



Sussex County Council Public/Media Packet

**MEETING:
August 12, 2014**

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

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



2 THE CIRCLE | PO BOX 589
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Sussex County Council

AGENDA

AUGUST 12, 2014

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Todd Lawson, County Administrator

1. Discussion Regarding the County Code as it Relates to Vendors, Produce Stands, and Signs
2. Administrator's Report

Hal Godwin, Deputy County Administrator

1. Wastewater Agreement – Del-Mar Subdivision, AKA Rocks Bethany

Joe Wright, Assistant County Engineer

1. Delta Airport Consultants, Inc. – Task Order 2

John Ashman, Director of Utility Planning

1. Goslee Creek Annexations – Permission to Prepare and Post Notices

Old Business

Conditional Use No. 1991
Cool Spring, LLC / Highway One



Grant Requests

1. Fellowship of Christian Athletes for youth football program.
2. Lewes Fire Department for uniforms for the Ladies Auxiliary.
3. Cats Around Town Society for their spay-neuter program.

Introduction of Proposed Zoning Ordinances

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

Possible Action on Executive Session Items

Any Additional Business Brought Before Council

12:00 Noon – Luncheon with the Sussex County Association of Realtors® (SCAOR)

Location – SCAOR Headquarters on Route 9, Georgetown

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

In accordance with 29 Del. C. §10004(e) (2), this Agenda was posted on August 5, 2014 at 4:30 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, JULY 29, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 29, 2014, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Vance Phillips	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 372 14
Approve
Agenda**

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

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of July 15, 2014 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

CHEER, INC., GEORGETOWN, DELAWARE.

RE: Letter in appreciation of the Council's support of the Milton CHEER Capital Campaign.

URSULA GARDNER AND CHRISTINA DARBY.

RE: Letter in appreciation of the Council's support of the Woodland Park Project.

TOWN OF MILLVILLE, MILLVILLE, DELAWARE.

RE: Letter in appreciation of a grant for Town events.

Mrs. Deaver referenced an email she received from a constituent who seems to be under the impression that when an ordinance is introduced by Mrs. Deaver, that it is an indication that she supports the ordinance. Mrs.

(continued) Deaver stated that this is not the case and she noted that she is concerned that this may be a general observation of the public.

Adminis- Mr. Lawson read the following information in his Administrator’s Report:

trator’s
Report

1. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Bishop’s Landing – Phase 3 received Substantial Completion effective July 23, 2014.

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

Bid Hal Godwin, Deputy County Administrator, presented bid results for Results/ two (2015) Suburban 4-wheel drive vehicles for Sussex County EMS:

EMS
Vehicles

<u>Vendor</u>	<u>Base Bid (each)</u>	<u>Total (for two)</u>
Hertrich Fleet Services, Inc.	\$38,698.00	\$77,396.00
IG Burton & Company	\$38,551.00	\$77,102.00

M 373 14 A Motion was made by Mr. Phillips, seconded by Mr. Wilson, that the Award the Sussex County Council accepts from the lowest responsible bidder, I.G. Bid/ Burton Company, Inc. in Milford, Delaware, two (2) 2015 model year EMS Chevrolet Suburban vehicles for use as paramedic response vehicles at a Vehicles cost of \$38,551.00 each, for a total award of \$77,102.00.

Motion Adopted: 5 Yeas.

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

[In response to a comment by Mrs. Deaver, it was noted that I.G. Burton, a member of the Planning and Zoning Commission, is no longer affiliated with I.G. Burton Company, Inc.]

Wastewater Hal Godwin, Deputy County Administrator, presented a wastewater Agreement agreement for the Council’s consideration.

M 374 14 A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the Execute recommendation of the Sussex County Engineering Department, for Sussex Wastewater County Project No. 81-04, Agreement No. 984-2, that the Sussex County Agreement Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Coastal Club, LLC, for wastewater facilities to be constructed in Coastal Club – Phase 1A, located in the Goslee Creek Planning Area.

**M 374 14
(continue)**

Motion Adopted: 5 Yeas.

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

**Public
Hearing/
Lochwood
Chapter 96
Sussex
Community
Improve-
ment Project**

At 10:20 a.m., a Public Hearing was held on the Lochwood Chapter 96 Sussex Community Improvements (SCI) Project No. 12-21 to allow the property owners of the Lochwood SCI Project an opportunity to comment on the final assessment to be levied against each assessable parcel to finance the project. Patti Deptula, Director of Special Projects, reported that a notice of the Public Hearing was advertised and mailed to every property owner of record. Mrs. Deptula stated that the Assessment Roll has been on file for viewing in the office of the Engineering Department. A copy of the Assessment Roll was previously distributed to the Council.

Mrs. Deptula reported that the Lochwood Project was publicly bid and awarded to Jerry's, LLC (the lowest bidder) in August 2013; all construction items were substantially completed in July 2014 and a Balancing Change Order was approved to close out the contract. Mrs. Deptula reported that final costs for Jerry's, LLC was \$614,668.89, project surveying costs were \$9,500.00, and with the addition of Engineering administrative costs in the amount of \$36,346.11, total project costs were \$660,515.00. A contribution check in the amount of \$48,658.00 was received from Lochwood, LLC to help defray project costs; this amount was based on their prior commitment to contribute an amount equal to one year's actual assessment rate for every property not owned by them. After deducting the Lochwood contribution, the total project cost is \$611,857.00. The annual assessment rate is determined by dividing the total project cost by the total number of assessable properties (244) within the community; this calculates to an amount of \$225.54 annually per assessable property for a 15 year time period at a 4 percent interest rate; there is also an option to pay off the entire amount by making a one-time lump sum payment in the amount of \$2,507.61. Mrs. Deptula noted that these rates are substantially lower than presented at the project election.

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

**M 375 14
Approve
Lochwood
Chapter 96
Sussex
Community
Improve-
ment
Project**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineer and the Sussex County Finance Director and in accordance with Sussex County Code, Chapter 96, Sussex Community Improvements, that Sussex County Council approves the Lochwood Chapter 96 Sussex Community Improvement Project Assessment Roll, dated July 29, 2014, and that each assessable property within the project will pay the final assessment rate of \$225.54 annually for a 15-year time period, with the option to make a one-time lump sum payment of 2,507.61; Sussex County Council authorizes the Finance Director to proceed with the billing for each property in accordance with Chapter 96 of the Sussex County Code.

**M 375 14
(continued)**

Motion Adopted: 5 Yeas.

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

Mr. Cole left the room.

**Sussex
Shores
Chapter 96
Sussex
Community
Improve-
ment
Project**

Patti Deptula, Director of Special Projects, presented the results of the July 12, 2014 election held for the Sussex Shores Chapter 96 Proposed Sussex Community Improvement Project:

	<u>Yes Votes</u>	<u>No Votes</u>	
Votes cast in person	29	12	=41 total votes cast in person
Votes by absentee ballot	36	12	=48 total votes cast by absentee ballot
TOTAL	65	24	=89 total votes cast

Result: The Sussex Shores Chapter 96 project was voted in favor of proceeding 65-24.

Mrs. Deptula reported that, on June 10, 2014, the Council approved Resolution R 006 14 to accept the Sussex Shores Subdivision into the Chapter 96 Sussex Community Improvement Program. The Resolution approved an estimated annual amount of \$1,614.00 per assessable property for a 20 year time period.

Mrs. Deptula reported that construction is scheduled to begin in 2015.

**M 376 14
Adopt
R 007 14/
Sussex
Shores
Chapter 96
Sussex
Community
Improve-
ment
Project**

A Motion was made by Mr. Phillips, seconded by Mrs. Deaver, to Adopt Resolution No. R 007 14 entitled “A RESOLUTION AUTHORIZING THE SUSSEX COUNTY ENGINEER TO PERFORM IMPROVEMENTS, AND THE SUSSEX COUNTY ENGINEER AND FINANCE DIRECTOR TO DETERMINE A UNIFORM ASSESSMENT RATE FOR BILLING UPON SUBSTANTIAL COMPLETION OF THE IMPROVEMENTS FOR THE SUSSEX SHORES CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENT PROJECT”.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Lewes
Crossing**

John Ashman, Director of Utility Planning, presented a proposed Agreement with Lewes Crossing Capital Partners, LLC for the installation of regional infrastructure through an easement for a project known as

Lewes Crossing Regional Infrastructure Agreement (continued)

Lewes Crossing in the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. The Engineering Department has been working with the developers of this project to reach an agreement whereby the contractor for the developer will install regional infrastructure in parallel with the development's sewer line and easement previously acquired by the County through the project. The County will reimburse the Developer for the construction costs of installing the 18 inch forcemain in an amount not to exceed \$278,133.06. It is the County's 18 inch forcemain that the Developer will be installing. Mr. Ashman reported that the Developer has agreed to and executed the Agreement.

(Mr. Cole rejoined the meeting during this discussion.)

M 377 14 Authorize Lewes Crossing Regional Infrastructure Agreement

A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, that the Sussex County Council President is authorized to execute the Lewes Crossing Regional Infrastructure Agreement between Sussex County and Lewes Crossing Capital Partners, LLC, as presented on July 29, 2014.

Motion Adopted: 5 Yeas.

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

Pump Station 207 and Forcemain Project

Juel Gibbons, Project Engineer, presented the bid results for the Pump Station 207 and Force Main Project, Contract No. 12-23:

Kuhn Construction Hockessin, DE	\$4,123,810.90
George & Lynch, Inc. Dover, DE	\$4,570,524.50
Northeast Remsco Construction, Inc. Farmingdale, NJ	\$5,481,588.00
JJID, Inc. Bear, DE	\$5,551,737.50

The Engineer's Estimate for the contract was \$4,176,975.00.

Ms. Gibbons explained that this contract relates to the construction of a new pump station at the old Pump Station 207 site and the installation of approximately 9,000 linear feet of Force Main. The design has been completed for this project and the project was put out to bid.

Ms. Gibbons reported that it is the recommendation of the Engineering Department that the contract be awarded to Kuhn Construction.

M 378 14 Award Bid/ A Motion was made by Mrs. Deaver, seconded by Mr. Phillips, based upon the recommendation of the Sussex County Engineering Department, that Contract 12-23, Pump Station 207 and Force Main, be awarded to Kuhn Construction of Hockessin, Delaware at the bid amount of \$4,123,810.90.

Comments/ Value Engineering Mr. Phillips asked if a Value Engineering Study will be performed. Ms. Gibbons and Michael Izzo, County Engineer, responded that no independent firm will be doing a Value Engineering Study on this project; that the project is in the construction phase, which is not the appropriate time to do Value Engineering; that Value Engineering is done at the time of design; that there is a limited window for construction; that they have an agreement with the owner of the site to start work before September; and that Value Engineering would put the project in jeopardy as the project would have to be rebid.

M 379 14 Amend Motion M 378 14 A Motion was made by Mr. Phillips, seconded by Mr. Wilson, to authorize Administration to hire a consulting company from the approved engineer pool to work simultaneously with the vendors who are currently working on this project (Pump Station 207 and Force Main), with a value not to exceed \$50,000.00, to see if there are possible savings that could be made.

DENIED

Motion Denied: 3 Nays, 2 Yeas.

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

Call for Vote M 378 14/ Award Bid/ Pump Station 207 and Force Main The President called for a vote on Motion M 378 14 that “based upon the recommendation of the Sussex County Engineering Department, that Contract 12-23, Pump Station 207 and Force Main be awarded to Kuhn Construction of Hockessin, Delaware at the bid amount of \$4,123,810.90”.

Motion Adopted: 3 Yeas, 2 Nays.

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

Comments/ Value Engineering Mr. Vincent stated that he shares the views of Mr. Phillips regarding Value Engineering; however, this project goes back to 2012 and there are time constraints involved with the property owner. Mr. Vincent strongly suggested, from this point forward, that Value Engineering be required on all projects coming to the Council. Mr. Izzo asked for a monetary threshold to incorporate into projects. Mr. Vincent responded that the Council will consider this and report back to him.

**Old
Business/
C/U
No. 1991/
DelDOT
Report**

Under Old Business, Conditional Use No. 1991 filed on behalf of Cool Spring LLC/Highway One, the Council heard a report from DelDOT.

Lawrence Lank, Director of Planning and Zoning, reported that, at the conclusion of the Public Hearing before Council on July 22, 2014, the record was left open for DelDOT to give a presentation on their traffic evaluation report.

Mr. Lank noted that the Planning and Zoning Commission has not yet made a recommendation on this application.

The Motion on July 22, 2014 read as follows: “to leave the record open on Conditional Use No. 1991 for the limited purpose of asking DelDOT to move forward with providing more detail on an ingress and egress plan to be presented to the Council at the July 29th meeting”.

Adam Weiser, Safety Program Manager, Traffic Section, and Michael Rivera, Special Events Manager, Traffic Section, both of DelDOT, were in attendance to discuss how DelDOT would manage traffic for the proposed event and what the traffic impact would be for the event. Mr. Weiser presented a Conceptual Traffic Evaluation Summary which included an overview of the event, event entrances, roadway conditions, and potential routes to access the event. He noted that their discussion on this date is based on very preliminary information since they have not yet talked to other agencies about the proposed event, i.e. Delaware State Police, Fire Marshal, EMS, etc. and since only one meeting has taken place with the Applicant.

Mr. Weiser stated that, for an event of this size, it takes about a year to plan and he referenced the Firefly Music Festival. He reported that DelDOT meets with event organizers and property owners where an event is to be held to discuss numbers, ticket sales, a traffic control plan, potential routes to access the event, where people will camp, the parking plan, the impact on infrastructure, the impact on existing motorists and the locals; etc.

In response to questions, it was noted that it would not take a year to plan the event if it were to be held on the Harrington Fairgrounds since DelDOT meets regularly with Fair officials and standard operating procedures are in place for that location.

**Grant
Requests**

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

**Clothing
Our Kids
Grant
Request**

Suzanne Worrell, a representative of Clothing Our Kids, reported to Council on the organization’s efforts to provide essential school clothing to impoverished children in Sussex County, Grades Pre-K through 5. Council members and Ms. Worrell discussed the funding request.

M 380 14
County-
wide
Youth
Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$2,000.00 from the Countywide Youth Grant Account to Clothing Our Kids to provide essential school clothing to impoverished children.

Motion Adopted: 5 Yeas.

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

M 381 14
Council-
manic
Grant

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$500.00 from Mr. Cole's Councilmanic Grant Account to the Rehoboth Art League for their arts outreach program.

Motion Adopted: 5 Yeas.

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

Introduction
of Proposed
Ordinance

Mr. Vincent introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 14,400 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1757) filed on behalf of BLN, LLC. The Proposed Ordinance will be advertised for Public Hearing.

Additional
Business

Under Additional Business, Dan Kramer commented on truck traffic and its impact on road conditions.

Mr. Moore noted that Mr. Kramer's comments cannot be considered part of the record for Conditional Use No. 1991 filed on behalf of Cool Spring LLC/Highway One, as the public record was closed on July 22, 2014.

M 382 14
Go Into
Executive
Session

At 11:43 a.m., a Motion was made by Mr. Wilson, seconded by Mr. Phillips, to recess the Regular Session and go into Executive Session.

Motion Adopted: 5 Yeas.

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

Executive
Session

At 11:45 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing issues relating to land acquisition and pending/potential litigation. The Executive Session concluded at 12:17 p.m.

**M 383 14
Reconvene
Regular
Session**

At 12:19 p.m., a Motion was made by Mr. Wilson, seconded by Mr. Cole, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 4 Yeas, 1 Absent.

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

There was no action on Executive Session items.

**M 384 14
Adjourn**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to adjourn at 12:20 p.m.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

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

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

MICHAEL A. IZZO, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

July 30, 2014

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
DEL - MAR SUBDIVISION AKA ROCKS BETHANY
AGREEMENT NO. 997

DEVELOPER:

Rocks Bethany, LLC c/o Allen and Rocks, Inc.
1960 Gallows Rd, Suite 300
Vienna, VA 22182

LOCATION:

East side of Route 1 and south of intersection of
Rt 1 and Road 360.

SANITARY SEWER DISTRICT:

Bethany Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

SYSTEM CONNECTION CHARGES:

\$16,500.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
05/23/14

Department Of Natural Resources Plan Approval

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 3

Construction Admin And Construction Inspection Cost – \$2,416.35

Proposed Construction Cost – \$16,109.00

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
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Sussex County

DELAWARE
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MICHAEL A. IZZO, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

Aug 12, 2014

PROPOSED MOTION

BE IT MOVED THAT BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, FOR SUSSEX COUNTY PROJECT NO. 81-04, AGREEMENT NO. 997 THAT THE SUSSEX COUNTY COUNCIL EXECUTE A CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION AGREEMENT BETWEEN SUSSEX COUNTY COUNCIL AND "ROCKS BETHANY, LLC C/O ALLEN AND ROCKS, INC.", FOR WASTEWATER FACILITIES TO BE CONSTRUCTED IN "DEL – MAR SUBDIVISION A/K/A ROCKS BETHANY", LOCATED IN BETHANY BEACH SANITARY SEWER DISTRICT.

ORDINANCE NO. 38
AGREEMENT NO. 997

TODD LAWSON
COUNTY ADMINISTRATOR

MEMORANDUM

TO: **Sussex County Council**

THROUGH: Todd Lawson
 County Administrator

FROM: Jim Hickin
 Airport & Industrial Park

RE: **FAA GRANT ACCEPTANCE**

DATE: August 7, 2014

At the August 12th Council meeting, Joe Wright and I will present a task order with Delta Airport Consultants for the design of an aircraft parking apron expansion for your approval. If approved, I will then recommend your acceptance of a \$255,600 FAA grant offer that will fund this design.

Here's how the process works: The US Secretary of Transportation has released the funds for this project to the Harrisburg Airports District Office (ADO). The ADO, in turn, has made a grant offer to the County. After accepting the grant, our "line of credit" with the Federal government will be increased by the grant amount.

As you know, the County must not only formally accept the money, but the obligations that come with it. These obligations are found in our Master Agreement with the FAA and others included in the grant document. The Master Agreement is sometimes referred to as "grant assurances", because of the 39 assurances found in the document.

I look forward to your acceptance of the grant for this important project. Please feel free to call me at 855-7775 if you have any questions.

cc: Michael A. Izzo, P.E., Director, Engineering Dept

FAA grant will help cover design costs for airport apron expansion

Sussex County Post

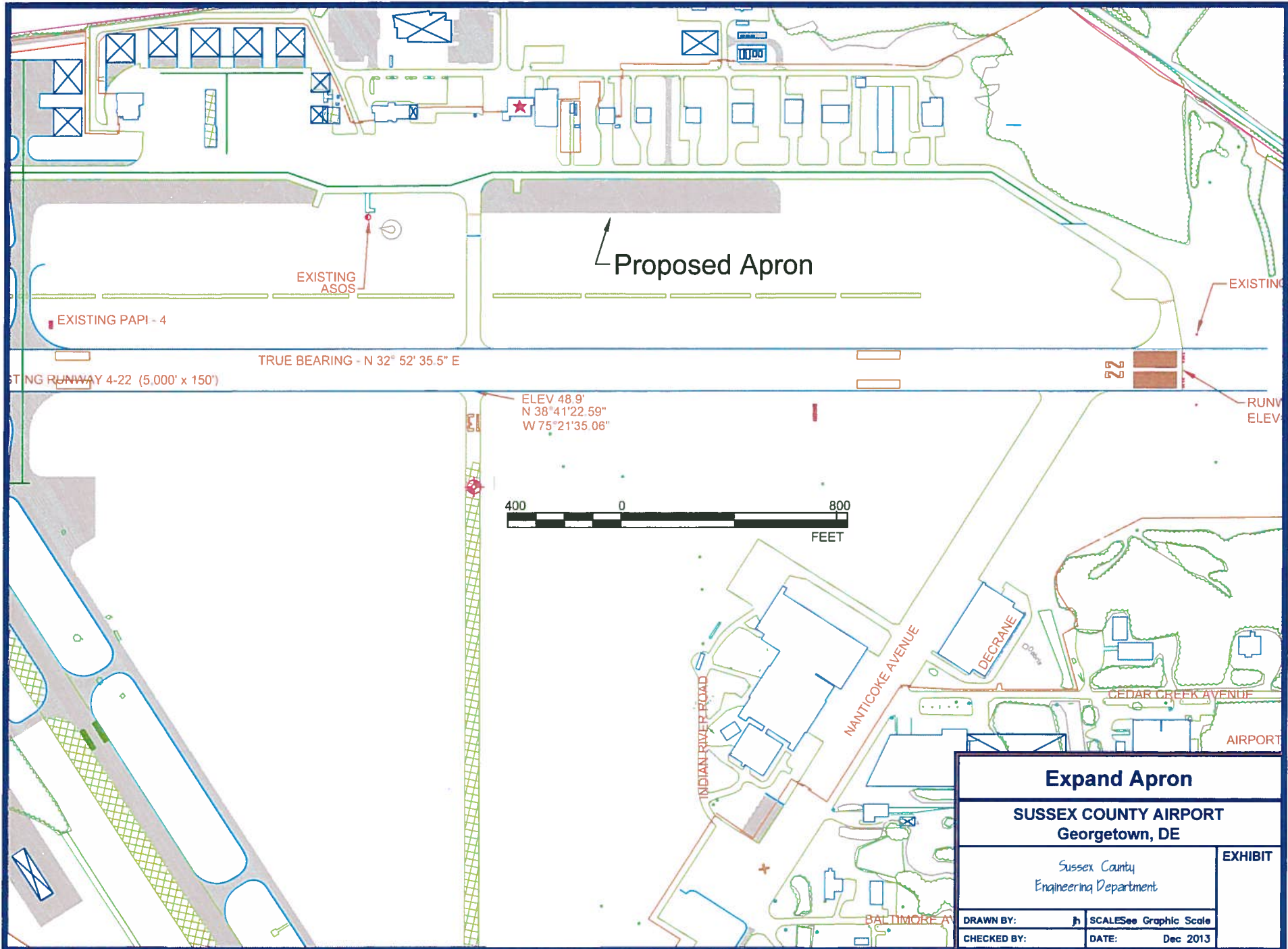
GEORGETOWN — Today U.S. Sens. Tom Carper and Chris Coons and U.S. Representative John Carney announced a \$270,000 grand award from the Federal Aviation Administration to Sussex County to help with the construction improvements at the Sussex County Airport.

This grant award will go toward the design and engineering of expanding the general aviation apron to accommodate additional aircraft tie-down space.

“This grant brings us closer to completing the improvements at the Sussex County Airport,” said Sen. Carper. “A larger apron will help the airport attract more aircraft operators to the Georgetown airport, who can use it as their ‘home’ airport. This is a smart investment for the Federal Aviation Administration, and furthers the Delegation’s efforts to make the airport an economic development hub for Sussex County.”

“Infrastructure plays such an integral role in helping businesses grow and creating jobs,” Senator Coons said. “The receipt of this federal grant for the engineering and design of an expanded apron is another step toward building the airport’s role in the region, and expanding the economy of Sussex County at the same time.”

“This project is another lift to jobs and businesses at the Sussex County Airport,” said Congressman Carney. “A larger apron means more aircraft will be stored there and more operators will become familiar with the airport’s top-notch facilities. It’s a smart investment that I hope we can continue to build on in the coming years.”



Expand Apron	
SUSSEX COUNTY AIRPORT Georgetown, DE	
Sussex County Engineering Department	
DRAWN BY:	jh
CHECKED BY:	DATE: Dec 2013
SCALE: See Graphic Scale	
EXHIBIT	

MEMORANDUM

TO: **Sussex County Council**

THROUGH: Todd Lawson
County Administrator

FROM: Jim Hickin, A.A.E.
Airport & Industrial Park

RE: **DELTA AIRPORT CONSULTANTS TASK ORDER**

DATE: August 7, 2014

At the August 12th Council meeting, Joe Wright and I will present a task order with Delta Airport Consultants for the design of an aircraft parking apron expansion for your approval. The proposed fee is \$270,000.00.

The project will design an 18,500 square yard expansion of our existing main aircraft parking apron. The apron will be expanded to accommodate large aircraft, up to and including at least one Boeing 737. The design will also address drainage and stormwater management issues, as well as a significant impact on taxiway lighting in the apron area. Multiple pavement sections will be investigated to provide the most cost effective design.

As required by Federal regulations, we had an independent fee estimate (IFE) performed on the proposed scope of work (McFarland Johnson performed the IFE). Based on the IFE, the FAA considers the proposed fee to be reasonable.

The FAA has offered a grant for this project that will fund 90% of this contract. The grant offer will be presented for your acceptance once the task order is approved.

Please call me at 855-7775 if you have any questions.

cc: Michael A. Izzo, P.E., Director, Engineering Dept

ATTACHMENT "2-1"

PROJECT/TASK NARRATIVE

This project at the Sussex County Airport, Georgetown, Delaware is to design a new general aviation aircraft parking apron. The apron is to be located adjacent to Taxiway 'A', and is to be bounded on the southwest edge by the existing Taxiway 'B' and the northeast edge is to be defined by the location of the proposed future Taxiway 'L'. The southeastern pavement edge is to be established such that aircraft movements are protected along the future proposed parallel Taxiway 'B', as depicted on the current Airport Layout Drawing. The maximum pavement limits are anticipated to be approximately 18,500 SY.

The apron is intended to serve aircraft which vary in size from small Group I aircraft weighing less than 12,500 pounds up to large Group III aircraft such as the Boeing Business Jet which exceeds 100,000 pounds. Given the site constraints defined by the existing and proposed taxiways, combined with the diverse grouping of aircraft to be served, determination of the final geometrics is to require close coordination with the Owner in order to provide a final layout which is to meet their operational requirements while optimizing the layout of parking and movement areas.

It is anticipated that a minimum of one parking space is to be provided for the large Group III aircraft. The remainder of the apron is to support Group I movements and parking, with full circulation for Group I aircraft desired. Full circulation for Group III aircraft is also preferred, and multiple options for achieving this is to be prepared. Multiple pavement sections are to be investigated based on the final layout in order to provide the most cost effective final design. It is possible that the final design may incorporate multiple pavement sections.

It is anticipated that the full paving limits of 18,500 SY may not be achievable under the current project budget, and thus multiple bid Alternates or Additives are to be developed to provide flexibility in making an award of the project.

The project is to include drainage and stormwater management provisions which are to be reasonably consistent with the existing Concept Stormwater Management Plan for Airport Development Projects prepared for the Airport in 2007. The SWM and drainage designs are to also meet applicable local, state, and federal criteria and are to be developed with respect to future development indicated on the Airport Layout Drawing. Temporary erosion and sediment control measures are to be developed to meet applicable local and state guidelines. It is anticipated that the SWM and E&S drawings are to require separate local approvals and thus may require independent submittals.

Construction of the apron is to impact the existing taxiway edge lighting systems for existing Taxiway's 'A' and 'B'. Relocation, demolition, and expansion of these systems as appropriate is to be included in the design in order to provide a final lighting system which is compliant with FAA requirements, and meets the needs of the Owner. This is to include the use of in-pavement lights if necessary.

The Engineer is to obtain a full survey of the proposed impact areas and surrounding tie-in areas, which spans approximately 18 acres. This is notably larger in size than the approximately 4 acres of proposed pavement due to the need to include potential SWM and drainage development areas, as well as to identify adjacent pavement elevations so the

proposed apron does not negatively impact other future proposed work. In addition, soil borings consistent with FAA requirements are to be performed in order to provide information for the required pavement designs.

The Engineer is to prepare an update to the DBE goal requirement for federal funding associated with this project.

It is our understating this project has been environmentally approved by the FAA through the issuance of a Categorical Exclusion, and thus no additional environmental approval efforts are included in the scope.

Services Not Included:

1. The scope does not include agency review approval and permit fees. These fees are the responsibility of the Owner.
2. The scope does not include environmental clearance as the Owner has already completed this task.
3. The scope does not include construction administration services.

End Project/Task Narrative

**ATTACHMENT "2-2"
FEE SUMMARY**

Design and Bidding Phase Services

Project Title: Expand Apron
 Airport Name: Sussex County Airport
 Airport Location: Georgetown, Delaware

Delta Airport Consultants, Inc.

AIP Project No. Pending
 State Project No. Pending
 Delta Project No. 14095

Date: July 3, 2014

Delta Workhour Costs - Design & Bidding	
Basic Services	
Schematic Design Phase (SD)	\$10,924
Design Development Phase (DD)	\$22,854
Construction Document Phase (CD)	\$71,320
Bidding Phase Services (BD)	\$15,850
Subtotal:	\$120,948
Special Services	
Project Administration	\$36,442
Subtotal:	\$36,442
Fee	
Fixed Fee	\$15,739
Subtotal:	\$15,739
Design Unit Price + Fixed Fee Budget: \$173,129	

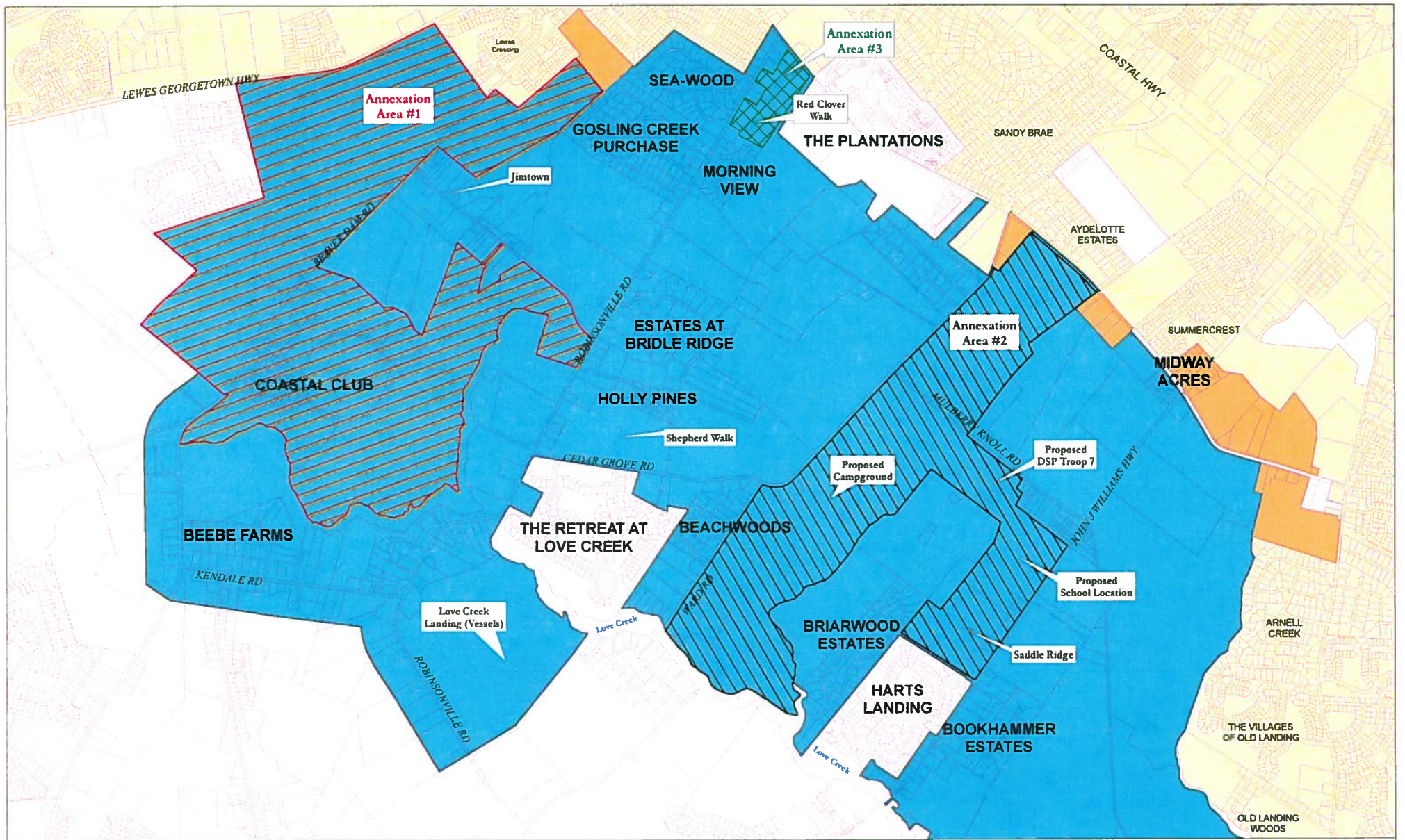
Reimbursable Expenses	
Travel & Miscellaneous	\$5,000
Printing (Review Submittals, As-Bid)	\$3,249
Constructability Review (Connico) (DBE)	\$2,800
Design Geotechnical (Pennonni)	\$18,978
Design Ground Survey (Pennonni)	\$18,725
SWM Design & Local Coordination/Permitting (Davis, Bowen & Friedel)	\$48,119
Reimbursable Expenses Budget: \$96,871	

Not to Exceed Unit Price + Fixed Fee Budget:	\$270,000
---	------------------

1. 2014 billing rates utilized on this project include an overhead rate at 210.63%

Goslee Creek Annexations 1-3 Fact Sheet

- Multiple requests for annexation into the sewer district from the Goslee Creek region.
- We recently completed a Planning Study for the area. Below are the projects/parcels that we have requests from. The three areas are due to the fact that the requests are spread out throughout the planning area. This could be grouped into one expansion if council chose to include other parcels.
- Annexation Area #1:
 - Coastal Club and the Cape Henlopen Lodge # 2540 (Benevolent and Protective Order of Elks)
- Annexation Area #2:
 - Saddle Ridge, Troop #7, Proposed School, Proposed Campground, adjoining lands of Townsend
- Annexation Area #3
 - Red Clover Walk
- Will need to be (3) separate Public Hearings.



SUSSEX COUNTY ENGINEERING DEPARTMENT
GOSLEE CREEK PLANNING AREA



	Annexation Areas		Flow toward WRSSD
	Goslee Creek Planning Area		CPCN
	Existing West Rehoboth SSD		Parcels



DC GROUP

DESIGN CONSULTANTS GROUP, L.L.C.

Phone: (302) 684-8030

18072 Davidson Drive • Milton, DE 19968

Fax: (302) 684-8054

July 9, 2008

Sussex County Engineering Department
 Mr. John Ashman, Director of Utility Planning
 2 The Circle, P.O. Box 589
 Georgetown, Delaware 19947

RE: Sewer District Annexation Request

Dear Mr. Ashman

On behalf of our client, David Edwards, I am writing this letter to request annexation into the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

The property for this request is 334-6.00-552 and is located on the southeast side of SCR-277 (Robinsonville Road) approximately 1,260' southwest of SCR-275 (Plantations Road). Mr. Edwards's intent is to subdivide this parcel into 28 lots, for which, the public hearing is expected to be in the next few months.

Should you have any questions please contact us at (302) 684-8030.

For Design Consultants Group, L.L.C.,



JC Owens
 Projects Coordinator

Copy TO: File CM-9.13AC
 ROB DAVIS
 LORE HUDSON
 R.O.

A FRATERNAL ORGANIZATION



Cape Henlopen Lodge No. 2540

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

P.O. Box 68

Nassau, Delaware 19969

Phone (302) 645-7016

Mr. James Osbourne
Supervisor Southern District
Sussex County
Department of Transportation
Division of Highways
23697 Dupont Boulevard
Georgetown, DE 19947

June 26, 2014

Dear Mr. Osbourne:

I met with you on June 9 on behalf of the Cape Henlopen Elks Lodge #2540 in regard to its septic system. During our meeting, you requested that a letter be prepared stating that the Elks Lodge would like to tie into the sewer force main on Beaver Dam Road.

The existing system is over 30 years old and is starting to fail.

Enclosed please find copies of the Elks system and some recent repair bills showing how they are able to stay operational. Also enclosed are some brochures that depict what the Elks stand for in our community on an annual basis.

In closing, I thank you for your time and interest. Please feel free to contact me at any time.

Sincerely,

A handwritten signature in cursive script, which appears to read "Charlie Sewell". The signature is written in black ink and is positioned below the word "Sincerely,".

Charlie Sewell/
On behalf of the Cape Henlopen Elks Lodge #2540
23 Lakeshore Drive
Lewes, DE 19958
302-945-3941

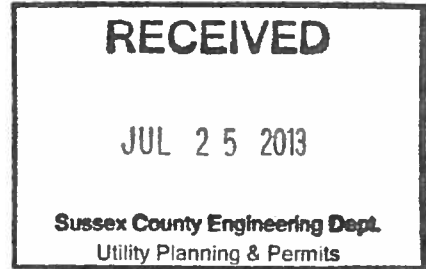
Enclosures

solutions

Integrated Planning
Engineering & Management, LLC

July 25, 2013

Mr. Michael Izzo
Mr. John Ashman
Sussex County Engineering Department
2 The Circle
PO Box 589
Georgetown, DE 19947



Re: Windswept Farm, Tax Map *Saddle Ridge*
Request for Sanitary Sewer Service and Inclusion in Sewer District

Dear Messrs. Izzo and Ashman:

Pursuant with our meeting with Mr. Izzo concerning the property referenced above, the purpose of this letter is to formerly request on behalf of Seaside Communities RDC, LLC that the County provide sanitary sewer service to Windswept Farm in the manner described in the meeting, i.e., that Sussex County will undertake the establishment of a new Goslee Creek Sanitary Sewer District or an expansion of an existing district together with the construction of a regional pump station and other regional infrastructure that will serve the project at the cost of the connection fee established by the County in its customary fashion.

In addition, we applaud the County's forward thinking approach and fully support the establishment of a sewer district in this portion of the County and would like to suggest that the regional pump station be located on the Windswept site. To that end, Seaside Communities RDC, LLC has stipulated that they will set aside a site for the pump station if such a location proves to be feasible for the County.

Thank you in advance for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank M. Kea".

Frank M. Kea, RLA

Cc: Dan McGreevy
Mark McGreevy

132 East Market Street, Suite B
PO Box 416,
Georgetown, DE 19947

T: 302.297.9215
E: ideas@solutionsipem.com



Chapel Green HOA, Inc.
104 Ancient Oak Court
Lewes, DE 19958
302-945-4980

December 6, 2013

Hi Mr. Ashman,
Thanks for
coming to Chapel Green.
Enclosed are letters to
Mike Izzo asking that
Chapel Green be
included in the Goslee
Creek proposal.
Thanks
Ann Conlon

Mr. Mike Izzo
Sussex County Engineering Department
2 the Circle
Georgetown, DE 19947

Dear Mr. Izzo:

We would like to thank you, and John Ashman, for coming to Chapel Green to discuss the proposed Goslee Creek wastewater facility. The members of our Board of Directors were impressed. The members of our Wastewater Upgrade Advisory Committee were impressed, too. (See attached letter)

Please include Chapel Green in the Goslee Creek feasibility study. It provides a practical, cost effective way to meet DNREC's nitrogen limitation mandate.

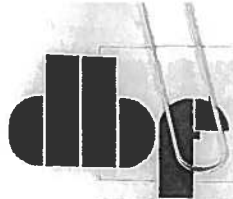
We look forward to the completion of Goslee Creek and the county takeover of Chapel Green's wastewater system at that time.

If additional information or assistance is needed, please let us know.

Yours truly,

Jean Rothenburger, President
Chapel Green Board of Directors

Ann Conlon, Wastewater Director



February 28, 2014
Revised: March 3, 2014

Michael R. Wigley, AIA, LEED AP
Randy B. Duplechar, P.E.
Charles R. Woodward, Jr., LE
W. Zachary Crouch, P.E.
Michael E. Wheelerton, AIA
Jason P. Lohr, P.E.
Gerald G. Friedel, P.E.

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

RE: Coastal Club
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
Goslee Creek Planning Area
Tax Map #: 3-34-11, Parcels 3.01, 5, 5.02, 5.03, 8, 12 and 43.01
DBF# 0818H001.001


Dear Mr. Ashman,

On behalf of the Owner, Coast Club, LLC, we hereby request Sussex County Council to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District boundaries. The purpose of this extension of boundaries would be to provide sanitary sewer service to the parcels of land referenced by Sussex County Tax Map Number 3-34-11, Parcels 3.01, 5, 5.02, 5.03, 8, 12 and 43.01.

We have included 3 copies of the concept plan, legal description and an application fee in the amount of \$2,500.00.

We thank you for your assistance in this matter. If you should have any questions, please contact me at 424-1441.

Sincerely,
Davis, Bowen & Friedel, Inc.



W. Zachary Crouch, P.E.
Principal

Enc.



Michael R. Wigley, AIA, LEED AP
Randy B. Duplechain, P.E.
Charles F. Woodward, Jr., LS
W. Zachary Crouch, P.E.
Michael E. Wheelerton, AIA
Jason F. Loch, P.E.
Gerold G. Friedel, P.E.

February 28, 2014

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

Camground

RE: Townsend Parcels
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
Goslee Creek Planning Area
Tax Map #: 3-34-12.00-16.00 and 52.00
DBF# 2261A006.I01

Dear Mr. Ashman,

On behalf of the Owner, J.G. Townsend, Jr. & Co., we hereby request Sussex County Council to consider extending the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District boundaries. The purpose of this extension of boundaries would be to provide sanitary sewer service to the parcels of land referenced by Sussex County Tax Map Parcel Number 3-34-12.00-16.00 and 52.00.

The application fee in the amount of \$2,500.00 (two separate checks) is enclosed as well as a legal description for each parcel of land.

We thank you for your assistance in this matter. If you should have any questions of concerns please contact me at 424-1441.

Sincerely,
Davis, Bowen & Friedel, Inc.

Ring W. Lardner, P.E.
Associate

P:\JG Townsend\2261A002 Love Creek Sewer Study\Documents\Parcel 16 and 52 - Sewer District Annexation Request.doc

Enc.

OLD BUSINESS

August 12, 2014

This is to certify that on July 10, 2014 the Sussex County Planning and Zoning Commission conducted a public hearing on the below listed application for Conditional Use. At the conclusion of the public hearing, the Commission moved and passed that the application be forwarded to the Sussex County Council with the recommendations as stated.

Respectfully submitted:

COUNTY PLANNING AND ZONING
COMMISSION OF SUSSEX COUNTY

Lawrence B. Lank

Director of Planning and Zoning

The attached comments relating to the public hearing are findings of the Planning and Zoning Commission based upon a summary of comments read into the record, and comments stated by interested parties during the public hearing.

Conditional Use #1991 – Coolspring, LLC/Highway One

Application of **COOLSPRING, LLC/HIGHWAY ONE** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a facility for outdoor entertainment events with temporary camping facilities during events only to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing approximately 500 acres, more or less, of two parcels containing 1,057.6 acres, land lying north of Road 302A (Avalon Road), west of Road 48 (Hollyville Road), south of Road 47 (Johnson Road), and east of Road 296 (Lawson Road) (911 Address – 23430 Hollyville Road, Harbeson, Delaware) (Tax Map I.D. #2-34-15.00-22.00 and 2-34-9.00-34.00).

The Commission found that the Applicant submitted copies of two surveys of the property, one of which contains 835.02 acres, and the other which contains 222.617 acres; a copy of the lease for approximately 500 acres of the property; a listing of property owners within 200 feet of the site intended; a conceptual layout of the buildings and parking areas, showing ingress/egress to public roads; and noting that they are not proposing any permanent buildings; that with respect to ingress/egress there is a dirt road entrance from Avalon Road and a dirt road from Lawson Road that will be expanded to connect to the Avalon Road access; and noting that due to the nature of the music festivals and overnight camping there could be parking throughout the 500 acres.

The Commission found that the Applicant provided a second letter which had attached two different versions of the plan for the site, labeled A and B, and that they are inclined to use plan A. Plan A is a rendering showing areas of the property intended for a stage, the main arena, camping areas, parking areas, intended drive locations, and intended entrance locations. Plan B is a rendering showing the same information in different locations on the site.

The Commission found that DelDOT provided comments on April 24, 2014 in the form of a Support Facilities Report referencing that a traffic impact study was not recommended.

The Commission found that the County Engineering Department provided comments on July 7, 2014 in the form of a memorandum referencing that the site is not located in a proposed or current County operated and maintained sanitary sewer and/or water district; that the site is located in the North Coastal Planning Area; that conformity to the North Coastal Planning Study will be required; that the parcels for the proposed use are not in an area where the County has a schedule to provide sewer service at this time; and that a concept plan is not required.

Mr. Lank advised the Commission that, to date, the Department has received 5 letters/emails in support of the application.

Mr. Lank advised the Commission that, to date, the Department has received 51 letters/emails and 462 signatures on petitions in opposition to the application.

Mr. Lank provided the Commission with copies of all letters/emails received to date.

The Commission found that Alex Pires were present with Steve Spence, Esquire, and stated in his presentation and in response to questions raised by the Commission that they own eight (8) businesses in the area; that he and his wife have researched music festivals for two years throughout the United States; that he has signed a lease for 500 acres on the farm; that he has spoken to the Harrington State Fair for a possible backup site, if this application fails; that he spoke to the County and was asked not to seek a three day special event permit under the Code and to apply for a Conditional Use; that country music festivals can be family events, with less people than most state fair events; that he would like to see 20,000 attendees; that he hopes that 80% of the attendees come in RVs and anticipates 20% of the attendees to be day trippers; that he anticipates that the first year budget will be in the range of \$5,000,000 to \$6,000,000; that these are family based events; that low traffic impact is anticipated since the majority of the attendees will stay on the site once their RVs are setup; that the Punkin' Chunkin' event is almost totally day trippers; that the parking area plans on no more than 2,000 day tripper vehicles daily; that every facet of the event is either State or County regulated, referencing DelDOT, the Office of the State Fire Marshal, State Police, State Health, Delaware ABC, etc.; that he prefers Rendering A provided by Starr Hill showing three entrance locations, one for RVs on Hollyville Road, one for day tripper parking on Avalon Road, and one for artist and production access; that it should take approximately 2 weeks to setup an event, and approximately a couple of days to breakdown an event; that they are hoping to set up stages near wooded areas to reduce noise; that the property is a beautiful 1,200 acre farm and that they plan on utilizing 500 acres of which 200 acres are wooded; that the State Fairgrounds contain 190 acres; that the Punkin' Chunkin' site in Bridgeville contained 600 acres; that the Firefly site contains 350 acres; that a couple of

small cemeteries exists on the site which will be protected with fencing; that there are 31 country music festivals in the United States and Canada, most of which are in rural areas; that a typical country music camping festival generates 20,000 or more attendees; that Highway One, LLC will be responsible for the events as the majority owner of Coolspring, LLC, the operator of the festival; that they are hoping to partner with Redlight Management/Starr Hill and Live Nation, some of the largest country music promoters; that they are hoping to have the first music festival on the first or second weekend of August 2015; that they are offering the following suggested proposed voluntary conditions of approval for consideration if the requested conditional use is approved: 1) Number of Events: a. No more than 5 events may be held on the site in any 12-month period. Two of the events can be as long as four (4) days and four (4) nights, including camping for each event. The remaining three (3) events can be one (1) day and one (1) night of camping. There will be no events in 2014. b. Beginning in 2015, there may be no more than two (2) music festivals in a given year, one of which would be a country music event. c. No vehicle road races, dirt bike races, monster truck events or similar activities will be permitted. 2) Hours of Operation: a) The applicant shall be required to terminate live music performances by the performing artists by 12:00 Midnight. b) All stage lighting (except security lighting) shall be shut down by 12:30 a.m. each night. 3) Location of Staging, Vendors, Camping, Medical Tents, Bathroom and Shower Facilities and Parking: a) The location of the staging, vendors, camping, medical tents, and bathroom and shower facilities shall be designed by a professional festival planner and a Delaware licensed Engineer or Architect, and approved by the Delaware State Fire Marshal. b) The location of all internal roads and parking shall be approved by DelDOT. 4) Traffic, Camping, Parking: a) The applicant has and will continue to meet with DelDOT and comply with DelDOT's master traffic plans for all events. b) Camping: Motor homes, RV's, travel trailers, tents and related camping equipment will be permitted. Temporary gravel and stone roadways will be constructed and the layout and dimensions of individual lots for camping shall be prepared by a Delaware Registered Engineer or Architect and shall be approved by the Delaware State Fire Marshal's Office. c) Accordingly, as these multi-day events will primarily be composed of campers, parking for one day-trippers on any given day of a music festival will be limited to 2,000 cars on-site, exclusive of overnight campers. 5) Fencing/Location of Temporary Structures: a) Prior to any events being held at the site, the area of the site to be used for the event shall be fenced by temporary fencing. The temporary fencing will be removed by August 31st each year and erected again prior to each event. b) No temporary structures, except fencing, shall be erected within 100 feet of any adjacent property border and no stage area shall be located within 100 feet of any public road passing the site. 6) Safety/Vehicle Inspections: a) The Sussex County Public Safety Services Special Events Administration Procedures will be followed and if the expected attendance for any event will exceed 25,000 persons, the applicant will pay for all required services. b) At all events, the applicant shall employ a professional security company which must submit a security plan to the Delaware State Police at least thirty (30) days prior to each event. This plan shall include crisis management, radio support, State Police communications and shall include an anti-drug detail. c) The security company shall provide, at the point of access of all vehicles to the campground areas, staff to conduct inspections of all vehicles for drugs, alcohol exceeding the ticketed limits, weapons, or other unsafe items. 7) Medical Services: a) Medical Services shall be provided on-site throughout any

event consistent with County and State standards. 8) Fire Safety: a) Access and presence by local volunteer fire departments shall be approved by the State Fire Marshal. 9) Food and Beverages: a) All food and beverage purveyors shall be required to obtain Delaware Business Licenses. b) Food, beverage and supply vendors will be onsite to minimize the number of vehicle trips required by attendees to maintain their food and beverage supplies. 10) Trash, Water, Bathroom Facilities: a) All refuse and trash will be removed from the site daily during any events. The final cleanup shall be completed within two (2) days after the end of the event. b) All water distribution systems shall be temporary, and if any modifications are required, they must be approved by the County. Bathroom facilities shall be provided in accordance with applicable State and local public health standards; that it is estimated that most RVs, motor homes and travel trailers will contain 4 to 5 attendees; that there may be a total of six (6) areas set aside for camping; that 200 acres of woodlands are available for camping purposes; that the woodland areas already have trails, originally established for horseback riding and carriages; that he does not want to limit the number of campers; that most festivals have from 20,000 to 25,000 campers; that he does not want to limit the number of camping spaces because they do not want attendees to have to come and go from the site; that there are three (3) lowland areas on the site which will be fenced; that the site is an irrigated farm; that a wetlands report can be made available; that shuttle services will be available; that shuttle services usually sell out for carrying day trippers; that he is willing to accept a condition requiring that shuttle services be available; that the events are primarily Friday, Saturday and Sunday; that access to the sites are normally a day before the event and exiting a day after the event; that the economic benefit could be tax support by creating \$10,000,000 or more based on gas sales, motel/hotels, restaurants, jobs, etc...; and that typically there will be three (3) stage areas, one for the main event, one being a smaller stage, and one being for local artist.

The Commission found that Marc Cote' of DelDOT was present and stated that the Department provided a Support Facilities Report; that a traffic impact study was not warranted since the proposal is a temporary event, which requires a specialized analysis; that the Department works with other agencies; and that the Traffic Section of DelDOT works with the applicant and other agencies to establish a traffic control plan, similar to the plans created for the Firefly Festival, Nascar races, and the Harrington State Fair.

The Commission found that Jim Allen, Pat Wright, Dan McCann, Tom Diluzio, Dale McAllister, Cindy Issel, and John DePlant were present and spoke in support of the application and stated that the use will be an economic benefit to Sussex County; that traffic control will be assisted by shuttle services; that within a few days of an event, the property will again be a farm; that development of the property would create more daily traffic than this event; that the property will continue to be farmed when there are no events on the site; that Sussex County needs an event of this type similar to the State Fair; that all events of this type seem to be held in Dover or Kent County; that the County is centralized with a large population of people within a four (4) hour range from Richmond, Washington D.C., Baltimore, Wilmington, and Philadelphia areas; that local civic groups will benefit by providing volunteer services; that only a portion of this farm will be utilized for the event, and the remainder of the farm will continue to be farmed; and that there would be support for any business benefit for small businesses.

The Commission found, by a show of hands in support, that 116 people were present in support.

The Commission took a five (5) minute recess.

The Commission reopened the public record and continued the public hearing.

The Commission found that Trudy Belotti, Gary Simone, Willie Nelson, Nikke Zangriech, Peter Lucuk, Tim Raile, Beverly Morgan, Margaret Foulke, Stan Schultheis, Richard Coyne, Peter Zoll, Steve Friend, Evan Bush, Nathan Wise, Richard Belotti, and Bill Ryan were present and spoke in opposition to this application and expressed concerns about the impact on the residential area in close proximity to the site; concerns about the poor condition of some of the local roads and that the local roads will not be able to handle to impact of the number of vehicles anticipated for the festival; that the area is agricultural and residential; that there are concerns about noise, trash, and traffic; that there are concerns about the impact on response time for emergency services in an emergency situation; that there are concerns about property damage; that insurance should be guaranteed; that the Harrington State Fairgrounds is a more appropriate location for this type of event; that the file lacks any record of a site plan that can be reviewed ; that trees will be removed to locate campsites in the wooded areas causing a loss of forest land; that the site will have to be re-graded; that there are cemeteries on the site that will need to be protected; that wellheads in the area need to be protected; that the project will impact the environment, wetlands, groundwater recharge, and endangered species; that the file does not contain an Environmental Assessment; that the use is not in compliance with the requirements to establish a Conditional Use; that the use is not in compliance with the Comprehensive Land Use Plan; that bonding and insurance should be a mandatory requirement to protect the site and the adjacent properties; that there will be dust, air quality, trash and sanitary issues by approval of this application; that Avalon Woods Subdivision will be directly impacted by this proposal since the subdivisions entrance is within 540 feet of one of the main entrances to the project site; that the residents of Avalon Woods are concerned about emergency services, both for the residents of Avalon Woods and the attendees at the event, since the roads in the area may be in gridlock due to the traffic to and from the project; that to date, neither DelDOT, the Emergency Operations Center, nor the State Police have any plans for the area based on the proposed events; that area residents are concerned about security, trespass, and possible crime increasing; that the use does not promote the health, safety, morals, convenience, order, prosperity and welfare of the residents of the area, it only benefits the developers; that there is no clear proposal in the file that depicts exactly how the site will be developed; that if the project is approved and becomes successful it will increase in size in the future and create even more impacts on the area, especially traffic; that the roads in the area are local roads, not major roads; that the Punkin' Chunkin' event is just off of U.S. Route 13; that the Harrington State Fair faces U.S. Route 13; and that the Dover Downs Nascar events and the Firefly Festival access U.S. Route 13 and Route One; that if the use is approved, 1) the number of attendees should be limited; 2) the permitted vehicle trips per day should be based on recommendations from DelDOT based on the ability of the roads to support the traffic; that the applicant should be responsible for all costs related to road improvements recommended by DelDOT; 3) that the applicant should be responsible for all costs for police and emergency services that affect residents on boundary roads; 4) that setup

times for each event should be limited to no more than two (2) days; that the applicant should be required to provide \$10,000,000 bond/insurance for each of the referenced suggested conditions 1 through 4 above; that farm equipment will be traveling these same local roads; that the use does not benefit the residents of the area, but is an infringement placed upon each resident; that some area residents feel that there will be a lack of enforcement; that neighbors do not want to see a field full of porta-toilets; that there are too many inconsistencies in comparison of the statements made by the applicant and the minimal documentation in the record/file; that the roadways are not the best and will probably get worse based on the amount of traffic anticipated; that this type of temporary project will create erosion and run-off issues if the weather is not cooperative during the time of the events; that the speed limit on Hollyville Road is 50 MPH and a main entrance to the events is intended on Hollyville Road which could be considered an accident waiting to happen; that this site is not appropriate for the use; that the Harrington Fairgrounds site is more suitable for such an event; that some of the local roads in the area are improved with surface treatment (tar and chip) which will fall apart after heavy usage; that no preliminary site plan was submitted and that the applicant, if approved, can submit for final site plan approval without a public hearing; that if the use is approved, a few individuals will make a lot of money, but questioning how much money will go back into the community; and that the area is generally quiet most of the time, and that they can only imagine the change during an event.

The Commission found, by a show of hands in opposition, that 79 people were present in opposition.

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

There was some consensus of the Commission that it is the applicant's duty to present a record in compliance with the Zoning Ordinance and the Comprehensive Land Use Plan; that members of the Commission noted that they are making a land use decision; that while a good business plan may have been submitted, they questioned whether sufficient land use and information required by the Zoning Code were supplied; and that more information should be presented at the next hearing on the application.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

On July 24, 2014 the Commission discussed this application which has been deferred since July 10, 2014 under Old Business.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

On August 7, 2014 the Commission discussed this application which has been deferred since July 10, 2014.

The Commission expressed concerns that there was not a significant record in advance for something of this size; that the file did not have much information for the public in regards to a site plan layout and design; that during the public hearing, only general information was

provided, not specific information; that the County Code requires a detailed preliminary site plan when applying for a conditional use; that without reviewing a detailed site plan, it is difficult to determine any potential negative impacts on the immediate and surrounding areas; that the presentation made during the public hearing lacked sufficient detail; that the Commission's recommendation is a land use decision; that the applicant did not create a record of support for this application; that a detailed site plan is needed; that the project could be a benefit to the County; that this application created a lot of interest both for and against; that the proposed project could possibly work with conditions placed upon it; that the County has lost the Pumpkin Chunkin event; that the Ordinance is very clear in regards to the criteria that needs to be submitted to evaluate an application; and that the presentation lacked substance.

Mr. Johnson stated that he would move that the Commission recommend denial of Conditional Use #1991 for Coolspring, LLC/Highway One based upon the lack of a sufficient record made during the public hearing.

Mr. Johnson stated that the applicant did not supply a site plan with the detail required by Section 115-220 of the Sussex County Code. Information required by that Code Section includes the location of all proposed buildings and structures, with setbacks and heights shown; the location of parking and loading areas; and it must be signed and sealed by a Delaware Surveyor or Engineer. The only depiction of the project that the applicant provided was aerial photograph with some very general information shown on it. Without the detail required in Section 115-220, Mr. Johnson does not believe that the Commission has enough information to understand the project, how it relates to the area, and whether it is an appropriate use.

Mr. Johnson stated that there were many components of the use that were discussed generally during the hearing, but few details were offered. For example, it is unclear where the campground portions of the use would be located; how they would be laid out; how close they would be to neighboring properties or roadways. Although the use is proposed to be temporary, the applicant did not substantiate how the proposed land use conforms with the Comprehensive Land Use Plan as supported and defined by Chapter 115 of the County Code.

Mr. Johnson stated that it may be that this project is an appropriate land use that will benefit Sussex County. But, based on the lack of information in the record before the Planning and Zoning Commission, that determination cannot be made. As a result Mr. Johnson recommends denial of Conditional Use Number 1991 based on the insufficient record presented to the Planning and Zoning Commission.

Motion by Mr. Johnson, seconded by Mr. Burton and carried 4 votes to 1, with Mr. Smith opposed, to forward this application to the Sussex County Council with the recommendation that it be denied for the reasons stated. Motion carried 4 – 1.

911 Address: 23430 Hollyville Road, Harbeson, DE

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FACILITY FOR OUTDOOR ENTERTAINMENT EVENTS WITH TEMPORARY CAMPING FACILITIES DURING EVENTS ONLY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING APPROXIMATELY 500 ACRES, MORE OR LESS, OF TWO PARCELS CONTAINING 1,057.6 ACRES (Tax Map I.D. 234-15.00-22.00 and 234-9.00-34.00)

WHEREAS, on the 24th day of April 2014, a conditional use application, denominated Conditional Use No. 1991 was filed on behalf of Cool Spring, LLC / Highway One; and

WHEREAS, on the ____ day of _____ 2014, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 1991 be _____; and

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

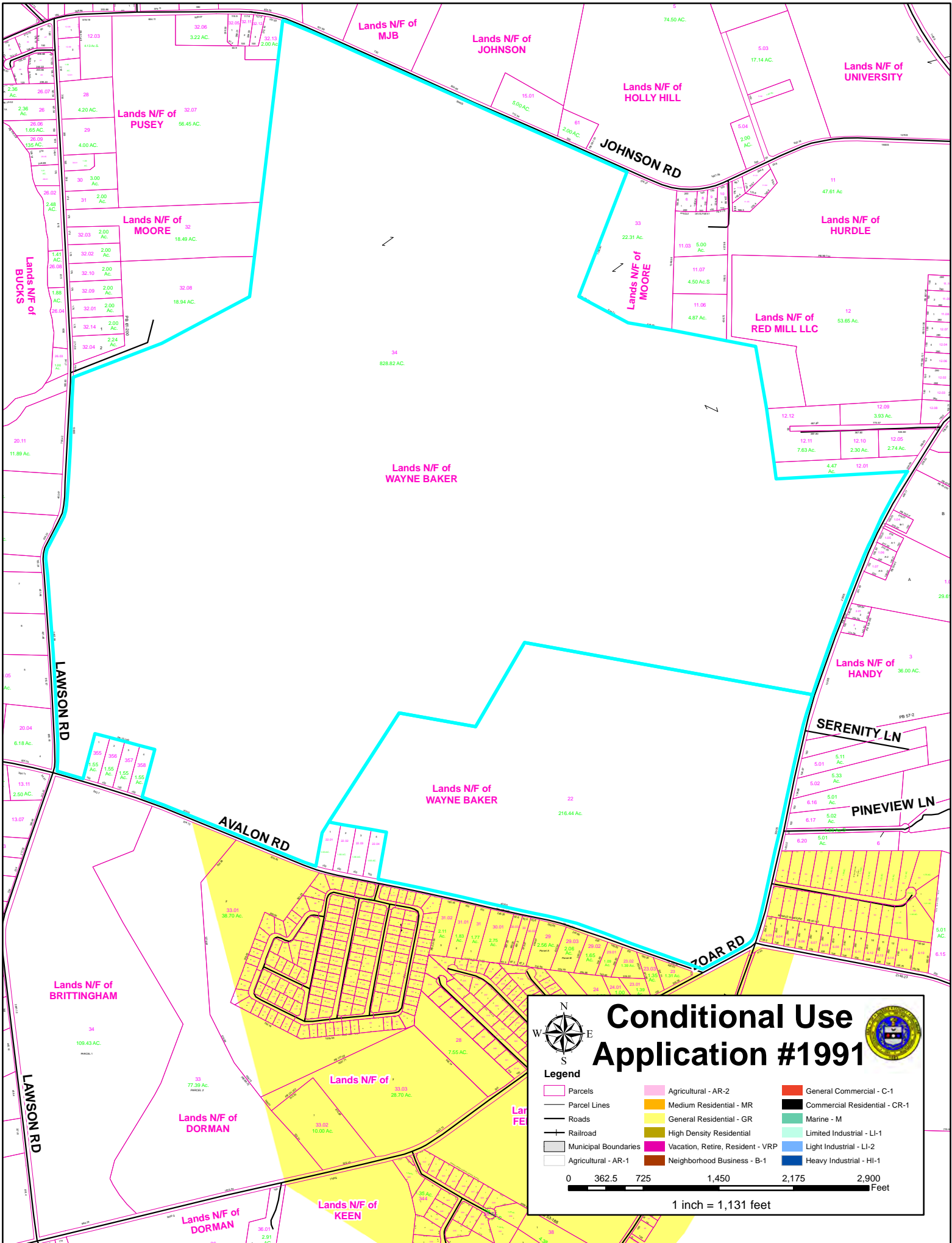
NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 1991 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying north of Road 302A (Avalon Road), west of Road 48 (Hollyville Road), south of Road 47 (Johnson Road), and east of Road 296 (Lawson Road) with the acreage being more particularly described in Plot Book 48, Page 254 and Plot Book 63, Page 96, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing approximately 500 acres of the described 1,057.6 acres referenced in the referenced Plot Books.

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



Lands N/F of MJB
Lands N/F of JOHNSON

Lands N/F of HOLLY HILL

Lands N/F of UNIVERSITY

Lands N/F of PUSEY

Lands N/F of HURDLE

Lands N/F of MOORE

Lands N/F of RED MILL LLC

Lands N/F of MOORE

Lands N/F of WAYNE BAKER

Lands N/F of HANDY

Lands N/F of WAYNE BAKER

Lands N/F of BRITTINGHAM

Lands N/F of DORMAN

Lands N/F of DORMAN

Lands N/F of DORMAN

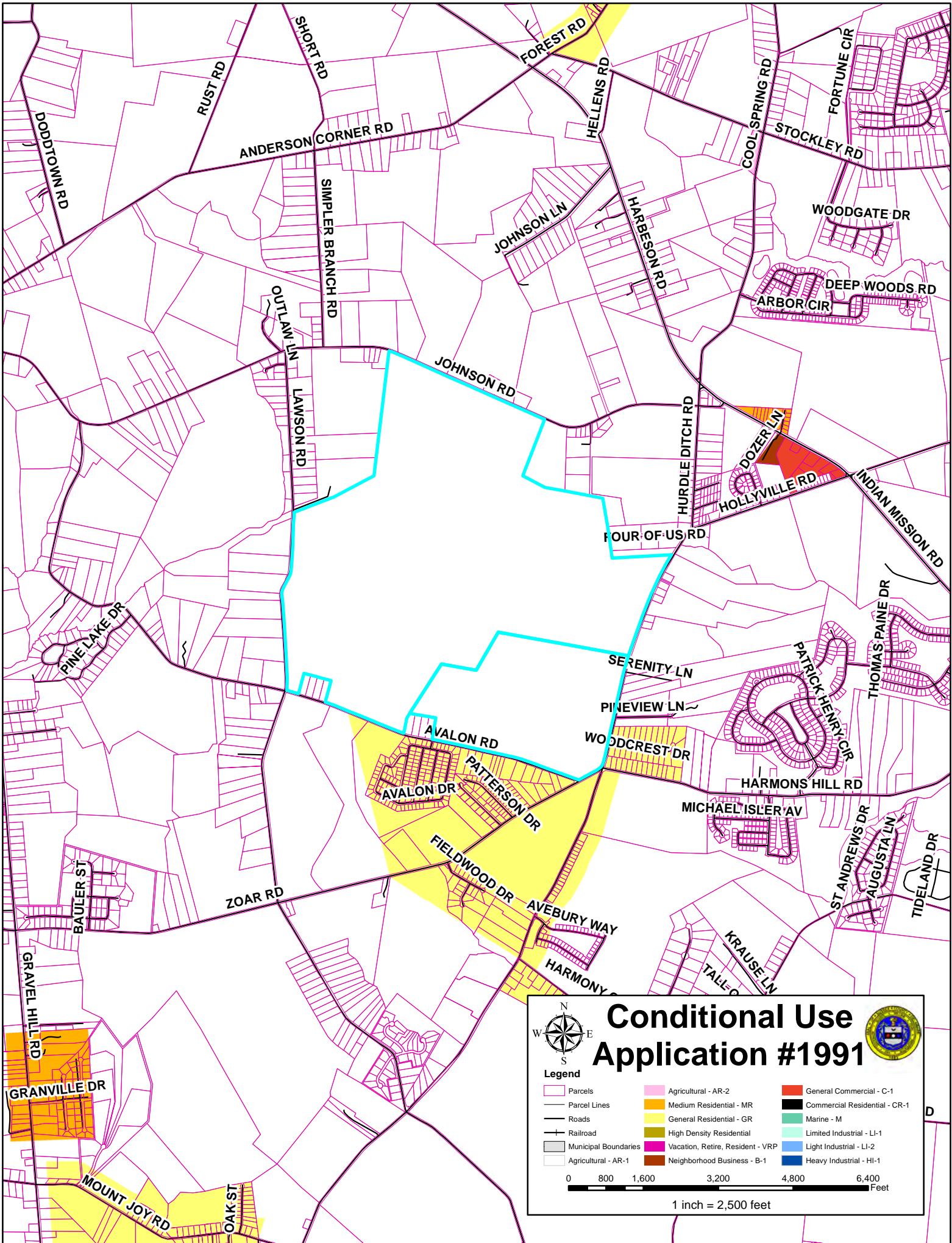
Lands N/F of KEEN

Conditional Use Application #1991

Legend

Parcels	Agricultural - AR-2	General Commercial - C-1
Parcel Lines	Medium Residential - MR	Commercial Residential - CR-1
Roads	General Residential - GR	Marine - M
Railroad	High Density Residential	Limited Industrial - LI-1
Municipal Boundaries	Vacation, Retire, Resident - VRP	Light Industrial - LI-2
Agricultural - AR-1	Neighborhood Business - B-1	Heavy Industrial - HI-1

1 inch = 1,131 feet



Conditional Use Application #1991

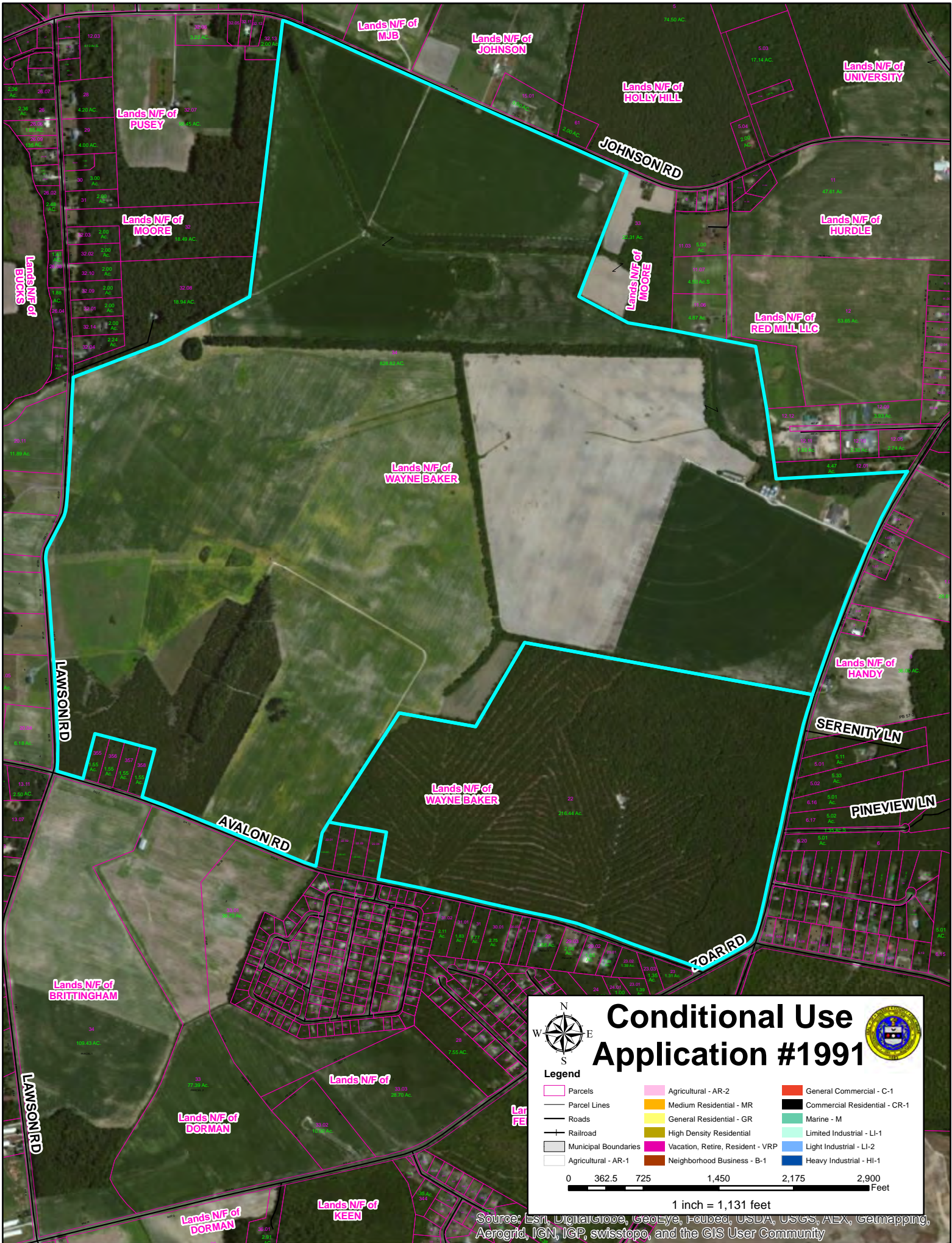


Legend


Parcels	Agricultural - AR-2	General Commercial - C-1
Parcel Lines	Medium Residential - MR	Commercial Residential - CR-1
Roads	General Residential - GR	Marine - M
Railroad	High Density Residential	Limited Industrial - LI-1
Municipal Boundaries	Vacation, Retire, Resident - VRP	Light Industrial - LI-2
Agricultural - AR-1	Neighborhood Business - B-1	Heavy Industrial - HI-1

0 800 1,600 3,200 4,800 6,400 Feet


1 inch = 2,500 feet



Conditional Use Application #1991



W N E
S



Legend

<ul style="list-style-type: none"> Parcels Parcel Lines Roads Railroad Municipal Boundaries Agricultural - AR-1 	<ul style="list-style-type: none"> Agricultural - AR-2 Medium Residential - MR General Residential - GR High Density Residential Vacation, Retire, Resident - VRP Neighborhood Business - B-1 	<ul style="list-style-type: none"> General Commercial - C-1 Commercial Residential - CR-1 Marine - M Limited Industrial - LI-1 Light Industrial - LI-2 Heavy Industrial - HI-1
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0 362.5 725 1,450 2,175 2,900

Feet

1 inch = 1,131 feet

Source: Esri, DigitalGlobe, GeoEye, IGN, Aerogrid, IGN, ICP, swisstopo, and the GIS User Community



Eastern Shore Bucks
36 Meadow Lark Dr.
Milford, DE 19963

To the Sussex County Council:

The Eastern Shore Bucks are a non-profit 501c3 football program under the FCA (Fellowship of Christian Athletes) for high school students who due to current DIAA regulations cannot participate in high school football (home schooled, or attend a small private or charter school without their own program) in the traditional school setting. Our program gives young men who love the game of football and want to play past youth leagues the chance to have a high school football career without having to give up the education style they and their parents prefer. Apart from the "school building" requirement to be a part of DIAA, we hold ourselves to the same academic and age requirements of any high school football team in the country. We believe players are students first and athletes second. Our players come from all across the Eastern Shore (19 out of 38 live in Sussex County). We currently have players from as far west as Queen Anne's County Maryland, as far north as Dover Delaware, as far south as Salisbury, and as far east as Lewes Delaware. We use football as the mechanism to teach our players biblical values and strengthen their relationship with Christ. Psalm 42:1 states that "as the deer thirsts for the water, so my soul thirsts after you oh lord." Our mission, through football, is to teach our players to be men (Bucks) who thirst after God. We do this through bible studies during each practice, service in and around the community, and other things as well. We emphasize what we call the 4 pillars of respect in our program: respect for coaches and teammates, respect for opposing team, respect for authority (officials), and respect for "weak and powerless" (injured players, bus driver, etc).

In just our second year we have seen growth from one 18-man varsity roster in our first season, to now having 38 players between our varsity and our new junior varsity program signed up for the fall. Football is an expensive sport to maintain. The costs of new equipment, equipment refurbishment, liability insurance, travel expenses, officials' fees, etc. all add up to a minimum \$600-700 per player. That would be a number many families in our area simply can not afford, so we have a \$250 registration fee and the remainder we seek through fundraisers, corporate sponsors, and grants when available. I had heard about; via email from Vance Phillips, Sussex County Councils grant opportunity for non-profits and thought perhaps we would be a good fit for this. As far as an amount we are looking for, currently we are about \$2000 short of what we need to operate through the end of the season. We have some things in mind that will potentially bring in some of that additional revenue needed, but that is always speculative. Any grant money, in any amount will be extremely helpful to our team. All of our coaches are volunteers, so all money raised for our program goes directly towards the funding necessary to equip players and provide the things necessary for practice and games. We believe in excellence and we want these young men to have a high school football career they can look back on with fond memories.

Tax ID: 44 0610626

Sincerely,

Dan Young

302-258-9203



AUXILARY

July 28, 2014

Dear Joan Deaver,

The Lewes Fire Department Auxillary and myself would like to thank you for considering us for a grant from yourself and the Sussex County Council.

Our primary goal is to support the Lewes Fire Department and our community. We would like to be able to participate in the fire department events such as funerals for deceased members and parades. To do this we need proper attire.

We are a new auxiliary and don't have considerable funds available for uniforms. We have contacted the local uniform store and it will cost us about \$400.00 for each member to have a uniform. We have approximately 20 members. The monies from your grant will make the purchase of uniforms possible.

Thanks again for considering this project for a grant.

Sincerely,

Pat Jones

President of the Lewes Fire Department Auxiliary



302-355-9979 (voicemail)
catsaroundtown@gmail.com
EIN #20-5610111

July 22, 2014

Councilman George Cole
Sussex County Council
Two The Circle
P.O. Box 589
Georgetown, DE 19947

Dear Councilman Cole:

The members of Cats Around Town Society, Inc. would like to thank you for appropriating funds for our group this past year. We continue our mission to help control the feral cat population in Sussex County by providing low cost spay-neuter procedures to lower income persons & caregivers of managed feral colonies. We assist seniors & home bound people by providing transport for their pets to Georgetown where our partnership with DE SPCA enables us to continue to supply these low cost services to Sussex County residents.

We are called upon more often now to assist with food & vaccines to enable people to keep their pets with them rather than turn them out. Our kitten program is in place & together with other area rescue groups we are attempting to keep up with the removal of as many young kits as possible from the outdoor environment & into good homes thru private adoption as well as an out-of-state Petsmart program. All cats & kittens that come to our group are spayed or neutered prior to adoption.

Cats Around Town Society, Inc. (CATS) is a 501c(3) non-profit organization based in Ocean View, DE dedicated to reducing feline over-population. We are 100% volunteer based and do not own any real estate. Except for minimal yearly expenses, nearly all funds raised are spent on spay/neuter procedures & medical necessities for kittens & cats rescued from harmful situations

This past year, the \$500 funded to our group paid for 16 - 18 procedures. We specifically targeted an area on RT 17 just S of RT 26 where a line of 4 or 5 abandoned houses had become an attractive dumping ground for unwanted cats. We also removed 12 kittens that had already been born into this colony.

We request \$1,000. To be applied for the current year to help us expand the number of residents we can help. As always anything you can do will be greatly appreciated.

Thank you for considering our request for funding.

Clare Mace, President

Cats Around Town Society, Inc. (CATS)
P.O. Box 541
Ocean View, DE 19970