



Sussex County Council Public/Media Packet

**MEETING:
October 23, 2018**

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**Sussex County Council
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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

OCTOBER 23, 2018

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Wastewater Agreement No. 510-4
Sussex County Project No. 81-04
The Reserves – Phase 4C
South Bethany Sanitary Sewer District
2. Administrator's Report

Gina Jennings, Finance Director

1. FY 2019 Human Service Grants Recommendation

Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer

1. Presentation and discussion related to affordable housing

10:30 a.m. Public Hearing

Plantation Road Expansion of the Sussex County Unified Sanitary Sewer District
(West Rehoboth Area)



Hans Medlarz, County Engineer

1. Discussion and possible introduction of a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$16,634,748 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE WESTERN SUSSEX REGIONAL SANITARY SEWER DISTRICT PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”
2. Western Sussex Area of the Unified Sewer District
 - A. Approval of Municipal Transition Agreement
3. Concord Road Utility Upgrade – Expansion of the Blades Sanitary Sewer District Area
 - A. Change Order No. 3

John Ashman, Director of Utility Planning

1. Request for permission to authorize design for Tanglewood/New Marydel

11:00 a.m. Public Hearing

“AN ORDINANCE ADOPTING THE 2018 COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING ORDINANCE NO. 1980, THE 2007 UPDATE OF THE COMPREHENSIVE PLAN, ADOPTED JUNE 24, 2008”

Recess

Old Business

Conditional Use No. 2128 filed on behalf of Larry Martin

”AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.0381 ACRES, MORE OR LESS” (Tax I.D. No. 532-19.00-12.21) (911 Address: 9534 Shadow Point Lane, Delmar)

Conditional Use No. 2136 filed on behalf of Christina Degnon

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MEDICAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.918 ACRE, MORE OR LESS” (Tax I.D. No. 335-8.18-4.00) (911 Address: 1409 Savannah Road, Lewes)

Change of Zone No. 1857 filed on behalf of Elizabeth Ann Burkhardt

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.3673 ACRE, MORE OR LESS” (Tax I.D. No. 335-8.18-28.00) (911 Address: 1500 Savannah Road, Lewes)

Grant Requests

1. DCUSA Foundation for the Hopemakers Program
2. Georgetown Historical Society for the carriage building and pavilion
3. Lewes Presbyterian Church for the Lewes After School Program
4. Rehoboth Concert Band for the Cape Henlopen Senior Center concert
5. Fenwick Island Lions Club for Halloween parade expenses
6. Delaware Community Foundation for the Delaware Children in Nature Coalition for Boo-B-Que fundraiser

Introduction of Proposed Zoning Ordinances

Council Members’ Comments

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

Possible Action on Executive Session Items

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 October 16, 2018 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, OCTOBER 9, 2018

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, October 9, 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 553 18
Approve
Agenda**

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

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 October 2, 2018 were approved by consent.

**Public
Comments**

Public Comments

Paul Reiger commented on requests for Special Use Exceptions being heard by the Board of Adjustment.

Dan Kramer commented on the County's response to the letter from the Delaware Coalition for Open Government. Mr. Kramer also commented on the Board of Adjustment.

**Wastewater
Agreement**

Mr. Lawson presented a wastewater agreement for the Council's consideration.

**M 554 18
Execute
Wastewater
Agreement**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, based upon the recommendation of the Engineering Department, for Sussex County Project No. 81-04, Agreement No. 830-1, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement

**M 554 18
Execute
Wastewater
Agreement
(continued)**

between Sussex County Council, and OA-BP Marina Bay-Lakeside, LLC for wastewater facilities to be constructed in Peninsula – Phase 1C – Sailside, located in the Long Neck Sanitary Sewer District.

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. Comprehensive Land Use Plan Workshop

A reminder that Council will host a Comprehensive Land Use Plan Workshop on Monday, October 15th, at 10:00 a.m. in Council Chambers. The focus of the workshop will be the comments on the draft Comp Plan received from the Office of State Planning and the Council's response to the comments.

2. Advisory Committee on Aging & Adults with Physical Disabilities Conference Planning Subcommittee Meeting

The Advisory Committee on Aging & Adults with Physical Disabilities Conference Planning Subcommittee will meet on Monday, October 15th, at 10:00 a.m. at the Sussex County Administrative Offices West Complex, 22215 North DuPont Boulevard in Georgetown. The Subcommittee will continue to discuss planning for their next conference scheduled for May 9, 2019. A copy of the agenda is attached.

3. 9-1-1 Awareness Day

The Sussex County Emergency Operations Center will host its 19th annual 9-1-1 Awareness Day on Thursday, October 11th, from 9:00 a.m. to 2:00 p.m. at the public safety complex located at 21911 Rudder Lane near Georgetown. The event is held each year to give the public a better understanding of how the 9-1-1 Center operates, as well as give citizens a glimpse into how police, firefighters, medical personnel, and emergency dispatchers work each day to save lives. The event also attracts over 1,000 fifth-grade students from throughout the County who spend the day watching and taking part in demonstrations that reinforce safety and preparedness.

This year's event will feature a fun and information-filled day of safety demonstrations and emergency vehicles on display, from police K-9s subduing pretend perpetrators to fire trucks, EMS units, and police units. In addition to tours of the 9-1-1 Center, displays and activities will include the Delaware State Police K-9 Team, the Blades Fire Company Safety House, the State Fire Marshal's Office, the Delaware

**Adminis-
trator's
Report
(continued)**

State Fire School, the Delaware Emergency Management Agency, and the Delaware Department of Natural Resources and Environmental Control.

The event is sponsored by Sussex County and the Delaware State Police, which jointly operate the 9-1-1 Center, and is free and open to the public. A rain date is scheduled for next Thursday, October 18, 2018.

4. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, Coastal Club - Land Bay 3 - Phase B (Construction Record) received Substantial Completion effective October 5th.

5. Council Meeting Schedule

A reminder that Council will not meet on Tuesday, October 16th. The next regularly scheduled Council meeting will be held on October 23rd at 10:00 a.m.

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

**Public
Hearing/
Issuance
of General
Obligation
Bonds/
Herring
Creek**

A Public Hearing was held on the Proposed Ordinance relating to "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".

This Ordinance provides for the issuance of up to \$5,600,000 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 an extension of sanitary sewer services to Herring Creek.

There were no public comments.

The Public Hearing and public record were closed.

**M 555 18
Adopt
Ordinance
No. 2604**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to Adopt Ordinance No. 2604 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".

**M 555 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**

**Diamond
Acres SLD/
Request
to Post
Notices**

Hans Medlarz, County Engineer, reported on a request from the Diamond Acres Community to expand the streetlighting district; petitions were circulated and, to date, twenty-five (25) positive and six (6) negative responses were received. Mr. Medlarz stated that the Engineering Department is ready to proceed to a public hearing, as per County Code.

**M 556 18
Authorize
Posting of
Notices/
Diamond
Acres SLD**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that the Sussex County Engineering Department is hereby authorized to prepare and post notices for a public hearing for the Diamond Acres Streetlighting District Extension.

Motion Adopted: 5 Yeas.

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

**Western
Sussex
District
Area
Expansion**

Mr. Medlarz provided a Western Sussex Update and reported on two funding opportunities for grant funding which require a match: DNREC is now accepting matching grant proposals for Statewide Community Water Quality Improvement projects up to \$75,000 and for water quality improvement projects within Delaware's portion of the Chesapeake Bay watershed up to \$300,000. The Sussex Conservation District is eligible to apply and has approached Sussex County and offered to assume the lead in the Bridgeville Branch restoration as well as the grant application. Therefore, the Engineering Department is requesting that Council support the District's application and pledge funding of up to \$250,000 previously allocated through the Western Sussex District Area expansion project should the Sussex Conservation District be successful in the pursuit of one or both of these solicitations.

**M 557 18
Agree to
Match
Funding/
Western
Sussex
District
Area
Expansion**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, that the Sussex County Council agrees to match funding up to \$250,000 if the Sussex Conservation District is successful in obtaining a grant through the DNREC Community Water Quality Improvement Project Program for the Bridgeville Branch restoration and environmental project within the Western Sussex District Area Expansion.

Motion Adopted: 5 Yeas.

**M 557 18
(continued)**

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

**Introduction
of Proposed
Ordinances**

Mr. Wilson introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.0 ACRES, MORE OR LESS” (Change of Zone No. 1871) filed on behalf of Masten Realty, LLC (Tax I.D. No. 330-11.00-46.01) (911 Address: 6103 South Rehoboth Boulevard, Milford).

The Proposed Ordinance will be advertised for Public Hearing.

**Compre-
hensive
Plan PLUS
Comments
Update**

Janelle Cornwell, Planning and Zoning Director, reported that the State’s PLUS comments regarding the County’s Comprehensive Plan was forwarded to the Consultant, McCormick Taylor, and the Consultant has responded back with recommendations. The PLUS comments and the Consultant’s recommendations will be discussed at the Comprehensive Plan Workshop scheduled for Monday, October 15th.

**Public
Hearing/
Proposed
Ordinance/
Calculation
of Permitted
Density**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115 (“ZONING”), ARTICLE III (“PROVISIONS APPLICABLE TO ALL DISTRICTS”), ARTICLE IV (“AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS”) AND ARTICLE XXV (“SUPPLEMENTARY REGULATIONS”) WITH RESPECT TO THE CALCULATION OF PERMITTED DENSITY”.

The Planning and Zoning Commission held a Public Hearing on this application on September 13, 2018; the Public Hearing continued on September 27, 2018. The Commission deferred action on the Proposed Ordinance on both dates.

(See the minutes of the Planning and Zoning Commission dated September 13 and September 27, 2018.)

Janelle Cornwell, Planning and Zoning Director, and Vince Robertson, Assistant County Attorney, presented the proposed ordinance amendment.

This Ordinance amends Sussex County Code to define density calculations in the zoning districts and to exclude wetlands from density calculations as set forth above. This includes density calculations for lots in an AR-1 cluster subdivision, lots in the ESDDOZ subdivisions, and lot area calculations for multi-family dwellings in all districts.

Public Hearing/ Proposed Ordinance/ Calculation of Permitted Density (continued)

Ms. Cornwell reported that 24 letters were received in support of the Proposed Ordinance, 6 letters were received in opposition to the Proposed Ordinance, and 3 letters commenting on the Proposed Ordinance were received.

Mr. Burton noted that he introduced the Proposed Ordinance for the purpose of protecting the environment around State wetlands. He stated that the way the County currently calculates density is on the entire parcel and the Proposed Ordinance would subtract out the State titled wetlands from the density calculation; it does not refer to federal wetlands nor isolated wetlands. Mr. Burton stated that the proposed density calculation has been included in the past two Comprehensive Plans and it is in the current draft Comprehensive Plan.

It was noted that an email in opposition to the Proposed Ordinance was received from Bobby Horsey; Mr. Horsey was unable to attend the Public Hearing.

Public comments were heard.

Michael Johnson, Chuck Schonder, Ric Moore, Michelle Schmidt (representing the Delaware Center for the Inland Bays), Kit Zak, John Hurlock, Lisa Wol (representing the Nanticoke Watershed Alliance), Jeanette Akhter, Jeff Stone (on behalf of SARG - Sussex Alliance for Responsible Growth), Matt Abbott (on behalf of Abbotts Nature Center), Debra Evalds, William Zak and Anna Vonlindenberg spoke in support of the Proposed Ordinance. They commented on: the importance of coastal wetlands and buffer inland areas, flooding and pollution concerns, carrying capacity limits, and contaminated watersheds. They stated that wetlands can be used to the detriment of the County and the benefit of developers; that historically, wetlands do not have any value (except environmental); that it is common sense that you cannot build on wetlands; that wetlands provide better water quality due to filtering; that the County needs to continue protecting the environment; that houses should not be allowed to be built so close together; that impervious surface is rapidly growing; that there is a fundamental concern for the environment and global warming; that buffers in the entire State need to be looked at; that farmers and farmlands need to be protected; that the interests of everyone needs to be protected; that the ordinance would prevent the concentration of density near wetlands and waterways and would reduce the exposure of future residents and their properties to flooding; that wetlands are essential for the maintenance of the fish and wildlife populations; that wetlands and their beneficial functions in the Inland Bays Watershed have declined greatly over time and are overall in poor condition due to disturbances such as development; that salt marshes in particular would benefit from this ordinance as they must migrate inland with sea level rise in order to survive; that more open space and permeable surfaces in developments along with wetlands will reduce the potential for damages from costly flood events; that Sussex County has the weakest standards for protecting

**Public
Hearing/
Proposed
Ordinance/
Calculation
of Permitted
Density
(continued)**

aquifers and buffers; that greater protection from hurricanes is needed; that more generous buffers are needed; that annexation of properties by municipalities allowing greater densities in developments is a concern; that the culture of the area needs to be protected; that cumulative impacts are real; that wetlands and natural areas are one of Delaware's most precious resources and must be protected; that Delaware is losing wetland acreage mainly due to residential development; and that waterways are being threatened by increased density.

Jay Baxter, Ring Lardner (on behalf of ACEC), Jim Erikson, and Dan Kramer spoke in opposition to the Proposed Ordinance. Jay Baxter commented on the Proposed Ordinance and stated that the Proposed Ordinance would take away the equity in his land, reducing the value of his properties; that wetlands are not worthless and the banks establish a worth of that land; that the farmers' way of life needs to be protected; that wetlands are already protected; that the Proposed Ordinance will create sprawl westward; that he encourages the scheduling of a workshop and that he encourages Council to allow more comment; and that he wants to get more letters from farmers and the Sussex County Farm Bureau who oppose the Proposed Ordinance. Mr. Lardner discussed Kent and New Castle counties calculation of wetlands. He also discussed wetlands maps and defining developable lands. Mr. Lardner stated that the Proposed Ordinance will promote sprawl and will negatively affect the environment. He stated that that the County will have to extend out the area needing roads and infrastructure for future residents. Mr. Lardner stated that, currently in the Code, the only zoning district that requires tidal wetlands to be excluded from the density calculation is a RPC; all other zoning districts for over 35 years have been based on the gross acreage. He questioned how density bonus will be affected and stated that as more delineations are needed to clearly define what is developable land, more work will be created for DNREC and the Army Corps of Engineers; that the Proposed Ordinance will have negative effects on the farming community, the environment, and the current and future Sussex County residents; that it will have a profound effect on development and the ultimate yield of a property; that when that yield is not met, more land will need to be developed; and that a working group should be formed to further discuss this issue. Mr. Erikson stated that when demand increases, it results in sprawl; that the Level of Service of the roads will be negatively affected; that options for transportation will be reduced; and that a working group should be formed. Mr. Kramer stated that the Proposed Ordinance will affect the farmer because he will be unable to borrow money; that lower density does not save land; that higher density is needed; and that if the Proposed Ordinance is approved, the County will be sued.

Robert Tunnell III commented on the Proposed Ordinance and stated that he previously submitted a letter into the record. He referenced fields where there are a number of ditches and noted that permits can be obtained to remove, move or fill those ditches and different stormwater management on the property will be created; that the negative impact would be that those

**Public Hearing/
Proposed Ordinance/
Calculation of Permitted Density
(continued)**

ditches are no longer there and are no longer considered wetlands; that the wetlands definition in County Code is static and that exact definition should not be used; that wetlands lines and delineations do move; that the definition of wetlands in the County Code is as follows: “A private or State wetland as defined by DNREC (Delaware Department of Natural Resources and Environmental Control) regulations and maps as promulgated pursuant to Chapter 66, Title 7, of the Delaware Code, as the chapter appears upon the date of the adoption of this Article.; that this Article in the Delaware Code was adopted in 1988, so the County is dealing with a static wetlands definition and a static set of wetlands maps from DNREC from 1988; that the wetlands lines have changed since 1988; and that, as written, the Proposed Ordinance does not work.

Marsha Williams questioned whether or not a building can use a wetlands area to serve as a buffer area. Ms. Cornwell stated that she will look into this matter.

There were no additional public comments.

Mr. Arlett stated that he would like to hear from DNREC regarding the Proposed Ordinance.

**M 558 18
Defer
Action on
Proposed Ordinance/
Calculation of Permitted Density**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to defer action on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115 (“ZONING”), ARTICLE III (“PROVISIONS APPLICABLE TO ALL DISTRICTS”), ARTICLE IV (“AR-1 AND AR-2 AGRICULTURAL RESIDENTIAL DISTRICTS”) AND ARTICLE XXV (“SUPPLEMENTARY REGULATIONS”) WITH RESPECT TO THE CALCULATION OF PERMITTED DENSITY” and to leave the record open for 30 days for written public comments (including written comments from DNREC).

Motion Adopted: 5 Yeas.

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

**M 559 18
Go Into
Executive Session**

At 12:54 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Cole, to recess the Regular Session and go into Executive Session for the purpose of discussing matters relating to pending/potential litigation and land acquisition.

Motion Adopted: 5 Yeas.

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

Executive Session At 1:00 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room to discuss matters relating to pending/potential litigation and land acquisition. The Executive Session concluded at 1:38 p.m.

M 560 18 Reconvene Regular Session At 1:43 p.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 4 Yeas, 1 Absent.

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

Action There was no action on Executive Session matters.

Rules Mr. Moore reviewed the rules of procedure for public hearings.

Mr. Wilson joined the meeting.

**Public Hearing/
CU 2143** A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A PETROLEUM FUEL STORAGE AND OFFICE FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.9475 ACRES, MORE OR LESS" (Conditional Use No. 2143) filed on behalf of Tri Gas & Oil Co., Inc. (Tax I.D. No. 135-14.00-66.10 and 135-14.00-66.07 (portion of) (911 Address: 20205 DuPont Boulevard, Georgetown).

The Planning and Zoning Commission held a Public Hearing on this application on September 13, 2018 at which time action was deferred. On September 27, 2018, the Commission recommended approval with conditions.

(See the minutes of the Planning and Zoning Commission dated September 13 and 27, 2018.)

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

It was noted that Exhibit Booklets were provided by the Applicant.

The Council found that Shannon Carmean Burton, Attorney, was present with Nash McMahan, Vice President of Tri Gas & Oil Co. and Michael Kobin, Professional Engineer with George Miles and Buhr. Ms. Burton and Mr. Korbin stated that the application is for a petroleum fuel storage and office facility; that TriGas has historically used the property for purposes of bulk fuel and parts storage; that the property is currently approved for two fuel storage tanks with a small storage building per Conditional Use No.

**Public
Hearing/
CU 2143
(continued)**

1080 approved in 1994; that the proposed office facility is to be a single-story building consisting of 3,200 square feet; that the adjoining property owner, Randolph E. Gooner, supports the application; that the land is being acquired from Mr. Gooner and an agreement has been reached regarding a shared entrance along Route 113; that the entrance will meet DeDOT's requirements; that DeDOT has determined that a Traffic Impact Study is not required; that there will be thirteen parking spaces for customers and nine spaces for employees; that the use will have no adverse impact on neighboring properties; that propane fueling would be open to the public; that there will also be a roll-off service at the property; that the use is located on a major arterial roadway where other commercial uses exist; and that the application is for the expansion of an existing use. Ms. Burton and Mr. Korbin reviewed the preliminary site plan including parking, above ground petroleum storage an tank storage, entrance, relocation of two tanks, existing and proposed buildings on the site; propane fueling at the canopy, and roll-off service.

There were no public comments.

The Public Hearing and public record were closed.

**M 561 18
Adopt
Ordinance
No. 2605
(CU 2143)**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt Ordinance No. 2605 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A PETROLEUM FUEL STORAGE AND OFFICE FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.9475 ACRES, MORE OR LESS" (Conditional Use No. 2143) filed on behalf of Tri Gas & Oil Co., Inc., with the following conditions:

- A. As stated by the Applicant, the operational area behind the office building shall be fenced for security purposes.
- B. There shall be thirteen (13) parking spaces for customers and nine (9) parking spaces for employees.
- C. As stated by the Applicant, there is currently lighting on the property. Additional lighting may be added for security purposes. Any additional lighting shall be downward screened so that it does not shine upon neighboring properties or roadways.
- D. Because the property is zoned C-1 General Commercial, any signage shall comply with the sign requirements for the C-1 District.
- E. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion Adopted: 5 Yeas.

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

**Public
Hearing/
CU 2152**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO A CONDITION OF APPROVAL OF CONDITIONAL USE NO. 1771 (ORDINANCE 2056) AND CONDITIONAL USE NO. 2020 (ORDINANCE 2410) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 8.93 ACRES, MORE OR LESS” (Conditional Use No. 2152) filed on behalf of Charles Auman (Tax I.D. No. 330-11.17-20.00 & 330-15.05-6.00) (911 Address: 7158 Marshall Street, Lincoln).

The Planning and Zoning Commission held a Public Hearing on this application on September 13, 2018 at which time action was deferred. On September 27, 2018, the Commission recommended approval for the following reasons:

- 1. Condition #4 currently states that “One lighted sign, not to exceed 32 square feet in size, shall be permitted. The proposed sign location shall be shown on the Final Site Plan.**
- 2. Section 115-161.1 of the Zoning Code states that On-Premises Electronic Message Displays can only be allowed in the AR-1 Zone “if specifically permitted as part of a conditional use”. This is the reason that the Applicant is seeking an amendment to his Conditional Use to allow the Electronic Message Display.**
- 3. The Applicant explained that the Electronic Message Display is needed to advertise the services of the storage facility that was approved by the Conditional Use for the property.**
- 4. The Applicant stated that he understands that the Zoning Code governs brightness, no animation after dark and other factors regarding how the sign will be operated so that it will not have an adverse effect on neighboring properties or roadways.**
- 5. No parties appeared in opposition to the requested sign.**
- 6. Condition #4 of Conditional Use #1771 and Ordinance #2056 should be amended to state: “One Electronic Message Center sign, not to exceed 32 square feet in size, shall be permitted. The proposed sign location shall be shown on the Final Site Plan”.**

(See the minutes of the Planning and Zoning Commission dated September 13 and 27, 2018.)

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

Tim Willard, Attorney, was present to represent the Applicant. Mr. Willard presented the application and referenced the prior Conditional Use approval for storage facilities (Conditional Use #1771) stating that Mr. Auman wishes to amend Condition #4 of Conditional Use #1771 to allow for a 4’ x 5’ electronic message display sign; that it will be easier to change his advertisements on an electronic sign; that the sign would be at the entrance of the property along Marshall Street; and that he wants to use the sign to

**Public
Hearing/
CU 2152
(continued)**

advertise hours, specials, etc.

The Council discussed animation, sign size, and the proposed location of the sign.

There were no public comments.

The Public Hearing and public record were closed.

**M 562 18
Amend
Reason for
Approval/
Amending
Condition**

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to amend the Planning and Zoning Commission's Reason No. 6, as follows: Condition #4 of Conditional Use #1771 and Ordinance #2056 should be amended to state: "One Electronic Message Center sign, not to exceed 20 square feet in size, shall be permitted. The proposed sign location shall be shown on the Final Site Plan".

Motion Adopted: 5 Yeas.

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

**M 563 18
Adopt
Ordinance
No. 2606/
CU 2152**

A Motion was made by Mr. Cole, seconded by Mr. Burton, to Adopt Ordinance No. 2606 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO A CONDITION OF APPROVAL OF CONDITIONAL USE NO. 1771 (ORDINANCE 2056) AND CONDITIONAL USE NO. 2020 (ORDINANCE 2410) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 8.93 ACRES, MORE OR LESS" (Conditional Use No. 2152) filed on behalf of Charles Auman, for the following reasons, as amended.

1. Condition #4 currently states that "One lighted sign, not to exceed 32 square feet in size, shall be permitted. The proposed sign location shall be shown on the Final Site Plan.
2. Section 115-161.1 of the Zoning Code states that On-Premises Electronic Message Displays can only be allowed in the AR-1 Zone "if specifically permitted as part of a conditional use". This is the reason that the Applicant is seeking an amendment to his Conditional Use to allow the Electronic Message Display.
3. The Applicant explained that the Electronic Message Display is needed to advertise the services of the storage facility that was approved by the Conditional Use for the property.
4. The Applicant stated that he understands that the Zoning Code governs brightness, no animation after dark and other factors regarding how the sign will be operated so that it will not have an adverse effect on neighboring properties or roadways.
5. No parties appeared in opposition to the requested sign.

**M 563 18
Adopt
Ordinance
No. 2606/
CU 2152
(continued)**

- 6. Condition #4 of Conditional Use #1771 and Ordinance #2056 should be amended to state: “One Electronic Message Center sign, not to exceed 20 square feet in size, shall be permitted. The proposed sign location shall be shown on the Final Site Plan”.**

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/
CZ 1857**

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

The Planning and Zoning Commission held a Public Hearing on this application on September 13, 2018 at which time action was deferred. On September 27, 2018, the Commission recommended denial.

(See the minutes of the Planning and Zoning Commission dated September 13 and 27, 2018.)

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

The Council found that Kristin Collison, Attorney, was present on behalf of the Applicant. She stated that the Applicant’s mother previously ran a professional office out of the home and after the mother passed away, the daughter converted it back to a residence; that the daughter has placed the property up for sale; that Kathy Madden is a counselor and is looking to use the property for her practice; that she is a sole practitioner; that the Applicant is requesting B-2 zoning which is appropriate in this area for the proposed use; that the property only consists of 0.3673 acres so its use is limited; that there is no intent to modify the home on the property; that one parking spot will be added; and that the Applicant was told to file for C-2 zoning. Ms. Collison discussed other commercial zonings and uses in the area and discussed the commercial trend of the area.

Public comments were heard.

Derek Cole, a resident in the area, spoke in support of the application. He questioned why there are so many Conditional Uses in the area instead of zoning changes and stated that there is not a lot of oversight for Conditional Uses. He stated that he supports this application because

**Public
Hearing/
CZ 1857
(continued)**

it is for a Change of Zone which is more predictable.

There were no additional public comments.

The Public Hearing and public record were closed.

Mr. Moore noted that the Planning and Zoning Commission recommended denial of the application and therefore, no Findings of Fact have been prepared for the approval of the application. He further noted that if Council wants Findings of Fact prepared for consideration, action will have to be deferred to allow time for legal staff to prepare the Findings.

**M 564 18
Defer
Action on
CZ 1857**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to defer action for two weeks on Change of Zone No. 1857 filed on behalf of Elisabeth Ann Burkhardt to allow time for legal staff to prepare Findings of Fact.

Motion Adopted: 3 Yeas, 2 Nays.

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

**M 565 18
Adjourn**

At 2:55 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Cole, to adjourn.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

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

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

ENGINEERING DEPARTMENT

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



Sussex County

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

October 04, 2018

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
THE RESERVES - PHASE 4C
AGREEMENT NO. 510 - 4

DEVELOPER:

Mr. Robert Sipple
TAC Beacon II, LLC
2500 Wrangle Hill Rd #101
Bear, DE 19701

LOCATION:

South of Route 26 and Woodland Ave.

SANITARY SEWER DISTRICT:

South Bethany Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

44 Single Family Lots.

SYSTEM CONNECTION CHARGES:

\$279,840.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
6/2/05

Department of Natural Resources Plan Approval
7/9/02

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 45
Construction Admin and Construction Inspection Cost – \$46,199.30
Proposed Construction Cost – \$307,995.31



ENGINEERING DEPARTMENT

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MICHAEL A. IZZO, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

October 23, 2018

PROPOSED MOTION

BE IT MOVED THAT BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, FOR SUSSEX COUNTY PROJECT NO. 81-04, AGREEMENT NO. 510-4 THAT THE SUSSEX COUNTY COUNCIL EXECUTE A CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION AGREEMENT BETWEEN SUSSEX COUNTY COUNCIL AND "TAC BEACON II, LLC" FOR WASTEWATER FACILITIES TO BE CONSTRUCTED IN "THE RESERVES – PHASE 4C", LOCATED IN SOUTH BETHANY SANITARY SEWER DISTRICT.

ORDINANCE NO. 38
AGREEMENT NO. 510-4

TODD LAWSON
COUNTY ADMINISTRATOR

GINA A. JENNINGS, MBA, MPA
FINANCE DIRECTOR

(302) 855-7741 T
(302) 855-7749 F
gjennings@sussexcountyde.gov



Sussex County

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MEMORANDUM:

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

FROM: Gina A. Jennings
Finance Director/Chief Operating Officer

RE: **FY2019 HUMAN SERVICE GRANTS**

DATE: October 19, 2018

Attached is a schedule of the FY2019 Human Service Grants, as well as an overview of the program. On Tuesday, I will be recommending to Council that we approve those grants listed for payment.

Please call me if you would like to discuss further.

Attachments

pc: Todd F. Lawson

FY2019 Human Service Grants

Name of Organization	Project	Last Year's Grant	Grant Request	Recommended Grant
Abbott's Mill Nature Center of the Delaware Nature Society	Delaware Nature Society's "New To Nature" Program	2,250	2,500	2,300
Agape Love Transitional Home	Operational Costs for women and children homeless shelter	2,310	6,500	2,400
American Legion Auxiliary, Department of Delaware	American Legion Auxiliary Delaware Girls State	1,000	1,000	1,000
Arc of Delaware	Outreach program for individuals with intellectual disabilities	2,030	2,500	1,800
ARK Educational Consulting, Inc.	The ARK Educational Resource Center	1,510	5,000	2,800
Barbara K. Brooks Transition House, Inc.	Transitional housing for women	1,750	10,000	2,300
Best Buddies International, Inc.	Program for people with intellectual and developmental disabilities	1,770	5,000	1,900
Big Brothers Big Sisters of Delaware, Inc.	Mentoring program for at-risk youth	1,775	2,000	2,000
Boys & Girls Clubs of Delaware at Dagsboro	Power Hour	1,820	5,000	2,000
Boys & Girls Clubs of Delaware at Laurel	Power Hour	1,820	5,000	2,000
Boys & Girls Clubs of Delaware at Oak Orchard/Riverdale	Power Hour	1,820	5,000	2,000
Boys and Girls Clubs of Delaware at Georgetown	Power Hour	1,820	5,000	2,000
Boys and Girls Clubs of Delaware at Rehoboth	Power Hour	1,820	5,000	2,000
Boys and Girls Clubs of Delaware at Western Sussex	Power Hour	1,820	5,000	2,000
Bridgeville Senior Citizens Center Inc.	Nutrition Program	5,500	12,000	5,500
Calliope Project, Inc.	Youth drama workshop scholarships	-	1,050	1,050
Cancer Support Community Delaware	Cancer supportservices for individuals over 65	2,500	2,500	2,500
Cape Henlopen Senior Center, Inc.	Senior center programs	5,500	8,500	5,500
Cheer, Inc.	Cheer at Lewes	5,500	6,000	5,500
Cheer, Inc.	Cheer at Georgetown	5,500	6,000	5,500
Cheer, Inc.	Cheer at Greenwood	5,500	6,000	5,500
Cheer, Inc.	Cheer at Milton	5,500	6,000	5,500
Cheer, Inc.	Cheer at Ocean View	5,500	6,000	5,500
Cheer, Inc.	Cheer at Roxana	5,500	6,000	5,500
Cheer, Inc.	Cheer at Long Neck	5,500	6,000	5,500
Church of God and Saints of Christ	Thanksgiving dinner for those in need	2,600	2,400	2,400
City of Refuge Church	Daddy Knows Best program	1,500	2,500	1,900
Clothing Our Kids	Clothing purchases for at-risk youth	2,775	3,000	3,000
Community Intergrated Services	Training staff to provide services for individuals with disabilities	1,545	5,000	2,000
Community Resource Center	Cold weather shelter	1,770	2,000	1,600
Delaware Community Reinvestment Action Council, Inc.	Low income tax clinic	1,000	1,000	1,000
Delaware Crime Stoppers	Crime Reduction Program	2,500	2,500	2,500
Delaware Ecumenical Council on Children and Families	Volunteer caregivers for Sussex County elderly	1,000	1,500	1,500
Delaware Financial Literacy Institute	Financial literacy program	2,540	5,000	2,800
Delaware Guidance Services for Children and Youth, Inc.	Mental health outreach for at-risk children and families	2,000	10,000	4,200
Delaware Hospice, Inc.	Delaware Palliative Program	2,590	2,750	2,400
Delmarva Clergy United In Social Action Foundation	Griffin's Place - transitional housing	775	3,000	1,900
DFRC Inc.	DFRC Blue-Gold Hand-in-Hand Program	2,590	5,000	2,300
Down Syndrome Association of Delaware	Summer camp	1,500	3,000	1,600
Easter Seals Delaware & Maryland's Eastern Shore	Adult Day Health Services Memory Care Program	1,000	1,000	1,000
Food Bank of Delaware	Culinary school scholarships	3,650	10,000	2,300
Harry K Foundation	Halt Hunger Program	2,500	2,500	2,500
Housing Alliance Delaware	Sussex Point-in-time Count	-	2,500	1,600
Independent Resources	Youth Transition Life Skills Program	2,250	20,000	2,000
Indian River Senior Center, Inc.	Maintenance and care of facility	5,500	6,685	5,500

FY2019 Human Service Grants

Name of Organization	Project	Last Year's Grant	Grant Request	Recommended Grant
ITN Southern Delaware	Senior transportation	3,120	15,000	3,075
Jefferson Awards Foundation	Sussex County student leadership conference at UD	1,500	1,800	1,800
Junior Achievement of Delaware, Inc.	Junior Achievement for K-12 students in Sussex County	2,750	5,000	4,200
Just a Hands Up Community Navigation Association	Adult/Youth Mentoring Program	1,750	2,268	1,575
Kent-Sussex Industries, Inc.	Transportation for employment	2,310	5,000	2,400
La Esperanza	Immigration program	3,425	3,000	3,000
La Red Health Center, INC.	Substance treatment and counseling	2,310	5,000	2,400
Laurel Lions Club Foundation, Inc.	Laurel Lions Club Recreation	1,000	1,500	1,500
Laurel Senior Center, Inc.	Meal Program	5,500	8,000	5,500
Lewes Historical Society	Education of Lewes	2,500	2,500	2,500
Lewes Senior Citizens Center, Inc.	Building expansion and renovation	5,500	7,500	5,500
Lighthouse for Broken Wings	Transitional housing program	-	60,000	2,400
Love Drives Foundation	Shelter and childcare services	-	12,546	2,400
Love INC of Mid-Delmarva	Community Resource & Occupation Service Station	-	50,000	3,975
Mid-Atlantic Symphony Orchestra	Concert series	1,500	2,000	2,000
Milford Housing Development Corporation	Home repair program	1,525	30,000	2,400
Milford Senior Center, Inc.	Senior Center Operational Costs	5,500	5,000	5,000
Nanticoke Senior Center, Inc.	Homebound meals program	5,500	15,000	5,500
NCALL Reasearch, Inc.	Affordable housing services	3,650	10,500	2,400
New Hope Recreation and Development Center	After-school program	1,000	1,000	1,000
People's Place II, Inc.	Veteran's Outreach	1,250	5,000	3,375
Primeros Pasos Inc.	Learning Center	1,500	1,500	1,375
Read Aloud Delaware	Early childhood reading program	2,000	3,000	3,000
Richard Allen Coalition, Inc.	Carpet replacement	1,770	2,180	1,800
Ronald McDonald House of Delaware	Housing Program for Sussex County families	3,500	3,500	3,500
Southern DE Therapeutic & Recreational Horseback Riding	Scholarships for Sussex County residents with special needs	2,040	2,100	2,100
Survivors of Abuse in Recovery, Inc.	Sexual assault recovery services	2,310	15,000	2,800
Sussex Community Crisis Housing Services, Inc.	Crisis House homeless shelter	-	5,000	2,300
Sussex County Habitat for Humanity, Inc.	Family Empowerment Program	2,085	10,000	2,800
Sussex County RSVP 50 Plus Advisory Council	Nimble Fingers	1,400	1,110	1,110
Sussex Family YMCA	Summer camp	2,310	4,000	2,400
Thresholds of Delaware, Inc.	Thresholds program at Sussex Correctional Institution	-	600	600
United Way	My Very Own Library	3,120	10,000	2,800
West Side New Beginnings, Inc.	Youth Program	775	2,000	1,275
What is Your Voice, Inc.	Domestic violence care	1,770	7,536	2,300
YWCA Delaware	Youth Empowerment Program	3,120	5,000	3,300
			542,025	224,910



Sussex County Human Service Grant Program

Fiscal Year 2018

Human Service Grant Purpose

Grants to countywide non-profit agencies for the purpose of enhancing health and human services, which contribute to a safe, healthy and self-sufficient community. Funds provide grants that assist organizations with resources in support of programs or capital purchases.



Process

- Organizations submitted application online
- Finance reviewed
 - Organizations' statuses
 - Scope of request
- Finance created a formula, based on number of beneficiaries and need, to best utilize the grant funds



Formula to Distribute (Budget of \$225,000)

Sussex County Beneficiary Criteria	Base Grant Amount	Additional Amount if need is \$5,000 or greater	Additional Amount if need is \$10,000 or greater	Maximum Grant Amount
Up to 49 Beneficiaries	\$1,500	\$400	\$400	\$2,300
50 to 249 Beneficiaries	\$1,600	\$400	\$400	\$2,400
250 to 499 Beneficiaries	\$1,750	\$500	\$500	\$2,750
500 to 999 Beneficiaries	\$2,300	\$500	\$500	\$3,300
1,000 or more Beneficiaries	\$3,000	\$600	\$600	\$4,200

All organizations were capped at their demonstrated need and request

All Boys & Girls Clubs \$2,000

All CHEER & Senior Centers \$5,500

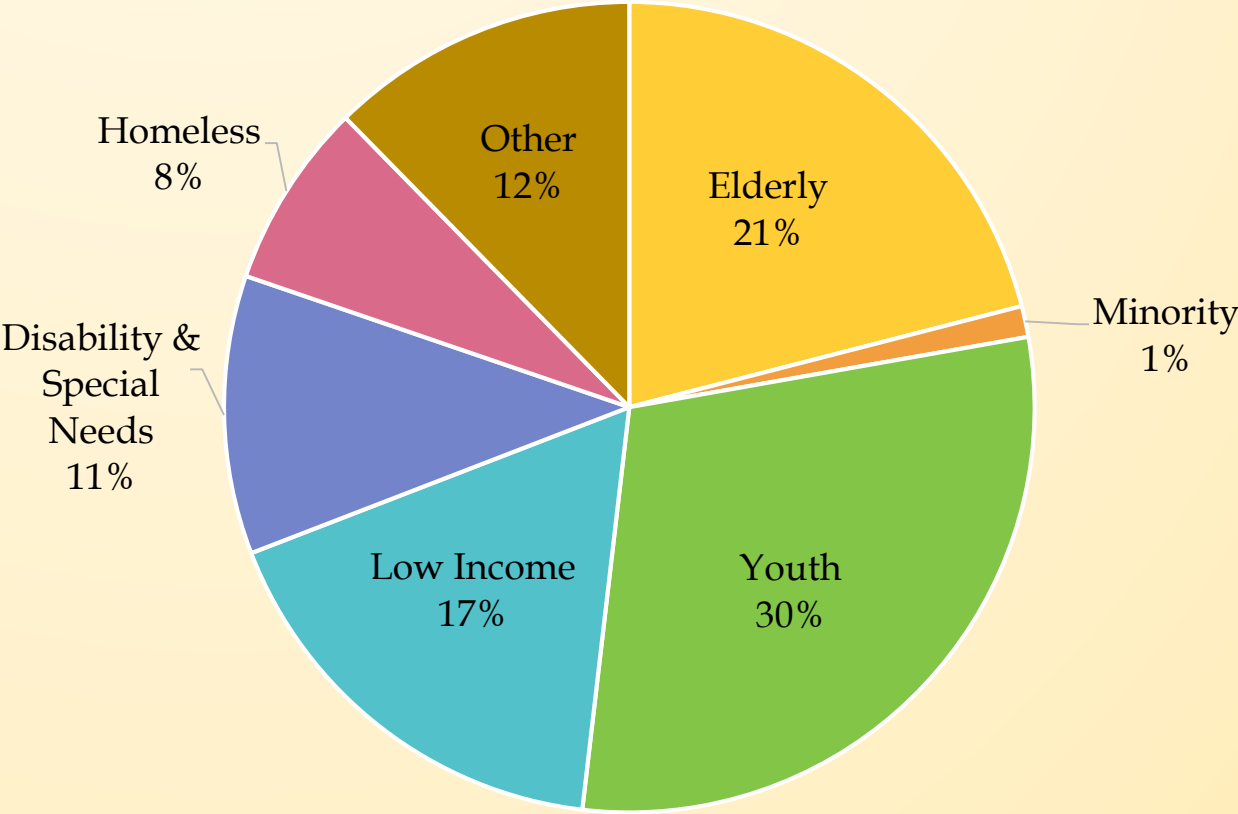


If another County grant was awarded within the last 12 months, \$225 was subtracted from the eligible amount

Application Statistics

- Received \$542,000 in requests from 81 qualified organizations
- 7 new organizations
- 150,000 Sussex County beneficiaries
- Organizations raise approximately \$8.4 million of other types of support for these projects

Type of Beneficiaries



Fiscal Year 2019 Recipients

Abbott's Mill Nature Center of the Delaware Nature Society
Agape Love Transitional Home
American Legion Auxiliary, Department of Delaware Arc of Delaware
ARK Educational Consulting, Inc.
Barbara K. Brooks Transition House, Inc.
Best Buddies International, Inc.
Big Brothers Big Sisters of Delaware, Inc.
Boys & Girls Clubs of Delaware at Dagsboro
Boys & Girls Clubs of Delaware at Laurel
Boys & Girls Clubs of Delaware at OO/Riverdale
Boys and Girls Clubs of Delaware at Georgetown
Boys and Girls Clubs of Delaware at Rehoboth
Boys and Girls Clubs of Delaware at Western Sussex
Bridgeville Senior Citizens Center Inc.
Calliope Project, Inc.
Cancer Support Community Delaware
Cape Henlopen Senior Center, Inc.
Cheer, Inc. - Lewes
Cheer, Inc. - Georgetown
Cheer, Inc. - Greenwood
Cheer, Inc. - Milton
Cheer, Inc. - Ocean View
Cheer, Inc. - Roxana
Cheer, Inc. - Long Neck
Church of God and Saints of Christ
City of Refuge Church

Clothing Our Kids
Community Integrated Services
Community Resource Center
Delaware Community Reinvestment Action Council, Inc.
Delaware Crime Stoppers
Delaware Ecumenical Council on Children and Family
Delaware Financial Literacy Institute
Delaware Guidance Services for Children and Youth, Inc.
Delaware Hospice, Inc.
Delmarva Clergy United In Social Action Foundation
DFRC Inc.
Down Syndrome Association of Delaware
Easter Seals Delaware & Maryland's Eastern Shore
Food Bank of Delaware
Harry K Foundation
Housing Alliance Delaware
Independent Resources
Indian River Senior Center, Inc.
ITN Southern Delaware
Jefferson Awards Foundation
Junior Achievement of Delaware, Inc.
Just a Hands Up Community Navigation Association
Kent-Sussex Industries, Inc.
La Esperanza
La Red Health Center, INC.
Laurel Lions Club Foundation, Inc.
Laurel Senior Center, Inc.

Lewes Historical Society
Lewes Senior Citizens Center, Inc.
Lighthouse for Broken Wings
Love Drives Foundation
Love INC of Mid-Delmarva
Mid-Atlantic Symphony Orchestra
Milford Housing Development Corporation
Milford Senior Center, Inc.
Nanticoke Senior Center, Inc.
NCALL Research, Inc.
New Hope Recreation and Development Center
People's Place II, Inc.
Primeros Pasos Inc.
Read Aloud Delaware
Richard Allen Coalition, Inc.
Ronald McDonald House of Delaware
Southern Delaware Therapeutic and Recreational Horseback Riding, Inc.
Survivors of Abuse in Recovery, Inc.
Sussex Community Crisis Housing Services, Inc.
Sussex County Habitat for Humanity, Inc.
Sussex County RSVP 50 Plus Advisory Council
Sussex Family YMCA
Thresholds of Delaware, Inc.
United Way
West Side New Beginnings, Inc.
What is Your Voice, Inc.
YWCA Delaware

Motion

Be it moved that the Sussex County Council, approve the Fiscal Year 2019 Human Service Grant allocation as presented.



BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
(302) 855-7777 T
(302) 854-5397 F
bnauman@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

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
Todd Lawson, County Administrator

FROM: Brandy Nauman, Housing Coordinator

RE: **Affordable Housing Request for Proposals (RFP)**

DATE: October 18, 2018

During Tuesday's Council meeting, I will be presenting to you the concept of an affordable housing request for proposals.

Throughout the course of the Comprehensive Plan process over the last two years, there has been substantial discussion and public comment about the affordable housing shortage in Sussex County. Although the County has had two affordable housing ordinances in place for 10 years, no units have been constructed for rental or homeownership.

The Community Development & Housing Department has reviewed RFPs from a variety of jurisdictions that were faced with similar dilemmas regarding affordable housing for their workforces. In speaking with some of these jurisdictions, it was clear that there was significant benefit to seeking the services of a qualified agency with specific experience in affordable housing and inclusionary zoning to assess existing programs, analyze market data, and offer recommendations based on the jurisdiction's unique housing challenges and socio-economic composition.

On Tuesday, I will present a draft scope of work for an RFP for discussion and offer a proposed timeline for completion.

Thank you.

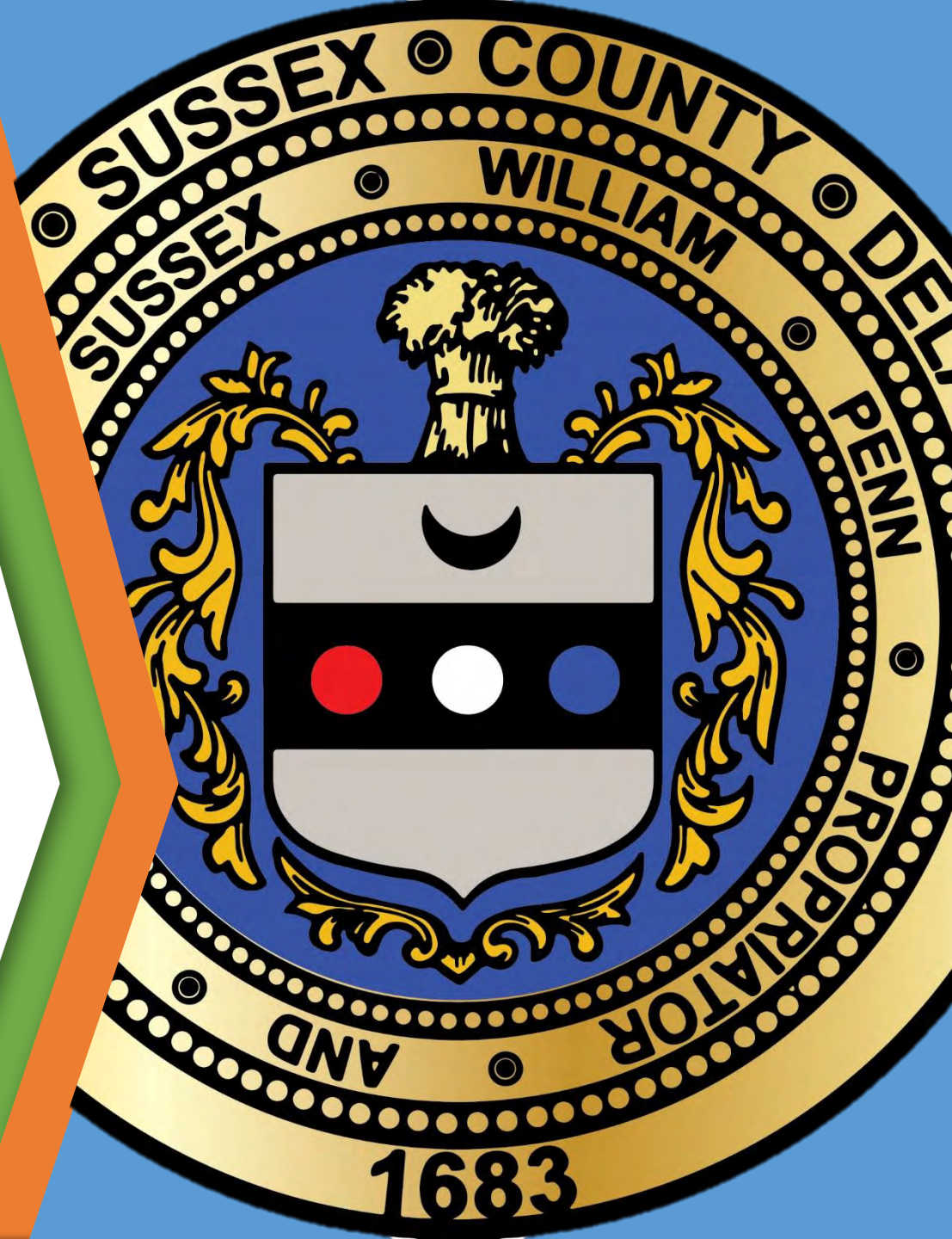
Attachments





Affordable Housing/Inclusionary Zoning RFP

County Council Meeting
Tuesday, October 23, 2018

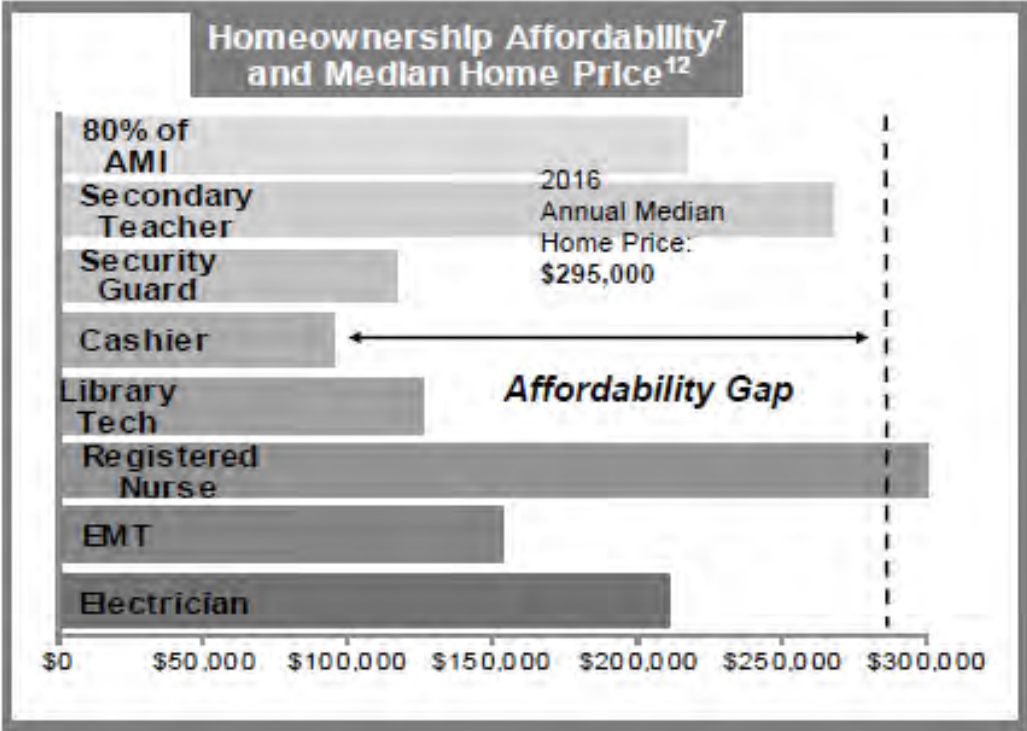


Sussex County Housing



Sussex County's Housing Market Out of Reach

Homeownership



Rental



Source: DSHA, Sussex County Housing Fact Sheet, 2018



Background

- Height of Real Estate Market Boom – 2004/2005
- Stakeholders worked with County Staff to create a solution for low- and moderate-income households that were being priced out of the market, particularly near their employment centers
- Sussex County Moderately Priced Housing Unit (MPHU) Program
 - MPHU Ordinance Passed January 2006
 - Amendments in November 2007 and April 2013
 - Voluntary
 - Bonus Density & Expedited Review
 - Six (6) initial applicants in Milton, Dagsboro, Georgetown x2, Ellendale x2
- Sussex County Rental Program (SCRCP)
 - SCRCP Ordinance Passed on December 2008
 - First Amendment – November 2016
 - Voluntary
 - Bonus Density & Expedited Review
 - One (1) initial applicant - Lewes
- Market Collapse – 2008/2009
 - All applications stalled in P&Z → bankruptcy & foreclosure



Moving Forward

- County Council has expressed support to analyze the issue
- Current Market Conditions
 - Housing industry booming and growing post-recession in Sussex County
 - No active applicants or projects under MPHU/SCRIP
 - ZERO units constructed
- Comprehensive Plan workshops 2016-2018 elicited a significant amount of feedback regarding the need for affordable housing

Request for Proposal

- Possible Solution: RFP
 - Staff recommends the assistance of qualified consultants that specialize in affordable housing and inclusionary zoning to assist with evaluating the existing programs and offering recommendations for changes or replacement



RFP - Scope & Deliverables

- Review Existing Ordinances
- Market Analysis
 - Economic feasibility of inclusionary zoning
 - Costs of production of affordable vs. market rate housing
 - Existing AND projected market demand for affordable vs. market rate housing
 - By: Rental vs. homeownership, housing types, household size, and household incomes
 - Existing AND projected market supply for affordable housing
 - By: Rental vs. homeownership, housing types, household size, and household incomes
 - Analysis of demographic and socio-economic data
- Affordable Housing Analysis
 - Review and evaluate County's affordable housing policies
 - Identify existing barriers that impeded affordable housing development
 - Implications of a mandatory vs. voluntary policy
- Stakeholder Analysis
 - Host meetings w/ stakeholders



RFP - Conclusions & Recommendations

- Conclusions & Recommendations
 - Identify incentives and alternatives (i.e. density, fee waivers)
 - Financial benefits, costs, and impacts of incentives
 - Assess the County's operations and organization structure re: staffing as related to implementation
 - Identify additional resources needed, legal or otherwise, necessary for implementation
 - Process, assumptions, and schedule for adjusting affordable housing percentages

Proposed RFP Timeline

Step 1: Release of RFP – October 2018



Step 2: RFP Responses Due – November 2018



Step 3: Interviews – December 2018



Step 4: Council Approval & Contract Signed – December 2018



Step 5: Final Report w/ Recommendations – Spring 2019



RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE PARCELS 334-12.00-57.01 & 57.02 ON THE SOUTH SIDE OF PLANTATIONS ROAD THE PARCELS ARE LOCATED IN THE LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

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

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

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

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

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

NOW, THEREFORE,

BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above situated on the south side of Plantations Road, as follows:

BEGINNING at a point, situate at the intersection of the northerly right of way (ROW) of Plantations Road, a point on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), and the southwesternmost property line of lands now or formerly (N/F) of Michael S. Moshos & Dennis R. Liphart; thence proceeding by and with said ROW in a southeasterly direction a distance of 810'± to a point, said point being the intersection of said ROW and the southwesternmost property line of lands N/F of David H. Brown & Carol D. Brown; thence leaving said northerly ROW and proceeding in a southwesterly direction across Plantations Road a distance of 65'± to a point, said point being on the southwesterly ROW of Plantations Road, said point also being the easternmost property corner of lands N/F of Sussex County; thence proceeding by and with said County lands in a southwesterly and northwesterly direction respectively a distance of 731.77' to a point, said point being the southernmost property corner of lands N/F of LMHT, LLC; thence leaving County lands and proceeding by and with said LMHT, LLC lands in a northwesterly and northeasterly direction respectively a distance of 1,000'± to a point, said point being on the southwesterly ROW of Plantations Road; thence proceeding in a northeasterly direction across Plantations Road a distance of 65'± to a point, said point being that of the **BEGINNING**.

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

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

SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
PLANTATIONS ROAD EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)(

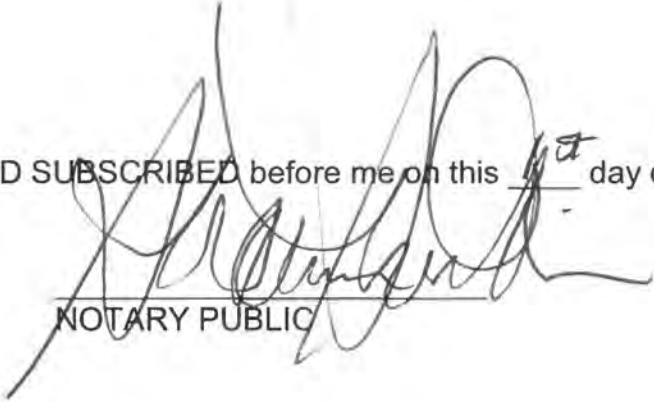
COUNTY OF SUSSEX)(

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

- A. On October 1, 2018 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 1, 2018 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 1. On a post in the southwesterly ROW of Plantations Road, in front of DEC Pole #23846 598'± northwest of the intersection of Plantations Road and John J. Williams Hwy;
 2. On a post in the southwesterly ROW of Plantations Road 854'± northwest of the intersection of Plantations Road and John J. Williams Hwy;
 3. On a post in the southwesterly ROW of Plantations Road in front of DEC Pole #23845 200'± southeast of Dot Sparrow Drive;
 4. On a post in the southwesterly ROW of Plantations Road in front of DEC Pole #23844 82'± northwest of Dot Sparrow Drive;
 5. On a post in the northwesterly ROW of Plantations Road on the north side of the entrance to PS 192;
 6. On a post in the southwesterly ROW of Plantations Road in front of Delmarva Power Pole #59690/06420 610'± southeast of the intersection of Plantations Road and Postal Lane;
 7. On a post in the southerly ROW of Warrington Road in front of DEC Pole #101681 1878'± northwest of Old Landing Road;
 8. On a post in the northeasterly ROW of Warrington Road 552' ± southeast of John J. Williams Highway.


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 17th day of Oct. A.D., 2018





NOTARY PUBLIC

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

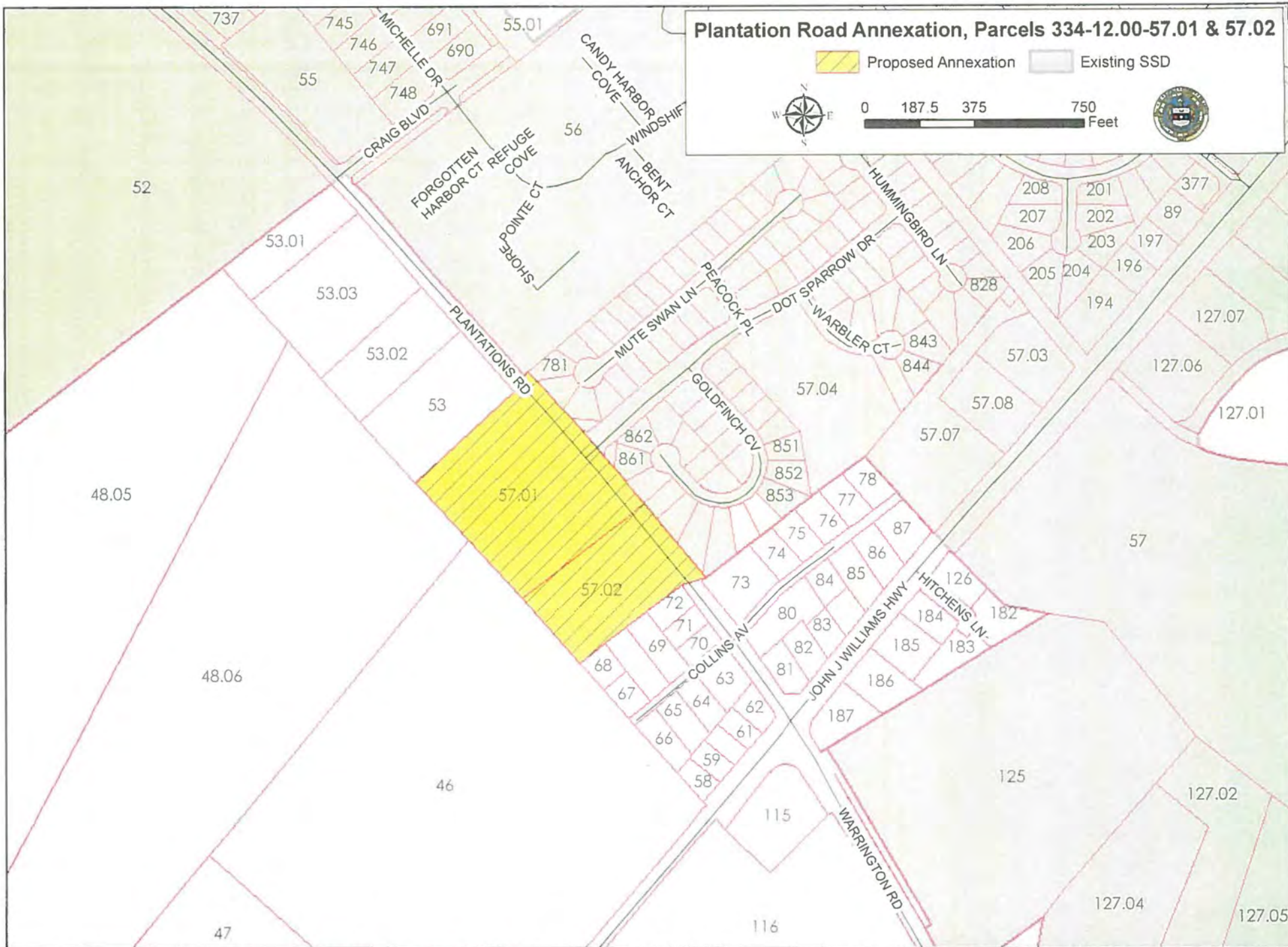
My Commission Expires _____

Plantation Road Annexation, Parcels 334-12.00-57.01 & 57.02

 Proposed Annexation  Existing SSD



0 187.5 375 750 Feet



The proposed annexation is scheduled to be discussed October 23, 2018 at 10:30 AM, in Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947
 For more information please visit: <https://www.sussexcountyde.gov/legal-notice/sewer-water>. Or call Sussex County Utility Planning at 302-855-1299

PUBLIC NOTICE

EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
PLANTATIONS ROAD EXPANSION – WEST REHOBOTH AREA
FILE NUMBER: OM 9.13-AV

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on September 18, 2018, to consider expanding the boundary of the West Rehoboth Area of the Sussex County Unified Sanitary Sewer District (SCUSSD) to include properties situated on the south side of County Road 275 (Plantations Road). The parcels are located in the Lewes and Rehoboth Hundred, Sussex County, Delaware and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

BEGINNING at a point, situate at the intersection of the northerly right of way (ROW) of Plantations Road, a point on the existing boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), and the southwesternmost property line of lands now or formerly (N/F) of Michael S. Moshos & Dennis R. Liphart; thence proceeding by and with said ROW in a southeasterly direction a distance of 810'± to a point, said point being the intersection of said ROW and the southwesternmost property line of lands N/F of David H. Brown & Carol D. Brown; thence leaving said northerly ROW and proceeding in a southwesterly direction across Plantations Road a distance of 65'± to a point, said point being on the southwesterly ROW of Plantations Road, said point also being the easternmost property corner of lands N/F of Sussex County; thence proceeding by and with said County lands in a southwesterly and northwesterly direction respectively a distance of 731.77' to a point, said point being the southernmost property corner of lands N/F of LMHT, LLC; thence leaving County lands and proceeding by and with said LMHT, LLC lands in a northwesterly and northeasterly direction respectively a distance of 1,000'± to a point, said point being on the southwesterly ROW of Plantations Road; thence proceeding in a northeasterly direction across Plantations Road a distance of 65'± to a point, said point being that of the **BEGINNING**.

The proposed expansion of the SCUSSD is within these boundaries and said to contain 36 acres more or less. The boundary description has been prepared using Sussex County tax map numbers 334-12.00.

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

The public hearing will be held on this issue at 10:30 am on October 23, 2018 in the Sussex County Council Chambers. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

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

Hans M. Medlarz, P.E.
County Engineer

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 I.G. Burton, III
The Honorable Robert B. Arlett
The Honorable Samuel R. Wilson, Jr.

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

RE: *Western Sussex Area of Unified Sewer District
Introduction of Borrowing Ordinance*

DATE: October 23, 2018

In February 2017, the Commissioners of Bridgeville and Greenwood requested investigation of a possible County Sewer District based wastewater approach. An alternate scenario for a Western Sussex County Sewer District connecting to the City of Seaford was evaluated and based on a more favorable cost scenario. Both municipal Councils requested formation of a County sewer district pursuant to Title 9 Del. Code § 6501.

On August 22, 2017, County Council adopted a resolution establishing the Western Sussex Area of the Unified Sewer District. Since then, the Engineering and Finance Departments submitted the project to DNREC for funding consideration under the Clean Water State Revolving Fund and on August 14, 2018, the State issued a binding commitment offer in the overall amount of \$16,634,748 to be repaid within 30-years with 2.529% interest. After project completion, \$3,200,000 will be applied in principle forgiveness, reducing the borrowing and hence making the project more affordable.

Pursuant to Title 9, Delaware Code, Section 6706, the County is authorized to issue its bonds financing projects. Acting under said authority, the County must issue general obligation bonds as collateral. Therefore, the Engineering & Finance Departments are now seeking Council's positive consideration for introduction of the associated Ordinance.



ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$16,634,748 OF
GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH
THE WESTERN SUSSEX REGIONAL SANITARY SEWER DISTRICT PROJECT
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 Western Sussex Regional Sanitary Sewer District Project, consisting of the transfer of sewer flows from Bridgeville and Greenwood to the existing City of Seaford sewer system and wastewater treatment facility, utilizing existing and proposed infrastructure to be owned and maintained by the County to serve what will be known as the Western Sussex 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; and

WHEREAS, acting pursuant to the aforesaid authority, the County desires to authorize the issuance of general obligations of the County to finance the 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 \$16,634,748 (the "Bonds") to finance or reimburse the County for a portion of the cost of the design, construction and equipping of the Project, with the expectation that up to \$3,200,000 of principal forgiveness will be applied in order to reduce the principal amount of the Bonds outstanding to \$13,434,748 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 Western Sussex 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 the Delaware Department of Natural Resources and Environmental Control) (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.

ADOPTED this _____ day of October, 2018.

SUSSEX COUNTY, DELAWARE

Attest:

Clerk
Sussex County Council

President
Sussex County Council

[SEAL]

APPROVED AS TO LEGALITY AND FORM:

County Attorney

SYNOPSIS: This Ordinance provides for the issuance of up to \$16,634,748 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 Western Sussex Regional Sanitary Sewer District Project, consisting of the transfer of sewer flows from Bridgeville and Greenwood to the existing City of Seaford sewer system and wastewater treatment facility, utilizing existing and proposed infrastructure to be owned and maintained by the County to serve what will be known as the Western Sussex Sewer District (the "Project"), with the expectation that up to \$3,200,000 of principal forgiveness will be applied in order to reduce the principal amount of the Bonds outstanding to \$13,434,748 upon Project completion.



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

August 14, 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 Supplemental Binding Commitment Offer
Western Sussex Regional Sanitary Sewer District Project

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 a Loan (Loan) has been authorized from the Fund to Sussex County Council (County) in the amount of **\$16,634,748** for a term of **thirty (30) years**. The Loan will be used to finance the transfer of the sewer flows from Bridgeville and Greenwood to the existing City of Seaford sewer system and wastewater treatment facility. The wastewater will be transferred utilizing existing and proposed infrastructure to be owned and maintained by Sussex County. This sewer system will serve what will be known as the Western Sussex Sewer District.

The County will provide further assurance that the Western Sussex Sewer District will reserve capacity for future growth and/or annexation by Bridgeville and Greenwood consistent with their respective comprehensive plans. Notwithstanding any expansion requirements outlined in Delaware Code or County Code, Sussex County has also agreed to a condition in the associated SRF Financing Agreement to set aside no less than 200 EDUs in the Western Sussex transmission system for underserved communities on a first-come, first-serve basis.

The loan interest rate shall be **2.529%** for a term of 30 years. Interest only will be payable during construction in semi-annual installments. Upon project completion, **up to \$3,200,000 of principle forgiveness** will be applied, and principal and interest payments shall be paid semi-annually in an amount sufficient to amortize the outstanding principal balance over the 30-year term.

It is understood that a General Obligation Pledge of the County will secure 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.

Delaware's Good Nature Depends on You!

Mr. Todd F. Lawson
August 14, 2018
WPCRF Binding Commitment Letter
Sussex County Council – Western Sussex Sewer District
Page | 2

The Fund reserves the right to withdraw or alter the terms of this 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 shall remain subject to the satisfaction of any conditions established by the Fund.

The County shall comply in all respects with all applicable Fund requirements and reporting, federal laws, regulations and other requirements related to or arising out of, or in connection with 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 Fund or 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 at (302) 739-9941. If you concur with the terms and conditions stated above, please acknowledge your acceptance by signing below and returning the original to this office no later than September 30, 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 application.

Sincerely,
FOR THE DELAWARE WATER POLLUTION CONTROL
REVOLVING FUND



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

The foregoing terms and conditions are hereby acknowledged and accepted this 20 day of August, 2018.

By: 

Todd F. Lawson
Sussex County Administrator

(SEAL OF THE COUNTY)

cc: Robert Zimmerman, DNREC
Greg Pope, DNREC
Keith Kooker, DNREC
Hans Medlarz, Sussex County
Gina Jennings, Sussex County

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
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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 I.G. Burton, III
The Honorable Robert B. Arlett
The Honorable Samuel R. Wilson, Jr.

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

RE: *Western Sussex Area of Unified Sewer District
Approval of Municipal Transition Agreement*

DATE: October 23, 2018

In February 2017, the Commissioners of Bridgeville and Greenwood requested investigation of a possible County Sewer District based wastewater approach. An alternate scenario for a Western Sussex County Sewer District connecting to the City of Seaford was evaluated and based on a more favorable cost scenario. Both municipal Councils requested formation of a County sewer district pursuant to Title 9 Del. Code § 6501.

On August 22, 2017, County Council adopted a resolution establishing the Western Sussex Area of the Unified Sewer District. Since then, the Engineering and Finance Departments submitted the project to DNREC for funding consideration under the Clean Water State Revolving Fund and on August 14, 2018, the State authorized the funding and issued a binding commitment.

The City of Seaford's Council had initially agreed in principle to a full buy-in arrangement for the existing municipal systems as they exist today, including any remaining legacy obligations conditioned upon the nutrient load allocation transfer under the Chesapeake TMDL. On May 15, 2018, the City and the County executed a Wastewater Service Agreement and subsequently, the parties initiated said load transfer request. It is supported by the State and EPA and reflected in Seaford's draft NPDES Permit circulated by the State.

All stake holders including the City of Seaford and Sussex County are now working on the Chesapeake Bay Watershed Implementation Plan (WIP) Phase III. Sussex County had included in the Western Sussex District Area expansion project a \$250,000 green component



which has been funded. On October 9, 2018, Council approved usage of these funds as a potential match for water quality improvements within Delaware's portion of the Chesapeake with the Sussex Conservation District providing the lead.

While the Western Sussex project is being designed and constructed, the Town of Bridgeville and the County desire to arrange for transition arrangements pursuant to Delaware Code, Title 9, Chapter 6702. The Town Manager and the Engineering Department, in cooperation with the respective legal counsels, have drawn up an Interim Sewer Operations & Transition Agreement which was approved by the Town Commissioners on October 8, 2018.

The proposed agreement achieves the following main objectives:

- Interim staffing and compensation at the municipal wastewater treatment plant.
- Verification and transition of industrial and commercial accounts.
- Lease arrangements for municipal lands.
- Assumption of outstanding debt and legacy commitments.
- Future operation of municipal spray farm.

The Engineering Department is now seeking Council's approval of the Agreement.

INTERIM SEWER OPERATIONS & TRANSITION AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2018, by and between THE TOWN of BRIDGEVILLE, a municipal corporation of the State of Delaware, party of the first part, hereinafter referred to as "TOWN,"

-AND-

SUSSEX COUNTY, a political subdivision of the State of Delaware, party of the second part, hereinafter referred to as "COUNTY."

WITNESSETH:

WHEREAS, The TOWN and COUNTY desire to engage in an interim operations and transition agreement pursuant to Title 9 Del. Code § 6702 hereinafter referred to as the "Agreement".

WHEREAS, the TOWN Council has requested formation of a County sewer district pursuant to Title 9 Del. Code § 6501 and on August 22, 2017 County Council adopted Resolution 022-17 creating the Western Sussex Sewer Area of the Unified Sussex County Sanitary Sewer District.

WHEREAS, the TOWN and the COUNTY agree that it would be the most cost-effective alternative for the COUNTY to assist in the operation of the municipal wastewater system until such time the flow is redirected to the City of Seaford and the TOWN surrenders its State issued NPDES permit anticipated on or before December 31, 2020.

WHEREAS, the TOWN has requested, and the COUNTY has agreed, to allow this cooperation to proceed where the TOWN would reimburse the COUNTY for the costs incurred by the COUNTY on a time and material basis.

NOW, THEREFORE, the parties hereto agree that the COUNTY will provide one (1) full

time, appropriately licensed operator for the municipal wastewater system and part time on-call mechanical/electrical staffing assistance as needed. The TOWN can request and the COUNTY will provide one (1) additional licensed operator with at least sixty (60) days' notice under the same conditions.

BE IT FURTHER AGREED that the TOWN reimburses the COUNTY for staffing expenses incurred in the performance of the aforementioned scope of services at the benefit rates of the employees engaged. The COUNTY will submit expenses incurred on a monthly basis. The TOWN will reimburse said expenses within no more than thirty (30) days of receipt of invoice. If non-emergency capital funds are required, the COUNTY will send the TOWN a scope modification request for approval prior to commencement of remedial action. If, in the COUNTY'S sole discretion, emergency capital funds are required the COUNTY will proceed after notice to TOWN but without prior authorization. All capital costs incurred will be included in the subsequent monthly reimbursement request at costs incurred.

BE IT FURTHER AGREED that the TOWN cooperates with the COUNTY on the transition of the billing system on January 1, 2021 at no expense to the COUNTY in the following manner:

1. Provide access for COUNTY staff to the customer data base in the TOWN's municipal billing system.
2. Conduct joint site visits of all commercial accounts to establish EDU assessments.
3. Transfer historical flow records and pre-treatment permit information for the TOWN's two (2) industrial accounts.

BE IT FURTHER AGREED that the TOWN transfers the wastewater enterprise fund assets, liabilities and legacy agreements to the COUNTY in the following manner:

1. TOWN's spray irrigation farm, tax parcel 430-16.00-31.00 in fee simple to COUNTY, however resulting farm lease income shall be dedicated to annual district area debt reduction for the term of the loan.
2. TOWN shall provide a 99-year no-cost lease to COUNTY for the operation of the main downtown pump station and maintenance shop including access rights.
3. COUNTY shall assume four (4) outstanding wastewater system loans as per Exhibit A at the time of closing of the restructured bond in the COUNTY's name. Said closing shall occur no later than November 30, 2020. And further, COUNTY shall indemnify and hold harmless TOWN from and against any claims or losses arising out of COUNTY's default under any of the terms and conditions of the aforesaid loans that may occur after COUNTY's assumption thereof.
4. TOWN shall retain title to all mobile assets; however, COUNTY shall have access to the assets on a case by case basis for ongoing system maintenance without assuming any debt or insurance obligation in said assets.
5. COUNTY shall assume the outstanding pre-paid sewer capacity commitments under the two (2) legacy commitments with Bridgeville Park Center, LLC dated 01/09/2004 and Passwaters Farms, LLC last amended 10/09/2014. The agreements are hereby attached as Exhibit B.
6. COUNTY shall assume all other fixed assets at the time of system transfer at no cost in as is condition. A Bill of Sale shall be executed and delivered to COUNTY by the TOWN for all of the fixed assets.
7. TOWN and TOWN's consultant shall maintain system as built information up to the time of transfer as well as assist in the timely transfer of said as built information to the

COUNTY's GIS data base at no cost to the COUNTY.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their proper corporate officers and their respective corporate seals to be hereto affixed, the day and year first above written.

COMMISSIONERS OF
BRIDGEVILLE

By: _____
President

Attest: _____
Town Secretary

SUSSEX COUNTY

By: _____
Michael H. Vincent, President

Attest: _____
Clerk, Sussex County Council

EXHIBIT A

Outstanding Wastewater System Loans

DNREC Clean Water-#12000076-WWTP (current balance = \$1,136,923)

DNREC Clean Water-#12000075-WWTP (current balance = \$777,231)

DNREC Loan / FAB #12500006: RBC Loan (current balance = \$337,270)

DNREC Project #S-2026 / FAB Loan #12000027 (current balance = \$1,205,350)

EXHIBIT B

Outstanding pre-paid sewer capacity commitments under the two (2) legacy commitments with Bridgeville Park Center, LLC dated 01/09/2004 and Passwaters Farms, LLC last amended 10/09/2014

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
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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 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: ***CONCORD ROAD UTILITY UPGRADE –
EXPANSION OF THE BLADES SANITARY SEWER DISTRICT AREA
CHANGE ORDER NO. 3***

DATE: October 23, 2018

On September 24, 2013, Council approved the Concord Road expansion of the Blades Sanitary Sewer District Area. A funding request was submitted to USDA, Rural Development on January 28, 2014 and the County received obligation documentation on August 19, 2014. On July 21, 2015, Council accepted the conditions associated with the original \$729,000.00 loan and \$449,000.00 grant.

On October 3, 2017, County Council approved the Concord Road Construction Agreement with the Town of Blades and the associated Amendment No. 3 to the base contract with Davis, Bowen and Friedel, Inc. combining the water and sewer projects in one construction document with separate bid schedules and design plans. On November 14, 2017, County Council awarded Contract No. 15-03 to Zack Excavating Inc, in the total amount of \$2,403,782.00. The base bid for Sussex County sewer was \$1,605,824.75 and the bid alternate for Blades water was \$797,957.25. Under the terms of the Agreement between Sussex County is the party to the entire contract with Zack Excavating, Inc, with the County making all initial payments and receiving reimbursement from USDA on behalf of the Town of Blades, upon project completion.

Due to the increased construction costs, the Finance and Engineering Departments submitted a supplemental funding request to USDA. The County received obligation documentation with an offer of \$220,000.00 in loan and \$145,000.00 in grant funding. On January 9, 2018, Council accepted the funding offer and approved the associated USDA Loan Resolution.



Work involving the Blades water system resulted in Change Order No.1 in the amount of \$31,776.86, which was approved by the Town of Blades and their Engineer prior to approval by County Council on May 1, 2018, for a new overall total contract value of \$2,435,558.86. Change Order No. 2, approved on September 11, 2018, included additional maintenance of traffic required by DelDOT, an additional lateral and installation of two (2) fire hydrant lead extensions.

Change Order No. 3 provides gravity infrastructure to take the Little Meadows pump station (PS#64) offline and divert flow to the new pump station on Concord Road. This would eliminate the need to upgrade PS#64 and utilize available grant money within the current contract to complete a partial gravity sewer extension towards the RT-13 corridor. By including this work in the Concord Road Utility Upgrade Contract, we can utilize current unit price items and have the work completed before PS#64 requires any of the budgeted repair.

The Finance and Engineering Departments submitted a scope modification request to USDA to utilize the funds for Change Order No.3 and on August 24, 2018, USDA concurred in the request. In summary, the Engineering Department recommends approval of Change Order No. 3 in the aggregate amount of \$290,803.50 for a new total contract value of \$2,740,852.96.

UNITED STATES
DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT

AND STATE OF DELAWARE
OR DEPARTMENT OF NATURAL
RESOURCES AND ENVIRONMENTAL
CONTROL
DIVISION OF WATER RESOURCES
FINANCIAL ASSISTANCE BRANCH

CHANGE ORDER NO: 3
PAGE 1 OF 2
DATE: 10/23/2018

STATE: Delaware

SEPARATELY OR JOINTLY FUNDED PROJECT

COUNTY: Sussex

CONTRACT CHANGE ORDER

CONTRACT FOR: Concord Road Utility Upgrade Project -----
-----Contract 15-03-----

OWNER: Sussex County Council

To: Zacks Excavating, Inc.
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE In Contract Price
1) See attached Change Request 008	\$	\$ 290,803.50
TOTALS	\$	\$ 290,803.50
NET CHANGE IN CONTRACT PRICE	\$	\$ 290,803.50

JUSTIFICATION: Explain (Differing Site Conditions) (Errors or Omissions in Drawings or Specifications) (Changes in Regulatory Requirements) (Design Changes) (Over run or Under run in Quantities) (Factors Affecting Time of Completion) (Other: Describe below)

The attached Change Request 008 is to provide

The original amount of the Contract: Two Million, Four Hundred Three Thousand, Seven Hundred Eighty-Two Dollars and 00/100 Cents Dollars (\$2,403,782.00)

The amount of the Contract as adjusted by all previously approved Change Orders: Two Million, Four Hundred Fifty Thousand, Forty-Nine Dollars and Forty-Six Cents Dollars (\$2,450,049.46)

The amount of the Contract will be (Increased) through this Change Order by the sum of: Two Hundred Ninety Thousand, Eight Hundred Three Dollars and Fifty Cents Dollars (\$ 290,803.50)

The Contract Total including this and all previous Change Orders will be: Two Million, Seven Hundred Forty Thousand, Eight Hundred Fifty-Two Dollars and Ninety Six Cents Dollars (\$ 2,740,852.96)

The Contract Period provided for completion will be (Unchanged) by: _____ (0) Calendar Days

Page 2 of 2
CONTRACT CHANGE ORDER FORM
CHANGE ORDER NO. 3
CONTRACT 15-03

This document will become a supplement to the contract and all provisions will apply hereto.

Requested:  10/23/18
(Owner – Sussex County Engineering Department) (Date)

Requested: N/A _____
Town of Blades (Date)

Recommended: _____
(Owner's Architect/Engineer – Davis, Bowen & Friedel, Inc.) (Date)

Accepted: _____
(Contractor – Zacks Excavating Inc.) (Date)

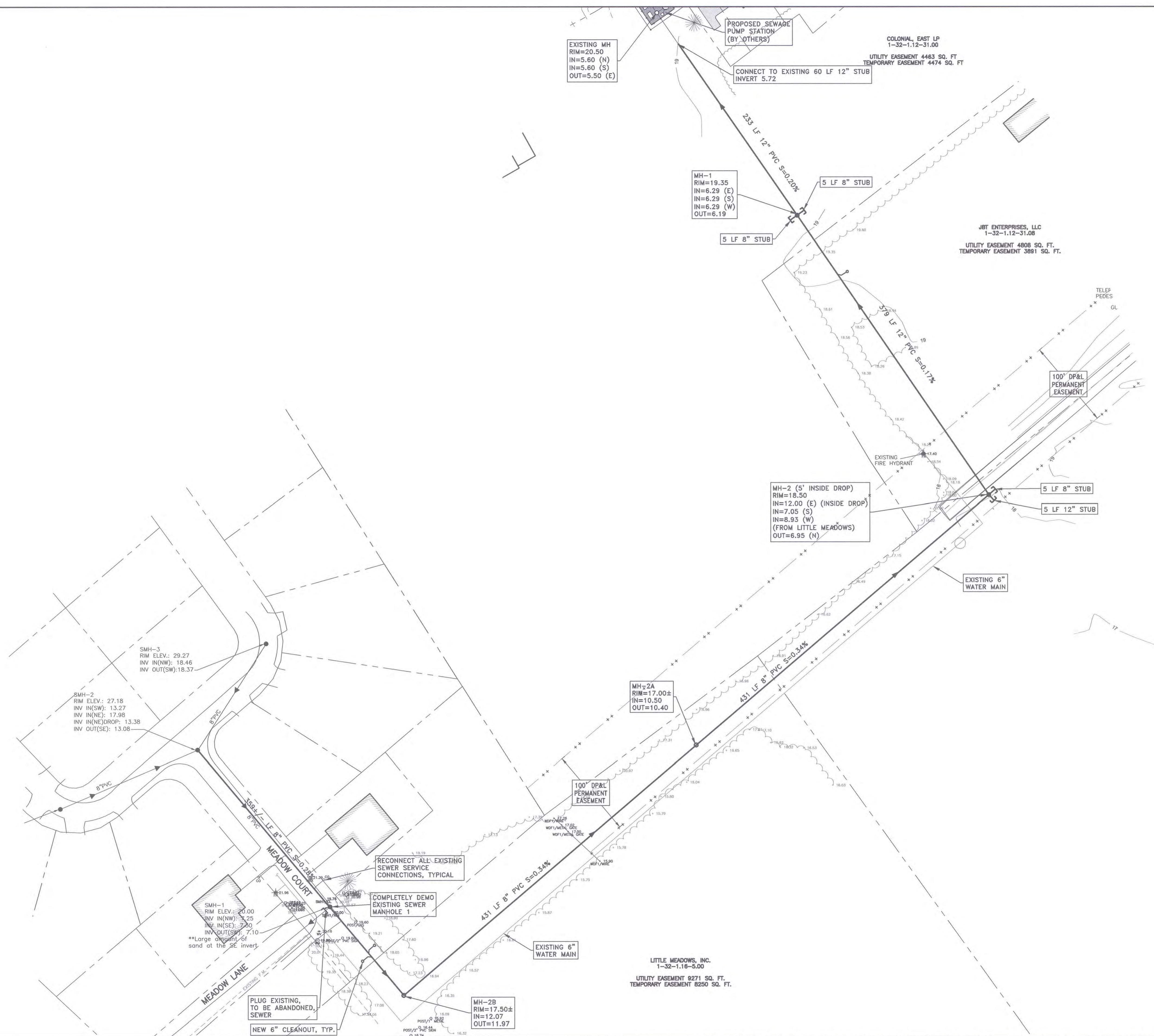
Approved by U. S. Department of Agriculture: _____
(United States Department of Agriculture, Rural Development) (Date)

Concord Road Utility Upgrade- Little Meadows Extension

Sewer Items		SIZE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	COMMENTS
1	Mobilization		LS	--	\$10,700.00	\$10,700.00	
2	Removal & Disposal of Existing 8" Sewer and SMH-1		LF	230	\$40.00	\$9,200.00	
3	Furnish and Install Gravity Sewer, Fittings, and Appurtenances (SDR-35)	8"	LF	1236	\$80.00	\$98,880.00	
4		12"	LF	617	\$112.00	\$69,104.00	
5	Furnish and Install Manholes and Appurtenances	4' Dia.	VF	25.29	\$1,300.00	\$32,877.00	
6	Furnish and Install Inside Drop Manholes and Appurtenances	5' Dia.	VF	11.5	\$1,500.00	\$17,250.00	
7	Furnish and Install SDR-35 Gravity Sewer Lateral and Appurtenances	6"	LF	20	\$100.00	\$2,000.00	
8		8"	LF	10	\$100.00	\$1,000.00	
9	Furnish and Install SDR-35 Gravity Sewer Clean Out and Appurtenances	6"	EA	2	\$500.00	\$1,000.00	
10		8"	EA	1	\$500.00	\$500.00	
11	Furnish and Install Graded Aggregate Subbase	6"	Tons	45	\$35.00	\$1,575.00	
12	Furnish and Install Bituminous Concrete Base Course	3"	SY-IN	585	\$5.50	\$3,217.50	
13	Furnish and Install Bituminous Concrete Surface Course	2"	SY-IN	500	\$6.00	\$3,000.00	
14	Lateral Re-Connections for tax id # 132-1.12-42.00 and 132-1.12-43.00	6"	EA	2	\$500.00	\$1,000.00	Price includes 8"x8"x6" Wyes
Contingency Items (if and as directed by Engineer)							
15	Furnish Dewatering for Pipe Installation		LF	650	\$30.00	\$19,500.00	
16	Provide all Equipment and Labor Required to Remove and Dispose of Trees	--	EA	5	\$3,000.00	\$15,000.00	
17	Furnish & Place Select Backfill	--	CY	500	\$10.00	\$5,000.00	
TOTAL COST						\$290,803.50	

*Existing forcemain and Pumpstation abandonment is not included in this project.

P:\Sussex County\Concord Road Pump Station\3. PUMP STATION SITE PLANS.dwg Oct 02, 2018 - 9:38am, (lrc)



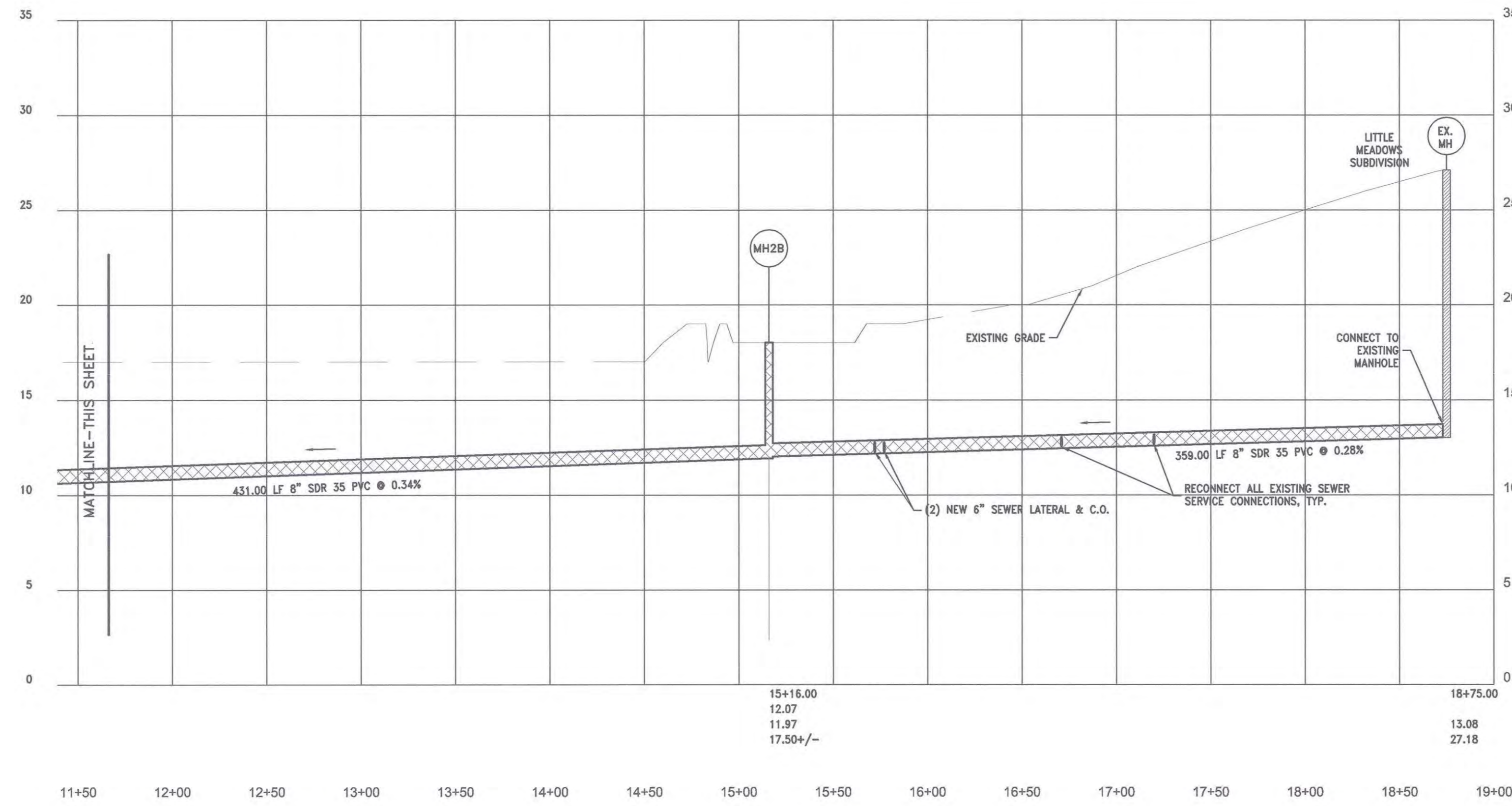
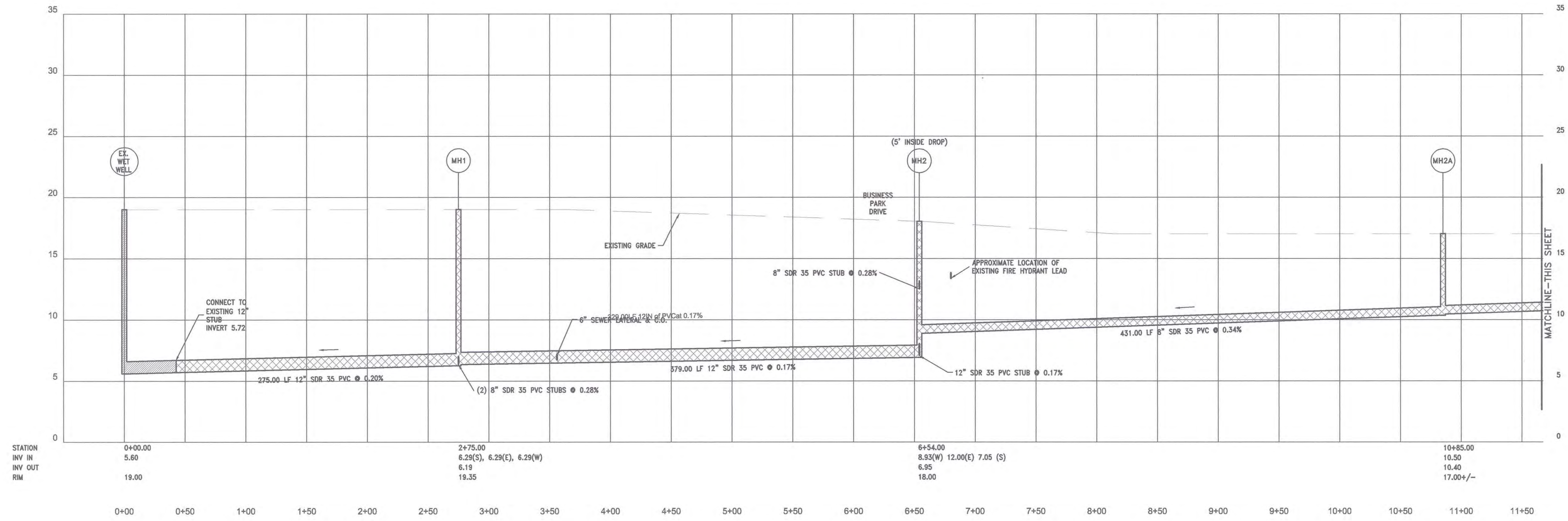
ARCHITECTS ENGINEERS SURVEYORS
 SALESBURY, MARYLAND (410) 845-9091
 MILFORD, DELAWARE (302) 425-1441
 EASTON, MARYLAND (410) 770-1744



SITE PLAN

**CONCORD ROAD PUMP STATION
 BLADES SANITARY SEWER DISTRICT EXPANSION
 SUSSEX COUNTY, DELAWARE**

Revisions:
Date: SEPTEMBER 2018
Scale: 1"=50'
Dwn. By: RJL
Proj. No.: 1897B011.A01
Dwg. No.: LM1



SCALE: 1" = 50' HORIZONTAL
1" = 5' VERTICAL

P:\Sussex County\Concord Road Pump Station\3 PUMPSTATION SITE PLANS.dwg Oct 01, 2018 - 2:22pm, (frc)

**CONCORD ROAD PUMP STATION
BLADES SANITARY SEWER DISTRICT EXPANSION
SUSSEX COUNTY, DELAWARE**

Revisions:

Date: SEPTEMBER 2018

Scale: AS SHOWN

Dwn.By: RJL

Proj.No.: 1897B011.A01

Dwg.No.:

LM2

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

JOSEPH WRIGHT, P.E.
ASSISTANT COUNTY ENGINEER

Memorandum

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

FROM: John Ashman
Director of Utility Planning

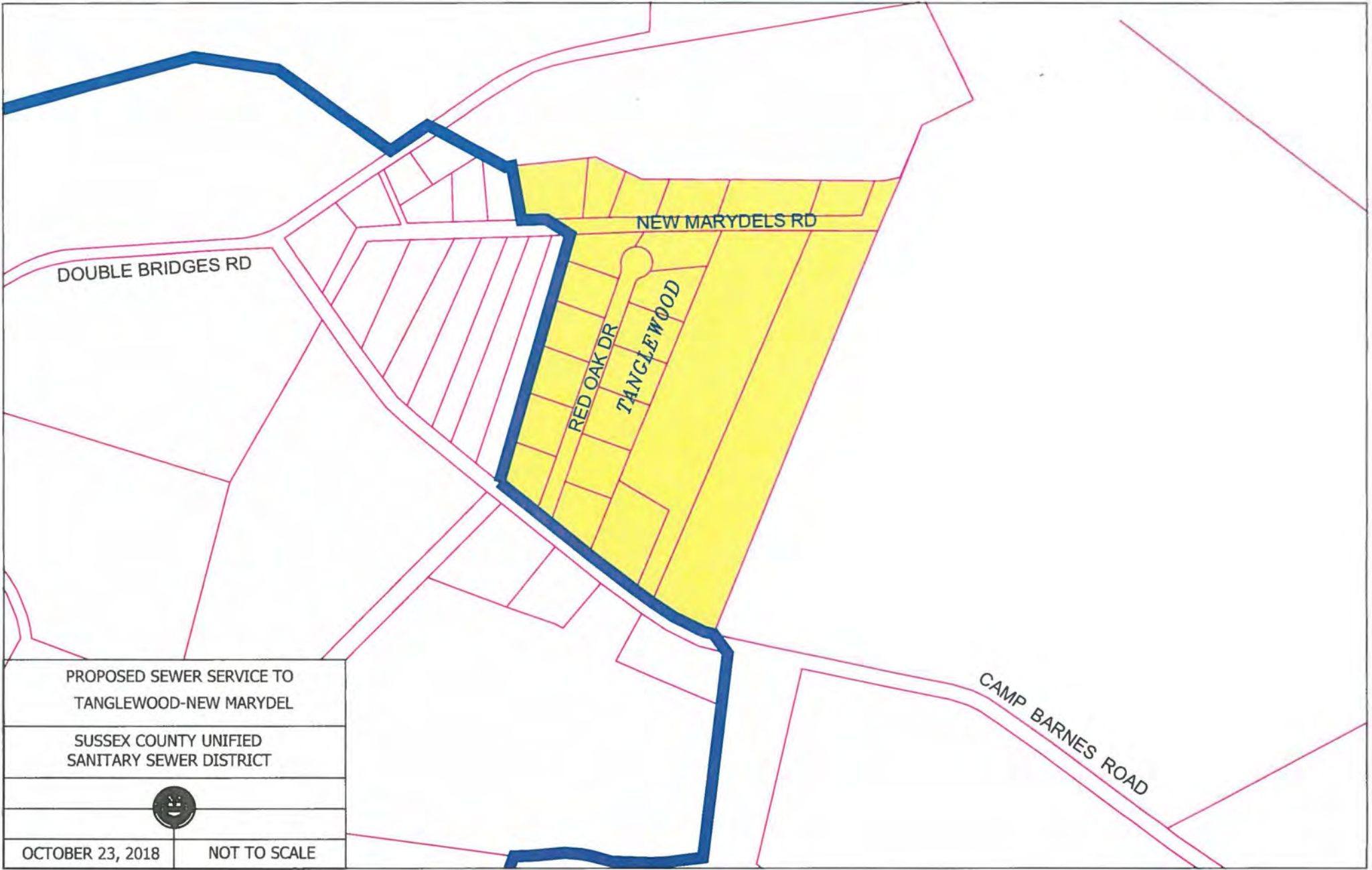
RE: *Sewer Service to Tanglewood/New Marydel*
Permission to authorize design
File: MC-10.03.07

DATE: October 23, 2018

On February 5, 2008, the Engineering Department held a public hearing before council for the Bayard Expansion of the Miller Creek Sanitary Sewer District. Residents from Tanglewood/New Marydel and Oak Acres appeared and question council on the possibility of their communities being included in the boundary. The Engineering Department was tasked with collecting information from the residents and reporting back the next week. On February 12, 2008 the Engineering Department came back to council with information on the community poll. Council included only those parcels responding in New Marydel and all of Tanglewood and Oak Acres.

The turn in the economy affected the construction of infrastructure that was to be built by the developers of the Estuary and the Woodlands of Bayard projects to serve the area. Now the projects are moving forward and main infrastructure is available for the Tanglewood/New Marydel section. The Engineering Department has reached out to GMB one of the County's Misc. Consultants for a price to design the remaining infrastructure to serve the area, as they have designed the Estuary infrastructure. At this time, the Engineering Department would like to request permission to authorize that design. The infrastructure will serve (19) parcels and contract is an hourly contract with a not to exceed amount of \$20,820.00.





PROPOSED SEWER SERVICE TO
TANGLEWOOD-NEW MARYDEL

SUSSEX COUNTY UNIFIED
SANITARY SEWER DISTRICT



OCTOBER 23, 2018

NOT TO SCALE

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



Sussex County
DELAWARE
sussexcountype.gov

Memorandum

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

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Todd Lawson, County Administrator
Everett Moore, County Attorney
Vince Robertson, Assistant County Attorney

Date: October 18, 2018

RE: 2018 Comprehensive Plan

The County began working on the Comprehensive Plan in 2016. The Planning Commission spent over a year working on a draft plan. The Planning and Zoning Commission held a public hearing on November 2, 2017. The following are the minutes from that meeting. Since the Planning and Zoning Commission made their recommendation Council has reviewed and updated the plan. County Council has spent almost a year working on the draft plan. The draft plan as discussed by County Council was reviewed through the State's PLUS process on August 22, 2018. Council reviewed the PLUS comments at a workshop on October 15, 2018.

AN ORDINANCE ADOPTING THE 2018 COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING ORDINANCE NO. 1980, THE 2007 UPDATE OF THE COMPREHENSIVE PLAN, ADOPTED JUNE 24, 2008

Ms. Cornwell stated that the process began well over a year ago, with four focus groups; that were related to Housing, Utilities, Conservation, Economic Development; that there were held in late summer, and early fall of 2016 for the Consultants to get to know a little more about the County; that there were interviews with the Planning Commission, County Council, and some select others there were identified by the County Council and Planning Commission; that in November through February three combined Planning Commission and County Council workshops were held; that as a results the path to move forward was to have the Planning Commission hold public workshops; that the Planning Commission held 19 public workshops; that the workshops took place on March 8, March 22, March 29, April 10, April 21, May 22, June 5, June 16, June 26, July 14, July 28, August 7, August 14, August 21, September 13, September 20, September 27, October 4, and October 18; that there was public comment taken at all the workshops; that there have been three sets of public meetings where the County went out to the



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

community at 11 different locations; that they did five meetings in the fall of 2016; that the consultant worked with the County Council and the Planning Commission to provide additional information regarding the plan; that the second set of five meetings were held in the spring of 2017, which gave an update of what has been done and where they were going; that in the fall of 2017 there was one public meeting held at the Cheer Center in Georgetown; that there a presentation was done about the draft plan and given at three different times during the day; that there was plenty time of public comments; that every Planning Commission meeting since July 14, 2016, which there has been 32 normal scheduled public meetings, had an opportunity for public comment regarding the Comprehensive Plan on the agenda; that the Comprehensive Plan website had a place to sign up for an e-news, so you could get an update of upcoming events; that over 260 people signed up for the e-news; that we have taken over 390 comments, just from e-mails; that most of the comments received were on land use and transportation; that Staff provided all the comments to the Planning Commission members on a regular basis; that most recent comments received are on the Planning Commission desk tonight; that the Planning Commission has gone over the 11 chapters; and that everything is active and on the website.

Mr. Robertson stated that the comments will be part of the record; and that all the comments will also be sent to County Council with whatever recommendation the Commission makes on the plan.

Ms. Cornwell stated that the comments that came through the Comp Plan website are actually also on the Comp Plan website; and that the ones that came in today are not on the website.

Mr. Ross stated that the only thing we had in the draft for public Planning Process Chapter Three was that Ms. Cornwell did add one page; that the page shows the dates of all the workshops; and that otherwise there were no changes; and that Ms. Cornwell stated that she changed the last part that said it went just went through PLUS, to recognize that the plan also goes through the State's Cabinet Committee.

Motion by Ms. Stevenson, seconded by Mr. Hudson, and carried unanimously to adopt the Planning Process Chapter 3 as a draft. Motion carried 5-0.

The Commission found that Rich Borrasso, Mable Granke, Bonnie Ram, Sue Claire Harper, Gail Van Gilder, Howard Fortunato, Patricia Galu, Chuck Schonder, Valerie Faden, Jesse Vanderwende, Phoebe Cottingham, Bobby Horsey, Claire Simmers, Doug Motley, Dave Carey, and DJ Hughes spoke about the application; that Mr. Borrasso stated that he represents Sussex Alliance for Responsible Growth (SARG); that they have a survey on their site and would like to go over the results of a survey that they run for the past four or five months; that the purpose of sharing the results with the Commission is that they have a lot of information from the public; that the survey invites people to come to the Comprehensive Plan website, that they provide them the 2008 plan; that they also provide all the goals and objectives as they come available as the proposed plan of 2018; that the survey is four questions; that 225 people responded to the questions; that there were 276 comments that they would like to add to the Commission's pool of comments; that public outreach was evident throughout the Comprehensive Plan update with countless opportunities for the public to participate in the process, in person and a well-designed and informative website dedicated to the County Plan; that the Planning Commission, County Planning staff and Council made the public feel welcome, were patient and fostered an environment for good exchange and dialogue; that the Sussex County Comprehensive Plan process did not do enough to clearly identify the weakness or underperforming 2008 Comprehensive Plan strategies; that the survey results indicate the public skepticism on what will be accomplished based on the action verbs used in many of the strategies i.e. consider-51, continue-48, encourage-27, promote-19, and explore-11; that the public has been clear that both the Commission and County Council need to exercise its authority to manage future development

contingent on infrastructure improvements; that the public will demand modifying 2018 proposed strategies to ensure a greater degree of setting priorities and timelines and most importantly an annual accounting of progress or lack of progress toward County goals and objectives; that Ms. Granke stated that she has given the Commission several comments; that she still has concerns; that one or two staff members should attend a meeting on November 8th at DNREC regarding water; that coordination is needed between DNREC and DelDOT with regard to how we address sea level rise as well as the protection of our public well heads and our water quality; that we are not a rural County but only portions of the area and that needs to be taken into consideration; that the priority should be increasing road capacity; that what are the consequences for the decisions by County Council; that intergovernmental coordination is important; that Ms. Ram spoke about the Economic Development chapter; that there were no references to wind and solar; that both of these are the fastest growing economy and job creator; that they are cheaper energy sources than fossil fuels; that they need to focus on energy resources; that Ms. Harper stated that Jennifer Clemens who is the Chair of Energy Technologies for Del Tech Community College spoke at the League Women Voters meeting on November 1st; that the graduates of these programs have 100 percent job placement in renewable jobs; that the starting salaries in these positions start between \$30,000 to \$40,000 upon graduation; that the Economic Development chapter needs to focus on development of energy saving jobs created but also for the potential for people to stay within the County; that there are not enough students at the Georgetown Campus for all four programs; that Ms. Van Gilder stated that she agrees with the others and thank you for giving her opportunity to speak; that she submitted some Byways revisions and added recommendations to help byways; that she added some things to improve the Byways Program; that she thinks it is important in the Byways write up that we let Sussex County residents know that there is an opportunity for people to implement other Byways; that she recommended to add a conservation plan to preserve open space, parks, and agricultural lands etc.; that she wants to preserve the Great Marsh and sees that as part of a conservation plan; that it is good that sea level rise and flooding are in the plan; that flooding and evacuation in the coastal areas should be part of the plan; that there should be better stormwater regulations; that the TID portion in the plan needs to be stronger; that they should pull out priorities and emphasis on what you are doing to the plan and where we are headed; that Howard Fortunato spoke that he represents the HBA (Home Builders Association); that in the section of housing there was one section that talked about facilitating and helping non-profit developers to supply more affordable housing; that there are some affordable projects that for profit developers do; that new homes pay their own way; that each new home that is built creates 4.25 jobs the year that it is built; that the Future Land Use Chapter 5 provides greater density for builders if they voluntarily protect natural resources; that Ms. Galu stated that she wanted to thank the Commission for what they do for the community; that she appreciates all the work that is done in putting this Comprehensive Plan together; that she thanks them for holding so many public hearings and forums with ample opportunity for input; that there was another meeting scheduled tonight to discuss the Route 54 corridor; that a master plan for southeast Sussex County is needed; that the master plans should determine the population size and development projects that can be supported by the land; that a Comprehensive Plan should improve the current roads before approving new developments; that they recommend that the project approval process be amended so that when a project is presented to the Planning and Zoning and public comments are received, that the developer must make changes and bring the plan back to Planning and Zoning for its final approval before going to County Council; that will ensure consistent and professional review of all the projects; that they recommend that once a project is approved it is built within 36 months; that how will they evaluate the plans; that Mr. Schonder stated that according to the demographics chapter of the Comprehensive Plan, the 50-69 age group grew 69 percent between 2000-2013 and the 85 plus age group will increase by 25 percent by 2045; that the creation of a senior transit guide and tool kit for transportation options for residents and visitors is a good idea; that ride sharing is a good idea; that MIC (Mobility Improvement Committee) that he didn't quite understand and needs more

information; that he would like them to consider the Senior Community on the MIC group; that transportation is one of the top three to stay in home; that he thanks the Commission; Ms. Faden stated that she lives in the ESDA and has concerns with scrutiny being applied to these developments; that she wants more scrutiny applied, especially to new developments; that Mr. Vanderwende stated that he likes the idea of the Ag Business areas; that this will benefit him and allow companies to grow and prosper in the County; that if we can keep Agricultural profitable that is the best way to preserve farm land and open space; that Ms. Cottingham stated that how and where will the County accommodate population growth, and will the roads be able to handle the transportation; that there needs to be a transportation committee to keep up and not rely on DelDOT for analysis; that there needs to be better coordination with DelDOT and land use; that private residential developments should be required to have bigger setbacks; that interconnectivity and emergency road connections can help reduce problems that we have during emergency times; that the Future Land Use Chapter could be rewritten to show more coordination; that in the Mobility Chapter she found that direct and forward looking view; that she likes that there is going to be an active committee that will steer this area of transportation of roads; that Mr. Horsey stated he wanted to thank you for the time they put forth in this process; that there is a large part of Sussex County that has already been preserved; that when is enough is enough to be preserved; that Chapter 6.2-3 map is a water way map and does not believe it to be accurate; that in Chapter 6.3 the 100 year floodplain restrictions states no buildings are permitted in the 100 year floodplain and would like the Commission to reconsider that section; that forested buffers also has a bullet point that he would like the Commission to reconsider that section to preserve natural resources; that one thing that should be added in the Conservation chapter is water regulation and education of homeowners on irrigation management; that to remember our property rights; that he does not want the growth to stop; that Ms. Simmers stated that she looked into Chapter 5; that she has concerns with the words that were used and the Commission should consider something more positive; that they should reevaluate the 20 foot buffer zone as it is not specific on the plan; that the plan is clear; that Mr. Motley stated that he thinks there is an opportunity for further emphasis on public and private partnerships; that the current programs and affordable housing are not necessarily working and there is an opportunity to enhance the dialogue; that the County has the opportunity to foster partnerships with existing businesses, ex. between agricultural and tourism and agricultural industries from farm to tables; that there is opportunity to enhance education for trades and there are plenty of jobs; that he suggests to broaden several references in the plan, specifically “entry level jobs” broaden to state “all jobs”; that throughout the plan there is reference to the age distribution within the County and he thinks it is a great resource; that there are a lot of companies out there targeting the older population; that there is opportunity to broaden the industrial references to include office and medical office; that Mr. Carey stated that he has concerns with private property rights and data collection such as the Delaware Wildlife Action Plan; that he does believe in protecting the environment and conserving open space; that he also believes in private property rights; that he has had issues with people trespassing on his properties; that he respectfully requests that the Sussex County Planning and Zoning Commission to insert the following language in the 2018 draft of the Sussex County Comprehensive Plan in Chapter 6 under Conservation “Sussex County respects the private property rights of all land owners in Sussex County”; that Mr. Hughes spoke that he thanks you all for your effort for putting the Comp Plan together; that the Mobility Element is not a new issue; that focus needs to be on land use and economic development and getting higher paid jobs in eastern Sussex so kids to go away to college and be able to come back and have jobs; that the DelDOT maps do not reflect the traffic problems; that a mobility committee needs to be formed to waste time and get funding down here in Sussex County; that Sussex wants to come up with some of its own funding and the state needs to match those funds; and that the State needs to start spending a fair share down state.

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

Mr. Robertson stated that Chapter 4 is a restatement of the goals, objectives and strategies; that it is a duplication of what is already listed throughout each element of the plan; that originally the thought was to have it in one spot; that it adds bulk to the plan; that if you looked at Chapter 4 you wouldn't get the benefit of the context of the rest of the element; that it really provides explanation and support for why there is goals and objectives in the first place; and that the question is whether we need it or not.

Mr. Wheatley moved that the Commission delete Chapter 4, which is a duplicate listing of all the goals, objectives and strategies that are already listed in each chapter; that if they are separated like this from their respective chapters, they are out of context and do not have the substance of each chapter to further support or explain them; that it also adds unnecessary bulk to the plan; and that the remaining chapters will also need to be renumbered.

Motion by Mr. Wheatley, seconded by Ms. Stevenson, and carried unanimously to delete Chapter 4 which is a summary of all the strategies, goals, and objectives and to renumber the subsequent Chapters and move them up. Motion carried 5-0.

Ms. Stevenson stated the vision statement should be up front, so that it stands alone.

Mr. Ross stated that we have extensive public comments; that not only from our consultants, staff and all the members of public; and that the public record will be forwarded to the County Council.

Ms. Stevenson moved that the Commission recommend that Council adopt the 2018 Comprehensive Plan for Sussex County, and repeal Ordinance #1980 adopting the 2007 update of the Comprehensive Plan. This recommendation is based upon the following reasons, and with the following recommendations.

1. There has been a great deal of work that has gone into this plan. This includes many public workshops throughout the County, and 19 individual workshops by the Commission to draft every aspect of the plan.
2. There has been a lot of public participation in the drafting process, with public comments at every workshop and meeting held by the Commission during this process, as well as during tonight's hearing, this public comment has all been taken into account in drafting the plan.
3. All of the information contained in the record, including testimony and written comments received as part of the public hearing, will be forwarded to County Council as part of its review and adoption of the plan.
4. While this is an update to the prior plan, the Commission has looked closely at every element to determine what has worked and what needs to be changes. This plan reflects all of that work.
5. In this process, the Commission has taken a deeper look into areas of the plan than ever before. For example, this includes expert testimony from population experts, detailed information about Economic Development, information from the Center for the Island Bays, substantial input from our County Engineer, and very useful information from Affordable Housing Organizations in the County. There has also been organized participation by several citizens groups during the process. And, the Commission, with the public and DelDOT, really spent a lot of time analyzing traffic issues that affect the County. This plan reflects all of that work and input.
6. Sussex County's Consultant, McCormick Taylor, has provided guidance and advice throughout the planning process, and supports the draft. McCormick Taylor's efforts are

- reflected in the plan.
7. The plan represents a fair and balanced approach and guidance for issues facing Sussex County now and in the future.
 8. This motion for approval is subject to the following deletion of Chapter 4, and the renumbering of the remaining Chapters.

Motion by Ms. Stevenson, seconded by Mr. Hopkins, and carried unanimously to recommend the adoption of the draft 2018 plan. Motion carried 5-0.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2018 COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING ORDINANCE NO. 1980, THE 2007 UPDATE OF THE COMPREHENSIVE PLAN, ADOPTED JUNE 24, 2008

WHEREAS, the County Council of Sussex County has the power and jurisdiction to regulate zoning and the uses of land in those portions of Sussex County which are not included within the corporate limits of any city or town; and

WHEREAS, the purpose of planning and zoning is to promote the health, safety, prosperity, and general welfare, as well as the further purpose of securing coordinated plans for land use, transportation, public facilities and utilities, and public works and expenditures in those portions of Sussex County subject to the power and jurisdiction of the County Council of Sussex County; and

WHEREAS, the County Council is required by The Quality of Life Act, as it appears in Subchapter II, Chapter 69 of Title 9 of the Delaware Code, as amended, to update its Comprehensive Plan for zoning, subdivision, and other land use decisions adopted June 24, 2008; and

WHEREAS, the County Planning and Zoning Commission and the County Council have held extensive public workshops and hearings, and have prepared a Comprehensive Plan for submission to the Cabinet Committee on State Planning Issues; and

WHEREAS, the County Government of Sussex County is of the opinion that it promotes the health, safety, morale, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County by adopting a final Comprehensive Plan;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The 2018 Sussex County Comprehensive Plan is adopted as the Comprehensive Plan in Sussex County.

Section 2. The 2007 Update of the Comprehensive Plan adopted June 24, 2008 is hereby repealed.

Section 3. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications.

Section 4. 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
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: September 4, 2018

RE: County Council Old Business Report CU 2128 Larry Martin

The County Council held a public hearing on June 12, 2018. County Council deferred action pending a recommendation by the Planning Commission. The Planning Commission made a recommendation on June 14, 2018.

The Planning and Zoning Department received an application (CU 2128 Larry Martin) to allow for a Conditional Use to allow for an auto repair shop located at 9534 Shadow Point Ln. 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, comments from the Sussex Conservation District, Sussex County Engineering Department Utility Planning Division and DelDOT.

The Commission found that Larry Martin was present on behalf of his application; that Mr. Martin stated he put up a pole building for auto repair; that there is a transmission shop two miles down the road that there is a used car lot and Delmar Auto in the area; that there is a butcher shop in the area; that there will be no employees and the hours of operation will be 7:00 am. through 6:00 p.m., Monday through Friday and Saturday by appointment only in the a.m.; that the all of the work will be done inside and nothing will be done outside; that he will store cars short term but no parts or equipment will be stored outside; that there is no proposed sales of used cars at this time but maybe in the future; that there is proper disposal of waste and oil; that he would like to put a sign on the building; that he would a lighted ground sign; that there could be three cars a day; that building has three bays that face the house and one bay is on the other side of the building; that he would repair automobiles, light trucks; however, no semi-trucks; that it is a local customer base; that there are six parking spaces shown on the site plan; that he repairs an average of three cars a day; and that he would like to store up to a maximum of 10 cars.

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

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



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

At their meeting on 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 of C/U 2128 for Larry Martin for and Auto Repair Shop based upon the record made during the public hearing and for the following reasons:

1. The Applicant proposes to operate a small auto repair shop on his property which consists of 3.032 acres more or less, The Applicant has no employees and typically work on an average of 3 cars per day.
2. The use as an auto repair shop at this location is of a public or semi-public character and is desirable for the general convenience and welfare of the area.
3. The project, with the conditions and stipulations so placed upon it, will not adversely affect area roadways.
4. No parties appeared in opposition to this application.
5. This recommendation for approval is subject to the following conditions and stipulations:
 - A. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
 - B. Security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.
 - C. Any dumpsters shall be screened from view of neighbors and roadways. The dumpster locations shall be shown on the Final Site Plan.
 - D. Except for the property owner's personal vehicles located on site, no more than 10 vehicles shall be parked on the site.
 - E. No sales of automobiles shall be permitted.
 - F. All repairs shall be performed inside the existing pole building located on the property. No other buildings on the property shall be used for the auto repair shop. No automobile parts or equipment shall be stored outside.
 - G. No junked, unregistered or permanently inoperable vehicles or trailers shall be stored on the site.
 - H. The site shall be subject to all DeDOT entrance and roadway requirements.
 - I. Handling and disposal of all hazardous waste from the auto repair shop shall comply with all local, state, and federal laws, rules, and regulations.
 - J. The automotive repair hours shall only be from 7:00 a.m. through 6:00 p.m., Monday through Saturday. There shall not be any Sunday hours.
 - K. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission. The Final Site Plan shall clearly show the areas set aside for parking.

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

Introduced 1/23/18

**Council District No. 5 – Arlett
Tax I.D. No. 532-19.00-12.21
911 Address: 9534 Shadow Point Lane, Delmar**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.0381 ACRES, MORE OR LESS

WHEREAS, on the 3rd day of January 2018, a conditional use application, denominated Conditional Use No. 2128, was filed on behalf of Larry Martin; 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. 2128 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. 2128 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 on the east side of Horsey Church Road and on the south side of Shadow Point Lane, and being more particularly described per the attached deed prepared by Haller & Hudson, said parcel containing 3.0381 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
sussexcountyde.gov

Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 4, 2018

RE: County Council Old Business Report CU 2136 Christine Degnon

The County Council held a public hearing on August 21, 2018. County Council deferred action pending a recommendation by the Planning Commission. The Planning Commission made a recommendation on August 23, 2018.

The Planning and Zoning Department received an application (CU 2136 Christine Degnon) to allow for a Conditional Use to allow for a medical office to be located at 1409 Savannah Rd. The Planning and Zoning Commission held a public hearing on July 26, 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 site plan, staff analysis, comments from the Sussex Conservation District, Sussex County Engineering Utility Planning Division, and results of the Service Level Evaluation from DeIDOT.

The Commission found Taylor Trapp, Attorney with Tunnell and Raysor, Christine Degnon, owner were present on behalf of the application; that Ms. Trapp stated the applicant would like to turn the property into a one person medical office that are similar to other uses in the area; that there is nine other professional offices with seven of which are medical facilities; that the property is more valuable as a medical office than residential purpose; that DeIDOT did not recommend a TIS; that the proposed conditional use will not have an adverse impact on the neighboring properties; that there will be no change in architecture; that there is a shared entrance; that there is an agreement with the neighbor to remove the trees and put up a fence to separate the driveway; that the applicant does direct primary care, in which the physician contracts directly with the patient and helps keep the overhead cost low; that the applicant is a blue collar concierge doctor; that the patients will pay a low monthly fee; that the applicant is practicing in Delaware; that there is a shortage of primary care doctors in Lewes; that she needs more space; that she will have one assistant; that the hours of operation are 8:00 am to 5:00, Monday through Friday with on call services only if there are emergency on weekends; that there is an unlighted sign at the current location; and that there are no plans for the garage.

The Commission found Derek Cole spoke in favor to the application; that Mr. Cole stated he is generally not opposed to the conditional use; that he has concerns with safety regarding the share



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driveway and the fence leading up to the garage; and that he has concerns with hours of operation and it is the same time the school bus pick up kids.

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

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

Motion by Ms. Stevenson, seconded by Mr. Hudson, and carried unanimously to defer action to leave record open for 15 days for applicant to respond in writing in response to conditions submitted by Mr. and Mrs. Cole. Motion carried 5-0.

At their meeting of August 23, 2018, the Planning Commission discussed the application, which has been deferred since July 26, 2018.

Motion by Ms. Stevenson, seconded by Ms. Wingate and carried unanimously to close the record. Motion carried 5-0.

Ms. Stevenson moved that the Commission recommend approval of CU #2136 for Christine A. Degnon for a medical office based upon the record made during the public hearing and for the following reasons:

1. The proposed Conditional Use is similar in character to many other offices in this area of Savannah Road. It is in character with the long history of development of medical and professional office space along Savannah Road.
2. The use as a medical office in this location will benefit the health, safety and welfare of present and future residents of Sussex County residents by providing such a use in a convenient location that is close to Beebe Hospital.
3. The applicant intends to utilize the existing structure on the property. This is consistent with other business and professional uses along Savannah Road.
4. The use, with the conditions and limitations placed upon it, will not adversely affect neighboring properties or roadways.
5. The use is in a Developing Area according to the Sussex County Comprehensive Land Use Plan. This use is appropriate in that Area according to the Plan.
6. This recommendation is subject to the following conditions;
 - A. The use shall be limited to medical offices only.
 - B. As stated by the applicant, the use shall occur within the existing structure, maintaining its residential appearance from Savannah Road.
 - C. The hours of operation shall be between 8:00 am and 5:00 pm Monday through Friday. Additional hours shall be by emergency appointments only.
 - D. Any dumpsters shall be screened from view of neighboring properties and roadways.
 - E. The applicant shall comply with all DelDOT requirements concerning entrance, traffic and roadway improvements.
 - F. All exterior lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
 - G. With the exception of the required handicapped spaces, all parking shall be located in the rear of the property behind the office.
 - H. One lighted sign shall be permitted on the property. The sign shall be no larger than 32 square feet per side.

- I. There shall be a sign directing traffic on the driveway for visitors to this site. There shall also be a sign at the driveway entrance advising that “Children are at Play”. The location of these signs shall be shown on the Final Site Plan.
- J. As stated by the applicant, there shall be a privacy fence installed along the property to the northeast side of the property. The fence shall run from Savannah Road to a point adjacent to the rear edge of the garage on the applicant’s property. The location and type of fencing shall be shown on the Final Site Plan.
- K. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

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

Introduced 02/20/18

**Council District No. 3 – Burton
Tax I.D. No. 335-8.18-4.00
911 Address: 1409 Savannah Road, Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MEDICAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.918 ACRE, MORE OR LESS

WHEREAS, on the 7th day of February 2018, a conditional use application, denominated Conditional Use No. 2136, was filed on behalf of Christine Degnon; 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. 2136 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. 2136 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the north side of Savannah Road, approximately 193 feet east of Dove Drive, and being more particularly described per the attached deed prepared by Schab & Barnett, P.A., said parcel containing 0.918 acre, more or less.

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

JANELLE M. CORNWELL, AICP
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(302) 855-7878 T
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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: September 4, 2018

RE: County Council Old Business Report CZ 1857 Elisabeth Ann Burkhardt

The County Council held a public hearing on October 10, 2018. County Council deferred action.

The Planning and Zoning Department received an application (CZ 1857 Elisabeth Ann Burkhardt) to allow for a Change of Zone from AR-1 (Agricultural Residential District) to B-2 (Business Community District) located at 1500 Savannah Rd. The Planning and Zoning Commission held a public hearing on September 13, 2018. The following are the draft minutes for the Conditional Use from the Planning and Zoning Commission meetings.

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

The Commission found Christin Calsen, attorney with Hudson Jones Jaywork and Fisher, and Mr. Wright, realtor, were present on behalf of the application; that Elizabeth Burkhardt ran a professional office out of the house for over 30 years; that after she passed away her daughter converted it back to a residence; that her daughter can no longer care for the property and is looking to sell the property to pay for her medical care; that Kathy Madden is a social worker and is looking to use the property for her practice; that they are requesting B-2: that the purpose of the district for small office uses to serve the area; that B-2 should be located near rural areas or low density residential neighborhoods; that the area consists of low density residential developments including the development across the street; that there are commercial uses in the area; that the social work will benefit the community; that she is relocating the practice to Savannah Rd. from Lewes; that there is no intention to do more than the existing use; that the proposed zoning is appropriate for the area that it is in; that there is a community across the street; that there is a medical office adjacent to the parcel; that the other adjacent parcel is a residence; that they are looking to reuse the existing building with one additional parking space; that there will only be one patient at a time; that the B-2 zoning will bring office or services to the area; that the uses will serve the general welfare and needs of the area; there was discussion of the commercial uses along Savannah Rd. and the uses and size of the building permitted in the B-2 zone; that there have been a number of Conditional Uses along the road for offices; that there are a number of permitted uses within the B-2 district; that the use can change if the rezoning is approved; and that there are no restrictive covenants on the property.



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

At the conclusion of the public hearings, the Commission discussed this application. The Commission discussed the Conditional Use versus the Change of Zone along Savannah Rd.

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

At their meeting on September 27, 2018, the Planning Commission discussed the application which has been deferred since September 13, 2018.

Motion by Ms. Stevenson, seconded by Mr. Hopkins and carried unanimously to recommend denial based on the majority of uses in the area are Conditional Uses and have residential appearance and recommends the submission of a Conditional Use application for which Commission will waive the fee. Motion carried 5-0.

Introduced 05/22/18

**Council District No. 3 - Burton
Tax I.D. No. 335-8.18-28.00
911 Address: 1500 Savannah Road, Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-2 BUSINESS COMMUNITY DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.3673 ACRE, MORE OR LESS

WHEREAS, on the 8th day of May 2018, a zoning application, denominated Change of Zone No. 1857, was filed on behalf of Elisabeth Ann Burkhardt.; 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. 1857 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 B-2 Business Community 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 southwest corner of Savannah Road and Woodland Avenue, and being more particularly described in the attached legal description prepared by Gary Altman, Esq., said parcel containing 0.3673 acre, more or less.

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



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: DCUSA Foundation
PROJECT NAME: Hopemakers
FEDERAL TAX ID: 22-5330018 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: DCUSA Foundation that originated in 1986 for over 2 decades, has provided services to single adolescent parents, youth at risk, pregnancy, disease, crime, poverty, homeless, and education. DCUSA, will be a catalyst in which people in the community will be able to acquire their education and everyday life skills from our programs.

ADDRESS: 13726 South old State Road

Ellendale Delaware 19941
(CITY) (STATE) (ZIP)

CONTACT PERSON: Helena Gibbs
TITLE: Executive Director
PHONE: 302-943-1945 EMAIL: helenasgift1@aol.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? 775.00

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? 100%

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 checked="" type="checkbox"/> Educational |

BENEFICIARY CATEGORY

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence | <input checked="" type="checkbox"/> Homeless |
| <input type="checkbox"/> Elderly Persons | <input checked="" 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:

125 individuals

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 would like to begin by thanking you again for all the help you have already provided our organization. The organization was established in 1986 to meet the needs of the parents and children in the greater Ellendale area, and surrounding communities areas. We continue to offer several programs with a hope of creating and reinforcing conditions that promote health behavior and lifestyles within oneself.

The Hopemakers program is designed for students and clients to develop a positive attitude, a personal life plan, search for jobs, learn ways of communication, learn how to deal with problem solving, and how to understand their finances. This program will build the students and clients self-esteem. This program will give them a person's overall sense of self-worth or personal value and a way to appreciate and like yourself. a Focus on positive and learn how to be more assertive and except more challenges.

In order for this program to remain successful at promoting others in this program we must continue to receive funding from others agencies that will are willing to support our positive initiatives. There for we are asking for a donation of \$3,000.00 to assist with our operational cost.

You will find that through our long history, DCUSA has established collaborative relationship among the banks and agencies that offer their supports. We are hoping yo will; again find this a worthwhile cause at DCUSA foundation. If you have any questions, please feel free to contact our office at (302) 422-2350 or Helena Gibbs (302) 943-1945.

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	1,000.00
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)	
operational	-\$ 1,400.00
equipment & supplies	-\$ 800.00
Books, Brochures, & Advertisement	-\$ 200.00
personnel/administration	-\$ 500.00
misc.	-\$ 100.00
TOTAL EXPENDITURES	-\$ 3,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 2,000.00

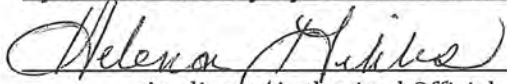
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the DCUSA 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)

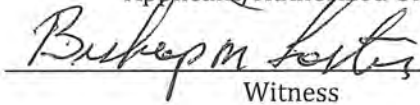
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom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

8/3/2018

Date



Witness

8/3/18

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.

Alexandra Hinkley
Applicant/Authorized Official

8/3/18 COO
Title

Burhop M. Lott
Witness

Date

Burton
10-16-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Georgetown Historical Society
PROJECT NAME: Carriage Building & Pravillion
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:

ADDRESS: 510 S. Bedford Street

Georgetown De 19947
(CITY) (STATE) (ZIP)

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

TOTAL FUNDING REQUEST: \$40,000

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? 10,000

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

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Fair Housing | <input type="checkbox"/> Health and Human Services | <input type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure 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 _____ | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
216,522

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 Georgetown Historical Society has just received a private \$100,000 MATCHING grant opportunity. When matched this will allow us to house the antique Nutter Marvel Museum carriage collection under one roof in an environmentally friendly building so that they can be protected and preserved for future generations. We also will be building a 40'X60' picnic pavillion for community events and programs on the grounds.

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	115,000.00
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)	
land prep	-\$ 68,000.00
permits & fees	-\$ 27,000.00
building construction	-\$ 160,000.00
TOTAL EXPENDITURES	-\$ 255,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 140,000.00

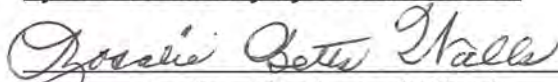
SECTION 5: STATEMENT OF ASSURANCES

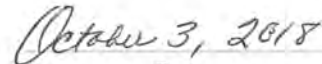
If this grant application is awarded funding, the Georgetown Historical Society agrees that:
(Name of Organization)

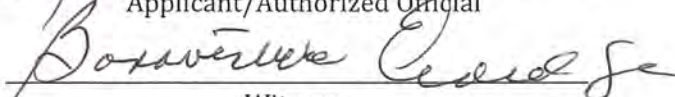
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application.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

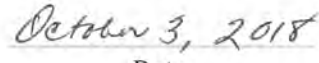
SECTION 5: STATEMENT OF ASSURANCES (continued)

- 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@sussexcountycle.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.

Rosalie Beth Wells
Applicant/Authorized Official

Donna Marie Edwards
Witness

Recording Secretary
Title

October 3, 2018
Date

*Wilson
10-09-18*



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Lewes Presbyterian Church

PROJECT NAME: Lewes After School Program

FEDERAL TAX ID: 45-3539663 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 mission of the Lewes After School Program is to provide a high quality after school program for at-risk children to help them achieve success in school and life. We do this in a partnership with Shields Elementary School, our families and community to provide a safe and nurturing environment that promotes and models respect, positive self-esteem, academic achievement, communication, and character development.

ADDRESS: Lewes Presbyterian Church
133 Kings Highway
Lewes DE 19958
(CITY) (STATE) (ZIP)

CONTACT PERSON: Teresa Lockerman
TITLE: Program Director
PHONE: 302-645-5345 EMAIL: TLockerman@mchsi.com

TOTAL FUNDING REQUEST: _____

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? 1.4%

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 checked="" type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence | <input type="checkbox"/> Homeless |
| <input type="checkbox"/> Elderly Persons | <input checked="" type="checkbox"/> Low to Moderate Income 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:
15 to 30 students

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 Lewes After School Program (LASP) is currently in its 15th year of helping at-risk children in the Lewes area who attend Shields Elementary School. LASP is operated by Lewes Presbyterian Church in partnership with Shields Elementary School. The children are almost always low income and frequently have been identified as special needs students by the school. These children are selected by the staff at Shields and their parents because they have significant academic deficiencies in reading and/or math, or other issues that impede academic progress and can benefit from our assistance. The overall program goals are to improve student achievement in reading and math and to develop strength of character and positive behavior leading to success in school and life.

LASP operates every regular school day from 3:45 p.m. until 6:15 p.m. at Lewes Presbyterian Church (LPC). We provide a bus to transport the children from Shields to LPC. We have two staff members who are assisted by over 15 community members. Program activities include homework help, tutoring, supplemental math and reading instruction, and a wide variety of enrichment activities including art instruction, chorus, quilting, LEAP reading, character education, and snacks and recreation.

An important component of the program is regular communication with Shields Elementary School. We support regular school day activities by assisting children as they complete homework and projects, see copies of their weekly assignments and progress notes, and ask classroom teachers to identify any specific skills or behaviors they would like us to focus on in assisting the children.

In providing this assistance, we frequently utilize laptop computers. Students use the computers to develop keyboarding skills and access educational programs that reinforce skills being taught in school. In the upper elementary grades, they also begin to use the computers to conduct research and write reports. Our current laptops were purchased in 2012. These computers used the Windows 7 operating system. They have been upgraded to Windows 10, but have reached the limit of their useful life. One of the 5 computers has stopped working. The others are slow, freeze up and frequently need repairs. These computers need to be replaced. Unfortunately, we do not have the money in our budget to purchase the computers. Our request is for funds to purchase 3 new Lenovo IdeaPad 330 laptops at a total cost of \$867.

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.

LASP is a secular program. The instruction and activities of the program are based on the assignments and requests made by Shields staff. There is no religious instruction. This has been the basis of a partnership that has existed for 15 years.

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	49,788.00
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	-\$ 47,914.00
Transportation (bus & mileage)	-\$ 7,785.00
Operating Costs (LPC contributes space, utilities & insurance)	-\$ 4,900.00
Computers (Sussex County request)	-\$ 867.00
TOTAL EXPENDITURES	-\$ 61,466.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 11,678.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Lewes Presbyterian Church 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.**

Donald W Brown
Applicant/Authorized Official

Sept 15 2018
Date

Alesia Lockeman
Witness

9/15/18
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.

Donald W Brown
Applicant/Authorized Official

Clerk of Session
Title

Deresa Jockeyman
Witness

Sept 15, 2018
Date

*Burton
10-09-18*



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Rehoboth Concert Band

PROJECT NAME: Concert for Cape Henlopen Senior Center

FEDERAL TAX ID: 46-1034039 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 mission of Rehoboth Concert Band is to provide area instrumentalists opportunities to make beautiful music, while enriching community life.

ADDRESS: 3 Stafford Road

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

CONTACT PERSON: Kay Creech

TITLE: Executive Director

PHONE: 7035989867 EMAIL: rehobothconcertband@gmail.com

TOTAL FUNDING REQUEST: \$1,888

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? 50%

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fair Housing | <input checked="" type="checkbox"/> Health and Human Services | <input checked="" type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure ¹ | <input type="checkbox"/> Other _____ | <input checked="" 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 type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other public concert open to all | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
1000

SECTION 3: PROGRAM SCOPE

- A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The program that needs additional funding is the purchase of special sheet music for the concert that Rehoboth Concert Band (RCB) has agreed to perform for Cape Henlopen Senior Center's (CHSC) fundraiser. All proceeds from their ticket sales go to the Senior Center. Even though they pay for the expenses associated with the concert such as rental of the concert venue, advertising, and printing, the purchase of special sheet music is left to the Band. RCB's band membership is 66 people, including professional and semi-professional musicians, recreational players, and talented area students. For a band of this size, we need to order two complete scores (a folder containing all instrument parts plus the conductor's score) of music for each piece to be played to have enough parts for all instruments; copying is prohibited by copyright laws. Most band scores cost approximately \$80-90 each; a typical 2-hour concert with intermission includes about 14 separate pieces. Since RCB has to order two scores of each piece, the total cost in sheet music can be as high as \$2,500

Cape Henlopen's Senior Center has a membership of over 1200. While it is unreasonable to think all 1200 would attend their Center's fundraising event, we have learned from the past that many seniors do attend with their family and friends. Of course, the fundraiser is open to the public for which we blanket advertise. There are many attendees with mobility issues, many with low or fixed incomes, and many area students attend because they receive free tickets and may know a student that is playing in the band. CHSC rents a local church for their Sunday afternoon concert fundraisers. The church operates a soup kitchen for the poor and homeless in the dining room directly across from the sanctuary where the concert is held. After lunch, diners come in free to the concert.

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	352.00
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)	
	-\$ 1,120.00
	-\$ 1,120.00
TOTAL EXPENDITURES	-\$ 2,240.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 1,888.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Rehoboth Concert Band 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.**

Kay J. Crowell
Applicant/Authorized Official

9/28/18
Date

Sharon A. Hines
Witness

9/28/18
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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

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

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

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

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

Kay D. Creed
Applicant/Authorized Official

Executive Director
Title

[Signature]
Witness

9/28/13
Date

Coke
10-08-18



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Fenwick Island Lions Club
PROJECT NAME: Lions Selbyville Halloween Parade
FEDERAL TAX ID: 52-2090825 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 serve, support and honor our community while creating a positive environment and significant impact for our neighbors and residents.

ADDRESS: 37232 Lighthouse Road Suite 109

West Fenwick Island DE 19975
(CITY) (STATE) (ZIP)

CONTACT PERSON: Linda St.Clair
TITLE: President
PHONE: 301-655-0742 EMAIL: linda1548@aol.com

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? See Section 3 _____

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 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 checked="" type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other All Community Members _____ | |

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 Lions Selbyville Halloween Parade places a strong focus on supporting and assisting families & children. In cooperation and through a joint effort of working with the Town of Selbyville, the Lions Club provide a safe and fun environment for children and families to enjoy the fall season and Halloween. The Lions Club is proud to continue to offer this event which has a proud history dating back to serving soldiers and their families during World War II.

This year's parade will be held Wednesday, October 24, 2018 at 7:00 p.m. We will spotlight our local youth in the four high school bands, costumed children, floats, beauty queens and a myriad of youth civic organizations. Many parents and community members will participate as we honor the politicians, first responders, civic organizations and see the fire trucks and antique cars. We estimate 4,000 to 5,000 proud residents, community members and visitors will converge onto Church Street during the Oct. 24 evening to view and join in the festivities of this time-honored event.

While the Fenwick Island Lions Club is responsible for the entire parade, we are fortunate to work with the great first responders from the Selbyville Police and Fire Department, Fire Police and numerous volunteers from neighboring communities. We appreciate the tremendous work and support from the Selbyville Town administration and maintenance personnel.

The total cost of producing the parade is elusive due to the multiple groups, department and agency's participation and some personnel receive overtime pay for their work. Much of the cost of materials and dedication of time is donated on a volunteer basis. Additionally, while the fire police from neighboring communities volunteer their time, it is with the understanding when similar events occur in other towns, there will be a reciprocal arrangement. It is expected the club's out of pocket expense will be approximately \$3,000 with approximately \$600 being paid for by sponsors.

This event is a fund raiser for our club, 100% of the the proceeds directly support our community service projects throughout the year. Please see the attached summary of our major service projects and activities for the past year.

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	600.00
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)	
Rogers Graphic - Ticket Printing	\$ 700.00
Etch Art - Winners' Ribbons	\$ 375.00
Bands - Transportation	\$ 600.00
Town of Selbyville - Fire Police & Public Works Staff Meals	\$ 300.00
Postage & Envelopes	\$ 100.00
Food Sale Costs	\$ 250.00
TOTAL EXPENDITURES	\$ 2,325.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 2,925.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Fenwick Island Lions Club agrees that:
(Name of Organization)

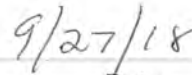
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application.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

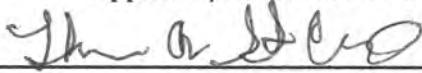
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom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



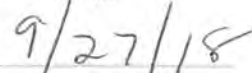
Applicant/Authorized Official



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.

Gunda StClair
Applicant/Authorized Official

President
Title

Thom A. StClair
Witness

9/27/18
Date

Arlett
10/03/18



SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Delaware Children in Nature Coalition
PROJECT NAME: 4th Annual Boo-B-Que
FEDERAL TAX ID: 22-2804785 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: Delaware State Parks
89 King's Highway
Dover DE 19901
(CITY) (STATE) (ZIP)

CONTACT PERSON: Greg Abbott
TITLE: Manager- Office of Administration & Support
PHONE: 302-739-9203 EMAIL: Greg.Abbott@state.de.us

TOTAL FUNDING REQUEST: \$2,000

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? 15%

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Fair Housing | <input type="checkbox"/> Health and Human Services | <input type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure 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 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:

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 Fourth Annual Boo-B-Que, is a family-friendly event collaboratively hosted by Delaware State Parks, La Vida Hospitality, Ocean98.1 FM and the Kansas City BBQ Society on October 19-20, 2018. The Boo-B-Que will begin Friday night with activities for all ages. This event will provide family friendly activities for the public including: professional & amateur BBQ Competitions, trick-or-treating, BBQ Wing Tasting, live music and much more. Proceeds from this event will help feed the Linda and John Hollis Children in Nature's Endowment Fund. This state initiative connects our Delaware children with the outdoors. Recently, Children in Nature has created schoolyard habitats complete with curriculum to reconnect our Delaware children with the outdoors. Your sponsorship of the Annual Boo B Que will allow the Delaware Children in Nature Coalition to further the initiative and importance of outdoor education within grades K-12 throughout the state.

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

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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	
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)	
*****PLEASE SEE ATTACHED SHEET*****	
TOTAL EXPENDITURES	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Delaware Children in Nature agrees that:
(Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
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SECTION 5: STATEMENT OF ASSURANCES (continued)

- 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

10/15/18

Date



Witness

10/15/2018

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

Event Admission	FREE
Sponsorship	\$5,000
Competitor Fees	\$25,500
Total Revenue	\$30,000

Expenditures:

Entertainment	\$250
Banners/signs	\$400
Social Promotion	\$500
Event Planner Fees	\$7200
BBQ Prizes	\$10,600
Insurance	\$350
Tent/Table/ Chairs	\$2500
Trophies & Shirts	\$3,000
Total Expenditures	\$24,800
Total Revenue Donated	\$5200

**To Linda and John Hollis
Children In Nature
Endowment Fund
with Delaware Community
Foundation**

[Handwritten signature]

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

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

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

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

[Handwritten signature]
Applicant/Authorized Official

Caroline Kane
Witness

Park Administrator
Title

9/28/18
Date

*Vincent
10/16/18*

To Be Introduced 10/23/18

**Council District No. 1 - Vincent
Tax I.D. No. 131-10.00-89.00
911 Address: 8899 Redden Road, Bridgeville**

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 NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 25.6694 ACRES, MORE OR LESS

WHEREAS, on the 28th day of September 2018, a zoning application, denominated Change of Zone No. 1872, was filed on behalf of T.S. Smith and Sons, Inc.; and

WHEREAS, on the ____ day of _____ 2019, 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. 1872 be _____; and

WHEREAS, on the ____ day of _____ 2019, 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 Northwest Fork Hundred, Sussex County, Delaware, and lying on the west side of Sussex Highway (Route 13), south side of Fawn Road, east side of Main Street, and north side of Redden Road, and being more particularly described in the attached legal description, said parcel containing 25.6694 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.