator shall determine shall be in the best interest of the County. It is anticipated that the Bonds will be sold to the State of Delaware Water Pollution Control Revolving Fund (acting by and through DNREC) (or any successor agency).

Section 5. Details of the Bonds. The County Administrator is authorized to determine the details of the Bonds including the following: the date or dates of the Bonds;

provisions for either serial or term bonds; sinking fund or other reserve fund requirements; due dates of the interest thereon; the form of the Bonds; the denominations and designations of the Bonds; registration, conversion and transfer provisions; provisions for the receipt, deposit and investment of the proceeds of the Bonds; provisions for the replacement of lost, stolen, mutilated or destroyed Bonds; and provisions for issuing uncertificated obligations and all procedures appropriate for the establishment of a system of issuing uncertificated debt. The Bonds shall be executed by the manual or facsimile signature of the County Administrator, shall contain an impression of the County seal or a facsimile thereof and shall be attested by the manual signature of the County Clerk. The County Administrator shall determine the form of the Bonds.

Section 6. Debt Limit. It is hereby determined and certified, as of the effective date hereof, that the issuance of the Bonds is within the legal debt limit of the County.

Section 7. Further Action. The President of the County Council, the County Administrator, the Finance Director and the County Clerk are authorized and directed to take such other action on behalf of the County, as may be necessary or desirable to effect the adoption of this Ordinance and the issuance and sale of the Bonds and to provide for their security and to carry out the intent of this Ordinance, including the publication of notices and advertisements and the execution and delivery of customary closing certificates.

Section 8. Effective Date. This Ordinance shall become effective immediately upon its passage.

The County Clerk is hereby directed to publish a notice of the adoption hereof in accordance with Section 7002(m)(2) of Title 9 of the Delaware Code, as amended.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED this _____ day of _____, 2018.

SUSSEX COUNTY, DELAWARE

Attest:

Clerk
Sussex County Council

President
Sussex County Council

[SEAL]

APPROVED AS TO LEGALITY AND FORM:

County Attorney

DRAFT

SYNOPSIS: This Ordinance provides for the issuance of up to \$786,007 of Sussex County General Obligation Bonds in order to finance or reimburse the County for a portion of the costs for the design, construction and equipping of the wastewater collection, conveyance and transmission facilities for the Route 54 expansion of the Fenwick Island Sewer Area of the Unified Sanitary Sewer District (the "Project") with the expectation that a grant in the amount of \$621,650 will be provided by the 21st Century Fund to reduce the combined principal amount of the 2017B Bond and the Bonds outstanding to \$2,213,039 upon Project completion.

DRAFT

ENGINEERING DEPARTMENT

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



Sussex County

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HANS M. MEDLARZ, P.E.
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: ***IBRWF – REGIONAL BIOSOLIDS AND SEPTAGE FACILITIES,
Project 18-19 Award Recommendation***

DATE: June 26, 2018

On June 2, 2015, County Council initially considered the overall biosolids approach at the Inland Bays Regional Wastewater Facility (IBRWF) when the Council members approved Whitman, Requardt & Associates' (WRA) Amendment 5 to the North Coastal Planning Area base contract in the amount of \$347,551.00 for the evaluation of the sludge drying options to consistently produce a Class A product. On May 2, 2016, Council held the FY17 Budget Workshop at which time the Engineering Department presented an analysis of drying alternatives and a list of potential municipal partners. At the same workshop, Council also was briefed on the regional septage facility under a self-supporting rate, based on a report by WRA dated March 2016. The 3-year phased implementation of the septage rate is in its second fiscal year budget.

On August 30, 2016, County Council approved WRA's Amendment 7 for design of the Inland Bays Phase 2 Treatment Capacity and Regional Biosolids Upgrades in the amount of \$1,290,820.00. From May through August 2017 Council entered into three municipal biosolids agreements with Lewes Board of Public Works, City of Seaford and the City of Rehoboth Beach respectively. Subsequently, additional facility design changes for the dryer were required and approved by Council through Amendment 7A on April 24, 2018, in the amount of \$300,553.00.

The approved design package was completed and invitations to bid were advertised in two (2) newspapers, viewable on the Sussex County website and directly sent to several contractors. Eight (8) contractors were plan holders and twelve (12) attended the pre-bid meeting. On June 13, 2018, two (2) bids were received and a copy of the bid results is attached. WRA's engineers estimate of probable cost lies between the two bids received.

The Engineering Department is familiar with the low bidder, Bearing Construction, Inc. and recommends award of the project base bid in the amount of \$13,668,346.00. Sufficient funds have been budgeted in the FY19 Capital Projects Budget.





June 19, 2018

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

Re: Inland Bays Regional Wastewater Facility:
Regional Biosolids and Septage Facilities
Contract 18-19

Dear Mr. Medlarz,

We have reviewed the bid documents received by Sussex County Council on June 13, 2018 for the above referenced project. Bearing Construction, Inc of Sudlersville, MD is the apparent low bidder at \$13,668,346.00 for the project's base bid. Enclosed is a tabulation of bids.

Based on our review of the bid submission, in our professional opinion, the Bearing Construction, Inc. bid represents the lowest responsive responsible bid under the terms of the invitation to bid.

Please do not hesitate to contact us if you should have questions.

Very truly yours,

Whitman, Requardt & Associates, LLP

Robert McLean, P.E.

Enclosures

Cc:

Dennis Hasson
File 14256-019

Annapolis Junction PS Upgrades
Capital Project No. S6294
Bid Results

BID SCHEDULE	Engineer's Estimate	Bearing Construction, Inc. Sudlersville, MD	JJID, Inc. Bear, DE
PART A SUBTOTAL	\$16,226,500.00	\$13,588,196.00	\$19,320,000.00
PART B SUBTOTAL	\$80,150.00	\$80,150.00	\$80,150.00
Project Base Bid Total	\$16,306,650.00	\$13,668,346.00	\$19,400,150.00

**Inland Bays Regional Wastewater Facility (IBRWF) Regional Biosolids
Contract No. 18-19 Bid Review**

Contractor	Addenda Acknowledged	Delaware License Listed	Bid Form Math Errors	List of Sub-Contractors	List of Equipment	Equal Opportunity Certification	Certification of Bidder	Drug Testing Forms	Bid Bond (10%)
Bearing Construction Inc.	YES	YES	NO	YES	YES	YES	YES	YES	YES
JJID Inc.	YES	YES	NO	YES	YES	YES	YES	YES	YES

Notes:

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
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Sussex County

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HANS M. MEDLARZ, P.E.
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 Irwin G. Burton III
The Honorable Robert B. Arlett

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

RE: ***Inland Bays Regional Wastewater Facility (IBRWF)***
Amendment No. 7B – Construction Administration & Inspection
Amendment No. 7C – Control System Coordination and Programming

DATE: June 26, 2018

On January 24, 2014, County Council awarded a five (5) year base contract for engineering services in the North Coastal Planning Area to Whitman, Requardt and Associates, LLP (WRA). Since then, Council utilized the contract by approving twelve (12) amendments totaling \$7,282,482.43 in value. The latest one, Amendment No. 7A was approved on April 24, 2018, for design of an additional high-pressure irrigation pump station, associated filter facility and a biosolids storage shed at the IBRWF cake receiving facility.

On July 19, 2016, Council approved Amendment No.6 for 2.0 million gallons per day expansion of the IBRWF treated wastewater disposal system. On that same day, Council authorized contract negotiations with WRA for design of 2.0 million gallons per day treatment capacity expansion as well as regional biosolids and septage upgrades.

The negotiations culminated on August 30, 2016, with Council's approval of Amendment No.7 in the amount of \$1,290,820.00 for professional engineering services through bid award excluding contract administration and on-site inspection. The Department is presenting Amendment No. 7B for construction administration and inspection services and Amendment No. 7C for control system coordination and programming to the to the original North Coastal base contract in the amounts of \$638,532.00 and \$120,809.00 respectively.

Previously, the Engineering Department had conveyed the County's desire to have in house staff play a larger role in the project construction and tracking resulting in savings in WRA's contract. In addition, we anticipate more than 10-months overlap between IBRWF Solids Handling, IBRWF Plant and Irrigation Expansion and the Herring Creek Phase I pump station construction contracts. This amount of overlap would result in a scope reduction of WRA's services estimated at a value of \$100,000 w/o accounting for in house staff assuming an increased role resulting in additional savings.



NORTH COASTAL PLANNING AREA

SUSSEX COUNTY, DELAWARE

CONTRACT AMENDMENT NO. 7B

This contract amendment, **Contract Amendment No. 7B** dated _____, 2018 amends our original contract dated January 14, 2014 between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and Whitman, Requardt and Associates, LLP, a State of Maryland Limited Liability Partnership, hereinafter referred to as CONSULTANT, whose address is 801 South Caroline Street, Baltimore, Maryland 21231 (Original Contract). Except as specifically amended herein, the provisions of the Original Contract dated January 14, 2014, as thereafter amended, remain in effect and fully valid.

By execution of this Amendment, the following sections are hereby added as new sections to the Original Contract, as respectfully numbered below.

ARTICLE FOUR

FEE STRUCTURE

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 12** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated January 14, 2014.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Inland Bays Regional Wastewater Facility: Regional Biosolids and Septage Facilities Construction Administration and Resident Project Representation** as set forth in **Attachment A4**, which is attached hereto and incorporated by reference, shall not exceed **Six Hundred Thirty Eight Thousand Five Hundred Thirty Two Dollars (\$638,532.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

ARTICLE FOURTEEN

INCORPORATED DOCUMENTS

- 14.1.2 **Attachment A4: Consultant's Scope of Services, Inland Bays Regional Wastewater Facility: Regional Biosolids and Septage Facilities Construction Administration and Resident Project Representation with Man-hour Spreadsheets. (Contract Amendment No.7B).**

By execution of this Agreement, the following sections are amended as set forth below:

- 2.4 The CONSULTANT shall perform the Scope of Services attached hereto as Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment A.
- 4.3 The COUNTY shall pay the CONSULTANT for the satisfactory completion of the Scope of Services specified herein before in Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment, based on and limited to the following method of determination....”

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. **7B** to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:
SUSSEX COUNTY

President, Sussex County Council

APPROVED AS TO FORM:

Date

Assistant Sussex County Attorney

ATTEST:

Clerk of the Sussex County Council

FOR THE CONSULTANT:

WHITMAN, REQUARDT and ASSOCIATES, LLP



Dennis J. Hasson, P.E., BCEE, Partner

WITNESS:





SCOPE OF SERVICES

IBRWF REGIONAL BIOSOLIDS AND SEPTAGE FACILITIES

CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT REPRESENTATION

This attachment outlines the required Scope of Services for the **Inland Bays Regional Wastewater Facility: Regional Biosolids and Septage Facilities Construction Administration and Resident Project Representation**. This work effort will generally include services during the Construction and Post-Construction Phases of the Project for Contract Administration, Submittal Reviews, Observation of the Work, and Resident Project Representation. The Derivation of Man-hours and Estimated Fee for these tasks are provided in the summary spreadsheets included with this document. This proposal assumes the contract will be administered and inspected over the project's fifteen (15) month duration from August 2018 through November 2019, with one month allowed for close-out.

PART A - CONSTRUCTION ADMINISTRATION

- 1. General Construction Administration.** WRA will consult with Sussex County and act as the County's representative during the duration of the construction project. This effort involves the day to day coordination of in-house and field personnel during the construction phase.
- 2. Preconstruction and Monthly Progress Meetings.** WRA will prepare meeting agendas, conduct monthly progress meetings and issue meeting minutes. It is assumed that there will be one progress meeting day per month during the duration noted above, which will be attended by the construction manager and resident project representative. The project manager will be available to call in to each progress meeting.
- 3. Specialized Site Visits by Specialized Inspectors.** During the construction phase, WRA will make visits to the site by specialized inspectors (geotechnical, mechanical, etc.) when requested by Sussex County. Such visits and observations by WRA are not intended to be exhaustive or to extend to every aspect of the Work in Progress, but rather are to be limited to spot-checking, selective sampling, and similar methods of general observation of the Work. Based on information obtained during such visits and such observations, WRA will determine in general if the Contractor's Work is proceeding in accordance with the Contract Documents, and WRA shall keep the County informed of the progress of the Work.
- 4. Requests for Information (Clarifications).** When requested by Sussex County, respond to Requests for Information (RFIs) relating to the contract documents. This proposal assumes a total of twenty-four (24) RFIs total will be required for the contract.
- 5. Change Orders and Work Change Directives.** Upon the request of Sussex County, WRA will review the Contractor's change order requests. WRA will document its findings in a memorandum to Sussex County. It is assumed that no more than Twelve (12) change

order requests in total (including the final balancing change order submitted by the Contractor).

6. ***Shop Drawings and Samples.*** WRA will review and approve or take other appropriate action with respect to Shop Drawings, Samples, and other data which the Contractor is required to submit for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed project as a functioning whole as indicated in the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions or programs incidental thereto.
7. ***Applications for Payment.*** Based on WRA's observations and on a review of the Contractor's Monthly Applications for Payment and accompanying supporting documentation, determine the amounts that WRA recommends the Contractor be paid by Sussex County. Such observations and review, mean that, to the best of WRA's knowledge, information and belief, the Contractor's work has progressed to the point indicated, the quality of such work is generally in accordance with the Contract Documents, subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, and the conditions precedent to the Contractor being entitled to such payment appear to have been fulfilled insofar as it is WRA's responsibility to observe the Contractor's Work. In the case of unit price work, WRA's recommendations of payment will include final determinations of quantities and classifications of Contractor's Work (subject to any subsequent adjustments allowed by the Contract Documents).
8. ***Contractor's Completion Documents.*** At the completion of the Construction Phase, WRA will transfer all recorded changes from the Contractor's Record Drawings and produce a set of reproducible record drawings in an AutoCAD Version 2012 format and provide two hard copies of all record drawings.
9. ***Substantial Completion.*** At the request of the County, WRA will assist the County in conducting an inspection to determine if the Work is Substantially Complete.
10. ***Final Notice of Acceptability of the Work.*** At the request of the County, WRA will assist the County in conducting a final inspection to determine if the completed Work of the Contractor is acceptable for release of final payment to the Contractor including preparation and documentation.
11. ***Post-Construction Phase.*** Within one month before the end of the Warranty Period, assist the County in conducting a final walk-through inspection to ascertain whether any portion of the Work is subject to correction. WRA will document this work in a letter to the County and Contractor.

PART B - RESIDENT PROJECT REPRESENTATION

WRA shall furnish one Resident Project Representative (RPR) who will be responsible for the inspection and field contract administration. The RPR will observe the work done by the Contractor and promptly inform the County of deviations from the Contract Documents. The RPR will serve as WRA's representative in the field, providing information on the daily progress of the job to WRA technical personnel. It is assumed that the RPR will work a nine hour workday, five days a week, with an additional forty (40) hours of overtime allocated. The following is the assumed schedule, with one month allotted for project closeout:

- a. **Contract 18-19:** From August 2018 through November 2019 (15 month Contract Duration with one additional month allowed for project close-out)

PROJECT NAME: IBRWF Regional Biosolids and Septage: Contract 18-19		MANHUR ESTIMATE AND PROPOSAL																				REVISION		Attachment A4							
CLIENT: Sussex County Engineering Department		PROJECT DESCRIPTION: Construction Administration and Resident Project Representation																				DATE: 05/20/19		BY: DJN/WWY							
TASK	PHASE	Project Manager	Chief Architect / Architect-Engineer	Civil Engineer	Chemical Engineer / CADD	Electrical Engineer	Mech. Asst. / Pkg. Asst.	Architect	Arch. CADD	Struct. Asst. / Pkg. Eng.	Struct. Engineer	Mech. Asst. / Pkg. Eng.	Mech. Engineer	Mech. Asst. / CADD	Mech. Asst. / Pkg. Eng.	Elect. Engineer	Contract VP	Quality Assurance	Quantity Engineer	Business Development	Public Involvement	Construction Manager	WMA TOTAL	WMA EXPENSES	Subcontractor Fees	Subcontractor Payment	Subcontractor Expenses				
Phase A: Construction Administration		Use Labor Cost Rates for year: 2018																				1.0	(1.0)	1.0	(1.0)						
A1	General construction administration													150			12							600	762	T	\$1,000				
A2	Pre-construction and monthly progress meetings	60																						120	180	T	\$500				
A3	Specialized site visits by specialized inspectors							8					42				40	16	32						138	T	\$400				
A4	Request for information (RFIs)					20	2	20		10	24	6	40	20					16					20	198	-	\$				
A5	Change orders and work change directives	16						12		6	6	6	12			8	20		12						98	-	\$				
A6	Shop drawings and samples	60	12	28		16	4	35		30	90	15	100	100										64	770	-	\$				
A7	Application for Payment	40				16						8	8												72	-	\$				
A8	Contractor's completion documents	20																						40	60	R	\$50				
A9	Substantial completion	8						14			14	4	14				14								16	34	T	\$350			
A10	Finalization of responsibility of work									14		8	8												16	38	T	\$380			
A11	Post-construction phase											8	8												32	48	T	\$350			
PHASE A SUB-TOTALS =		204	12	28	0	59	0	89	0	48	180	47	180	250	0	214	44	100	40	0	0	0	918	2,622	\$3,000	Subcontractor Total	\$0				
PHASE A SUB-TOTAL DOLLARS =		\$31,124	\$2,620	\$2,863	\$0	\$4,198	\$629	\$2,372	\$0	\$4,811	\$22,890	\$2,824	\$24,542	\$28,020	\$1,498	\$20,180	\$6,237	\$18,727	\$4,519	\$0	\$0	\$0	\$131,035	\$308,849		Profit on Sub	0.0%				
		48	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					

Phase B: Resident Project Representation		Use Labor Cost Rates for year: 2018																				1.0	(1.0)	1.0	(1.0)						
B1	Resident Project Representation																									3150					
B2																															
B3																															
B4																															
B5																															
B6																															
PHASE B SUB-TOTALS =		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3150	0	0	0	0	0	
PHASE B SUB-TOTAL DOLLARS =		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Phase	Task	Project Manager	Chief Architect / Architect-Engineer	Civil Engineer	Chemical Engineer / CADD	Electrical Engineer	Mech. Asst. / Pkg. Asst.	Architect	Arch. CADD	Struct. Asst. / Pkg. Eng.	Struct. Engineer	Mech. Asst. / Pkg. Eng.	Mech. Engineer	Mech. Asst. / CADD	Mech. Asst. / Pkg. Eng.	Elect. Engineer	Contract VP	Quality Assurance	Quantity Engineer	Business Development	Public Involvement	Construction Manager	WMA TOTAL	
Phase A	General construction administration	150												150			12							600
Phase A	Pre-construction and monthly progress meetings	60																						120
Phase A	Specialized site visits by specialized inspectors						8					42					40	16	32					138
Phase A	Request for information (RFIs)					20	2	20		10	24	6	40	20					16					20
Phase A	Change orders and work change directives	16						12		6	6	6	12			8	20		12					
Phase A	Shop drawings and samples	60	12	28		16	4	35		30	90	15	100	100										64
Phase A	Application for Payment	40				16						8	8											
Phase A	Contractor's completion documents	20																						40
Phase A	Substantial completion	8						14			14	4	14				14							
Phase A	Finalization of responsibility of work									14		8	8											
Phase A	Post-construction phase											8	8											

WMA EXPENSES

T - Total (S, L, or L)

S - Subcontractor

L - Labor

W - WMA

L - Labor

L - Labor

WMA

William Research and Analytics, LLP

NORTH COASTAL PLANNING AREA

SUSSEX COUNTY, DELAWARE

CONTRACT AMENDMENT NO. 7C

This contract amendment, **Contract Amendment No. 7C** dated _____, **2018** amends our original contract dated January 14, 2014 between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and Whitman, Requardt and Associates, LLP, a State of Maryland Limited Liability Partnership, hereinafter referred to as CONSULTANT, whose address is 801 South Caroline Street, Baltimore, Maryland 21231 (Original Contract). Except as specifically amended herein, the provisions of the Original Contract dated January 14, 2014, as thereafter amended, remain in effect and fully valid.

By execution of this Amendment, the following sections are hereby added as new sections to the Original Contract, as respectfully numbered below.

ARTICLE FOUR

FEE STRUCTURE

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 12** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated January 14, 2014.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Inland Bays Regional Wastewater Facility: Regional Biosolids and Septage Facilities Control System Coordination, Testing and Programming** as set forth in **Attachment A**, which is attached hereto and incorporated by reference, shall not exceed **One Hundred Twenty Thousand, Eight Hundred and Nine Dollars (\$120,809.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

ARTICLE FOURTEEN

INCORPORATED DOCUMENTS

- 14.1.2 **Attachment A: Consultant's Scope of Services, Inland Bays Regional Wastewater Facility: Regional Biosolids and Septage Facilities Control System Coordination, Testing and Programming** with Man-hour Spreadsheets. (**Contract Amendment No.7C**).

By execution of this Agreement, the following sections are amended as set forth below:

- 2.4 The CONSULTANT shall perform the Scope of Services attached hereto as Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment A.
- 4.3 The COUNTY shall pay the CONSULTANT for the satisfactory completion of the Scope of Services specified herein before in Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment, based on and limited to the following method of determination....”

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. 7C to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:
SUSSEX COUNTY

President, Sussex County Council

APPROVED AS TO FORM:

Date

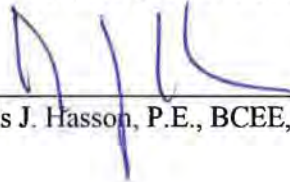
Assistant Sussex County Attorney

ATTEST:

Clerk of the Sussex County Council

FOR THE CONSULTANT:

WHITMAN, REQUARDT and ASSOCIATES, LLP



Dennis J. Hasson, P.E., BCEE, Partner

WITNESS




SCOPE OF SERVICES

IBRWF REGIONAL BIOSOLIDS AND SEPTAGE FACILITIES

CONTROL SYSTEM COORDINATION, TESTING AND PROGRAMMING

This attachment outlines the required Scope of Services for the **Inland Bays Regional Wastewater Facility: Regional Biosolids and Septage Facilities Control Systems Coordination, Testing, and Programming**. This work effort will generally include services during construction associated with controls systems and programming in three different parts. These parts are Control System Coordination, Control System Testing and Control System Programming. Our proposal has developed a sequential step-by-step approach where one task builds on successful completion of a previous task. The Derivation of Man-hours and Estimated Fee for these different tasks are provided in the summary spreadsheets included with this document.

PART A – CONTROL SYSTEMS COORDINATION

Task A-1: Manufacturer Control System Requirements

WRA will participate in the control system coordination meetings and data coordination steps that are required to be performed by the various equipment manufacturers and the Control System Integrator (CSI) during different phases of the construction project. Coordination meetings will be held at the Inland Bays Regional Wastewater Facility (IBRWF). The intention of the coordination meetings are to review the manufacturers' PLC, HMI and OIT programming requirements of the different manufacturer provided control systems and provide a venue for the operations staff to give input and feedback on how this programming will be developed prior to the system being installed.

We have included time to participate in the on-site coordination meetings with the different control systems providers on this project. These manufacturer provided systems include the Control System Integrator, Dryer System, Septage Receiving Station and the Truck Scale Systems. These meetings will be individual workshops held at the Inland Bays Regional Wastewater Facility to discuss their scope of delivery, control narratives, system programming requirements and coordination of network communications of these systems with the existing Plant Control System (PCS) and the required interface wiring. We have based our scope and fee estimate on preparing for and conducting four (4) meetings held at the IBRWF with our Controls and Process Engineers, County personnel, Control System Integrator and these manufacturers. These meetings will be held early on during the Construction Phase, prior to receiving control system submittals from these manufacturers to coordinate these system requirements.

Task A-2: PCS/Manufacturer Programming Coordination

WRA will coordinate the requirements for the exchange of data between the various manufacturer provided control systems and the PCS system. This coordination will be technical discussions between the WRA and manufacturer's programmers to ensure data addressing points for monitoring status, alarms, control functions and interlocks are read and written to the appropriate data table addresses. Our programming engineers will review

their programming structure for the logical PLC addresses and the animation and alarm functions of their Operator Interface Terminal (OIT) graphical programming.

We anticipate this coordination effort being accomplished in our office via telephone conversations with the vendors and by reviewing the PLC and OIT programs that are provided by the manufacturers. WRA will document the data exchange requirements for these systems in read/write tables to be shared and reviewed with the manufacturer.

Task A-3: PCS Control System Function Requirements

Once the information from the various manufacturers has been provided and coordinated, the control narratives and programming requirements for the different PCS functions will be written by WRA.

The control narratives will be reviewed and discussed with the County at PCS Programming Coordination Workshop Meetings held at the IBRWF. These documents will form the foundation of the PCS programming to be completed by WRA during the programming portion of the project, including creating PCS interface to the manufacturer provided systems and CSI provided PCS systems. The control narratives will detail the operating functions required of the logical PLC programming and the graphical display, alarms, data archiving and control interface required in the Human Machine Interface (HMI) system.

We anticipate conducting two (2) workshop meetings at the IBRWF; one for PCS programming of manufacturer provided systems and one for programming PCS panels.

PART B – CONTROL SYSTEMS TESTING

Control system testing and validation requirements are included in the contract documents as separate testing functions that will ensure the various controls, communications and instrumentation is provided in accordance with the design requirements. WRA will provide controls engineers to facilitate and witness that these tests are successfully conducted in accordance with the Contract Documents. The tests will ensure the control system has been built correctly, accurate documentation has been provided and is functional and ready to have the operational logic and graphic programs installed.

The testing requirements have been designed as a sequential series of tests to validate the installation, wiring, configuration and communications of each individual component to build a comprehensive system. Our controls engineers are familiar with the successive testing of individual control system components to build up to commissioning a complete system.

Task B1: Factory Acceptance Testing

The Factory Acceptance Testing (FAT) will be performed at the Control System Integrators facility. The FAT will inspect and verify that control panels and systems provided by the CSI are built in accordance with the approved shop drawings. The CSI will provide a set of certified As-Built panel drawings, a comprehensive test procedure and certification of pre-testing for review and approval by WRA prior to performing the witnessed FAT.

We anticipate the FAT to require two (2) days of a Control Systems Engineers time at the CSIs facility to successfully complete the test. We have included time for review of the FAT test documents as well as travel time and expenses to the CSIs facility. Based on the named pre-approved CSI's, we have assumed the FAT will be held within 150 miles of our office.

Task B2: Site Acceptance Testing

Site Acceptance Testing (SAT) activities include Loop Testing and Communications Link Testing. This testing will be held at the IBRWF with the CSI, Manufacturers controls technicians and the Contractor participating. The different SATs will sequentially verify the correct field installation of the different components including wiring, calibration and communications configurations.

This on-site testing is critical to verify that the many different components of the control system have been accurately installed, configured and function as required. The successful completion of this testing will provide a clear demarcation between the work required of the Contractor and their vendors and the programming work to be performed by WRA. We have anticipated time to coordinate test requirements with the Contractor, review the different test procedures and results and up to two weeks of on-site time for the site acceptance testing activities.

Task B3: Operational Acceptance Testing

Operational Acceptance Testing (OAT) will be performed by WRA once all of the systems have been programmed and are ready for operations. The Testing will refer back to the control narratives provided by the different manufacturers and WRA during previous tasks. The different programmed systems will be run in automatic modes with different operating scenarios simulated to verify functions of controls, displays and alarms. This testing will be a coordinated effort between the Contractor, Manufacturers and WRA programming engineers to verify that a function on the OIT of a manufactures panel is replicated on the PCS display.

All programming will be tested and validated by WRA during the OAT of the different systems of the project. WRA will develop testing procedures and check lists to validate control functions and interface screens. Discrepancies noted during the test will be added to a programming punch list, corrected and retested.

The OAT will be completed after all control system programming by the manufacturers and WRA have been completed. In addition to office preparation time for developing and reviewing test procedures and results, we have anticipated a weeks' time of a control engineer and a process engineer on-site at the IBRWF to complete this testing.

PART C – CONTROL SYSTEM PROGRAMMING

Task C1: Programming

WRA will perform the related programming required for the Plant Control System (PCS) to include operational PLC control logic, Human Machine Interface (HMI) graphical programming, alarm functions and historical data archiving and trending for the new Dryer, Septage Receiving Station, Plant Non-Potable Water (NPW) and Truck Scale systems. Specifically, our operational control logic programming will be performed on existing PLCs and PLCs that are provided by the Control Systems Integrator (CSI) as a part of this project. The PLC programming will be for the existing Dewatering PLC (PCS-DWB) to control the NPW system; the new Dryer Building PCS PLC (PCS-DB) which will be provided by the Control System Integrator for interfacing with the Dryer Manufacturer's control systems and the Septage Receiving pump station PLC (PCS-SR).

The operational graphical interface programming will be performed by WRA programming engineers to integrate monitoring and controls information from all processes included in this project into the existing PCS HMI system. WRA will use the programming performed by the various manufacturers to coordinate and develop the HMI graphics for the PCS system. The graphical interface programming performed by WRA will mimic the monitoring and control functions provided by the different manufacturers' control systems. WRA will coordinate logic and data register addressing information from these manufacturers to replicate the displays, animation, control points and alarms that are a part of their control systems. Our estimate of effort for the programming requires the different manufacturers to provide these data to us and permit the PCS HMI to read and write data to their PLCs in order to have parallel monitoring and control functions for their systems. This approach is required of the manufacturers in the Contract Documents. Our intention is to provide programming to the PCS that gives operators a consistent look, feel and interface as the screens provided by the manufacturer.

WRA will perform graphical programming for the processes that are controlled by PCS control panels separately from the manufacturer provided systems. Graphics programming will be performed for the Septage Receiving Station Pump Station, NPW Plant Water System and the Dryer Building Supervisory PLC. These graphics will be developed in a similar manner as the existing PCS graphics. It is our intention to develop these interface screens with typical standard symbols, colors, layout, etc. as the system currently in use by the PCS. WRA has based our proposal on having access to the County's development software for off-site development of the PLC logic and HMI graphics. Completed programming will be transferred and installed on the functional PLCs and HMI systems for testing.

Task C2: Control System Training

Upon completion of the programming, testing and demonstration of the control functions, WRA will perform on-site training for operations staff of the new systems that were programmed by us. We will prepare a training aid that will be handed out to participants as well as provided to the County for future training sessions.

During the training, WRA will review the sequence of operations, interface screens, control functions and alarms for these systems. Training will include a review of the graphical screens programmed by WRA for the manufacturer provided systems and focus on differences in operation and navigation between the PCS screens and the manufacturers OIT

screens. WRA will hold two separate training sessions at the IBRWF after the system has been tested and accepted.

Task C3: Documentation

WRA will develop a programming Operations and Maintenance (O&M) manual to provide a written reference to operators on how to use the different systems. The O&M manual will provide a written description of operations, navigation points, alarm descriptions and other information intended to be used as a reference or training aid for the control system functions.

PROJECT NAME: IBRWF Regional Biosolids and Septage Contract 18-19		REVISION	Attachment A																									
MANHOUR ESTIMATE AND PROPOSAL		DATE	6/4/2018																									
CLIENT: Sussex County Engineering Department		BY	DUNWHF																									
TASK	PROJECT DESCRIPTION: Control System Coordination, Testing and Programming	PROFESSIONAL FEES																			WMA TOTALS	WMA DOLLARS	Subcontractor Hours	Subcontractor Percent	Subcontractor Expenses			
		Project Manager	Chief Accountant / Proposal Engineer	Civil Engineer	Civil Designer / CAD	Sanitary Engineer	Mech. Assoc. / Proj. Arch.	Architect	Arch. CAD	Struct. Assoc. / Proj. Eng.	Struct. Engineer	Mech. Assoc. / Proj. Eng.	Mech. Engineer / CAD	Elect. Assoc. / Proj. Eng.	Elect. Engineer	Controls VP	Controls Associate	Controls Engineer	Systems Integrator	Project Inspector						Construction Manager		
Phase A - Control System Coordination		Use Labor Cost Rates for year: 2018																										
A1	Manufacturer Control System Requirements																					98	T	\$1,000				\$
A2	PCS/Manufacturer Programming Coordination																					24	T	\$250				\$
A3	PCS Control System Function Requirements																					52		\$				\$
PHASE A SUBTOTALS =		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	174		\$900				\$0
PHASE A SUB-TOTAL DOLLARS =		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$30,362						0.0%
		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							\$30,362
Phase B - Control System Testing		Use Labor Cost Rates for year: 2018																										
B1	Factory Acceptance Test (FAT)																					2	T	\$500				\$
B2	Site Acceptance Test (SAT)																					162		\$				\$
B3	Operational Acceptance Testing (OAT)																					66		\$				\$
PHASE B SUBTOTALS =		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	169		\$2,500				\$0
PHASE B SUB-TOTAL DOLLARS =		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$35,856						0.0%
		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							\$35,856
Phase C - Control System Programming		Use Labor Cost Rates for year: 2018																										
C1	PLC and HMI Control System Programming																					24	T	\$500				\$
C2	Control System Training																					8		\$				\$
C3	Documentation																					16		\$				\$
PHASE C SUBTOTALS =		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32		\$1,200				\$0
PHASE C SUB-TOTAL DOLLARS =		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,291						0.0%
		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							\$51,491

	Project Manager	Chief Accountant / Proposal Engineer	Civil Engineer	Civil Designer / CAD	Sanitary Engineer	Mech. Assoc. / Proj. Arch.	Architect	Arch. CAD	Struct. Assoc. / Proj. Eng.	Struct. Engineer	Mech. Assoc. / Proj. Eng.	Mech. Engineer / CAD	Elect. Assoc. / Proj. Eng.	Elect. Engineer	Controls VP	Controls Associate	Controls Engineer	Systems Integrator	Project Inspector	Construction Manager	
Bare Labor Cost rates for year 2018	\$55.29	\$72.25	\$43.50	\$36.15	\$47.20	\$50.00	\$45.00	\$31.00	\$80.00	\$65.00	\$74.50	\$55.20	\$44.30	\$86.00	\$33.25	\$80.00	\$71.50	\$48.20	\$40.25	\$28.15	\$51.00
Contract Rates - LOADED LABOR AT A FACTOR OF 2.34	\$127.37	\$169.07	\$101.79	\$84.58	\$110.54	\$117.00	\$105.30	\$72.54	\$187.20	\$151.70	\$174.23	\$129.17	\$103.18	\$197.20	\$77.81	\$187.20	\$167.31	\$112.91	\$94.19	\$65.87	\$119.74
Bare Labor Cost rates for year 2019	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Contract Rates - LOADED LABOR AT A FACTOR OF 2.34	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00
Bare Labor Cost rates for year 2020	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Contract Rates - LOADED LABOR AT A FACTOR OF 2.34	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00

WMA EXPENSES

T = Travel @ 45 mile
 R = Reproduction
 E = Equipment Expense
 S = Subcontractor
 L = Laboratory Cost



June 20, 2018

Mr. Hans Medlarz, P.E.
Sussex County Engineer
Sussex County Engineering Department
#2 The Circle
P.O. Box 589
Georgetown, DE 19947

Re: Inland Bays Regional Wastewater Facility (IBRWF)
Regional Biosolids and Septage Facilities
Contract 18-19
Resident Project Representation (RPR)

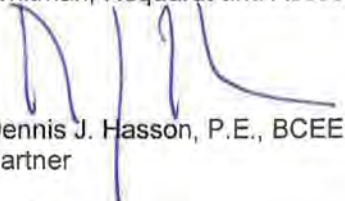
Dear Mr. Medlarz:

Bids were received by Sussex County Council on June 13, 2018 for the above referenced project. Based on current projections, two other projects are anticipated to begin construction beginning in calendar year 2019, namely the IBRWF Phase II Expansion and Spray Irrigation and the Herring Creek Pump Stations. Based on projected schedules, there is the potential for a ten month overlap of these three projects as shown on the attached schedule. Assuming these schedules overlap as shown, it may be possible to achieve an approximate savings of \$100,000 to the Resident Project Representation costs for Contract 18-19 by having our RPR cover these three projects simultaneously during this ten-month period.

Please do not hesitate to contact us if you should have any further questions.

Very truly yours,

Whitman, Requardt and Associates, LLP

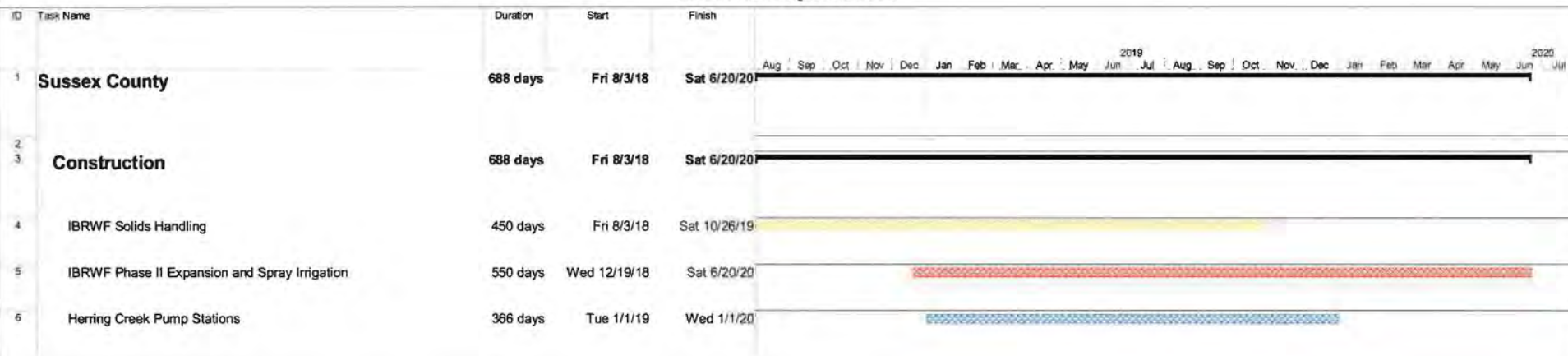


Dennis J. Hasson, P.E., BCEE
Partner

Enclosures

cc: File 14256-019

Sussex County, DE
Construction Project Schedule



Sussex County Construction
Date: Wed 6/20/18

Task		External Tasks		Inactive Summary		Start-only		Deadline	
Split		External Milestone		Manual Task		Finish-only			
Milestone		Inactive Task		Duration-only		Critical			
Summary		Inactive Task		Manual Summary Rollup		Critical Split			
Project Summary		Inactive Milestone		Manual Summary		Progress			

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

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 Irwin G. Burton III
The Honorable Robert B. Arlett

FROM: Hans Medlarz, County Engineer

RE: *North Coastal Planning Area – WRA Associates, Inc. Contract Amendment No.13- Engineering Support Services for GL&E Contract*

DATE: June 26, 2018

In the past, Sussex County followed a traditional design, bid and build approach. However, the increased minor and major capital project load associated with aging infrastructure required a more efficient project delivery system. In response, the Engineering Department developed a competitively selected time and material contractor through a best value bid process consistent with the County Procurement Policy.

The first General Labor & Equipment Contract (GL&E) for FY 17 was awarded to George & Lynch, Inc., on June 21, 2016, and was renewed on June 13, 2017, for an additional one-year period based on performance. On May 1, 2018, Council awarded the FY 2019 General Labor & Equipment Contract to George & Lynch, Inc. at the bid amount of \$4,827,190.00 covering a one-year period, with an option for Council to extend it, based on contractor performance, for two (2) additional one-year periods at the same unit prices.

Based on the experience of the last two years the Engineering Department plans to further streamline project scheduling and completion which requires engineering support services especially for traffic maintenance, detours designs, surveying and structural design support.

The Engineering Department recommends utilizing Whitman, Requardt and Associates, LLP's (WRA) cost plus fixed fee type contract for the North Coastal Planning Area since most of the FY19 GL&E project scope has either a traffic component or is in the Northern Planning Area. The Department is therefore requesting approval of the attached WRA Contract Amendment No.13 in a "not to exceed" amount of \$100,000.00 for engineering services in support of the GL&E contract. Adequate funds are included in the FY19 Capital Projects Budget.



NORTH COASTAL PLANNING AREA

SUSSEX COUNTY, DELAWARE

CONTRACT AMENDMENT NO. 13

This contract amendment, **Contract Amendment No. 13** dated _____, **2018** amends our original contract dated January 14, 2014 between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and Whitman, Requardt and Associates, LLP, a State of Maryland Limited Liability Partnership, hereinafter referred to as CONSULTANT, whose address is 801 South Caroline Street, Baltimore, Maryland 21231 (Original Contract). Except as specifically amended herein, the provisions of the Original Contract dated January 14, 2014, as thereafter amended, remain in effect and fully valid.

By execution of this Amendment, the following sections are hereby added as new sections to the Original Contract, as respectfully numbered below.

ARTICLE FOUR

FEE STRUCTURE

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 12** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated January 14, 2014.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Miscellaneous Field Staff Augmentation Services** as set forth in **Attachment A**, which is attached hereto and incorporated by reference, shall not exceed **One Hundred Thousand Dollars (\$100,000.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

ARTICLE FOURTEEN

INCORPORATED DOCUMENTS

- 14.1.2 **Attachment A: Consultant's Scope of Work, Miscellaneous Field Staff Augmentation Services. (Contract Amendment No. 13).**

By execution of this Agreement, the following sections are amended as set forth below:

- 2.4 The CONSULTANT shall perform the Scope of Services attached hereto as Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment A.
- 4.3 The COUNTY shall pay the CONSULTANT for the satisfactory completion of the Scope of Services specified herein before in Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment, based on and limited to the following method of determination....”

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. **13** to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:
SUSSEX COUNTY

President, Sussex County Council

STANDARD FORM
PREVIOUSLY APPROVED:

Date

ATTEST:

Clerk of the Sussex County Council

FOR THE CONSULTANT:

WHITMAN, REQUARDT and ASSOCIATES, LLP

Dennis J. Hasson, P.E., BCEE, Partner

WITNESS:



**SCOPE OF WORK
MISCELLANEOUS FIELD STAFF AUGMENTATION SERVICES
SUSSEX COUNTY, DELAWARE**

The Sussex County Engineering Department (SCED) has a current General Labor and Equipment Contract for a Contractor to perform work on a time and materials basis for infrastructure owned and operated by the SCED at various locations in Sussex County, Delaware. In addition, the SCED has various on-going design projects in the County that require field observations and coordination by and between the SCED and local property owners. In support of these efforts, WRA will provide the services of our local Georgetown based personnel to assist the SCED in the performance of various miscellaneous tasks on an as needed, time and materials basis, at the request of the County. The services to be provided may include the following:

1. **General Construction Administration.** Assist with the day to day coordination of the Contractor's Construction crews and SCED Environmental Services personnel.
2. **Field Inspection.** Inspect work done by the Contractor and report the status of the construction project to SCED personnel.
3. **Field Reviews.** Assist the SCED in performing field reviews associated with design work in progress.
4. **Property Acquisition Coordination.** Assist the SCED in the review and performance of property acquisition efforts.

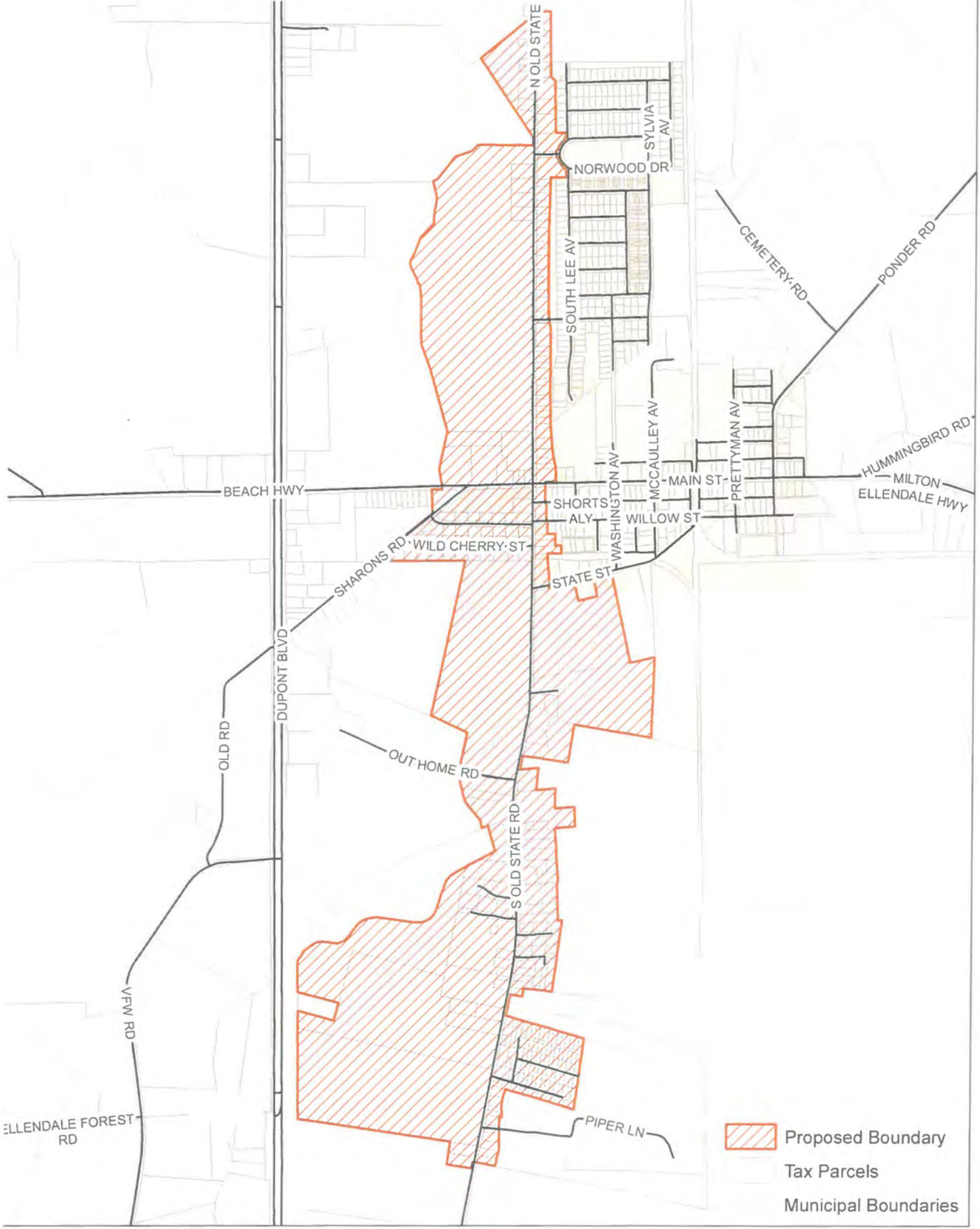
COMPENSATION

Services will be billed at the actual hourly rate of the personnel assigned, times our current audited multiplier of 2.34 for the actual hours worked on a time and materials basis as directed by Sussex County, to the upset limit of the Amendment.

ELLENDALE WATER DISTRICT
RESOLUTION OF BOUNDARIES

1. I am here today to request your consideration on a Resolution for the **REVISED** boundary of the Proposed Ellendale Water District.
2. This is a community driven effort to establish a water district for the Greater Ellendale area.
3. The previous Referendum for a larger area including all of the town failed on November 4, 2018.
4. A request for revised petitions was received, the petitions created and the Engineering Department has received the required number of petitions to proceed with the process of establishing a water district.
5. Based on the location of the petitions received we have proposed a **REVISED** boundary for your consideration.
6. If the referendum passes the County will contract with Artesian Water Company to supply the water to the customers. They will provide the meter readings to the County and the County will bill the individual customers.
7. Artesian will perform all maintenance on the fire hydrants, valves, water main and all general O & M.
8. Are there any questions from Council?
9. Shall I read the short title?
10. Based on your approval of the Resolution of the Boundary today the Engineering Department will proceed with the Public Hearing on August 2, 2018 at 6:00pm at the Philadelphia Pentecostal Holiness Church.

Proposed Revised Boundary to the Ellendale Water District



RESOLUTION NO. _____
DISTRICT BOUNDARIES FOR THE PROPOSED
ELLENDALE WATER DISTRICT

WHEREAS, petitions were received from more than 50 legal voters of the proposed Ellendale Water District requesting Sussex County Council to submit the question of organizing a water district to a vote of electors residing in that area; the description and a map of the proposed boundaries is attached as **Exhibit "B"**; and

WHEREAS, a public meeting was held on **August 16, 2017** presenting preliminary costs and describing the proposed boundary for the proposed Ellendale Water District and based on requests from residents the boundary was adjusted to that as shown in **Exhibit "A"**; and

NOW, THEREFORE,

BE IT RESOLVED by the Sussex County Council that the establishment of a water district is deemed to be in the public interest and will be conducive to the preservation of the public health; and

BE IT FURTHER RESOLVED that the area shown as **Exhibit "A"** is hereby established as the "Proposed Ellendale Water District" and is more fully described as follows:

Beginning at a point, said point being on the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Ellendale Area, said point also being on the northern property line of Ingram Village (PB 149-68); thence leaving said SCUSSD boundary and proceeding by and with said Ingram Village lands in a westerly, generally southerly, northeasterly, northerly, easterly and northerly direction respectively a total distance of 9,735' +/- to a point, said point being the northeasternmost corner of said Ingram Village lands, said point also being on the aforementioned SCUSSD boundary; thence leaving said Ingram Village lands and proceeding by and with said SCUSSD boundary lands in a northeasterly and southeasterly direction a distance of 3,092' +/- to a point, said point being a property corner of lands N/F Daryl, Sr. & Audrey Wegner; thence leaving said SCUSSD boundary and continuing by and with said Wegner lands in a southwesterly, southeasterly, and northeasterly direction respectively a total distance of 670' +/- to a point, said point being the northeasternmost property corner of lands N/F of Harry L. & Jacqueline V. Twyman; thence leaving said Wegner lands and proceeding by and with said Twyman lands in a southeasterly direction a distance of 145 feet to a point, said point being on the northwesterly ROW of Ponder Road; thence proceeding by and with said Ponder Road in a northeasterly direction a distance of 130'+/- to a point said point being on the SCUSSD boundary; thence proceeding by and with said SCUSSD boundary in a generally northeasterly, southeasterly, southwesterly, southeasterly, southwesterly, westerly, southerly, southwesterly, generally southerly, southeasterly, southerly, northwesterly, southerly, westerly, southerly, westerly, generally northerly directions a total distance of 27,219' +/- to a point, said point being a property corner of lands N/F

Liborio-Ellendale LLC, said point also being the southwesternmost property corner of land N/F of CMH Homes Inc.; thence leaving said SCUSSD boundary and proceeding by and with said lands of Liborio-Ellendale LLC in a northwesterly, easterly, northerly, westerly, southwesterly directions a total distance of 7,054' +/- to a point, said point being on the SCUSSD boundary, said point also being a property corner of said Liborio-Ellendale LLC; thence proceeding by and with said SCUSSD boundary in a generally northerly, westerly, northerly, easterly, northerly and northeasterly direction a total distance of 12,547' +/- to a point, said point being that of the **BEGINNING**.

NOTE: The above description has been prepared using Sussex County Tax Map 230-26.00, 27.00, 31.00 and Sussex County property assessment records.

The proposed Ellendale Water District is within these approximate boundaries containing 769.48 acres more or less.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware

Robinsonville Road Expansion Facts

- Expansion of the Sussex County Unified Sanitary Sewer District (Angola Neck Area).
- Requested by Insight Homes for their project (parcels 234-11.00-60.00, 64.00 & 62.03) and Solutions IPER on behalf of their client (Bryton Simpler for parcels 234-11.00-66.00 & 66.01).
- Several other parcels are included as part of the request to develop a contiguous boundary to Angola Neck Area these parcels have been contacted by the developers and agree to the annexation.
- The parcels have proposed multiple pumpstations and a wish to connect to the existing forcemain installed to service the Angola Neck Area.
- However, the Engineering Department plans to build new infrastructure to serve the area and pay for the construction with the Use of Existing Infrastructure Agreements for the projects.
- The expansion will consist of 336.00 acres more or less.
- The property owner(s) will be responsible for System Connection Charges of \$6,360.00 per EDU based on current rates.
- A tentative Public Hearing is currently scheduled for July 31, 2018 at the regular County Council meeting.

Proposed Robinsonville Road Annexation



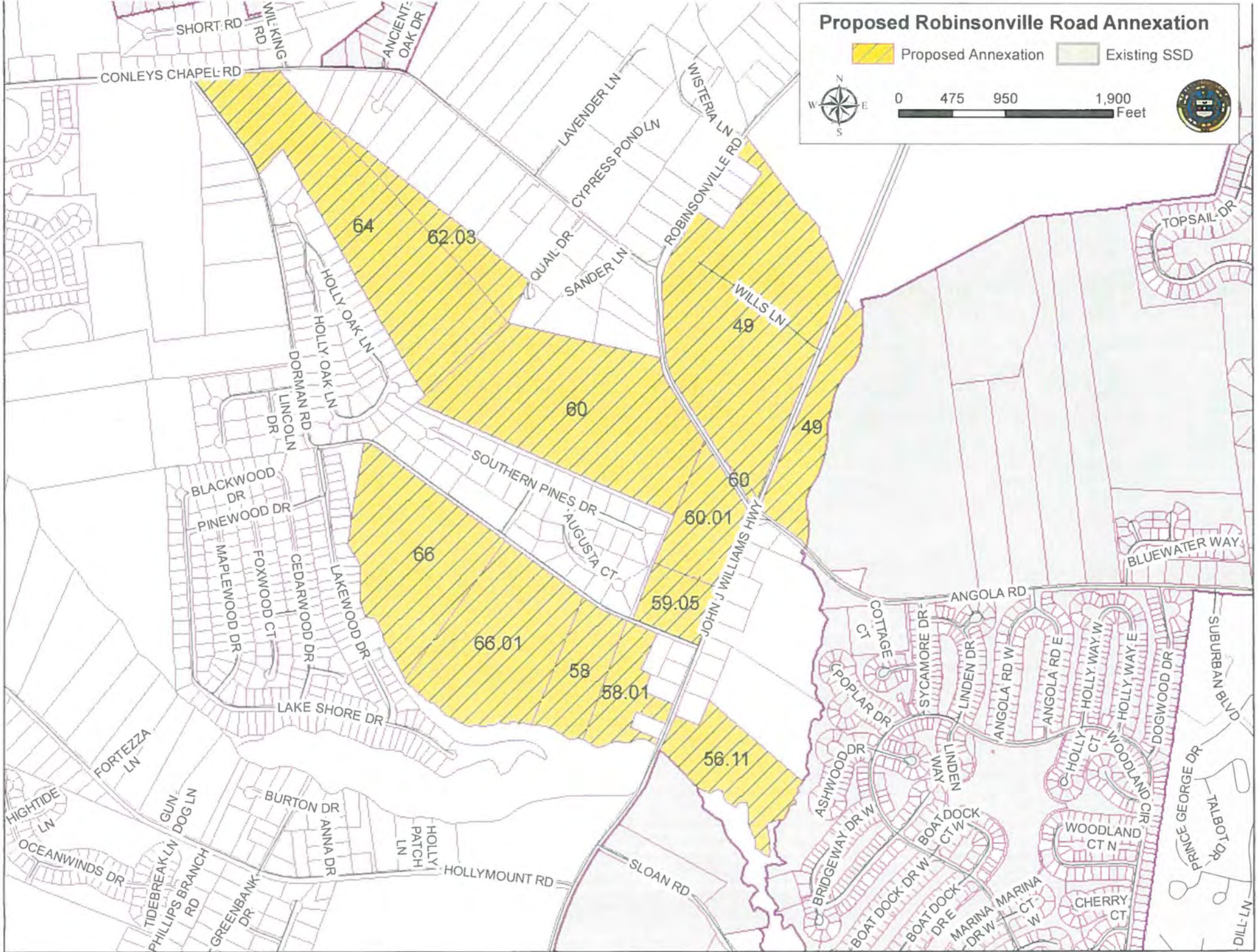
Proposed Annexation



Existing SSD



0 475 950 1,900 Feet



PROPOSED MOTION

BE IT MOVED BY THE SUSSEX COUNTY COUNCIL THAT THE SUSSEX COUNTY ENGINEERING DEPARTMENT IS AUTHORIZED TO PREPARE AND POST NOTICES FOR THE ROBINSONVILLE ROAD EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (ANGOLA NECK AREA) AS PRESENTED ON JUNE 26, 2018.

**JOHN J. ASHMAN
JUNE 26, 2018
FILE: ANG 7.14**



COUNTY COUNCIL DISCUSSION

JUNE 26, 2018

FARM USE & AGRICULTURAL ACTIVITY
REFERENCED IN
SUSSEX COUNTY CODE

USDA Definition of “Farm”

- ▶ “Any place from which \$10,000 or more of agricultural products were produced and sold, or normally would have been sold, during the year.”

IRS Definition of “Farm” re: Computation of Taxable Income

- ▶ IRC §1.61-4 (d):
 - ▶ “[T]he term “farm” embraces the farm in the ordinarily accepted sense, and includes stock, dairy, poultry, fruit, and truck farms; also plantations, ranches, and all land used for farming operations.”

Kent County Code

▶ § 205-6 “**Farm**”

- ▶ A parcel of land not less than 10 acres in size primarily used for agricultural purposes, including farming, dairying, pasturing, agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities. Above uses shall not include raising of animals for use in medical or other tests or experiments on the same property.

New Castle County Code

- ▶ 40.33.300 **“Farm”**

- ▶ The land, buildings, structures and machinery which are primarily adapted and used for agricultural purposes.

- ▶ 40.33.210 **“Agricultural Uses”**

- ▶ These uses include crop production and animal production (NAICS 111 and 112). These uses also include any other agricultural use recognized by Delaware law.

Other Jurisdictions

- ▶ Maryland - Md. Code Ann. §5-403(a)
 - ▶ “Agricultural Operation” means an operation for the processing of agricultural crops or on-farm production, harvesting, or marketing of any agricultural, horticultural, silvicultural, aquacultural, or apicultural product that has been grown, raised or cultivated by the farmer.
- ▶ New Jersey – N.J. Stat. Ann. §54:4-23.3
 - ▶ Land shall be deemed to be in agricultural use when devoted to the production for sale of plants and animals useful to man, including but not limited to: forages and sod crops; grains and feed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef, cattle, sheep, swine, horses, ponies, mules or goats, including the breeding, boarding, raising, rehabilitating, training or grazing of any or all such animals...”

Sussex County Code §115-4 Definitions

- ▶ “Agricultural Related Industry”
 - ▶ Business establishments that rely on farm or forest products for a substantial portion of their material inputs and that obtain at least 51 percent of their inputs either directly from the local [Delmarva Peninsula] farm or forest/logging industry or indirectly through local early stage processors or wholesalers.

- ▶ “Commercial Feed Lot and Structure”
 - ▶ A facility for housing or feeding cattle, hogs and sheep or goats on a farm of five acres or more for more than four cattle, eight sheep, eight goats and eight hogs.

- ▶ “Commercial Poultry House”
 - ▶ A facility for housing and feeding more than 100 poultry.

- ▶ “Private Feed Lot and Structure”
 - ▶ A facility for housing or feeding cattle, hogs, sheep and goats for not more than four cattle, eight sheep, eight goats and eight hogs.

Sussex County Code §115-4 Definitions – cont.

▶ “Riding Academy”

- ▶ Any structure or place where horses or ponies are kept for riding, driving or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment.

▶ “Stable, Private”

- ▶ An accessory building, not related to the ordinary operation of a farm, for the housing of not more than four horses or mules owned by a person or persons living on the premises and which horses or mules are not for hire or sale.

▶ “Stable, Public”

- ▶ Any stable for the housing of horses or mules, operated for remuneration, hire, sale or stabling, or any stable, not related to the ordinary operation of a farm, with a capacity for more than four horses or mules, whether or not such stable is operated for remuneration, hire, sale or stabling.

§115-20(B) Permitted Uses (AR-1 and AR-2) – Farm of five (5) Acres or More

- ▶ Agriculture, including:
 - ▶ General farming (field crops)
 - ▶ Tree farming (orchards/groves/nurseries)
 - ▶ Fish/frog farming
 - ▶ Keeping/raising animals for sale
 - ▶ Structures for processing and sale of products raised on the premises
 - ▶ Stables

- ▶ Not permitted:
 - ▶ Commercial slaughtering and processing of large animals (horses, cows, pigs, sheep, or goats)

§115-20(B) Permitted Uses Cont'd (AR-1 and AR-2)

- ▶ (2) On a property of less than five (5) acres, any farm, truck garden, orchard or nursery uses.
- ▶ (3) Temporary removable stands . . . for seasonal sales of products raised on the premises and products raised on other lands in Sussex County owned or leased by the owner of the premises on which the stand is located.
- ▶ (8) Private stable structures or feed lots, keeping and feeding of horses, ponies, cattle, sheep goats or poultry for *personal enjoyment and not as business*...
- ▶ (9) Commercial greenhouses



§115-21(A) Permitted Accessory Uses (AR-1 and AR-2) – Farm of five (5) acres or more

- ▶ Accessory structures for sale or processing of farm products raised on premises
- ▶ Accessory open or enclosed storage of farm products raised on premises
- ▶ Accessory buildings (barns, cribs, stable sheds, shops, silos, etc.)
- ▶ Dwellings for persons permanently employed on the premises
- ▶ Farm ponds

Delaware Code: 9 Del. C. §§ 8330-8337

As defined by the State of Delaware

“for general property tax purposes”

▶ §8330 “Agricultural use land”

- ▶ Land shall be deemed to be in agricultural use when devoted to the production for sale of plants and animals useful to man, including but not limited to: forages and sod crops; grains and feed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; or when devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government.

▶ §8331 “Horticultural use land”

- ▶ Land shall be deemed to be in horticultural use when devoted to the production for sale of fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or when devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government.

Delaware Code: 9 Del. C. §§ 8330-8337
As defined by the State of Delaware
“for general property tax purposes” - cont.

▶ §8333 – **“Criteria for Land Use”**

▶ Land is considered “actively devoted” to agricultural use when:

▶ (1) 10 or more acres and average or projected at least \$10,000 per year of gross sales of ag products together with any ag program payments and sales of commodities received under government entitlement programs within a 2-year period of time;

OR

▶ (2) Less than 10 acres and at least \$1,000 per year of gross sales of ag products together with any ag program payments and sales of commodities received under government entitlement programs within a 2-year period of time.



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: *Ocean View Historical Society*

PROJECT NAME: *Coastal Towne Museum*

FEDERAL TAX ID: *EIN # 26 - 1719840* 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 preserve and tell the history of Southeast Sussex County.*

ADDRESS: *P.O. Box 576*

Ocean View *DE* *19970*
(CITY) (STATE) (ZIP)

CONTACT PERSON: *Dr. Carol K. Pears*

TITLE: *Board Member, Past President*

PHONE: *(302) 539-5653* EMAIL: *ckpears@aol.com*

TOTAL FUNDING REQUEST: *50K (see next page)*

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? *\$ 3,000*

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
None received to date

If YES, approximately what percentage of the project's funding does the Council grant represent? *?*
whatever you can grant will be well-used.

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 ¹ | <input checked="" type="checkbox"/> Other <i>Historical
Public Museum</i> | <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 checked="" type="checkbox"/> Elderly Persons | <input type="checkbox"/> Low to Moderate Income ² | <input checked="" type="checkbox"/> Youth |
| <input checked="" type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other <i>All Sussex Co.
Residents, Visitors</i> | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
*Not yet open, so hard to assess. Estimate? 20% of all
 County residents per year?*

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.

Funds are requested to transform a 1901 Victorian Era Home into The Coastal Towns Museum. The towns of Bethony Beach, South Bethony, Fenwick Island, Millville, and Ocean View are collaborating to create a public museum to share the history of Southeastern Sussex County (Baltimore Hundred).

We are an all-volunteer, non-profit organization of history lovers.

Anticipated cost of full project is \$50,000.

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

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

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

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

SECTION 4: BUDGET

REVENUE		
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)		
TOTAL REVENUES		0,00
EXPENDITURES		
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)		
Renovation Costs	- 35,000	
lighting (electrical), plumbing, permits, fees, insurance, structural upgrades		
Operating Costs	-15,000	
security, grasscutting, light, power, museum displays, museum materials		
TOTAL EXPENDITURES	-50,000	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	- 50,000	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Ocean View Historical Society 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.**

Carol K. Psaros
Applicant/Authorized Official

6-11-18

Date

Barbara E. Slavin
Witness

6-11-18

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

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.

Carol R. Proctor
Applicant/Authorized Official

Past President
Board Member, DVHS
Title

Barbara E. Slavin
Witness

6-11-18
Date

Cole
6-13-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Delaware National Guard Youth Foundation

PROJECT NAME: Camp Colwell

FEDERAL TAX ID: 81-4980810 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 DNGYF mission is to develop discipline, character, and resilience in our Delaware National Guard youth through prevention programs, education and activities that enhance and build young leaders within our military community.

ADDRESS: 1 Vavala Way (formerly: 250 Airport Rd)

New Castle DE 19720
(CITY) (STATE) (ZIP)

CONTACT PERSON: Christine Kubik,
TITLE: Board member/ Camp Director
PHONE: 302.326.7582 EMAIL: christinekubik@verizon.net

TOTAL FUNDING REQUEST: 1,000

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?

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 checked="" type="checkbox"/> Health and Human Services | <input type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure ¹ | <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 ² | <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:

30

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.

Camp Colwell is a summer recreational camp. Approximately 130 military youth, ages 9-17 converge on Camp Colwell every July.

The weeklong summer camp is held at the Guard's Bethany Beach Training Site, where dependents of current and retired Delaware Guard members spend seven days together. The intent of this camp is to promote respect, friendship, leadership, team skills, self-confidence, and self-esteem and community involvement.

The camp aims to assist youth in gaining an understanding of why their Guard parent serves in the National Guard and to help our Guard youth cope with the stress and confusion of separation/deployment.

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

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	40,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
114 campers for 2018 camp	\$ 41,780.00
TOTAL EXPENDITURES	\$ 41,780.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 81,780.00

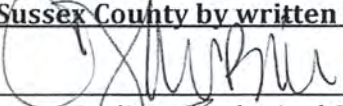
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the DNG Youth Foundation 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)

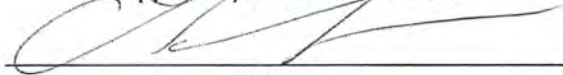
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom 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

11 JUN 2018

Date



Witness

11 JUN 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

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

Title

Witness

11 Jun 2018

Date

Vincent
6-13-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: The Rehoboth Beach Historical Society

PROJECT NAME: Capital Campaign - Second Floor

FEDERAL TAX ID: 51 0203755 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 Rehoboth Beach Historical Society is a non-profit organization dedicated to encouraging and promoting public knowledge of and participation in the preservation of the history, culture, architecture and special character of Rehoboth Beach.

ADDRESS: 511 Rehoboth Avenue

Rehoboth Beach DE 19971
(CITY) (STATE) (ZIP)

CONTACT PERSON: Nancy Alexander

TITLE: Director

PHONE: 302-227-7310 EMAIL: director@rehobothbeachmuseum.org

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? \$2,500

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? 1%

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 ¹ | <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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other <u>museum is free of charge-all visitors are welcome</u> | |

BENEFICIARY NUMBER

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

4,000

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 Rehoboth Beach Historical Society will complete construction of the second floor of its building, including storage, exhibit and library spaces. The first floor is complete. The purpose of the project has four benefits: The construction will increase our exhibit space, attract more visitors, and increase our admissions income. The construction will increase our storage space, allowing us to store permanent collections items on-site as we grow our collection, saving us the cost of renting off-site space. The construction will allow us to accommodate more people for our lectures and other programs, donations and the potential number of program participants who may become society members. Finally, the construction will allow us to increase the size of groups for rentals and increase our rental income.

The Society has nearly all of the money needed to complete the project. We have begun construction, but are in need of additional funds for upgrades due to changes required by the Fire Marshal. These changes include adding a sump-pump to the elevator shaft, and adding fire-proof glass doors and enclosing the main stairwell.

More than 5,000 people visit the museum annually or take part in one of our off-site tours or programs, including the historic Anna Hazzard House, which we manage for the city. Visitors range from young children to seniors. We have annual visits from senior and CHEER centers, low-income and disabilities groups, and students from Rehoboth Elementary School. Lectures and other programs draw from local and visitor populations. Admission is by donation. No one is turned away for lack of ability to pay.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	625,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Walls, doors, framework, ceilings, glass fire doors	-\$ 129,875.00
Painting and cabinetry	-\$ 84,410.00
Elevator	-\$ 95,000.00
HVAC	-\$ 100,000.00
Plumbing, sprinkler system	-\$ 30,087.00
Electrical, Fire Alarm, Voice and Data	-\$ 84,785.00
Contractor, architect, permits, design fees	-\$ 161,758.00
Exhibit design and installation, exhibit furniture	\$ 52,000.00
TOTAL EXPENDITURES	-\$ 633,915.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 8,915.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Rehoboth Beach Historical Society 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.

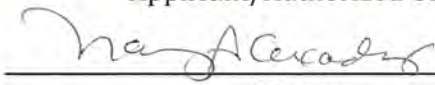
SECTION 5: STATEMENT OF ASSURANCES (continued)

- 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

June 11, 2018
Date



Witness

June 11, 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.

Applicant/Authorized Official

Witness

Title

June 11, 2018

Date

Cole
6-14-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Delaware Center for the Inland Bays

PROJECT NAME: Inland Bays Cleanup

FEDERAL TAX ID: 51-0365565

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 preserve, protect and restore Delaware's Inland Bays, the water that flows into them and the watershed around them.

ADDRESS: 39375 Inlet Rd

Rehoboth Beach

(CITY)

DE

(STATE)

19971

(ZIP)

CONTACT PERSON: Chris Bason

TITLE: Executive Director

PHONE: 302-226-8105 EMAIL: cbason@inlandbays.org

TOTAL FUNDING REQUEST: \$3,830

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?

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 ¹ | <input checked="" type="checkbox"/> Other Environmental | <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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other users of the bay and local businesses | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
Over 300,000

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 Center has organized an annual Inland Bays Cleanup since 2005. To date the cleanups have removed 36,000 pounds of trash from the Inland Bays and have engaged over 700 volunteers in this annual event. Removing this debris from the waterways enhances the natural beauty of Sussex County's Inland Bays, a favorite spot for anglers, boaters, beach goers, waterfront property owners, vacationers, and local businesses. The Inland Bays are an important ecological area for iconic Delaware species like Blue Crabs, Striped Bass, and Summer Flounder. These areas also are important to the Horseshoe Crab, Diamondback Terrapin and Osprey populations. Removing trash from these areas helps to maintain important habitat for these species, as well as keeping participants in water based activities safer from harm.

The Center will use this funding to organize a spring cleanup of the Inland Bays where volunteers will be dispatched to predetermined highly impacted areas to remove the accumulated debris. Without organized efforts like the Inland Bays Cleanup, most of this debris would still be in the Bays, resulting in diminished usage of the waterways.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	0.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Personnel	-\$ 2,830.00
Fuel	-\$ 100.00
Supplies	-\$ 900.00
TOTAL EXPENDITURES	-\$ 3,830.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 3,830.00

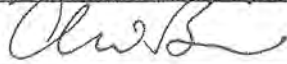
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Delaware Center for the Inland Bays 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)

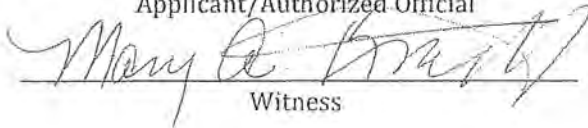
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom 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

6/18/2018

Date


Witness

6/18/2018

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

g

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.

[Signature]
Applicant/Authorized Official

Mary A. Bright
Witness

Executive Director

Title

6/12/18

Date

Cole
6-19-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Rehoboth Beach Film Society

PROJECT NAME: Cinema Art Theater

FEDERAL TAX ID: 31-1587363 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: Promoting cinematic arts and providing education and cultural enrichment for our community.

ADDRESS: 107 Truitt Ave.

Rehoboth Beach DE 19971
(CITY) (STATE) (ZIP)

CONTACT PERSON: Sue Early

TITLE: Executive Director

PHONE: 645-9095 EMAIL: sue@rehobothfilm.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? _____

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 ¹ | <input checked="" type="checkbox"/> Other Arts & Culture | <input type="checkbox"/> Educational |

BENEFICIARY CATEGORY

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence | <input type="checkbox"/> Homeless |
| <input checked="" type="checkbox"/> Elderly Persons | <input checked="" type="checkbox"/> Low to Moderate Income ² | <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:
21,000+

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 March of 2016, the Rehoboth Beach Film Society (RBFS) opened the Cinema Art Theater (CAT) with 104 seats and professional projection equipment. The RBFS raised \$700,000 to renovate a vacant commercial space in Dartmouth Plaza, Lewes. Donations were received from individuals, businesses, foundations, and a federal grant. Serving as the home of independent films in Sussex County since its opening, the CAT has hosted more than 1,382 events which included showing over 340 films filling 48,050 seats. In addition,

In addition to the screening of first run independent films, National Theatre Live plays, Metropolitan Opera Live in HD performances, Journeys in Art History films, special screenings, and several annual mini-festivals are offered throughout the year. Many of the films are suited for all ages. The CAT also serves as the headquarters and one of three venues for the Rehoboth Beach Independent Film Festival, the state of Delaware's largest and longest running film festival now in its 21st year.

This application is requesting funding to convert an under-utilized multi-purpose room in the same venue into a 36-seat mini-theater. This project does not include renovation work but rather the purchase and installation of projection equipment and theater seating.

The population in Sussex County continues to grow every year. A second theater will enable RBFS to provide more cinematic arts programming to serve the expanding population by hosting more events, expanding film selection, and serving a broader population by adding youth programs. A mini-theater is suitable for smaller audience programming such as theme-oriented film series, a director's series, a history series, or a specific genre like a comedy series or a grouping of films produced in a specific country like French films. Another function of the mini-theater will be a safe zone. RBFS is involved in an anti-bullying initiative. Showing a film about such a sensitive topic in a small venue provides a safe space for young students to share their thoughts and experiences. This new theater will open the door to providing new youth services which couldn't be offered previously.

The small theater can also serve as a more affordable rental space for business presentations, organizational meetings, or special events all of which provide an additional revenue source to help cover operating expenses.

RBFS received \$100,000 pledges from three donors to create the mini-theater and to establish a sustaining fund for future equipment repairs and upgrades for the entire venue. Projection equipment repairs and required upgrades are very expensive and unpredictable. RBFS must be prepared with designated funds to cover such costs. Receiving the designated pledges is contingent upon RBFS being able to raise \$100,000 in matching money. If the matching goal is reached, the pledges will be distributed over a five-year period.

After twelve-months of fundraising, RBFS has raised \$95,000. This application is asking Sussex County Government to award \$5,000 which is the balance needed to reach the matching goal. Prior to this application, the RBFS has not requested Sussex County Government funding for any part of this project. The RBFS hopes the Sussex County Council will acknowledge the cultural and artistic value that the Cinema Art Theater brings to Sussex County by supporting this application.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	-95,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Projection equipment to included wall-mounted screen, projector, sound system, receivers, blu-ray player, etc)	\$ 17,250.00
theater seats (36-40)	\$ 11,000.00
electrical work, cables & connections	\$ 1,800.00
satellite equipment for simulcast transmission of Met Opera performances	\$ 2,700.00
roof-top installation of satellite equipment	\$ 6,000.00
microphone system installation	\$ 1,250.00
equipment upgrades and repairs	\$ 60,000.00
TOTAL EXPENDITURES	\$ 100,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 5,000.00

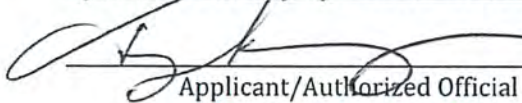
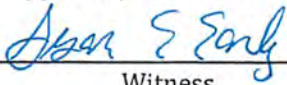
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Rehoboth Beach Film Society 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	(PRESIDENT BOARD OF DIRECTORS)	June 14, 2018 Date
 Witness		June 14, 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

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.

Jean E Early
Applicant/Authorized Official

EXECUTIVE DIRECTOR
Title

[Signature]
Witness

JUNE 15, 2018
Date

Cole
6-19-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Eastern Shore AFRAM Festival, Inc.
PROJECT NAME: Eastern Shore AFRAM Festival 2018
FEDERAL TAX ID: 05-0595124 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 mission is to strengthen the community through the building of cultural awareness. We believe strongly in diversity and unity. AFRAM is bringing together many aspects of the African diaspora, as well as building unity in our Sussex County and neighboring communities.

ADDRESS: PO Box 687

Seaford DE 19973
(CITY) (STATE) (ZIP)

CONTACT PERSON: Herbert G. Quick
TITLE: Treasurer
PHONE: 302.629.4949 EMAIL: herb@hamiltongraphics.com

TOTAL FUNDING REQUEST: \$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? \$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? 21%

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 ¹ | <input checked="" type="checkbox"/> Other <u>Festival</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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other <u>Community</u> | |

BENEFICIARY NUMBER

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

750

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.

Funding from the Sussex County Council grant is requested to offset audio, tent, and staging costs.

2018 is the 23rd edition of the AFRAM Festival. The event began in 1996 as a small basketball tournament in Nutter Park (Seaford). Six years ago, the event relocated to the Seaford Sports Complex, giving room for expansion, adequate parking, and an opportunity to return to the roots of the cultural experience. The Sports Complex is directly across the road from the Gov. William H. Ross Plantation, an historic slave-holding plantation, now owned by the Seaford Historical Society.

The Eastern Shore AFRAM Festival addressed the issues facing the community by including non-profit agencies representing healthcare, government, education, ministry, shelter, and public safety at the event. The presence of these agencies provides an opportunity for the community to access information and services from qualified agency representatives.

Our mission is to strengthen the community through the building of cultural awareness. We believe strongly in diversity and unity. AFRAM is bringing together many aspects of the African diaspora, as well as building unity in our Sussex County and neighboring communities.

Eastern Shore AFRAM Festival is one of two major annual events in the Seaford community. We are not aware of any other African diaspora oriented festivals in lower Delaware. This is a unique opportunity to bring African diaspora oriented performers to the Seaford community. There is no admission charge for AFRAM guests.

Other non-profit organizations attend the festival to further educate the public on community, social service, government, and healthcare related topics.

This years festival is a one day family-friendly event scheduled for Saturday, August 11, 2016, 8:00 A.M. to 8:00 PM.

Marketing is achieved through television, radio, internet, and print media. The event is well covered within a 100 mile radius of Seaford, DE.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	2,400.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Production: Audio Systems	-\$ 1,000.00
Equipment Rental: Tents & Staging	-\$ 1,400.00
TOTAL EXPENDITURES	-\$ 2,400.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Eastern Shore AFRAM, 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.**



Applicant/Authorized Official

6/19/18

Date



Witness

6/19/18

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

[Handwritten initials]

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.

Herbert G. Guich
Applicant/Authorized Official

Treasurer
Title

Jocelyn K. Puck
Witness

6/18/18
Date

*Vincent
6-19-18*



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Downtown Milford, Inc
PROJECT NAME: Ladybug Festival - Milford
FEDERAL TAX ID: 51-0364402 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: Partnering to build Milford's historic downtown into a unique, vibrant, and livable place for all.

ADDRESS: 207 S. Walnut Street

Milford DE 19963
(CITY) (STATE) (ZIP)

CONTACT PERSON: Murrie Zlotziver
TITLE: Executive Director

PHONE: 302-839-1180 EMAIL: director@downtownmilford.org

TOTAL FUNDING REQUEST: \$2,500

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? 10%

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 ¹ | <input checked="" type="checkbox"/> Other <u>Economic Development</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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other <u>Independent Community Businesses</u> | |

BENEFICIARY NUMBER

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

750 attendees

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.

Downtown Milford, Inc. (DMI) is a dynamic, multi-faceted economic development organization that serves as a positive force in the community at large. We work with business and property owners to beautify, revitalize, protect, preserve, and promote our historic riverside district.

The Ladybug Festival is a free music festival celebrating women in music which provides a valuable economic boost to the independent community businesses in Milford. The goal of the event is to revitalize downtown Milford, making it a much more attractive place to live and start a business. By including local Milford businesses and empty storefronts in the downtown area as performance venues, we can effectively drive customers and residents into these locations. The event is designed to build bridges within the Milford community, bringing people together of all ages and backgrounds through family-friendly live entertainment. And since the theme women in music covers many genres of music, the festival has the cultural aspect of bringing together diverse populations of both performers and audience members.

The festival emphasizes the hiring of local Delaware musicians who are on the verge of breaking through the various barriers to the next level of success in the music business on local, regional, and national stages.

The goal is to showcase downtown Milford as a place to do business for shop owners and residents. A place where families can come to enjoy entertainment. A place where diverse residents can gather.

The Ladybug Festival will bring to downtown Milford; great music, great food, the smiles of children's faces, families walking around town and talking to their neighbors - BUILDING COMMUNITY.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	20,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Artist Fees	-\$ 12,500.00
Technical	-\$ 7,000.00
Marketing /Printing	-\$ 1,000.00
Safety/Security	-\$ 2,000.00
Production	-\$ 2,500.00
TOTAL EXPENDITURES	-\$ 25,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 5,000.00


SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Downtown Milford, Inc agrees that:
(Name of Organization)

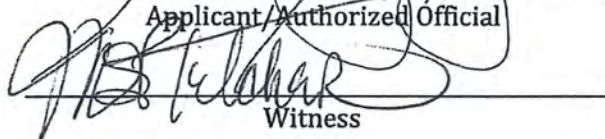
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. 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.**



Applicant/Authorized Official



Witness

6/13/18

Date

6/13/18

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
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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.

Applicant/Authorized Official

Witness

Executive Director
Title

Date



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Georgetown Historical Society
PROJECT NAME: Museum Rehab Project
FEDERAL TAX ID: 51-0255141 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 preserve, protect and display Georgetown and Sussex County history and historical artifacts.

ADDRESS: Georgetown Historical Society
510 S. Bedford Street
Georgetown Delaware 19947
(CITY) (STATE) (ZIP)

CONTACT PERSON: Rosalie Walls
TITLE: Corresponding Secretary
PHONE: 302-855-9660 EMAIL: marvelmuseum@gmail.com

TOTAL FUNDING REQUEST: \$10,000.00

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?

\$6,000.00

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? 35%

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 ¹ | <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 type="checkbox"/> Low to Moderate Income ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other residents and visitors to the area | |

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.

We are seeking funding to assist us in putting a new roof on the historic one room Ellis Grove schoolhouse and to place gutting on several existing buildings on the museum grounds.

We also will be repairing the buildings access and repairing steps to an additional building.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Strip current roofing and make repairs	
Add new metal roofing	-\$ 18,000.00
Guttering	-\$ 3,500.00
Repair building access	-\$ 1,500.00
Repair steps to additional building	-\$ 2,000.00
TOTAL EXPENDITURES	-\$ 25,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 25,000.00

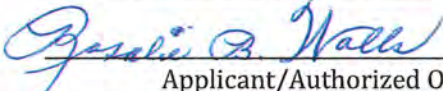
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Georgetown Historical Society 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)

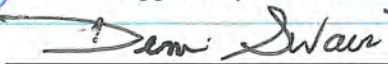
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom 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.

Applicant/Authorized Official

Witness

Title

6/14/18

Date



SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: **City of Rehoboth Beach**
PROJECT NAME: **Bicycle Trail, Grove Park**
FEDERAL TAX ID: **51-6000219** 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:

ADDRESS: **229 Rehoboth Avenue**
Rehoboth Beach **Delaware** **19971**
(CITY) (STATE) (ZIP)

CONTACT PERSON: **Sharon Lynn**
TITLE: **City Manager**
PHONE: **302-227-4641** EMAIL: **slynn@cityofrehoboth.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?

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?

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 ¹ | <input checked="" 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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
25,000+

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 Junction & Breakwater Bicycle Trail is currently being extended through Grove Park in Rehoboth Beach. This trail extension will permit thousands of visitors each day to traverse the city safely. Proper signage is needed to identify where the trail begins, ends and leads to. Any county funding will be applied to the purchase and design of these signs.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
signage, approximately	\$ 2,000.00
TOTAL EXPENDITURES	\$ 2,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 2,000.00

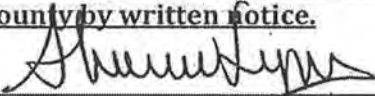
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the City of Rehoboth Beach 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)

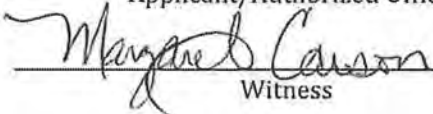
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom 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

06/19/2018

Date



Witness

06/19/2018

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

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.

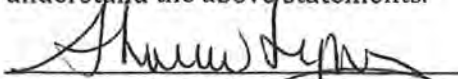
For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

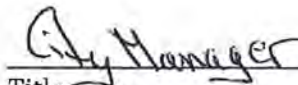
For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County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


Title


Witness

12/10/18
Date

*Cole
6-19-18*

To Be Introduced 06/26/18

**Council District No. 3 - Burton
Tax I.D. No. 335-8.00-29.00 (portion of)
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 C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 5.82 ACRES, MORE OR LESS

WHEREAS, on the 30th day of May 2018, a zoning application, denominated Change of Zone No. 1862, was filed on behalf of Old Orchard Ventures, LLC c/o Barry J. Baker; 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. 1862 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 C-2 Medium Commercial District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the east side of Old Orchard Road, approximately 1,370 feet south of New Road, and being more particularly described in the attached legal description prepared by Beacon Engineering, LLC, said parcel containing 5.82 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 06/26/18

**Council District No. 5 - Arlett
Tax I.D. No. 532-14.00-6.05
911 Address: 11133 Iron Hill Road, Delmar**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 9.9 ACRES, MORE OR LESS

WHEREAS, on the 12th day of June 2018, a zoning application, denominated Change of Zone No. 1864, was filed on behalf of Scott and Monica Shubert; 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. 1864 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 C-3 Heavy Commercial District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Little Creek Hundred, Sussex County, Delaware, and lying at the northwest corner of Iron Hill Road and Old Stage Road, and being more particularly described in the attached deed prepared by D. Stephen Parsons, P.A., said parcel containing 9.9 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.