

Sussex County Council Public/Media Packet

**MEETING:
November 15, 2022**

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

COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT
DOUGLAS B. HUDSON, VICE PRESIDENT
CYNTHIA C. GREEN
JOHN L. RIELEY
MARK G. SCHAEFFER



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

A G E N D A

NOVEMBER 15, 2022

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes – October 25, 2022

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Appointment to the Library Advisory Board
2. 2023 Council Meeting Schedule and Holiday Schedule
3. Administrator's Report

10:15 a.m. Public Hearings

1. "AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$1,840,400 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE COUNTRYSIDE HAMLET SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH"
2. "AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$21,682,488 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE SLAUGHTER BEACH SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH"



Karen Brewington, Human Resources Director

1. **Fourth Quarter Employee Recognition Awards**

Mark Parker, Assistant County Engineer

1. **T-Hangar Building, Project A22-23**
 - A. **Bid Results and Recommended Action**

Hans Medlarz, County Engineer

1. **Clean Water Act Enhancement Program Presentation**
2. **2022 Agricultural Farm Leases & Bay-Grow Utilization Award Recommendations**
3. **FY 2023 Environmental Services – Pumper Truck Award**
4. **EMS Public Safety Building, Project C19-04**
 - A. **Change Order No. 18**

Old Business

1. **“AN ORDINANCE TO AMEND THE TEXT AND MAPS OF CHAPTER 13 (MOBILITY ELEMENT) OF THE COMPREHENSIVE PLAN IN ADDITION TO AMENDMENTS TO THE EXISTING AND FUTURE LAND USE MAPS OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-16.00-50.02, 235-22.00-441.00, AND 235-22.00-442.00” (property lying on the west side of Coastal Highway [Route 1], west of the intersection of Coastal Highway and Eagles Crest Road [S.C.R. 264] (911 Address: 29763 Eagles Crest Road, Milton)**

Grant Requests

1. **Nanticoke River Watershed Conservancy for Maintenance Equipment**
2. **Seaford Swimming Pool Association, Inc. for upgrades and improvements**
3. **Seaford Central Elementary School for their Cooking with a Star program**
4. **Grace-N-Mercy Ministries, Inc. for their Thanksgiving Dinner event**
5. **Milton Historical Society for their Women of Milton Museum Exhibit**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

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

Possible action on Executive Session items

1:30 p.m. Public Hearings

Conditional Use No. 2323 filed on behalf of Leslye Brossus

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A TREEHOUSE AND YURT TO BE UTILIZED FOR SHORT-TERM RENTALS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.26 ACRES, MORE OR LESS” (property lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road [Route 349] and is Lot 45 within the Banks Acres Subdivision) (911 Address: 31631 Reading Street, Millville) (Tax Parcel: 134-12.00-1198.00)

Conditional Use No. 2324 filed on behalf of Zachary Bedell

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE AND BOAT REPAIR BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS” (property lying on the west side of Central Avenue [S.C.R. 84], approximately 350 feet south of Substation Road [S.C.R. 366]) (911 Address: 34282 Central Avenue, Frankford, DE 19945) (Tax Parcel: 134-16.00-700.02)

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on November 7, 2022 at 4:15 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountype.gov/council-chamber-broadcast>.

The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountype.gov/agendas-minutes/county-council>.

#

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, OCTOBER 25, 2022

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, October 25, 2022, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Douglas B. Hudson	Vice President
Cynthia C. Green	Councilwoman
John L. Rieley	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 510 22
Approve
Agenda**

Mr. Lawson reported that Old Business Item No. 1, an Ordinance to amend the text and maps of Chapter 13, Mobility Element and Introduction of Proposed Ordinances can be removed from today's agenda. A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to approve the Agenda as amended.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of the October 18, 2022, meeting were approved by consensus.

**Correspon-
dence**

There was no correspondence.

Public comments were heard.

**Public
Comments**

Mr. Jeff King spoke about the Ordinance relating to amendments to the Eagle Crest Airport.

**M 511 22
Approve
Consent
Agenda**

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to approve the following items listed under the Consent Agenda:

- 1. Use of Existing Sewer Infrastructure Agreement, IUA 1101
Channel Pointe, Fenwick Island Area**
- 2. Use of Existing Sewer Infrastructure Agreement, IUA 918-18**

Bay Forest (Sprogell Property), Millville Area

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Presentation Mark Issacs, Director, University of Delaware Carvel Research and Education Center, thanked Council for its continued support of the outreach, research and extension programs at the College of Agriculture and Natural Resources and the Carvel Research and Education Center. Mr. Issacs gave an overview of how the County's funding is used by the Center in Sussex County for: Agricultural Courses, 4-H and Youth Development Programs, Family Consumer Science Program, Field Research, Crops Research, Poultry Research, Lasher Lab Poultry Research, and Student Work-Based Learning Internship Program. Mr. Issacs explained that for agricultural producers, their land is their most critical asset.

Public Hearing/ Terrapin Island A Public Hearing was held to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Angola Neck area to include the Terrapin Island project.

Annexation into SCUSSD John Ashman, Director of Utility Planning and Design reported that County Council granted permission to prepare and post notices for the Engineering Department to hold a Public Hearing on September 20, 2022. The Department received a request from Pennoni on behalf of their client Ribera Development, LLC, the owners/developers of a project to be known as Terrapin Island. The request includes parcel 234-18.00-31.00 and is proposed for 42 single family homes on 30.08 acres. The project will be responsible for System Connection Charges of \$6,600 per EDU based on current rates.

The Engineering Department posted notices on the property and surrounding area, added to the County website, and advertised in the local paper. To date, two calls were received from neighbors inquiring about the process and whether the County would require them to connect and if they would be conveying their stormwater to adjacent parcels.

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

M 512 22 Adopt Resolution No. R 011 22 Terrapin Island into SCUSSD A Motion was made by Mr. Hudson, seconded by Mr. Rieley, to Adopt Resolution No. R 011 22 entitled "A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) ANGOLA NECK AREA, TO INCLUDE THE TERRAPIN ISLAND AREA, ON THE EAST SIDE OF CAMP ARROWHEAD ROAD LOCATED IN THE INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY,

DELAWARE”.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**Adminis-
trator’s
Report**

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

1. Delaware State Police Activity Report

The Delaware State Police year-to-date activity report for September 2022 is attached listing the number of violent crime and property crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 189 troopers assigned to Sussex County for the month of September.

2. Distinguished Budget Presentation Award

I am pleased to announce that the Government Finance Officers Association of the United States and Canada has awarded Sussex County its Distinguished Budget Presentation Award for the Fiscal Year 2023 Budget Report. This is the fifth year that the County has received this prestigious award acknowledging its budget report. In order to receive the award, the budget document must serve an entity as a policy document, financial plan, operations guide, and communication device.

Congratulations to Gina Jennings, Finance Director/Chief Operating Officer, and Kathy Roth, Deputy Finance Director, for their efforts in achieving this award.

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

**FY2023
Human
Service
Grant
Program
Recommen-
dation**

Mrs. Jennings provided the FY2023 Human Service Grant recommendations and an overview of the program. This program provides 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. This program provides grants that assist organizations with operating or capital expenses.

Mrs. Jennings explained the application process. She discussed the online application and the formula-based approach to awarding Human Service Grants. Mrs. Jennings outlined the method and criteria for determining

recommended grant amounts and presented the recommended Human Service Grants for Fiscal Year 2023.

M 513 22
Approve
FY2023
Human
Service
Grants

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, be it moved that the Sussex County Council approves the Fiscal Year 2023 Human Service Grants allocation, as presented.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Disposition
of County
property

Michael Costello, Government Affairs Manager presented a disposal of County property request for Council's consideration. The property consists of 1.5 acres with a dwelling and outbuildings. An RFP was issued to solicit bids for the property and a single bid of \$80,000 was received.

M 514 22
Approve
Disposition
of County
property

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that be it moved that the Sussex County Council approve the agreement for the sale of parcel 133-18.00-20.00 in the amount of \$80,000.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Clinical
Agreement
Addendum/
DTCC

Robbie Murray, Director of Emergency Medical Services presented a clinical agreement addendum between Delaware Technical Community College and Sussex County EMS for Council's consideration. Mr. Murray explained that on August 23, 2022, a clinical agreement between Delaware Technical Community College Nurse Programs and Sussex County EMS was approved. He was recently contacted by the college Respiratory Care program requesting the same clinical agreement, therefore, an addendum to the previous agreement is being requested.

M 515 22
Approve
Clinical
Agreement
Addendum/
DTCC

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, be it moved that Sussex County approve the proposed addendum adding Respiratory Care to the Healthcare Provider Agency Agreement with Delaware Technical Community College.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

Proposed

Hans Medlarz, County Engineer presented a Proposed Ordinance for

**Ordinance/
Countryside
Hamlet into
SCUSSD** associated debt authorizing the issuance of up to \$1,840,400 of General Obligation Bonds of Sussex County in connection with the construction and equipping of the Countryside Hamlet Expansion of the Unified Sanitary Sewer District.

Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$1,840,400 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE COUNTRYSIDE HAMLET SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

**Proposed
Ordinance/
Slaughter
Beach into
SCUSSD** Hans Medlarz, County Engineer presented a Proposed Ordinance for associated debt authorizing the issuance of up to \$21,682,488 of general obligation bonds of Sussex County in connection with the construction and equipping of the Slaughter Beach Area of the Unified Sanitary Sewer District.

Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$21,682,488 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE SLAUGHTER BEACH SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

The Proposed Ordinances will be advertised for Public Hearings.

**Grant
Requests** Mrs. Jennings presented grant requests for Council’s consideration.

**M 516 22
Cape
Henlopen
Educational
Foundation** A Motion was made by Mr. Hudson, seconded by Mrs. Green, to give \$2,000 (\$1,000 from Mr. Schaeffer’s Councilmanic Grant Account and \$1,000 from Mr. Hudson’s Councilmanic Grant Account) to Cape Henlopen Educational Foundation for their Teacher Grant program.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea**

**M 517 22
Good
Samaritan
Aid
Organiza--
tion, Inc.** A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$1,000 (\$1,000 from Mr. Vincent’s Councilmanic Grant Account) to Good Samaritan Aid Organization, Inc. for their Annual Christmas Basket, and Toy Outreach.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;**

Mr. Vincent, Yea

M 518 22 **A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$500**
Kim & **(\$500 from Mr. Vincent's Councilmanic Grant Account) to Kim and Evans**
Evans **Family Foundation, Inc. for Sussex SuperHero projects.**
Family
Foundation, **Motion Adopted: 4 Yeas, 1 Absent**
Inc.

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

Council **Mr. Lawson noted that he has been informed that there are not many**
Member **agenda items for next week, therefore, the meeting for next week may be**
Comments **cancelled.**

M 519 22 **At 10:47 a.m., a Motion was made by Mr. Rieley, seconded by Mr. Hudson**
Go Into **to recess the Regular Session, and go into Executive Session for the purpose**
Executive **of discussing matters relating to land acquisition.**
Session

Motion Adopted: 4 Yeas, 1 Absent

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

Executive **At 10:48 a.m., an Executive Session of the Sussex County Council was held**
Session **in the Council Chambers to discuss matters relating to land acquisition. The**
Executive Session concluded at 11:09 a.m.

M 520 22 **A Motion was made by Mr. Rieley, seconded by Mr. Hudson to come out of**
Reconvene **Executive Session to go back into Regular Session.**

Motion Adopted: 4 Yeas, 1 Absent

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

E/S Action **There was no action from Executive Session matters.**

M 521 22 **A Motion was made by Mr. Hudson, seconded by Mr. Rieley to adjourn at**
Adjourn **11:12 a.m.**

Motion Adopted: 4 Yeas, 1 Absent

Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Absent;
Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Vincent, Yea

Respectfully submitted,

**Tracy N. Torbert
Clerk of the Council**

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

TODD F. LAWSON
COUNTY ADMINISTRATOR
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Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Douglas B. Hudson, Vice President
The Honorable Cynthia C. Green
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

FROM: Todd F. Lawson
County Administrator

RE: **2023 MEETING AND HOLIDAY SCHEDULE**

DATE: November 11, 2022

During Tuesday's meeting, the Council is scheduled to discuss and approve the 2023 Meeting and Holiday Schedule. As in past years, the County will follow the typical holiday schedule and will be closed on the traditional holidays, including:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving
- Christmas

Regarding the County Council's meeting schedule, the Council is scheduled to meet every Tuesday except on days affected by a holiday and days we select to not meet. If an additional meeting is needed, Council can always schedule one at its discretion.

The calendar reference sheet is attached.

I will review the full schedule during Tuesday's meeting. Please let me know if you have any questions or concerns.



SUSSEX COUNTY 2023 SCHEDULE

Index	
	-Council meeting scheduled
	-No Council meeting
	-County holiday; offices closed.
	-Council Workshop, no meeting

January						
S	M	T	W	T	F	S
					30	31
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Notes

NY

MLK

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Notes

NACo-DC(11-14)

March						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

OFF

Budget Week

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Good Friday
Easter

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Budget Workshop

MDW

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Juneteenth

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

July 4

NACo(21-24)
DE Fair(20-29)

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

OFF

OFF

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

LDW

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Veterans Day

Thanksgiving
Thanksgiving

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Christmas
Christmas

ENGINEERING DEPARTMENT

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Sussex County
DELAWARE
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Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Douglas B. Hudson, Vice President
The Honorable Cynthia C. Green
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

FROM: Hans Medlarz, P.E., County Engineer
Gina A. Jennings, MPA, MBA, Finance Director
John J. Ashman, Director of Utility Planning & Design Review

DATE: November 15, 2022

RE: *Countryside Hamlet Expansion of the Unified Sanitary Sewer District
Adoption of Debt Service Ordinance*

July 17, 2020 the Engineering Department received an email letter from the property owner of the Countryside Hamlet Mobile Home Park (Parcel 533-4.00-20.00) on Lazy Lagoon Lane in Frankford, Delaware requesting that the County consider the annexation of the community into the Unified Sanitary Sewer District. The community is an existing (47) space mobile home park served by a failing private on-site community septic system. The community is listed on DNREC's under-served communities list.

The Engineering Department made a presentation to County Council to request permission to prepare and post notices for a Public Hearing on September 22, 2020. Permission was granted and the Department proceeded to the Public Hearing held on October 27, 2020. Immediately following the hearing County Council voted in the affirmative to approve the annexation of Countryside Hamlet into the County's Unified Sanitary Sewer District.

In December of 2021 we received notification that the project was included in the Delaware Water Pollution Revolving Loan Fund (WPCRF) Revised 2021 Intended Use Plan and that DNREC, Office of the Secretary, Environmental Finance would be soliciting loan applications for project funding consideration through the WPCRF. In February of 2022 the Engineering Department finalized the Preliminary Engineering Report and the Environmental Information Documents required for submittal of the funding application to Delaware State Revolving Fund (SRF). On February 21, 2022 these Documents were combined with the overall funding application prepared by the Finance Department and filed with DNREC for \$1,840,400.00. On October 3, 2022, the County received the Binding Commitment Letter from DNREC Environmental Finance and on the



same day the County Administrator accepted the Binding Commitment Offer and the obligating documents associated in the loan amount of \$1,840,400.00 with 100% of principal forgiveness.

October 25, 2022 the associated debt ordinance authorizing the issuance of up to \$1,840,400.00 of general obligation bonds of Sussex County in connection with the construction and equipping of the Slaughter Beach Area of the Unified Sanitary Sewer District was introduced. The Engineering and Finance Departments now recommend adoption of the ordinance.

ORDINANCE NO. [_____]

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$1,840,400 OF
GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH
THE COUNTRYSIDE HAMLET SEPTIC ELIMINATION 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 Countryside Hamlet Septic Elimination Project, which will finance construction of a gravity collection system, a sanitary sewer pump station and a force main to discharge to Sussex County sewer on Delaware Avenue in Frankford (collectively, 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 \$1,840,400 (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 \$1,840,400 of principal forgiveness will be applied in order to reduce the principal amount of the Bonds outstanding to \$0 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 Subdivision.

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 twenty (20) 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, 2022.

SUSSEX COUNTY, DELAWARE

Tracy Torbert
Clerk of the Council

SYNOPSIS: This Ordinance provides for the issuance of up to \$1,840,400 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 of the Countryside Hamlet Septic Elimination Project, which will finance the construction of a gravity collection system, a sanitary sewer pump station and a force main to discharge to Sussex County sewer on Delaware Avenue in Frankford (collectively, the “Project”), with the expectation that up to \$1,840,400 of principal forgiveness will be applied in order to reduce the principal amount of the Bonds outstanding to \$0 upon Project completion.

ENGINEERING DEPARTMENT

HANS M. MEDLARZ
COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F

hans.medlarz@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Douglas B. Hudson, Vice President
The Honorable Cynthia C. Green
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

FROM: Hans Medlarz, P.E., County Engineer
Gina A. Jennings, MPA, MBA, Finance Director
John J. Ashman, Sr. Manager of Utility Planning & Design Review

DATE: November 15, 2022

RE: *Slaughter Beach Area Expansion of the Unified Sanitary Sewer District
Adoption of Debt Service Ordinance*

October of 2016, the Engineering Department met with Slaughter Beach officials laying out a path forward to become part of the Sussex County Unified Sanitary Sewer District (SCUSSD). In December of 2016, the Town passed a Resolution to have the County review the area for sewer service. The Engineering Department began an attempt to identify a suitable location for the treatment and disposal of flow from Slaughter Beach. First thoughts were to send flow to the City of Milford.

The County Engineer presented an option to the Town Commissioners in June of 2021 during a regularly scheduled meeting on a path toward joining the SCUSSD. It involved passing an ordinance requesting the County to form a district pursuant to Title 9 Del. Code § 6501, thus allowing the County Council to establish Slaughter Beach as an area of the SCUSSD under an initial boundary matching that of the municipal Town Boundary.

In August of 2021 Slaughter Beach Town Council voted 5-0 to approve an ordinance requesting Sussex County to form a sewer district for Slaughter Beach. The County received a copy of the Town of Slaughter Beach Ordinance No. 2021-05 authorizing Sussex County to provide sewer services within the municipal boundaries of the Town of Slaughter Beach. The Engineering Department made a presentation to County Council on September 21, 2021 acknowledging the receipt of the ordinance from the town and requesting Council to adopt a resolution creating the sanitary sewer district area. County Council voted in favor of passing Resolution R 023 21



establishing the Slaughter Beach Area of the SCUSSD consisting of the municipal limits of the Town of Slaughter Beach.

In January of 2022, the Engineering Department finalized the Preliminary Engineering Report and the Environmental Information Documents required for submittal of the funding application to Delaware State Revolving Fund (SRF). On February 21, 2022, the documents were combined with the overall funding application prepared by the Finance Department and filed with DNREC for a \$21,629,688.00 project. Prior to presenting to the Water Infrastructure Advisory Council for approval the County was asked to update the cost estimate to show additional EDUs in the area, this brought the total to \$21,682,488.00. On October 1, 2022, the County received the Binding Commitment Letter from DNREC Environmental Finance. October 3, 2022, the County Administrator accepted the Binding Commitment Offer and the obligating documents associated in the loan amount of \$21,682,488.00 containing \$9,450,000.00 of principal forgiveness. Upon project completion, up to \$9,450,000.00 of the principal balance will be forgiven, of the principal forgiveness, \$4,281,620.00 will be provided by CWSRF and the remaining \$5,168,380.00 will be from State Bond Bill Funds. The remaining balance of \$12,232,488.00 (approximately) will be amortized and will require semi-annual principal and interest payments in an amount sufficient to amortize the outstanding balance over the remaining term, not to exceed 30 years.

October 25, 2022 the associated debt ordinance authorizing the issuance of up to \$21,682,488.00 of general obligation bonds of Sussex County in connection with the construction and equipping of the Slaughter Beach Area of the Unified Sanitary Sewer District was introduced. The Engineering and Finance Departments now recommend adoption of the ordinance.

ORDINANCE NO. [_____]

AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$21,682,488 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE SLAUGHTER BEACH SEPTIC ELIMINATION 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 Slaughter Beach Septic Elimination Project, which will finance the installation of a central sanitary sewer system for the Town of Slaughter Beach to serve its 298 improved lots (394 total). Proposed sewer collection is through vacuum valve pits on the served properties and various diameter vacuum mains which will flow to a sanitary sewer pump station on the south end of the town. This pump station will then transmit flow approximately ten miles by force main to Artesian Wastewater Management’s Sussex Regional Recharge Facility. Artesian will then treat and dispose of the effluent based on the existing interchange agreement between the County and provider (collectively, 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 \$21,682,488 (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 \$9,450,000 of principal forgiveness, consisting of \$4,281,620 from the CWSRF and the remaining \$5,168,380 from the Clean Water Trust, will be applied in order to reduce the principal amount of the Bonds outstanding to \$12,232,488 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 Subdivision.

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, 2022.

SUSSEX COUNTY, DELAWARE

Tracy Torbert
Clerk of the Council

SYNOPSIS: This Ordinance provides for the issuance of up to \$21,682,488 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 Slaughter Beach Septic Elimination Project, which will finance the installation of a central sanitary sewer system for the Town of Slaughter Beach to serve its 298 improved lots (394 total). Proposed sewer collection is through vacuum valve pits on the served properties and various diameter vacuum mains which will flow to a sanitary sewer pump station on the south end of the town. This pump station will then transmit flow approximately ten miles by force main to Artesian Wastewater Management's Sussex Regional Recharge Facility. Artesian will then treat and dispose of the effluent based on the existing interchange agreement between the County and provider (collectively, the "Project"), with the expectation that up to \$9,450,000 of principal forgiveness will be applied in order to reduce the principal amount of the Bonds outstanding to \$12,232,488 upon Project completion.

ENGINEERING DEPARTMENT

J. MARK PARKER, P.E.
ASSISTANT COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F
mark.parker@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Douglas B. Hudson, Vice President
The Honorable John L. Rieley
The Honorable Cynthia C. Green
The Honorable Mark G. Schaeffer

FROM: Robert Bryant, Airport Manager
Mark Parker, P.E., Assistant County Engineer

RE: ***T-Hanger Building, Project A22-23***
A. Bid Results and Recommended Action

DATE: November 15, 2022

A Bid Package for a second 9-unit T-Hanger Building to be built on our Delaware Coastal Airport (GED) was prepared this past Summer and formally advertised on September 28, 2022. The proposed T-Hanger was intended to be a pre-fabricated building generally matching the 9-unit T-Hanger Building that was erected in 2017 in the same area of the airport. The budget for the project was established last year based on cost escalation projections from the 2017 project in combination with recent input obtained from the primary supplier of the pre-fabricated building.

The due date for bids was set for October 26, 2022, and only one bid was received and opened publicly. The bid was from Delmarva Veteran Builders in the amount of \$1,698,000, more than double the project budget. In reviewing the bid breakdown, the various costs related to site demolition/preparation, utilities and drainage, and building flooring/foundation construction seemed very high. The bid price for furnishing and installing just the pre-fabricated building was within a reasonable cost range. We feel the reason for the lack of general bid interest as well as the high cost for the one bid received was due to 1) the project being very specialized in scope with not a lot of profit margin available, and 2) vendor unfamiliarity of airport infrastructure and required working conditions within an active airport.

At this point, the Engineering Department and Airport Manager recommends rejection of the one bid received, and further recommends investigation of an alternate bid structure for the T-Hanger project. The alternate bid structure would potentially consist of re-packaging the bid advertisement to only include furnishing and installing the T-Hanger Building, with all site support activities including building floor and foundation installation being provided as part of



our General Equipment and Labor Contract. One of Contractors under this contract is very familiar with our airport layout, infrastructure and working environment, and in fact is currently in the process of completing two active construction projects on the airport. The Engineering Department feels this approach should yield more favorable cost results that will fall within modified budget constraints.

T-Hangar Building

PROJECT A22-23

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE
1	Mobilization <i>(Max 5% of Total Bid)</i>	LS	1	N/A	\$84,900.00
Construct T-Hanger Building					
2.1	Concrete Demolition and Flooring/Foundation Installation	LS	1	N/A	\$321,043.00
2.2	Furnish and Install T-Hanger Building	LS	1	N/A	\$652,414.00
2.3	Furnish and Install Power and Lighting Systems	LS	1	N/A	\$76,890.00
2	Construct T-Hanger Building (Total)	LS	1	N/A	\$1,050,347.00
Construct Site Improvements					
3.1	Concrete Demolition and Installation	LS	1	N/A	\$231,660.00
3.2	Furnish and Install Drainage System	LS	1	N/A	\$294,023.00
3.3	Furnish and Install Electrical Service	LS	1	N/A	\$37,070.00
3	Construct Site Improvements (Total)	LS	1	N/A	\$562,753.00
TOTAL PROJECT BID (Items 1 + 2 + 3)					\$1,698,000.00

5. ATTACHMENTS:

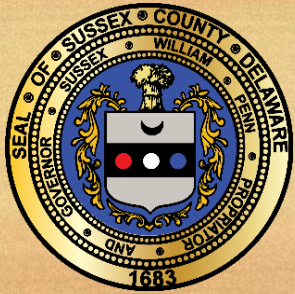
- 5.1 A copy of a current State of Delaware business license or attach evidence that an application process for such license has been initiated.
- 5.2 A copy of a current Delaware Contractor Registration Act Certificate.
- 5.3 Bid Bond / certified check as required security defined herein.



Sussex County Engineering Department

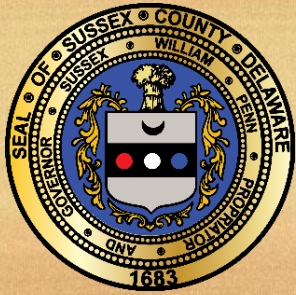
**Clean Water Enhancement Program
Stormwater Management Offset District &
Stormwater Management Bank**





Introductory Q&A

- **WHAT WERE THE GOALS OF THE WATER QUALITY ENHANCEMENT PROGRAM?**
 - The initial goals encompassed stormwater quality & quantity, nonpoint source nutrient pollution reduction as well as wetland creation credits.
- **WHAT IS AN OFFSET DISTRICT AND STORMWATER BANK?**
 - Stormwater Management Offset Districts & Stormwater Management Banks are “by rights” part of the current Delaware Sediment & Stormwater Regulations.
- **WHAT DO THEY PROVIDE?**
 - Crediting program to regionally (HUC 10) manage the Resource Protection Event Volume (RPv).
- **WHY IS IT BENEFICIAL TO SUSSEX COUNTY AND ITS RESIDENTS?**
 - Holistic stormwater management approach reducing runoff resulting in better surface water quality.
- **WHEN IS IT AVAILABLE FOR IMPLEMENTATION?**
 - Upon adoption of the County’s Stormwater Ordinance & approval of Memorandum of Agreement by DNREC.
- **WHAT CAN THE PROCEEDS BE USED FOR?**
 - County, Council has full discretion to invest in natural land conservation via fee simple purchase, conservation easements acquisitions and additional conservation projects benefitting all residents.
- **WHO IS RESPONSIBLE?**
 - Managed by Sussex County with oversight/auditing by DNREC.



Definitions

Per the DE Sediment & Stormwater Regulations (DSSR)

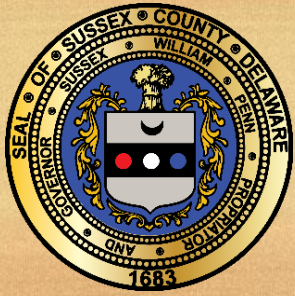
RPv or “Resource protection event” means the runoff event produced by a storm having an annual probability of occurrence of 99%.

Cv or “Conveyance event” means the runoff event produced by a storm having an annual probability of occurrence of 10%.

Fv or “Flooding event” means the runoff event produced by a storm having an annual probability of occurrence of 1.0%

Lighthouse Road (RT-54)
Reforestation





Clean Water Enhancement Program (CWEP)

History



DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

OFFICE OF THE
SECRETARY

PHONE
(302) 739-9000

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

Dear Mr. Medlarz *H.M.*

The Delaware Department of Natural Resources and Environmental Control (DNREC) has reviewed Sussex County's proposal to establish a Clean Water Enhancement (Offsets and Banking) Program. Based on the review of the draft Programmatic Umbrella Agreement and four Unit Agreements it is recommended that a pilot Stormwater Management Banking and Offset District be established first. This approach will help to facilitate detailed programmatic development by Sussex County, and review and approval by DNREC.

The formation of a Stormwater Management Bank and Offset District are authorized in 7 DE Admin. Code 5101 Section 13.0 Delaware *Sediment and Stormwater Regulations (2019)* and outlines a framework for such activities. Enclosed are Programmatic Expectations and Components that DNREC would like to see in a pilot Stormwater Management Banking and Offset District Program.

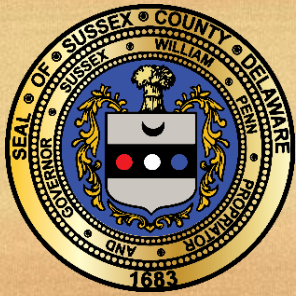
If you have any questions, please feel free to contact Terry Deputy, Director of the Division of Watershed Stewardship at (302) 670-6423.

Sincerely,

Shawn M. Garvin
Secretary

Enclosure

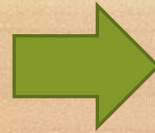
- County Council selected RK&K as their environmental consultant in 2019 with the goal of implementing a CWEP. The contract was adjusted twice by Council during the prolonged process.
- Negotiations w/ DNREC started in 2019, went dormant during Covid, were restarted in 2021, gained the Secretary's support in November of 2021 and accelerated with five meetings in 2022
- County Council approved three enhancement projects partnering with the Center for the Inland Bays implementing wetland creation & afforestation projects for ultimate inclusion in the CWEP.
- Delaware Administrative Code Title 7 DNREC, Chapter 5101 Sediment and Stormwater Regulations and Chapter 60 Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems are not structured to permit key components of the CWEP.
- In fall of 2022 Engineering Department transitioned to a phased CWEP implementation.



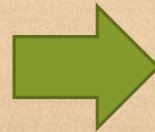
Clean Water Enhancement Program (CWEP)

Elements & Phases

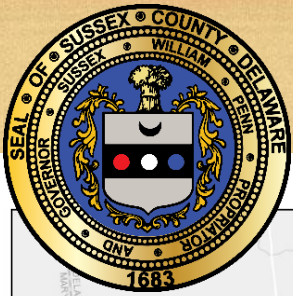
ORIGINAL CWEP ELEMENTS
1. Stormwater Offset District (RP _v , Cv & Fv)
2. Stormwater Bank
3. TMDL/NPDES Water Quality Trading
4. Compensatory Mitigation Wetlands/Streams



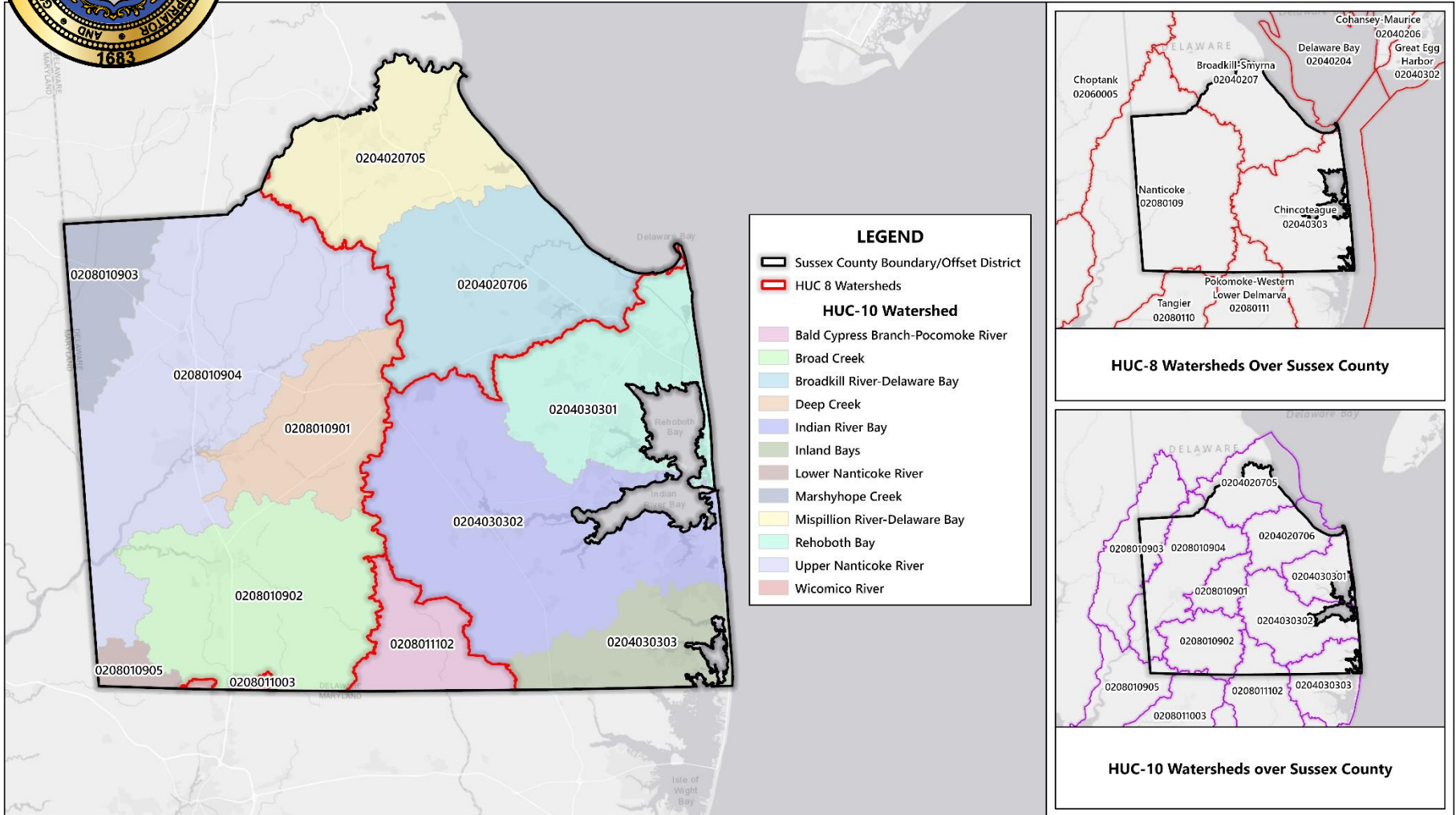
PHASE I – IMPLEMENT NOW (Focus of Presentation)
<ul style="list-style-type: none"> Stormwater Management Offset District Stormwater Management Bank
<i>RP_v allowed per DE Sediment & Stormwater Regulations</i>
<i>Projects already implemented or ready to be implemented</i>
<i>RP_v demand to be set by Council in Budget Ordinance</i>



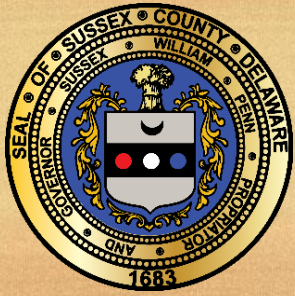
PHASE II – IMPLEMENT LATER IF AT ALL
<ul style="list-style-type: none"> Stormwater Management Offset District
<i>Continue to negotiate the Cv and Fv Credits w/ DNREC</i>
<ul style="list-style-type: none"> TMDL/Water Quality
<i>Continue to negotiate with DNREC and assist in development of supportive State Regulation</i>
<ul style="list-style-type: none"> Compensatory Mitigation Wetlands/Streams
<i>No longer to be pursued</i>



Sussex County ODB Watershed Service Areas

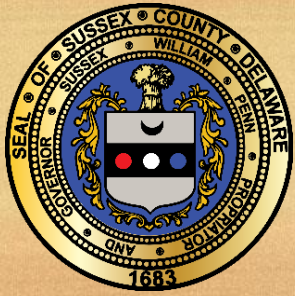


Sussex County HUC-8 and HUC-10 Supporting Maps



Program Initial Implementation Sites

POTENTIAL ODB PROGRAM "CREDIT" PROJECTS							
Name	Credit Types	Practice Type	Status	RPv Credits (CF)	Watershed	HUC 8	HUC 10
Delaware Coastal Business Park, Ph 1	Banking/RPv	48 HR Dry Ext. Detention Pond	Completed	59,683	Inland Bays	Chincoteague	Indian River Bay
Delaware Coastal Business Park, Ph 2	Banking/RPv	Traditional Constructed Wetland	Completed	91,166	Inland Bays	Chincoteague	Indian River Bay
Burbage Road Water Quality	Banking/RPv	Traditional Constructed Wetland, Afforestation	Completed	23,003	Inland Bays	Chincoteague	Indian River Bay
Angola Reforestation	Banking/RPv	Afforestation	Completed	2,229	Inland Bays	Chincoteague	Rehoboth Bay
Lighthouse Rd Reforestation	Banking/RPv	Afforestation,	Completed	2,563	Inland Bays	Chincoteague	Inland Bays
Cannon Rd/Inland Bays Rd Water Quality	Banking/RPv	48 HR Ext. Detention Wet Pond, Traditional Constructed Wetland	Permitted & ready for Bid	334,148	Inland Bays	Chincoteague	Rehoboth Bay



ODB Debit Users



Sussex County Government



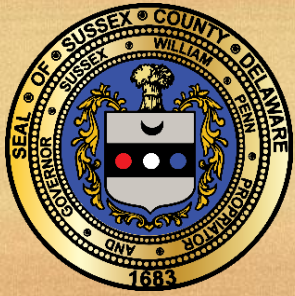
**State Agencies
(DNREC, DeIDOT)**



**Municipalities within
Sussex Watersheds**



**Commercial &
Residential Developers**



Process Milestones

1. Chapter 90 Sediment and Stormwater Management Ordinance Updates/Revisions

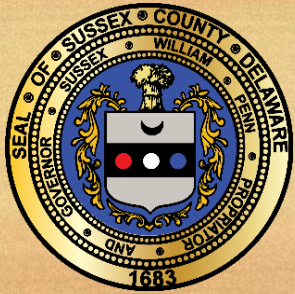
- Updates required to meet DNREC Delaware Sediment & Stormwater Regulations
- Sets out terms of Sussex County Banking Program

2. Memorandum of Agreement with DNREC : Stormwater Management Offset District and Stormwater Management Bank

- Necessary to establish the Sussex County ODB
- Sussex County ODB terms already established in DSSR – follow regulatory process
- Format precedent with DNREC/DelDOT MOA which has been vetted DOJ Legal
- Final language to be agreed with DNREC
- Secured DNREC staff support for this approach

Delaware Coastal Business Park
Ph 1 Dry Extended Detention Pond



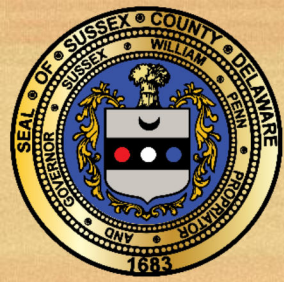


Stormwater Ordinance

Key Components

1. Chapter 90 was originally adopted on 6-18-1991 by Sussex County Ord. No. 769 at a time when Sussex County had “Delegated Agency Authority” which is now no longer applicable
2. Synchronize with updated Delaware Sediment and Stormwater Regulations
 - Title 7 Delaware Code, Section 4006(c)(7 Del.C&4006c)
 - Title 7 DE Admin Code 5101 effective February 11, 2019
3. Remove “Sediment” References from County Code Chapter 90
 - Reflect Sussex Conservation District (SCD) as the Delegated Agency Authority





Stormwater Ordinance Revisions & Additions

1. Revise Appropriate Sections

- 90-1: Title – *Remove Sediment*
- 90-2: Authority – *Remove Sediment, add reference to DSSR for Stormwater Offset District/Banks*
- 90-3: Purpose – *Add Stormwater Offset District and Banking Criteria*
- 90-4: Basis for Implementation – *Update Code Reference*
- 90-5: Plan for Building Permit – *Update Code Reference & Title*
- 90-6: Suspension and Revocation of (County) Permit - *Update Language in Coordination w/ Sussex Conservation District*
- 90-7: Inspection and Maintenance Agreement – *Deletion*

2. Add New Section

- 90-8: Stormwater Banking
 - *Scope*
 - *Geographic Service Area*
 - *Restoration Projects*
 - *Credit Type and Measurement*
 - *Responsibilities*
 - *Availability/Users*
 - *Fees & Percentages*
 - *Calculation*
 - *Participation Levels*
 - *SW Best Management Practice Weighting*



Proposed Schedule

<u>Time Frame</u>	<u>Action</u>
November 15, 2022	County Council Hearing – Approval to Revise Ordinance and Initiate MOA with DNREC
December 10, 2022	Draft Ordinance included in Sussex County Council Packet
December 13, 2022	County Council Meeting Ordinance Review (Public Meeting) & possible Introduction
December 15, 2022	Final Draft MOA Submitted to DNREC
February 2023	Public Hearing for “Stormwater” Ordinance
March 2023	Council Adoption of “Stormwater” Ordinance and Approval of MOA incorporating DNREC & Public Comments
July 1, 2023	Effective Date of Stormwater & Budget Ordinances Credits Available for Release from Bank



Questions / Comments

ENGINEERING DEPARTMENT

HANS M. MEDLARZ
COUNTY ENGINEER

(302) 855-7370 T
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hans.medlarz@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
 The Honorable Michael H. Vincent, President
 The Honorable Douglas B. Hudson, Vice President
 The Honorable Cynthia C. Green
 The Honorable John L. Rieley
 The Honorable Mark G. Schaeffer

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

RE: *2022 Agricultural Farm Leases & Bay-Grow Utilization Award Recommendations*

DATE: November 15, 2022

The County owns a number of agricultural properties eight (8) of which listed below had either expiring leases or were acquired recently. The Engineering Department publicly advertised the Leases for Farmland RFP and directly mailed to farmers who leased the properties or previously expressed interest. On October 28, 2022, six (6) bids were received, and a copy of the bid results is attached. The lease offers were for a five (5)-crop seasons, terminating on December 31, 2027, unless marked as a year-over-year basis. An unusually high bid received from a Maryland farmer was flagged by the Department for follow-up since we had received no questions from this entity. Once contacted the farmer realized the site limitations and requested to withdraw which was accepted by the Department.

Bid Item	Tax Map Parcel Numbers	Location	Acreage
a	135-19.00-63.00	Georgetown	28 Acres
b	233-6.00-115.00 & 116.00	Dagsboro	60 Acres
c	135-20.00-152.01 & 153.00	Georgetown	36.5 Acres
d	135-20.00-64.00	Georgetown	18 Acres
f	135-20.00-51.01 & 51.02	Georgetown	15 Acres
g	533-18.00-61.00 (part of)	Selbyville	27 Acres
h	133-15.00-6.00 (year over year)	Millsboro	29 Acres
i	234-28.00-172.00 (year over year)	Millsboro	24.5 Acres

Mr. Adkins, the current lease holder for bid item b had contacted the Department prior to the advertisement advising that they participate in a cover crop reimbursement program which pays out upon harvest or burn down. The County Engineer assured the lease holder in writing



the County would honor the arrangement regardless of outcome since it was a lease requirement. Therefore, the Department requests Council's concurrence in the reimbursement.

Now the leases require all tenants to implement crop rotation for the spring and summer season as well as to plant and establish a winter cover crop. The tenants must also supply a record of all site management activities undertaken the previous year, such as planting, reseeding, harvesting of crops, commercial fertilizer chemical additions and copy of the Nutrient Management plan to Environmental Services.

Furthermore, the leases contain a stipulation allowing the County to spread Bay-Grow the County's aerobically digested Class A bio-solids throughout the duration of the lease. In addition to the County's ability to spread the Class A material the Department also advertised bids for Bay-Grow utilization by either tenants or any farmer interested in delivery of the product followed by subsequent utilization on their or land leased from the County.

The Department recommends award of bids for the agricultural farmland lease agreements and Bay-Grow delivery to the highest bidders as listed in the attached lease & Bay-Grow award summary sheet.

FARMLAND LEASES - BID OPENING OCTOBER 28, 2022

AGRICULTURAL LEASE FOR FARMLAND				Briar Reynolds (Reynolds Farms)		WITHDREW BID ^Haylee Robinson (Altogether Blessed Farm, LLC)		Jerad A. Hill (Double H Farm, LLC)		D. Mark Atkins		Chris MaGee (C. MaGee Farms, LLC)		Ellen MaGee (Magee Farms)	
Bid Item	TAX MAP & PARCEL NUMBERS	Acreage	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A	135-19.00-63.00 (Georgetown)	28	Acres	\$101.00	\$2,828.00	\$165.00	\$4,620.00					\$111.00	\$3,108.00		
B	233-6.00-115.00/116.00 (Dagsboro)	60	Acres			\$165.00	\$9,900.00			\$ 121.00	\$7,260.00	\$151.00	\$9,060.00		
C	135-20.00-152.01 & 153.00 (Georgetown)	36.5	Acres	\$101.00	\$3,686.50	\$165.00	\$6,022.50					\$111.00	\$4,051.50		
D	135-20.00-64.00 (Georgetown)	18	Acres	\$101.00	\$1,818.00	\$165.00	\$2,970.00					\$111.00	\$1,998.00		
E	N/A														
F	135-20.00-51.01 & 51.02 (Georgetown)	15	Acres	\$21.00	\$315.00	\$165.00	\$2,475.00					\$111.00	\$1,665.00		
G	P/O 533-18.00-61.00 (Selbyville)	27	Acres			\$165.00	\$4,455.00							\$112.50	\$3,037.50
H	133-15.00-6.00 (Millsboro)	29	Acres	\$81.00	\$2,349.00	\$165.00	\$4,785.00								
I	234-28.00-172.00 (Millsboro)	24.5	Acres	\$40.00	\$980.00	\$165.00	\$4,042.50	\$78.00	\$1,911.00						
	AWARD			\$81.00	\$2,349.00	\$1,320.00	\$39,270.00	\$78.00	\$1,911.00	\$121.00	\$7,260.00	\$595.00	\$19,882.50	\$112.50	\$3,037.50

Yellow = Highest Bidder

Class A BIOSOLIDS - BID OPENING OCTOBER 28, 2022

CLASS A BIOSOLIDS		Chris MaGee (C. MaGee Farms, LLC)			Ellen MaGee (Magee Farms)		
AREA	Tons/Year Delivered	Unit Price	Total Price	Tons/Year Delivered	Unit Price	Total Price	
Selbyville Area/Georgetown Area	1000.00	\$7.00	\$7,000.00				
Selbyville Area				400.00	\$7.25	\$2,900.00	
		\$7.00	\$7,000.00		\$7.25	\$2,900.00	

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Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Douglas B. Hudson, Vice President
The Honorable Cynthia C. Green
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The Honorable Mark G. Schaeffer

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

RE: *FY 2023 Environmental Services - Pumper Truck Award*

DATE: November 15, 2022

The Environmental Services Division divides its system maintenance in four areas. All four areas are supported by one pumper truck. Due to the age and continued maintenance costs to include lack of reliability of the current truck, the Division requested, and Council approved in the FY 2023 Budget, the replacement of the current pumper truck.

An open-source bid based on specific criteria would exclude certain, if not all but one manufacturer. Therefore, the Department solicited a price quotation based on “similar but not equal” criteria based on the individual manufacturer’s option. An identical request was sent to three (3) leading manufacturers of this type of equipment. Two (2) of the manufacturers provided price quotes with one (1) manufacture unable to build per specifications.

In addition to the cost, we requested a delivery schedule and a summary of available maintenance options. The two (2) provided price quotes were evaluated based on 70 points for lowest cost and 15 points each on shortest schedule and best maintenance availability respectively. Mid-Atlantic Waste Systems has the best maintenance package with a mobile service and 24-hour emergency response team. The results are as follows:

1. Mid Atlantic Waste Systems with Total Points = 100 (70+15+15)
2. Atlantic Machinery with Total Points = 96.25 (68.75+12.5+15)

The Department recommends award to Mid-Atlantic Waste Systems in the amount of \$215,732.00



Pumper Truck

- **\$215,732.00**
 - 2023 International HV607 Chassis
 - Mid-Atlantic Waste Systems – Division of THC Enterprises, INC
 - Colin Kraus (Sales Representative)
 - 10641 Cordova Rd Easton, MD 21601
 - 800-338-7274 (office) 410-725-6121 (cell)
 - ckraus@mawaste.com
 - Proximity of Service Provider
 - Fleet Maintenance Service
 - 10641 Cordova Rd Easton, Maryland
 - Mobile Service – Preventative Maintenance and Service
 - 24-Hour Emergency Response
 - Preventative Maintenance Program available
 - Delivery Schedule
 - January 2023

- **\$217,960.00**
 - 2024 Freightliner 114SD Chassis
 - Atlantic Machinery, Inc.
 - Trevor “T” Gardner (Sales Representative)
 - 2628 Garfield Avenue, Silver Spring, MD 20910
 - 301-585-0800 (cell)
 - Tgardner@atlanticmachineryinc.com
 - Proximity of Service Provider
 - Fleet Maintenance Service
 - 2628 Garfield Avenue, Silver Spring, MD 20910
 - Mobile Service – Minor Repairs
 - Delivery Schedule
 - 270 to 300 Days

- **UNABLE TO BUILD PER SPECIFICATIONS**
 - 2023 International
 - MD Industrial Trucks
 - Mike Moylan (Sales Representative)
 - 1330 W Nursery Rd, Linthicum Heights, MD 21090
 - 410-636-1255 (office) 443-386-2219 (cell)
 - mmoylan@mdindustrialtrucks.com
 - 31057 Frankford School Rd, Frankford, DE 19945
 - Mobile Service – Minor Repairs

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Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Douglas B. Hudson, Vice President
The Honorable Cynthia C. Green
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The Honorable Mark G. Schaeffer

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

RE: ***EMS Public Safety Building – Project C19-04***
A. Change Orders No. 18 & 20

DATE: November 15, 2022

The single Public Safety Building concept was first introduced in the FY 2019 Budget Ordinance consolidating all EMS training, administration, and logistics functions in one facility. The scope and cost were updated in accordance with a space allocation programming effort in the FY 2020 Budget Ordinance and further refined based on design stages in the FY 2021 & FY 2022 Budget Ordinances reflecting a total project expense of \$12.00 million. The anticipated overall project expenses are still well within budget.

Following a publicly advertised process, Council awarded the EMS Department's - Architectural Consulting Services base contract to the George, Miles and Buhr, Inc. The subsequent Public Safety Building Project C19-04 base agreement covered professional services for an initial not to exceed amount of \$300,000.00.

The State's fire prevention regulations required a single-entry point necessitating a full sprinkler distribution system design and due to the critical nature of the facility, a secondary air conditioning backup in the form of a cooling tower was desired. Council authorized a \$31,720.00 stand-alone purchase order to RMF Engineering for these specialty designs.

In October of 2020, the Departments presented the 60% design review to County Council followed by a 75% design presentation in March of 2021. Based on the County's request, GMB was asked to create fiber optic cabling, audio/visual, security/alarm and fit out specialty scopes for procurement under Cooperative Purchasing Agreements, increasing the project design complexity. Hence, Council approved on March 23, 2021, GMB's Amendment No.1 increasing the not to exceed threshold by \$61,500.00.

Following the March Council presentation, the scope still evolved considerably due to design revisions and added design features. Consequently, GMB and its subconsultants exceeded the



previously approved allocations bringing the project to bid. GMB offered a discounted fee of \$75,000.00 to cover these services. In addition, they proposed a construction services fee of \$244,500.00. Overall, the professional services were well below 10% of construction, comparing favorably with industry standards and on August 10, 2021, County Council authorized issuance of GMB's Amendments No. 2 & 3 increasing the overall not to exceed amount to \$681,000.00.

In June the Public Safety Building, Project C19-04 was publicly advertised. On July 14, 2021, eight (8) bids were received and on August 10, 2021, Council awarded the project to Bancroft Construction Company in the amount of \$8,282,169.00.

The documents as bid included provisions to recover pandemic related price increases between *bid and award* for structural and light weight steel material costs. Therefore, on August 31, 2021, Council approved Change Order No. 1 in the not to exceed amount of \$40,000 for structural and Change Order No. 2 in the amount of \$8,800 for light weight steel material price increases.

The structural steel material change order no.1 was based on August 12, 2021, pricing. When Bancroft transmitted the "letter of intent to award", their subcontractor Iron Works, Inc. on August 30th in turn issued material purchase orders. However, the material suppliers responded that material quotations are only binding for one week due to supply chain impacts and volatile steel markets. In consultation with County Leadership, the Engineering Department authorized Bancroft to lock in at the August 30th material costs triggering a \$22,829.00 revision to change order no. 1 approved by Council on September 14, 2021.

When the project bid, the Fire Marshall site permit had been issued but the associated building permit was still under review. When it was finalized two issues had to be addressed (i) fire protection details in the plenum and (ii) a secondary emergency egress from the mezzanine.

The plenum needed to be either sprinkled or all materials had to be fire rated. The only material not meeting the rating was the water piping. The County requested the PVC piping for ease of maintenance and the mechanical subcontractor suggested to add fire rated insulation but switch the valving to PVC under a partial credit for a net Change Order No. 3 cost of \$13,554.94. In addition, the County EMS team had initiated a proposed Change Order No. 4 for air filtration system safety upgrades, paid for through American Rescue Plan Act funds in the amount of \$4,740.28. On November 20, 2021, County Council approved both change orders.

The Department and the contractor concluded the change order scope associated with the emergency mezzanine exit required a permit. The work was complex requiring scope modifications for eight (8) trades. The electrical trade also included some minor changes to the outlet configurations to accommodate the selected A/V equipment for a total \$58,245.80 which County Council approved under Change Order No. 5 on January 11, 2022.

The existing EOC allegedly had dual primary electric power feeds based on original design drawings, staff recollection as well as DP&L records. Upon examination of the actual EOC transformer by DP&L, it was determined that the facility had only one feed. Prior to that, the electrical sub-contractor had initiated some limited conduit installations, Council issued a reimbursement Change Order No. 6 in the amount of \$1,905.85.

However, for the project to proceed, DP&L and the County's General Labor & Equipment contractor had to extend primary power to the existing transformer from the opposite side of Rudder Lane. In addition, the transformer and generator location for the building was revised, as

well as vehicle charging circuits added. These changes were priced out and approved by Council on March 1, 2022, under Change Order No. 9 in the amount of \$56,830.98.

In December 2021, following a detailed Miss Utility locate, the Team recognized that there were conflicts between the proposed gravity storm drainage pipe and the existing high voltage lines off site. The stormwater management design had the stormwater pipe system crossing the intersection of Airport Road and Aviation Avenue. Close examination revealed that this crossing was not plausible as the stormwater pipe intersected approximately eight other utilities primarily high voltage electric lines and sewer force mains at different elevations.

While investigating stormwater options, two existing roof drainage pipe conflicts came to light. The combination of both these impacts required a re-work of the entire grading plan, along with the redirection of the storm drainage piping along Airport Road. The Department and the contractor agreed on the scope and pricing, including the required fill and on March 1, 2022, Council issued the associated Change Order No. 7 in the amount of \$62,924.75.

In the filling process of “Lake Thomas”, unsuitable soils were encountered. The site work contractor undercut these areas and restored them with suitable materials. This work was performed on a time and materials basis under Change Order No. 11. Also covered under this request is an adjustment to a drop ceiling and bulkhead location in the corridor leading to the northside of the existing EOC building. On March 22, 2022, Council accepted Change Order No. 11 in the amount of \$5,427.58.

Bancroft had submitted RFI#44 seeking clarification regarding the EOC kitchen renovations due to a lack of existing condition documentation on the mechanical drawings and insufficient detailing of connections. GMB’s plan envisioned an open ceiling concept with cabinet & countertop which was unable to incorporate the two roof drains in the existing exercise room and kitchen. With an acceptable resolution plan needed, the Department worked with Bancroft and developed the attached “Owner Resolution Plan No.3 addressing the existing conditions and on March 22, 2022, Council accepted credit Change Order No. 12 in the amount of (\$15,118.52).

The heating and hot water systems were designed based on availability of natural gas. Chesapeake Utilities’ service extension project from the Coastal Business Park to Rudder Lane is delayed and may not be ready at the time of building commissioning. The utility directed us to seek an interim solution using their subsidiary, Sharp Energy, which already supplies propane to the Joint Maintenance Facility under this arrangement. The Engineering & Finance Departments developed a purchase order, and the line is installed.

Due to a conflict in the existing lobby, the stud wall had to be extended alongside the existing beam, allowing the proposed wall to bypass the structural steel. Bancroft submitted PCO #013 to modify said exterior stud wall framing and to extend the drywall and batt insulation to the structure in the rooms. Team EMS had made this request for sound attenuation based on sensitive medical discussions. For the extension of the drywall and batt insulation, the price per unit is \$11.57/sf of wall in the event more rooms are added. On May 17, 2022, County Council approved Change Order No. 13 in the amount of \$16,711.84 and the unit of \$11.57/sf.

The EOC staff has made the Engineering Department aware of issues with the State Police IT equipment server room. The room is overheating frequently because equipment has been added over time. This room is the only server room w/o a dedicated source of cooling.

J.T. Richardson is the mechanical subcontractor for Bancroft working on the Public Safety Building. They were working for the County directly with the concurrence of Bancroft and in March 2022 when we issued an on-call mechanical PO for urgent repairs at the Complex. We advised Council on May 17, 2022, that we would follow this same approach in this case based on the same hourly rates and agreed upon mark-ups.

On June 21, 2022, County Council approved Change Order No. 14 in the aggregate amount of \$26,371.68 addressing the modifications listed below:

1. Special floor tile color selection.
2. Separation of the decorative architectural wall from one to two location.
3. Back-up cooling tower protection by bollards.
4. Structural modifications to the he primary cooling tower support.
5. Roof membrane boots to cover penetrations in six (6) locations.
6. Additional epoxy coating.
7. Lobby storefront modifications.

Change Order No. 15 is the result of RFI-60 and a field change for the gutter support in the mechanical well of the sloped roof system. The latter was needed to build out the wall section around the well to allow the installation of the gutter system. RFI-60 exposed an issue related to the door jams of the overhead door in the logistics warehouse. The original approach left an exposed brick veneer edge which was addressed by adding a secondary steel channel on each jam. On July 26, 2022, Council approved Change Order No. 15 in the aggregate amount of \$11,357.87.

The EMS team requested modifications to the room signage in February of 2022. It went through several iterations reducing the costs. The final version, Change Order 16, was approved by Council on August 23, 2022, in the amount of \$2,361.79.

On September 20, 2022, Council approved Change Order No. 17 in the aggregate amount of \$30,089.13, addressing the modifications listed below:

1. Light fixture change and deletion of ceiling baffles in Circuit Training Room.
2. Garage door manufacturer change from Dalton Door to Overhead Door due to extended lead times.
3. Replacement of damaged temporary construction fence.
4. Concrete pad for relocated MCU cabinets.
5. Flag Pole model change to avoid conflict with a pole mounted LED light fixture.
6. Decorative fence extension to enclose MCU cabinets at the new location.
7. Ductwork re-routing to avoid conflict with roof access ladder.
8. Credit for deletion of HVAC transfer ducts and grilles in Logistics Warehouse offices.

The Department is now presenting Change Order Nos. 18 and 20 for Council’s consideration. Change Order No. 18 is the result of several site construction design changes listed in detail below.

1. Modification of the concrete slab in the plaza to support the new EMS memorial.

2. A removable bollard was added to the south of the reinforced bench-wall to prevent a vehicular plaza entry.
3. Additional demolition of sidewalk for the installation of the new supplemental chiller at the North end of the EOC. Additional concrete was required under the chiller as the unit had to be installed a certain distance off the wall for required service clearances.
4. Concrete apron modification outside the Logistics Warehouse for H-20 Highway loading due to delivery truck traffic.
5. A section of the sprinkler main was raised in one of the EMS office corridors to keep fixture mounting as high as possible.

Therefore, the Department request Council's approval of Change Order No. 18 in the aggregate amount of \$19,574.73.

Change Order No. 20 consists solely of electrical contract changes. Within the requested change order amount is a credit for the deletion of a recessed light fixture installation. The ambient lighting in this location of the warehouse coiling overhead door is already very good and the fixtures were redundant. Also included is a credit for scope reduction during the EOC MCU cabinet relocation. Coordination efforts by the Engineering Department and EOC resulted in an improved cabinet location along with less labor and material. Finally, represented are cost increases for plaza lighting revisions illuminating the EMS Memorial.

Therefore, the Department request Council's approval of Change Order No. 20 in the aggregate amount of \$10,330.17.

The Department is currently tracking three open issues. (i) ductwork changes/modifications to avoid conflicts and to keep ceiling heights and light fixtures as high as possible. (ii) remediation of a low point in the existing Rudder Lane intersection which results in standing water for several days after rain. An associated scope of work has been created by the Department and given to the contractor. (iii) Additional drywall was needed on the exterior walls in several offices within the Logistics Warehouse. These changes will be brought to Council at a later date.



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SUSSEX COUNTY PUBLIC SAFETY BUILDING**
2. Sussex County Project No. C19-04
3. Change Order No. 18
4. Date Change Order Initiated - 11/17/22
5.
 - a. Original Contract Sum \$8,282,169.00
 - b. Net Change by Previous Change Orders \$ 347,032.97
 - c. Contract Sum Prior to Change Order \$8,629,201.97
 - d. Requested Change \$19,574.73
 - e. Net Change (No. of days) _____
 - f. New Contract Amount \$8,648,776.70
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

1. Differing Site Conditions
2. Errors and Omissions in Construction Drawings and Specifications
3. Changes Instituted by Regulatory Requirements
4. Design Change
5. Overrun/Underrun in Quantity

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

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Changes made in plaza area including a thickened slab to support the EMS memorial, and a removable bollard, concrete pad for EOC supplemental chiller, additional bollards for the generator, and raising a portion of the sprinkler main.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes No

E. APPROVALS

1. Bancroft Construction Company, Contractor

Michael Kalafut 11/07/22
Signature Date

MICHAEL KALAFUT
Representative's Name in Block Letters

2. Sussex County Engineer

[Signature] 11/7/22
Signature Date

3. Sussex County Council President

Signature Date



PCO #017 REVISED

Bancroft Construction
 1300 N Grant Ave Ste 101
 Wilmington, Delaware 19806
 Phone: 302 655 3434

Project: CSED0001 - Public Safety Bldg. Addition
 21911 Rudder Lane
 Georgetown, Delaware 19947

DRAFT

Prime Contract Potential Change Order #017 REVISED: CE #076 & 078

TO:	Sussex County Delaware 2 The Circle P.O. Box 589 Georgetown Delaware, 19947	FROM:	Bancroft Construction Company 1300 N. Grant Avenue Suite 101 Wilmington Delaware, 19806
PCO NUMBER/REVISION:	017 REVISED / 0	CONTRACT:	CSED001 - Public Safety Bldg. Addition Prime Contract
REQUEST RECEIVED FROM:		CREATED BY:	Cheryl Fearn (Bancroft Construction Company)
STATUS:	Draft	CREATED DATE:	11/3/2022
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:		PAID IN FULL:	No
		TOTAL AMOUNT:	\$19,574.73

POTENTIAL CHANGE ORDER TITLE: CE #076 & 078

CHANGE REASON: No Change Reason

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

CE #076 - Changes per Revised drawing dated 8/26/22
 COR #9 Removable Bollard with Cover \$815.52
 COR #11 Add Thickened Slab for Monument per Revised Drawing Dated 8/26/22
 COR #13 Chiller Pad & Bollards per Revised Drawing 8/26/22
 COR #15 Heavy Concrete per drawing 3.0

CE #078 - Sprinkler Changes
 Raise sprinkler main in corridor at owner's request per Bear T & M Ticket 34399

ATTACHMENTS:

[REVISED COR#15 ADDED HEAVY CONCRETE PER C 3.0-SUSSEX PUBLIC SAFETY.pdf](#) [CE #076 COR Revised-1112 13 SUSSEX PUBLIC SAFETY BUILDING.pdf](#) [Sussex Cty EOC Change Order Ticket #34399.pdf](#) [COR#9 SUSSEX PUBLIC SAFETY BUILDING-REMOVEABLE BOLLARD&COVER.pdf](#) [CE #076 COR #13 Thompson .pdf](#)

#	Cost Code	Description	Type	Amount
1	02-001 - Site Construction	thicken slab for monument COR #11	Subcontract	\$5,102.50
2	02-001 - Site Construction	Chiller Pad & Bollard Changes COR #13	Subcontract	\$8,594.85
3	02-001 - Site Construction	Bollard changes COR #9	Subcontract	\$815.52
4	02-001 - Site Construction	Heavy Concrete COR #15	Subcontract	\$2,125.20
5	15-301 - Sprinkler System	raise sprinkler main in corridor at owner's request	Subcontract	\$941.00
			Subtotal:	\$17,579.07
			BCC GCs (5.00% Applies to all line item types.):	\$878.95
			Bond (1.00% Applies to all line item types.):	\$184.58
			Profit (5.00% Applies to all line item types.):	\$932.13
			Grand Total:	\$19,574.73



PCO #017 REVISED

Morgan Helfrich (George, Miles & Buhr, LLC)

400 High Street
Seaford Delaware 19973

Sussex County Delaware

2 The Circle P.O. Box 589
Georgetown Delaware 19947

Bancroft Construction Company

1300 N. Grant Avenue Suite 101
Wilmington Delaware 19806

Michael Kalafut 11/03/22

SIGNATURE DATE

SIGNATURE DATE

SIGNATURE DATE



Bancroft Construction
 1300 N Grant Ave Ste 101
 Wilmington , Delaware 19806
 P: 302 655 3434

Project: CSED0001 - Public Safety Bldg. Addition
 21911 Rudder Lane
 Georgetown , Delaware 19947

CHANGE EVENT #076 - Changes per Revised drawing dated 8/26/22

Origin:

Date Created: 10/5/2022 **Created By:** Cheryl Fearn
Status: Pending **Scope:** Out of Scope
Type: Owner Change **Change Reason:** Design Change

Description: COR #9 Removable Bollard with Cover \$815.52
 COR #11 Add Thickened Slab for Monument per Revised Drawing Dated 8/26/22
 COR #13 Chiller Pad & Bollards per Revised Drawing 8/26/22
 COR #15 Heavy Concrete per drawing 3.0

Attachments: [REVISED COR#15 ADDED HEAVY CONCRETE PER C 3.0-SUSSEX PUBLIC SAFETY.pdf](#), [CE #076 COR Revised-1112 13 SUSSEX PUBLIC SAFETY BUILDING.pdf](#), [COR#9 SUSSEX PUBLIC SAFETY BUILDING-REMOVEABLE BOLLARD&COVER.pdf](#), [CE #076 COR #13 Thompson .pdf](#)

CHANGE EVENT LINE ITEMS

Budget Code	Vendor / Contract	Revenue			Cost				Over/ Under	Budget Mod.
		ROM	Prime PCO	Latest Price	ROM	RFQ	Commit.	Latest Cost		
02-001.06	Thompson & Sons	\$5,102.50		\$5,102.50	\$5,102.50			\$5,102.50	\$0.00	
Site	ContractingInc									
Construction.Subcontra	CSED0001001									
ct										

Description:
 thicken slab for monument COR #11

Budget Code	Vendor / Contract	Revenue			Cost				Over/ Under	Budget Mod.
		ROM	Prime PCO	Latest Price	ROM	RFQ	Commit.	Latest Cost		
02-001.06 Site Construction.Subcontra ct	Thompson & Sons ContractingInc CSED0001001	\$8,594.85		\$8,594.85	\$8,594.85			\$8,594.85	\$0.00	
Description: Chiller Pad & Bollard Changes COR #13										
02-001.06 Site Construction.Subcontra ct	Thompson & Sons ContractingInc CSED0001001	\$815.52		\$815.52	\$815.52			\$815.52	\$0.00	
Description: Bollard changes COR #9										
02-001.06 Site Construction.Subcontra ct	Thompson & Sons ContractingInc CSED0001001	\$2,125.20		\$2,125.20	\$2,125.20			\$2,125.20	\$0.00	
Description: Heavy Concrete COR #15										
1-511.02 Sr. Project Manager.Regular Labor		\$831.90	\$0.00	\$831.90				\$0.00	\$831.90	
90-999.10 Fee.Fee & Field Cost		\$1,056.93	\$0.00	\$1,056.93				\$0.00	\$1,056.93	
Grand Totals		\$18,526.91	\$0.00	\$18,526.91	\$16,638.07	\$0.00	\$0.00	\$16,638.07	\$1,888.84	\$0.00

Thompson & Sons Contracting Inc.
300 Torbert RD
Millford, DE 19963

CHANGE ORDER DETAIL FORM
 (Provided by contractor, subcontractor or sub tier contractor)

DATE SUBMITTED: 9/27/2022
 CONTRACT: Public Safety Building CSED0001-Sitework
 CONTRACTOR: Thompson & Sons Contracting Inc.
 PROJECT NAME: Sussex County Public Safety Building
 CHANGE ORDER REQUEST: #11-REVISED ADD: Thickened Slab for Monument Per Revised Drawing Dated 8/26/22

LABOR SECTION			
TRADESMAN(s):	LABOR HOURS	RATE (per schedule)	SUBTOTAL
Labor	56 hrs	\$40.00	\$2,240.00
Subtotal			\$2,240.00

MATERIAL SECTION			
MATERIAL:	QUANTITY	UNIT COST	SUBTOTAL
Concrete			\$1,050.00
Rebar			\$60.00
Subtotal			\$1,110.00

EQUIPMENT SECTION			
EQUIPMENT:	QUANTITY	UNIT COST	SUBTOTAL
Subtotal			

Add Thicken Slab for Monument & Concrete where Planters
 are not being Installed- COR Reflects Sketch sent 8/26/2022

SUBTOTAL	\$3,350.00
SUBCONTRACTOR/ SUB TIER*	
OH & PROFIT (15% GC only)	\$502.50
10 % OH & PROFIT	
OH & PROFIT (7.5% sub)	
GRAND TOTAL	\$3,852.50
	\$1,250.00

Per Meeting on site
 with Hanz & Mike
 ADD Repair of Plaza

RevisedTotal: \$5,102.50

Thompson & Sons Contracting Inc.
300 Torbert RD
Milford, DE 19963

CHANGE ORDER DETAIL FORM
 (Provided by contractor, subcontractor or sub tier contractor)

DATE SUBMITTED: 9/27/2022
 CONTRACT: Public Safety Building CSED0001-Sitework
 CONTRACTOR: Thompson & Sons Contracting Inc.
 PROJECT NAME: Sussex County Public Safety Building
 CHANGE ORDER REQUEST: #13 Chiller Pad & Bollards per Revised Drawing 8/26/22

LABOR SECTION			
TRADESMAN(s):	LABOR HOURS	RATE (per schedule)	SUBTOTAL
Demo Concrete Pad-Labor	16hrs	\$40.00	\$640.00
Saw Cut			\$30.00
Prep for Concrete-Labor	16hrs	\$40.00	\$640.00
Install Cleanout-Labor	8hrs	\$40.00	\$320.00
Labor-Pipe Bollards	64 hrs	\$40.00	\$2,560.00
Subtotal			\$4,190.00

MATERIAL SECTION			
MATERIAL:	QUANTITY	UNIT COST	SUBTOTAL
Core&Main Material			\$256.29
Pipe Bollards	5 reg	\$400.00	\$2,000.00
Concrete-Install Pipe Bollards			\$652.50
Subtotal			\$2,908.79

EQUIPMENT SECTION			
EQUIPMENT:	QUANTITY	UNIT COST	SUBTOTAL
Equipment-Demo Concrete	2hrs	\$60.00	\$120.00
Truck Driver-Demo Concrete	1hr	\$95.00	\$95.00
Equipment-Prep for Concrete	2hrs	\$60.00	\$120.00
Tamp-Prep for Concrete			\$40.00
Subtotal			\$375.00

Chiller Pad & Bollards per Revised drawing 8/26/22	SUBTOTAL	\$7,473.79
Supplied by Sussex County	SUBCONTRACTOR/ SUB TIER*	
	OH & PROFIT (15% GC only)	\$1,121.06
	10 % OH & PROFIT	
	OH & PROFIT (7.5% sub)	
	GRAND TOTAL	\$8,594.85

ATLANTIC CONCRETE CO., INC.
P.O. BOX 321
MILFORD, DELAWARE 19963

INVOICE: 34965090722

DATE: 9/07/22

34965
THOMPSON & SONS CONTRA
300 TORBERT RD
MILFORD DE 19963

PHONES:
MILFORD: 422-8017
HARRINGTON: 398-8920
LEWES: 856-7847
DOVER: 734-0530

Estkidge - Laverty & Sussex Public

TICKET#	DATE	LOCATION	YARDS	PRODUCT	DESCRIPTION	UNIT PRICE	AMOUNT
H366496	9/07/22	LAVERTY LN	10.00	3500PG	3500 PEA GRAVEL CONC	147.00	1,470.00
H366496	9/07/22	LAVERTY LN		RET 2	2 oz DELVO per bg	4.00	40.00
H366496	9/07/22	LAVERTY LN		FUELCHARGE	FUEL SURCHARGE/YD	20.00	20.00
TICKET TOTAL:							1,530.00
* M667846	9/07/22	GEO EOC	4.50	4500	4500 psi Concrete	143.00	643.50
M667846	9/07/22	GEO EOC	.00	FUELCHARGE	FUEL SURCHARGE/YD	9.00	9.00
TICKET TOTAL:							652.50
INVOICE TOTAL:							2,182.50

Sussex Public Safety

NET DUE 10/31/22

Atlantic Concrete Co., Inc.

P.O. Box 321
Milford, DE 19963-0321
(302) 422-8017

PLANTS

Dover (302) 734-0530
Milford (302) 422-8017
Lewes (302) 856-7847
Harrington (302) 398-8920
Dagsboro (302) 934-8101

AUTHORIZATION

Additional Water

Gal _____

Signature _____

CUSTOMER ID 34965	P.O. NUMBER	JOB NUMBER	TIME 9:00:50	DATE 09/07/22	TICKET M667B4E
SOLD TO THOMPSON & SONS CONTRACTING 300 TORBERT RD MILFORD DE 19963			DELIVER TO GEO EDC		Depart 148602 Return 148040
QUANTITY 4.50	PRODUCT CODE 4500	PRODUCT DESCRIPTION 4500 psi Concrete Fuel Charge		UNIT OF MEASURE yd(s)	UNIT PRICE EXTENDED PRICE
TRUCK A96	PLANT Milford	SLUMP	<i>Thank You!</i>		SUB TOTAL TAX TOTAL 652.50
DELIVERY INSTRUCTIONS: S 30 RT SANDHILL OVER 9 RT END LT					

Unloading

Drivers are not permitted to add water to the mix to exceed the maximum slump. Drivers are prohibited from delivering concrete except under the truck's own power, and where site conditions do not permit the safe and proper operation of equipment. Drivers are not permitted to go beyond the curb line, except upon the customer's authorization and acceptance of risk for any loss or damage to the property or our equipment. This includes any wrecker or towing charges for getting out of the location.

Caution!

Contains Portland cement. Freshly mixed concrete, or grout may cause skin injury.

TAKE THESE PRECAUTIONS:

- Avoid all contact with eyes.
- Wear rubber boots and gloves, and avoid prolonged contact directly with skin or through porous materials.
- In case of contact with skin or eyes, flush thoroughly with water. If irritation persists, get medical attention promptly.
- Keep children away.

Receipt and Release:

[Handwritten Signature]

Customer's representative

[Handwritten Signature: Harry Wilhel]

RECEIVED SUBJECT TO CONDITIONS ON REVERSE SIDE



INVOICE

Invoice # R558474
 Invoice Date 9/13/22
 Account # 200595
 Sales Rep KEVIN REICHHOLD
 Phone # 302-684-3054
 Branch # 273 Milton, DE
 Total Amount Due \$256.29

1830 Craig Park Court
St. Louis, MO 63146

Remit To:
 CORE & MAIN LP
 PO BOX 28330
 ST LOUIS, MO 63146

326 1 MB 0.515 E0318 I0486 D9660750285 S2 P9254383 0002:0002



THOMPSON & SONS CONTRACTING INC
 300 TORBERT RD
 MILFORD DE 19963-7144

Shipped to:

CUSTOMER PICK-UP -

Thank you for the opportunity to serve you! We appreciate your prompt payment.

Date Ordered	Date Shipped	Customer PO #	Job Name	Job #	Bill of Lading	Shipped Via	Invoice #
9/09/22	9/09/22		PUBLIC SAFETY			WILL CALL	R558474

Product Code	Description	Quantity		B/O	Price	UM	Extended Price
		Ordered	Shipped				
27044GS	4 PVC SDR35 SWR 45 GXSP	1	1		14.08000	EA	14.08
27044GG	4 PVC SDR35 SWR 45 GXG	1	1		15.14000	EA	15.14
2704W04GGT	4X4 PVC SDR35 SWR T-WYE GXG	1	1		28.55000	EA	28.55
59B1140COB	B1140 6" CLEANOUT BOX IMP	1	1		180.53000	EA	180.53
2704CO	4 SDR35 CLEANOUT ADPT HXF L/PL	1	1		7.51000	EA	7.51
2704PMS	4 SDR35 C/O THD PLUG RECESSED	1	1		10.48000	EA	10.48

Visit coreandmain.com
for a current W-9 form



Online
ADVANTAGE

- Pay Online
- Paperless Billing
- Invoice Reprints
- Signed Delivery Receipts

Remit payment to the address shown on this invoice or access your account in Online Advantage to pay online.

Freight	Delivery	Handling	Restock	Misc.	Subtotal:	256.29
					Other:	0.00
					Tax:	0.00
					Invoice Total:	\$256.29

Terms: NET 30

Ordered By: PIERCE

This transaction is governed by and subject to CORE & MAIN's standard terms and conditions, which are incorporated by reference and accepted. To review these terms and conditions, please visit: <http://tandc.coreandmain.com/>.

SOLD BY
 MILTON DE
 Branch - 273
 25414 Prime Hook Rd
 Suite 100
 Milton DE 19968
 PHONE # 302 684 3054



PROMISED: 9/09/22
 FILLED BY: _____
 CHECKED BY: _____
 REVIEWED BY: _____
 ENTERED BY: KEVIN REICHHOLD - 273

200595 09/09/2022 07:54 AM PAGE 1

PICK TICKET R558474

SOLD TO THOMPSON & SONS CONTRACTING INC
 300 TORBERT RD
 MILFORD DE 19963 7144
 Cus Ph# 302 335 3404

SHIP TO CUSTOMER PICKUP
 THOMPSON & SONS CONTRACTING INC
 Branch - 273
 25414 Prime Hook Rd
 Suite 100
 Milton DE 19968

SPECIAL INSTRUCTIONS/COMMENTS:

BRANCH NO.	DATE ORDERED	DATE SHIPPED	PURCHASE ORDER NO.	JOB NAME	JOB NUMBER	DELIVERY METHOD				BILL OF LADING NO.	SHIPPED VIA	SALESMAN
						OUR TRUCK	CUSTOMER PICK UP	DIRECT	SHIPPED			
273	9/09/22	9/9/22		PUBLIC SAFETY			X					293

BIN LOCATION	PRODUCT CODE	DESCRIPTION	QTY ORDERED	QTY SHIPPED	BACK ORDERED	UNIT PRICE	PER	AMOUNT
	Ordered by:	PIERCE						
W 011	27044GS	4 PVC SDR35 SWR 45 GXSP WEIGHT: .7500 lb	1	1			EA	
W 011	27044GG	4 PVC SDR35 SWR 45 GXG WEIGHT: .8500 lb	1	1			EA	
W 011	2704W04GGT	4X4 PVC SDR35 SWR T-WYE GXG WEIGHT: 1.6000 lb	1	1			EA	
	75FCB1140	C&B LAMP HOLE FRAME & COVER	1	1			EA	
W 011	2704CO	4 SDR35 CLEANOUT ADPT HXF L/PL WEIGHT: .4000 lb	1	1			EA	
W 011	2704PMS	4 SDR35 C/O THD PLUG RECESSED WEIGHT: .2500 lb	1	1			EA	
		TOTAL WEIGHT: 3.85						

MERCHANDISE SUBTOTAL	TAX	TAX AMOUNT	FREIGHT	DELIVERY	HANDLING	RESTOCKING	MISCELLANEOUS	TOTAL SALE
----------------------	-----	------------	---------	----------	----------	------------	---------------	------------

This transaction is governed by and subject to Core & Main's standard terms and conditions, which are incorporated by reference and accepted. To review these terms and conditions, please visit <http://tandc.coreandmain.com/>.



RECEIVED BY SIGNATURE: _____
 PRINT NAME HERE: _____

END OF ORDER

Thompson & Sons Contracting Inc.
300 Torbert RD
Milford, DE 19963

CHANGE ORDER DETAIL FORM
 (Provided by contractor, subcontractor or sub tier contractor)

DATE SUBMITTED: 9/15/2022
 CONTRACT: Public Safety Building CSED0001-Sitework
 CONTRACTOR: Thompson & Sons Contracting Inc.
 PROJECT NAME: Sussex County Public Safety Building
 CHANGE ORDER REQUEST: #9 ADD: (1) REMOVEABLE BOLLARD WITH COVER

LABOR SECTION			
TRADESMAN(s):	LABOR HOURS	RATE (per schedule)	SUBTOTAL
T&S Labor	4	\$40.00	\$160.00
Subtotal			\$160.00

MATERIAL SECTION			
MATERIAL:	QUANTITY	UNIT COST	SUBTOTAL
Beacon Removeable 1 Bollard & 1 Yellow Co			\$499.15
Misc. Hardware			\$50.00
Subtotal			\$549.15

EQUIPMENT SECTION			
EQUIPMENT:	QUANTITY	UNIT COST	SUBTOTAL
Subtotal			

See attached Beacon Industries Inc. Pricing & S/H	SUBTOTAL	\$709.15
1 Removable Bollard/1 Yellow Bollard Cover with Red Tape	SUBCONTRACTOR/ SUB TIER*	
Color	OH & PROFIT (15% GC only)	\$106.37
	10 % OH & PROFIT	
	OH & PROFIT (7.5% sub)	
	GRAND TOTAL	\$815.52



Beacon Industries, Inc.
 12300 Old Tesson Rd.
 St. Louis, MO 63128-2247 USA
 314-487-7600 Fax # 314-487-0100

QUOTE NO. 202228171

DATE: 9/13/22

www.beacontechnology.com

SOLD TO
 Thompson & Sons
 Bonnie Thompson
 944 Bay Rd
 Milford, DE 19963

SHIP TO
 Thompson & Sons
 Bonnie Thompson
 944 Bay Rd
 Milford, DE 19963

DATE REQUIRED ASAP	SHIP VIA Beacon	NOTES	TERMS CC	SALESMAN B-M
------------------------------	---------------------------	--------------	--------------------	------------------------

Qty.	Description	Price Each	Total
1	BBOL-RF-48-4.5 - Removeable Bollard - Surface Mounted Bollard Height : 48" Outside Diameter : 4 - 1/2"	304.70	304.70
1	B452YR - Bollard Covers - Blow Molded Shape : Round Sleeve Color : Yellow Tape Color : Red Height : Up to 52" Bollard Outside Diameter : 4.5" Cover Inside Diameter : 4.72" Cover Outside Diameter : 5"	44.45	44.45
	Shipping and Handling for Bollard	100.00	100.00
	Shipping and Handling for Bollard Cover	50.00	50.00
	Card Type: _____		
	Credit Card Number: _____		
	Expiration Date: _____ CVC Code: _____		
	Card Holder Name: _____		
	Billing Zip Code: _____		

Signature _____	Subtotal
Print _____	Sales Tax (0.0%)
Date _____	Total



Beacon Industries, Inc.
 12300 Old Tesson Rd.
 St. Louis, MO 63128-2247 USA
 314-487-7600 Fax # 314-487-0100

QUOTE NO. 202228171

DATE: 9/13/22

www.beacontechnology.com

SOLD TO		SHIP TO		
Thompson & Sons Bonnie Thompson 944 Bay Rd Milford, DE 19963		Thompson & Sons Bonnie Thompson 944 Bay Rd Milford, DE 19963		
DATE REQUIRED ASAP	SHIP VIA Beacon	NOTES	TERMS CC	SALESMAN B-M

Qty.	Description	Price Each	Total
	<p>***Lead-time to ship is approximately 5-10 working days plus transit time after receipt of signed Beacon quote and final approval drawing.***</p> <p>***INSTALLATION, ANCHORS, SUPERVISION, TESTING, ADJUSTMENTS, TRAINING, AND MAINTENANCE BY OTHERS.***</p> <p>It is the customer's responsibility to verify correctness of fit for applications. Customer is responsible for insuring the quoted material is suitable for desired application. It is the customer's responsibility to verify that this unit complies with all safety laws, codes and regulations.</p> <p>NOTE: Any modifications or additions to the above quoted equipment, may void the warranty and will relinquish Beacon Industries, Inc., of any and all product liability.</p> <p>This quote is all inclusive & supersedes any other documents.</p> <p>Quote is valid for 10 days.</p> <p>FREIGHT CLAIMS: Customer shall be responsible to count and inspect for any freight damage pieces received when signing the bill of lading. If truck line fails to delivery any pieces, customer shall mark on bill of lading what pieces are missing or damaged during shipping.</p> <p>*** This unit is made to order - NON RETURNABLE ***</p>		

Signature _____	Subtotal	\$499.15
Print _____	Sales Tax (0.0%)	\$0.00
Date _____	Total	\$499.15

Interest charged at 1.5% per month after 30 days of invoice date. Debtor responsible for payment of attorney fees, court costs & other collection costs if this invoice is not paid within 30 days of Invoice. Warranty is valid after full payment is received by Beacon. This quote & all warranties shall be interpreted & applied under Missouri law. Claims for shortages must be made within 10 days, or no claim is allowed at the time of settlement. No credit will be allowed for goods returned without the seller's authorization. All claims for damaged merchandise to be filed in 15 days of delivery with delivering carrier by customer. Concealed damage claims must be presented to Beacon within 3 business days after delivery. Final prices determined at time of each shipment. Quote is valid for 10 days. It is the customer's responsibility to verify correctness of fit for applications. It is the customer's responsibility to verify that this quote complies with all safety laws, codes & regulations.



Toll Free: 800 454-7159
Phone: 314 487-7600
Fax: 314 487-0100

BBOL-RF-48-4.5 Removable Post Bollard



Beacon® BBOL-RF series

Model Number: BBOL-RF-48-4.5

Description: Surface Mounted Bollard

Height: 48"

Outside Diameter: 4-1/2"

Shipping Weight (LBS): 37

Category: Removable Post Bollard

\$304.70 each

It is the customer's responsibility to verify BBOL-RF-48-4.5 correctness of fit for applications. It is the customer's responsibility to verify that this Removeable Bollard - BBOL-RF series complies with all safety laws, codes and regulations.

Tariffs or surcharges may apply to current published pricing.

BEACON INDUSTRIES, INC™

12300 Old Tesson Rd., St. Louis, MO 63128, USA

Ph: 314-487-7600 USA -

Call Toll Free USA 800-454-7159 - Fax: 314-487-0100

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Approval

This includes my approval of design and dimensions.

Signed: _____

Date: _____



Toll Free: 800 454-7159
Phone: 314 487-7600
Fax: 314 487-0100

B452YR Bollard Covers



Beacon® BSQ Series

Model Number: B452YR

Shape: Round

Sleeve Color: Yellow

Tape Color: Red

Height: Up to 52"

Bollard Outside Diameter: 4.5"

Cover Inside Diameter: 4.72"

Cover Outside Diameter: 5"

Shipping Weight (LBS): 20

Shipping Class: 60

Category: [Bollard Covers](#)

\$44.45 each

It is the customer's responsibility to verify B452YR correctness of fit for applications. It is the customer's responsibility to verify that this Bollard Covers - Blow Molded - BSQ Series complies with all safety laws, codes and regulations.

Tariffs or surcharges may apply to current published pricing.

BEACON INDUSTRIES, INC™

12300 Old Tesson Rd., St. Louis, MO 63128, USA

Ph: 314-487-7600 USA -

Call Toll Free USA 800-454-7159 - Fax: 314-487-0100

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Approval

This includes my approval of design and dimensions.

Signed: _____

Date: _____



Beacon Industries 12300
Old Tesson Rd
St. Louis, MO 63128-2247
Ph:800-454-7159

Title: Bollard Cover

Recommended Use:

Bollard, Post or
Pole Cover

Specifications:

See Below

Drawing Number: PG1

Date: 2/13/2018

Size: Various

Page: 1 of 1

BEACON BOLLARD COVER SPECIFICATION SHEET

MATERIAL

Marlex™ HHM 5502 BN High Density Polyethylene

Microthene™ MP635662 Linear Low Density

Polyethylene*

HDPE, hexene copolymer, is tailored for blow molded products that require excellent stiffness, impact strength and UV resistance. HDPE is designed for an optimum balance of density, molecular weight distribution, demonstrating maximum property advantages for large products. Blow molded HDPE products are durable and recyclable for sustainability. Six year UV stabilizer package is combined with the HDPE. Plastic and Resin are manufactured in the United States.

*Low Density PE, ethylene hexene copolymer. LDPE Resin is tailored for rotationally molded large hollow objects that require impact strength, warp resistance, stress crack resistance and UV stabilization.

** The Yellow color 8-7/8" x 72" bollard cover is stocked in HDPE. Other colors may be available in 8-7/8" HDPE as the market demands.

Approval

This includes my approval of design & dimensions.

Signed: _____

Date: _____

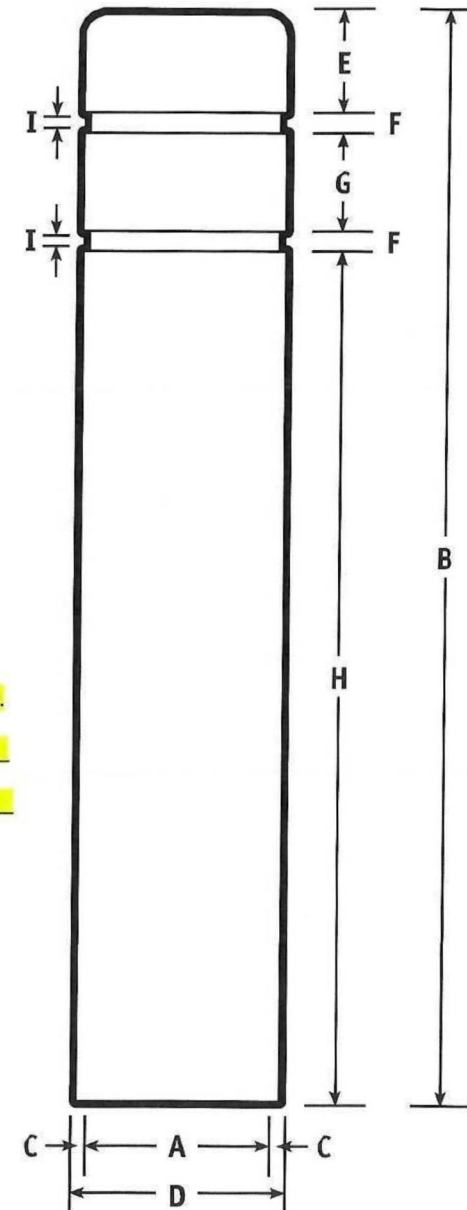
Reflective Stripes: 3 M Scotchlite Reflective Sheeting

Installation Strips: 2 foam strips

INSTALLATION

1. Crisscross the two foam strips over the top of the bollard.
2. Slide the Post Guard cover over the foam strips and the bollard.

	A	B	C	D	E	F	G	H	I
	ID Width/Dia	Height/Length	Thickness	OD Width/Dia		Recess			Reflect Tape
4.5" x 52"	4.72	52	.1406	5	2.875	.875	5.875	41.50	.75w
4.5" x 64"	4.72	64	.1406	5	2.875	.875	5.875	53.50	.75w
7" x 52"	7	52	.1719	7.34	2.875	.875	5.875	41.50	.75w
7" x 60"	7	60	.1719	7.34	2.875	.875	5.875	49.50	.75w
7" x 72"	7	72	.1719	7.34	2.875	.875	5.875	61.50	.75w
8 7/8" x 72"***	8.8125	72	.19	9.1857	3.875	.875	5.75	60.62	.75w
10 7/8" x 60"*	10.875	60	.22	11.3125	3.0	.875	5.75	49.50	1.0w
12 3/4" x 60"*	13.00	60	.20	13.4	3.0	.875	5.75	49.50	1.0w



Thompson & Sons Contracting Inc.
300 Torbert RD
Milford, DE 19963

CHANGE ORDER DETAIL FORM

(Provided by contractor, subcontractor or sub tier contractor)

DATE SUBMITTED: 10/5/2022
 CONTRACT: Public Safety Building CSED0001-Sitework
 CONTRACTOR: Thompson & Sons Contracting Inc.
 PROJECT NAME: Sussex County Public Safety Building
 CHANGE ORDER REQUEST:#15 REVISED Revised Drawing C3.0 HEAVY CONCRETE (SEE BELOW COMMENT)

LABOR SECTION			
TRADESMAN(s):	LABOR HOURS	RATE (per schedule)	SUBTOTAL
Subtotal			

MATERIAL SECTION			
MATERIAL:	QUANTITY	UNIT COST	SUBTOTAL
CREDIT 4" CONCRETE-Per Bid Documents	528 Sq Ft	\$5.00	-\$2,640.00
ADD HEAVY CONCRETE Per Revised C3.0	528 Sq Ft.	\$8.50	\$4,488.00
Subtotal			\$1,848.00

EQUIPMENT SECTION			
EQUIPMENT:	QUANTITY	UNIT COST	SUBTOTAL
Subtotal			

<p>Due to the Change on the Revised Drawing C3.0, It calls for Heavy Concrete by the new building. Bid Drawing only called for 4" Concrete. Credit for 4" Concrete is included in COR. Heavy Concrete per change drawing C3.0 has been installed as per REVISED C3.0 Dated: 12/26/2021</p>	SUBTOTAL	\$1,848.00
	CONTRACTOR/ SUB TIER*	
	OH & PROFIT (15% GC only)	\$277.20
	10 % OH & PROFIT	
	OH & PROFIT (7.5% sub)	
GRAND TOTAL	\$2,125.20	



Bancroft Construction
 1300 N Grant Ave Ste 101
 Wilmington , Delaware 19806
 P: 302 655 3434

Project: CSED0001 - Public Safety Bldg. Addition
 21911 Rudder Lane
 Georgetown , Delaware 19947

CHANGE EVENT #078 - Sprinkler Changes

Origin:

Date Created: 10/6/2022 **Created By:** Cheryl Fearn
Status: Open **Scope:** Out of Scope
Type: Owner Change **Change Reason:** Owner Directive
Description: Raise sprinkler main in corridor at owner's request per Bear T & M Ticket 34399
Attachments: [Sussex Cty EOC Change Order Ticket #34399.pdf](#)

CHANGE EVENT LINE ITEMS

Budget Code	Vendor / Contract	Revenue			Cost			Over/ Under	Budget Mod.
		ROM	Prime PCO	Latest Price	ROM	RFQ	Commit.		
15-301.06 Sprinkler System.Subcontract	Bear Industries, Inc. CSED0001-004	\$941.00	\$941.00	\$941.00	\$941.00			\$941.00	\$0.00
Description: raise sprinkler main in corridor									
1-511.02 Sr. Project Manager.Regular Labor		\$47.05	\$47.05	\$47.05				\$0.00	\$47.05
90-999.10 Fee.Fee & Field Cost		\$59.78	\$59.78	\$59.78				\$0.00	\$59.78
Grand Totals		\$1,047.83	\$1,047.83	\$1,047.83	\$941.00	\$0.00	\$0.00	\$941.00	\$106.83



Bear Industries, inc.

FIRE PROTECTION SYSTEMS

P.O. Box 9174 • Newark, DE 19714-9174
(302) 368-1311 • Fax (302) 368-9217

No. 34399

JOB # 3756



JOB NAME Sussex Co EOC DATE OF ORDER 8/25/22

JOB LOCATION Georgetown

JOB CONTACT: Buncraft PHONE # _____

BILL TO: _____ MECHANIC: Chip
APPRENTICE: Bill

- CONTRACT
- CHANGE ORDER
- SERVICE QUOTED
- TIME & MATERIAL
- EMERGENCY SERVICE
- INSPECTIONS
- DEFICIENCY REPAIR

DESCRIPTION OF WORK

- ① Raise 5 pc 6" sch 40 7"
- ② Cut 3.5" off 1 pc 6" - sch 40
- ③ Remake 13 Riser nipples

SYSTEM TYPE: WET DRY PRE ACTION DELUGE FIRE PUMP STANDPIPE

SYSTEM LEFT: INSERVICE IMPAIRED OUT OF SERVICE SERVICE COMPLETE: YES NO

QUANTITY	MATERIAL	UNIT COST	TOTAL	QUANTITY	MATERIAL	UNIT COST	TOTAL
1	6" 45 Gr	89-					
1	6" Gr Corp	27-					

LABOR	HOURS	AT	TOTAL
MECHANIC	5	95 ⁰⁰	475 ⁰⁰
APPRENTICE	5	70 ⁰⁰	350 ⁰⁰
TECHNICIAN			
MECH. OT			
APPR. OT			

VISA _____ EXP DATE _____
 MASTERCARD _____ EXP DATE _____

OVERTIME

SATURDAY SUNDAY
 EVENING HOLIDAY

TOTAL MATERIAL	116.00
TOTAL LABOR	825.00
TAX	
TOTAL AMOUNT	941.00

ARRIVED _____ DEPARTED _____
 GC OWNER AUTHORIZED PERSON AM / PM AM / PM

PRINT NAME MIKE KALAPIT TITLE PM PO# _____
 SIGNATURE Mike Kalapit DATE 9/5/22 CONTRACT# _____
 WHITE - OFFICE YELLOW - OFFICE PINK - PURCHASING GOLD - CUSTOMER

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

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Credits from Continental Electric for two scope reductions, and then additional work for the plaza revisions and lighting for the new EMS memorial.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes No

E. APPROVALS

1. Bancroft Construction Company, Contractor

Wesley Reed 11/9/22
Signature Date

Wesley Reed
Representative's Name in Block Letters

2. Sussex County Engineer

Thomas Chellay 11/9/22
Signature Date

3. Sussex County Council President

Signature Date



Bancroft Construction
1300 N Grant Ave Ste 101
Wilmington, Delaware 19806
Phone: 302 655 3434

Project: CSED0001 - Public Safety Bldg. Addition
21911 Rudder Lane
Georgetown, Delaware 19947

DRAFT

Prime Contract Potential Change Order #019: Revisions11 & 12 Electrical

Table with 4 columns: TO, FROM, PCO NUMBER/REVISION, CONTRACT, REQUEST RECEIVED FROM, CREATED BY, STATUS, CREATED DATE, REFERENCE, PRIME CONTRACT CHANGE ORDER, FIELD CHANGE, LOCATION, ACCOUNTING METHOD, SCHEDULE IMPACT, PAID IN FULL, TOTAL AMOUNT.

POTENTIAL CHANGE ORDER TITLE: Revisions11 & 12 Electrical

CHANGE REASON: Owner Directive

POTENTIAL CHANGE ORDER DESCRIPTION: (The Contract Is Changed As Follows)
CE #067 - Revisions11 & 12

ATTACHMENTS:
CO 6 -11 12 Added Fixtures at entrance REV 1.pdf

Table with 5 columns: #, Cost Code, Description, Type, Amount. Includes line items for electrical work and summary rows for BCC GCs, Bond, Profit, and Grand Total.

Morgan Helfrich (George, Miles & Buhr, LLC)
400 High Street
Seaford Delaware 19973

Sussex County Delaware
2 The Circle P.O. Box 589
Georgetown Delaware 19947

Bancroft Construction Company
1300 N. Grant Avenue Suite 101
Wilmington Delaware 19806

Michael Kalafut 11/09/22

SIGNATURE DATE

SIGNATURE DATE

SIGNATURE DATE



Bancroft Construction
 1300 N Grant Ave Ste 101
 Wilmington , Delaware 19806
 P: 302 655 3434

Project: CSED0001 - Public Safety Bldg. Addition
 21911 Rudder Lane
 Georgetown , Delaware 19947

CHANGE EVENT #067 - Revisions11 & 12

Origin:

Date Created: 8/25/2022 **Created By:** Tyler Lewis
Status: Open **Scope:** Out of Scope
Type: Owner Change **Change Reason:** Owner Directive

Description:

Attachments: [CO 6 -11 12 Added Fixtures at entrance REV 1.pdf](#), [Consolidated revisions 11_12.pdf](#)

CHANGE EVENT LINE ITEMS

Budget Code	Vendor / Contract	Revenue			Cost				Over/ Under	Budget Mod.
		ROM	Prime PCO	Latest Price	ROM	RFQ	Commit.	Latest Cost		
02-001.06 Site Construction.Subcontra ct	Thompson & Sons ContractingInc CSED0001001	\$0.00		\$0.00	\$0.00			\$0.00	\$0.00	
16-001.06 Electrical.Subcontract	Continental Electrical Service CSED0001-016	\$9,277.00	\$9,277.00	\$9,277.00	\$9,277.00			\$9,277.00	\$0.00	

Description:

CE #76 Thickened Slab for Monument

Description:

Continental CO #6

Budget Code	Vendor / Contract	Revenue			Cost				Over/ Under	Budget Mod.
		ROM	Prime PCO	Latest Price	ROM	RFQ	Commit.	Latest Cost		
02-920.06 Lawns and Grasses.Subcontract	Realty Landscaping Corp CSED0001-023	\$0.00		\$0.00	\$0.00			\$0.00	\$0.00	
03-330.06 Architectural Concrete.Subcontract	D.W. Masonry, Inc. CSED0001-015	\$0.00		\$0.00	\$0.00			\$0.00	\$0.00	
02-001.06 Site Construction.Subcontra ct	Thompson & Sons ContractingInc CSED0001001	\$0.00		\$0.00	\$0.00			\$0.00	\$0.00	
Description: CE #76 Bollard										
1-511.02 Sr. Project Manager.Regular Labor		\$0.00	\$463.85	\$463.85				\$0.00	\$463.85	
90-999.10 Fee.Fee & Field Cost		\$0.00	\$589.32	\$589.32				\$0.00	\$589.32	
Grand Totals		\$9,277.00	\$10,330.17	\$10,330.17	\$9,277.00	\$0.00	\$0.00	\$9,277.00	\$1,053.17	\$0.00

CONTINENTAL Electrical Services LLC.

CHANGE ORDER REQUEST

Submitted To: Bancroft Construction

Original Contract: _____

Job Name: Sussex County Public Safety Bldg

Date: 11/9/2022

Job #: 21-257

Change Order #: 6 REV 1

This Change Order Request (C.O.R.) contains an itemized quotation for changes in the Contract Sum or Contract Time in response to proposed modifications to the Original Contract: _____.

Description of Proposed Changes:

- Revision 11,12 Changes. New underground lighting at entrance

Delete recessed fixture , Labor only light fixture has already been delivered.

Delete scope for Tele/Data duct bank

Attached supporting information from: Subcontractor Supplier

<u>Labor:</u>				<u>Total</u>
<u>Class</u>	<u>Rate</u>	<u>Hours</u>		
Foreman	\$ -			\$ -
Journeyman	\$ 95.00	15		\$ 1,453.50
Apprentice	\$ -			\$ -
PM/Office	\$ 175.00	1		\$ 175.00
Labor Total =				\$ 1,628.50
<u>Material:</u>				
Misc. Material				\$ (2,126.40)
Quoted Material		Yale Lighting		\$ 8,484.00
Quoted Material				\$ -
Quoted Material				\$ -
Quoted Material				\$ -
Material Total =				\$ 6,357.60
Safety				\$ 40.71
Shipping / Receiving				\$ 89.01
Consumables				\$ 95.36
Warranty				\$ 32.57
Gross / Receipts Tax				\$ 79.86
Bond				\$ -
Misc. Total =				\$ 337.51
Sub Total =				\$ 8,323.61
				\$ -
Overhead & Profit				\$ 953.64
Grand Total =				\$ 9,277

We propose hereby to furnish material and labor in accordance with above specifications for the sum of:

Nine Thousand Two Hundred Seventy Seven Dollars and 00/100..... **\$ 9,277**

Above additional work to be performed under same conditions as specified in original contract unless otherwise stipulated. The Revision becomes part of and in conformance with, the existing contract and can be voided.

Authorized Signature: John McKee

Signature: _____

Date: _____

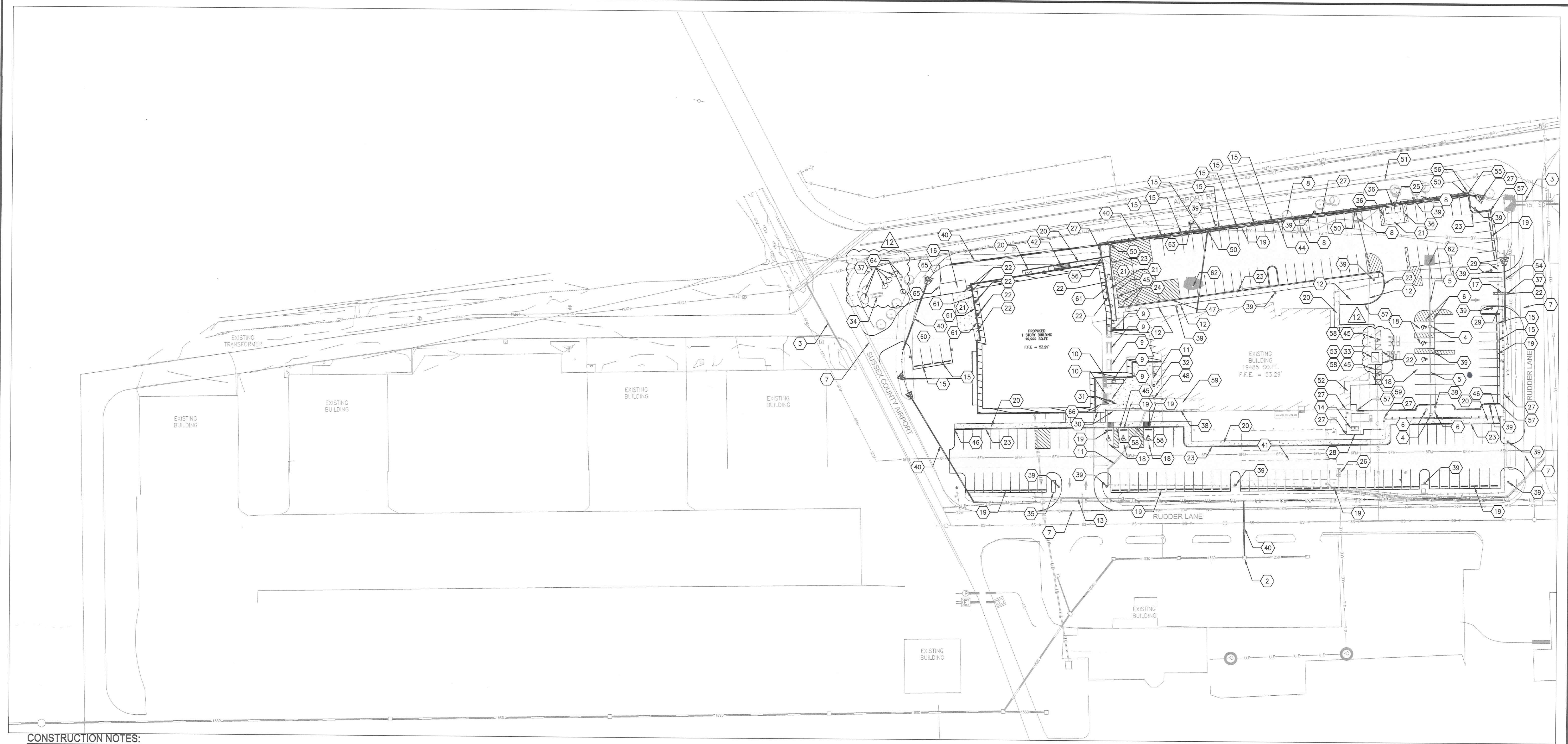
PRICING SHEET

PROJECT: Sussex County Public Safety

WORK ITEM: CO 6

SHT 2
 OF _____
 DATE _____
 EXT BY _____
 EST BY _____
 CHK BY _____

DESCRIPTION	QTY	MATERIAL		LABOR HOURS		LIFT
		UNIT	TOTAL	LABOR	TOTAL	
			-		-	
2 foot Ground Box	1	5.000	5.00	2.000	2.00	
supports	2	5.000	10.00	0.500	1.00	
			-		-	
3foot ground box	2	5.000	10.00	3.000	6.00	
supports	6	5.000	30.00	0.500	3.00	
			-		-	
3 foot 90 degree	2	5.000	10.00	1.000	2.00	
supports	2	5.000	10.00	0.500	1.00	
			-		-	
2 foot inner box	1		-	2.000	2.00	
			-		-	
3 foot inner box	2	5.000	10.00	3.000	6.00	
			-		-	
PVC Conduit	20	2.500	50.00	0.200	4.00	
			-		-	
THHN Copper	60	0.850	51.00	0.020	1.20	
			-		-	
DELETE Recessed Fixture	-1		-	1.000	(1.00)	
			-		-	
Delete 4" PVC	-120	7.520	(902.40)	0.040	(4.80)	
			-		-	
Delete concrete Yards	-2	150.000	(300.00)	1.000	(2.00)	
			-		-	
Delete 90	-6	85.000	(510.00)	0.250	(1.50)	
			-		-	
Junction Box	-1	500.000	(500.00)	2.000	(2.00)	
			-		-	
			-		-	
Excavation	-40	2.500	(100.00)	0.040	(1.60)	
			-		-	
Scizzor lift	-		-		-	0
TOTAL MATERIAL			(2,126.40)	TOTAL HOURS	15.30	

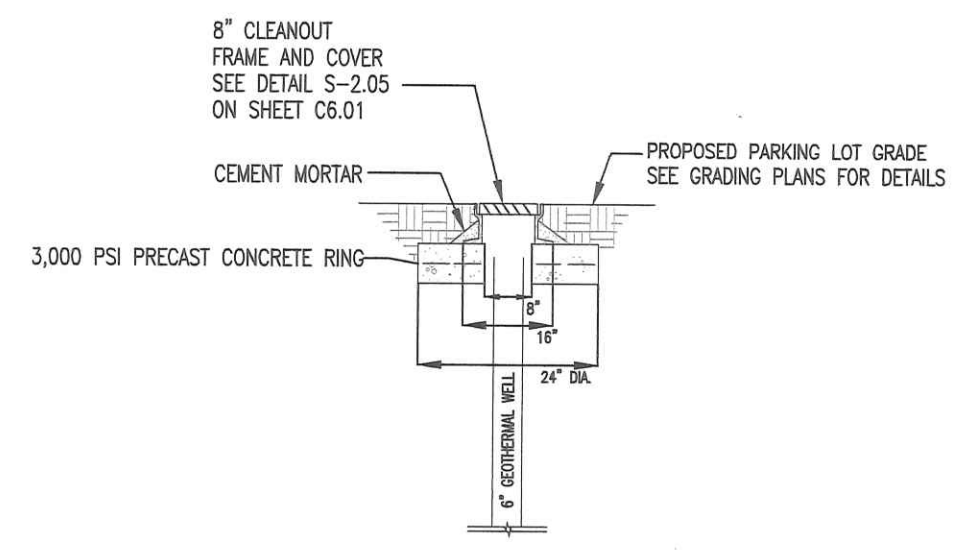


CONSTRUCTION NOTES:

- 2 TIE-INTO EXISTING STORM DRAIN STRUCTURE. SEE PROFILE ON SHEET C10.1.
- 3 EXISTING CULVERT CROSSING TO REMAIN.
- 4 EXISTING CATCH BASIN TO BE REMOVED.
- 5 EXISTING PIPE TO BE REMOVED.
- 6 EXISTING LIGHT POLES TO BE REMOVED AND REPLACED. SEE ELECTRICAL PLANS FOR DETAILS.
- 7 PAVEMENT TIE-IN. SEE DETAIL ON SHEET C9.1.
- 8 EXISTING TREE TO BE REMOVED.
- 9 EXISTING IMPACT REINFORCED LANDSCAPING PLANTER TO BE REMOVED.
- 10 EXISTING STONE TO BE REMOVED.
- 11 EXISTING IMPACT REINFORCED WALL TO BE REMOVED.
- 12 EXISTING GEOTHERMAL WELLS. TO BE LOWERED AND PAVED AS NECESSARY IN PARKING AREA. SEE MECHANICAL PLANS FOR DETAILS. SEE THIS SHEET FOR WELL CAP DETAIL.
- 13 EXISTING CULVERT CROSSING TO BE REMOVED.
- 14 PROPOSED COMMAND VEHICLE HOOKUP. SEE FIRE MARSHAL PLANS FOR DETAILS.
- 15 PROPOSED POWER PEDESTAL. SEE ELECTRICAL PLANS FOR DETAILS. SEE SHEET C9.1 FOR PEDESTAL FOUNDATION.
- 16 PROPOSED GENERATOR PAD. SEE ELECTRICAL PLANS FOR DETAILS.
- 17 REPLACE EXISTING POWERED GATE. SEE NOTE 22 ON THIS SHEET. SEE SHEET C9.3 FOR DETAILS.
- 18 PROPOSED ADA COMPLIANT PARKING SPACE. SEE DETAIL ON SHEET C9.1.
- 19 PROPOSED WHEEL STOP (TYPICAL). SEE DETAIL ON SHEET C9.1.
- 20 PROPOSED CONCRETE SIDEWALK (TYPICAL). TIE GRADING TO NOSE DOWN CURB.
- 21 PROPOSED HEAVY DUTY CONCRETE. SEE DETAIL ON SHEET C9.1.
- 22 PROPOSED BOLLARDS. SEE DETAIL ON SHEET C9.1.
- 23 PROPOSED CURB TYPE 1-6. SEE DETAIL ON SHEET C9.1.
- 24 EXISTING FLAGPOLE TO BE REMOVED AND STORED FOR FUTURE USE. SEE SHEET C9.3 FOR FOUNDATION DETAIL.
- 25 PROPOSED DUMPSTER LOCATION. SEE DETAIL ON SHEET C9.4.
- 26 PROVIDE TRAFFIC RATED MANHOLE FOR EXTENSION AND CONNECTION OF MOBILE COMMAND VEHICLE EQUIPMENT (TO BE RELOCATED). SEE ELECTRICAL PLANS FOR DETAILS. SEE SHEET C9.1. FOR MANHOLE DETAIL.
- 27 PROPOSED FENCE. SEE SHEET C9.3 FOR DETAIL.
- 28 PROPOSED MANUAL ENTRY GATE. SEE SHEET C9.3 FOR DETAIL.

- 29 PROPOSED VEHICULAR CANTILEVER GATE SYSTEM AND OPERATOR. SEE DETAILS SHEETS C3.2 AND C9.3.
- 30 PROPOSED BENCH WALL. SEE SHEET C9.3 FOR DETAIL.
- 31 PROPOSED FLAGPOLE LOCATION. INSTALL SPECIFIED FLAGPOLES.
- 32 CONCRETE PAD. SEE STRUCTURAL PLANS FOR REINFORCED SLAB AREA.
- 33 PROPOSED COOLING TOWER LOCATION. COOLING TOWER TO BE LOCATED ON RAISED PLATFORM. INSTALL BOLLARDS AROUND PLATFORM. SEE MECHANICAL PLANS FOR COOLING TOWER DETAIL. SEE STRUCTURAL PLANS FOR PLATFORM DETAIL. VERIFY FINAL LOCATION PROVIDES ADEQUATE CLEARANCE FROM EXISTING SEWER CLEANOUT.
- 34 EXISTING SIGN TO REMAIN.
- 35 PROPOSED FUTURE SITE SIGN. SEE ELECTRICAL PLANS FOR ROUGH-IN DETAILS.
- 36 PROPOSED PRIVACY SCREEN. SEE SHEET C9.3 FOR DETAIL.
- 37 PROPOSED GATE KEY PAD BY OTHERS.
- 38 PATCH CONCRETE PAD WHERE FENCE IS REMOVED.
- 39 PROPOSED LIGHT POLE, TYPICAL. SEE ELECTRICAL PLANS FOR DETAILS.
- 40 SEE SHEETS C10.0, C10.1, C11.1, C11.2 FOR DETAILS ON STORM DRAIN INSTALLATION.
- 41 APPROXIMATE LOCATION OF EXISTING GEOTHERMAL WELL FIELD TO BE PAVED. NO CAP NEEDED FOR WELL FIELD IN THIS LOCATION.
- 42 EXTERIOR STAIRS TO MEZZANINE. SEE DETAIL ON A6.2.
- 43 DEPRESSED CURB.
- 44 MODIFIED INTEGRAL P.C.C CURB. SEE DETAIL ON SHEET C9.1.
- 45 PAVEMENT FLUSH WITH SIDEWALK ELEVATION.
- 46 NOSE DOWN CURB JUST BEYOND SIDEWALK. TIE GRADING TO NOSE DOWN CURB.
- 47 TRANSITION DEPTH OF CURB REVEAL THROUGH THIS AREA.
- 48 PROPOSED COLUMNS.
- 49 FENCE TO BE INSTALLED IN TOP OF CURB. SEE DETAIL ON SHEET C9.1.
- 50 PROPOSED MANHOLE OR INLET. SEE DETAIL ON SHEET C11.1.
- 51 EXISTING SWALE TO REMAIN.
- 52 EXISTING SIDEWALK TO REMAIN.
- 53 TRANSITION EXISTING SIDEWALK TO PROPOSED SIDEWALK.
- 54 EXISTING CULVERT TO BE REMOVED AND REPLACED.
- 55 TRANSITION CURB TO MODIFIED CURB.

- 56 END OF MODIFIED P.C.C CURB.
- 57 NOSE DOWN CURB.
- 58 PROPOSED HANDICAP RAMP. SEE DETAIL SHEET C9.2.
- 59 EXISTING CONCRETE TO REMAIN
- 60 HEAVY DUTY PAVEMENT SECTION. SEE DETAIL SHEET C9.1.
- 61 PROPOSED OVERHEAD DOORS. SEE ARCHITECTURE PLANS FOR DETAILS.
- 62 REMOVE END SECTION AND RIPRAP.
- 63 PROPOSED CURB TYPE 1-6. SEE DETAIL SHEET C9.1.
- 64 EXISTING TRANSFORMER TO BE REMOVED AND RELOCATED. SEE ELECTRICAL PLANS FOR DETAILS.
- 65 BETWEEN POINTS TRANSITION TO MAX 5" REVEAL ON BACK OF PAD TO HOLD 3:1 SIDE SLOPE TO PROPOSED SWALE.
- 66 PROPOSED REMOVABLE BOLLARD. SEE DETAIL SHEET C9.1.
- 67 DECORATIVE BOULDERS BY OWNER, COORDINATE LOCATION WITH OWNER.



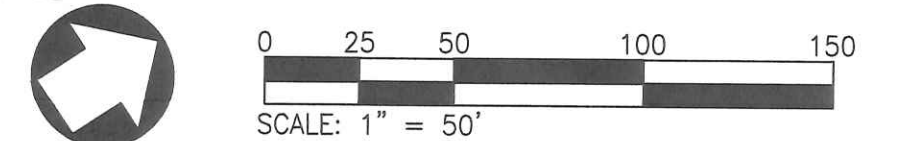
GEOTHERMAL WELL CAP
NO SCALE

GENERAL NOTES:

1. EXISTING UTILITY INFORMATION IS APPROXIMATE. UTILITY INFORMATION IS FROM A COMBINATION OF SURVEY PERFORMED BY GMB AND AVAILABLE AS-BUILT DATA PROVIDED BY SUSSEX COUNTY. CONTRACTOR SHOULD TEST PIT PRIOR TO UTILITY INSTALLATION TO CONFIRM EXISTING UTILITY LOCATION AND DEPTH. REPORT DISCREPANCIES TO ENGINEER.

LEGEND

EXISTING	PROPOSED



NO.	REVISION	DATE
6	ROOF DRAIN REVISION	12/7/2021
7	WINDOW REVISION	12/14/2021
8	COUNTY SITE GRADING REVISIONS	12/26/2021
9	DRAWING REVISIONS	1/21/2022
10	ECC KITCHEN REVISIONS	2/21/2022
11	MEMORIAL PLAZA REVISIONS	4/8/2022
12	TRANSFORMER RELOCATION AND SITE WORK	4/28/2022

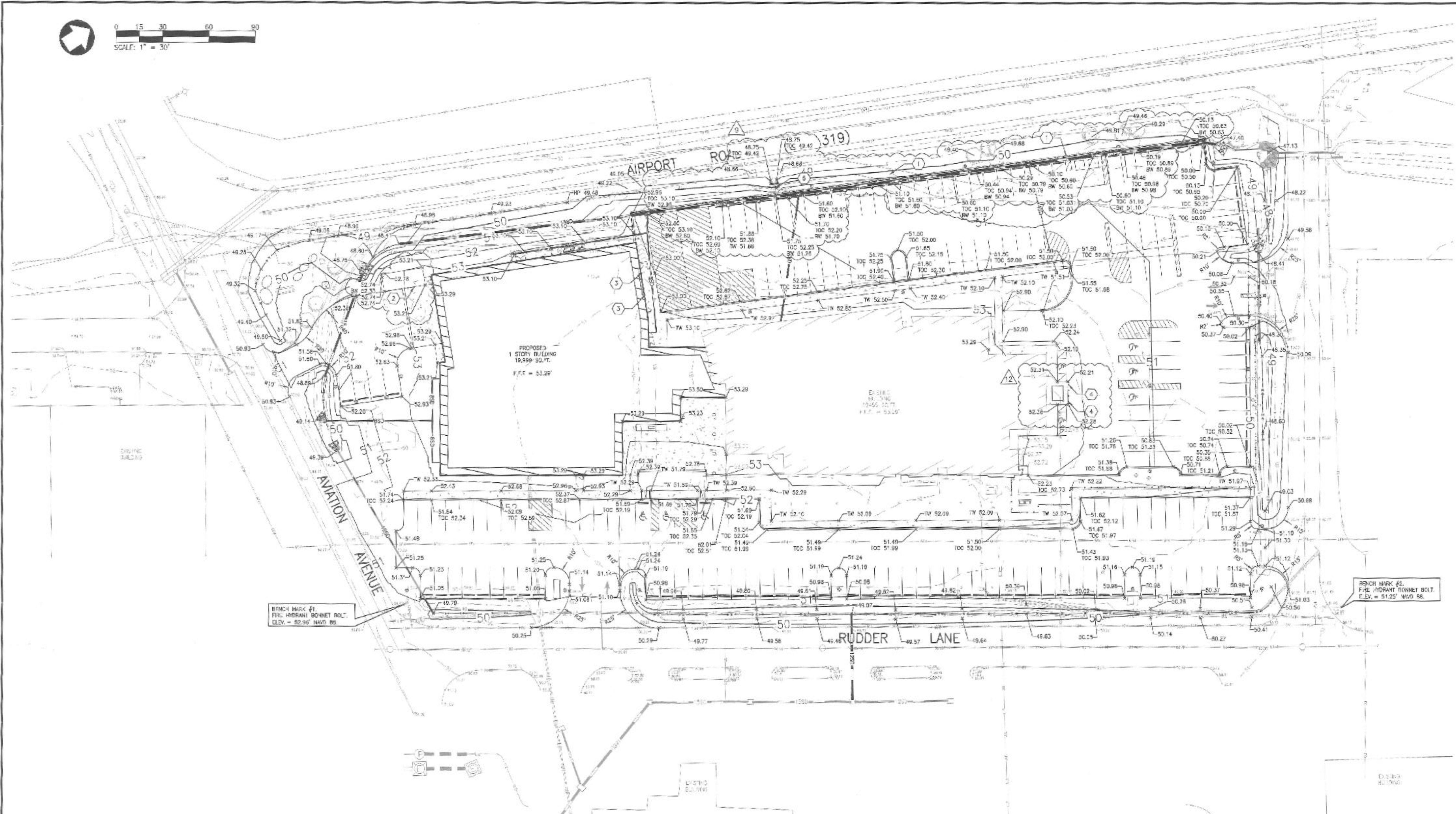
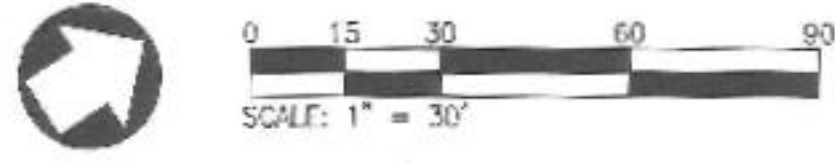
GMB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SAUSBURY - BALTIMORE - SEAFORD
 www.gmbnet.com

NEW ADDITION FOR:
SUSSEX COUNTY PUBLIC SAFETY BUILDING
 GEORGETOWN, DELAWARE

SITE PLAN

SCALE: 1" = 50'
DESIGN BY: CJP
DRAWN BY: RFT
CHECKED BY: SLM
GMB FILE: 180173
DATE: MAY 2022

C3.0



GENERAL NOTES:

1. ALL DEMOLITION ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH THE MOST RECENT EDITION OF THE DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK.
2. EXISTING UTILITY INFORMATION IS APPROXIMATE. UTILITY INFORMATION IS FROM A COMBINATION OF SURVEYS PERFORMED BY GMB AND AVAILABLE AS-BUILT DATA PROVIDED BY SUSEX COUNTY. CONTRACTOR SHOULD TEST PRIOR TO UTILITY INSTALLATION TO CORROBORATE EXISTING UTILITY LOCATION AND DEPTH. REPORT DISCREPANCIES TO ENGINEER.

CONSTRUCTION NOTES:

1. MAX SIDE SLOPE BEHIND CURB TO EXISTING.
2. FURNISH AND INSTALL (8) SIX BOLLARDS (TYPICAL). SEE DETAIL ON SHEET C3.1.
3. FURNISH AND INSTALL (2) TWO BOLLARDS (TYPICAL). SEE DETAIL ON SHEET C3.1.
4. FURNISH AND INSTALL (4) FOUR BOLLARDS (TYPICAL). SEE DETAIL ON SHEET C3.1.
5. MAX CURB SLOPE BETWEEN TYPIC 1-B CURB AND MOTORIZED TYPIC 1-B CURB.

NO.	REVISION	DATE
6	ROOF DRAIN REVISION	12/17/2021
7	WINDOW REVISION	17/14/2022
8	COUNTY SITE GRADING REVISIONS	12/26/2022
9	DRAWING REVISIONS	1/27/2023
10	LOC. KITCHEN REVISIONS	2/27/2023
11	MEMORIAL PLAZA REVISIONS	4/9/2023
12	TRANSFORMER RELOCATION AND SITE WORK	4/28/2023

GMB
 GEORGE, MILLS & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SUDBURY • SAITHEIM • WILMINGTON
 www.gmbllc.com

NEW ADDITION FOR:
**SUSSEX COUNTY PUBLIC
 SAFETY BUILDING**
 GEORGETOWN, DELAWARE

CRADING PLAN

SCALE	1" = 30'
DESIGN BY	D.L.B./J.W.
DRAWN BY	D.L.B./J.W.
CHECKED BY	SLM
SNIP FILE	180173
DATE	MAY 2022

C3.1

G:\Projects\2023\180173 Sussex County Public Safety Building - 180173.dwg (1/27/2023) - 12:00:00 PM



VAN ACCESSIBLE SIGN

SIGN TO UTILIZE AN ALUMINUM BLANK 6" X 12" X 0.0800" THICK WITH TWO SINGLE POST MOUNTING HOLES.

THE TEXT AND BORDER SHALL BE STANDARD GREEN TO MATCH THAT ON R7-8, AND THE BACKGROUND SHALL BE REFLECTIVE WHITE. TEXT SHALL BE IN 2" CHARACTERS.

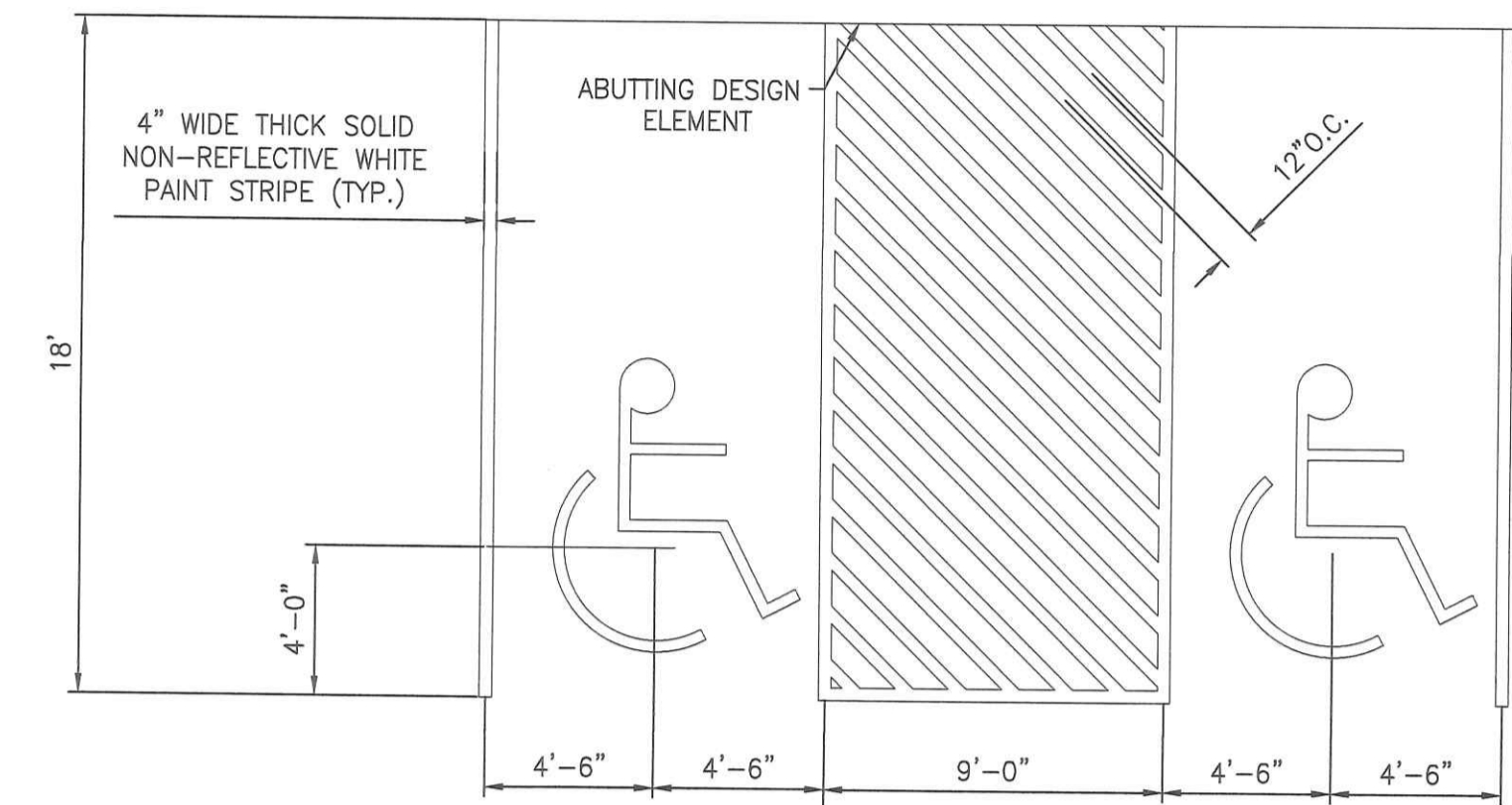
VAN ACCESSIBLE SIGN SHALL BE MOUNTED AT EACH VAN ACCESSIBLE SPACE

SIGNS SHALL BE MOUNTED DIRECTLY BELOW THE STANDARD R7-8 RESERVE PARKING FOR HANDICAPPED SIGN. ITS BOTTOM EDGE SHALL BE NO LESS THAN 7 FEET ABOVE GROUND. IF THE SIGN IS PLACED AGAINST A BUILDING, STRUCTURE, OR OTHER LOCATION WHERE VEHICLE OR PEDESTRIAN TRAFFIC IS NOT OBSTRUCTED THE BOTTOM EDGE OF THE SIGN SHALL BE AT LEAST 6 FEET BUT NOT MORE THAN 10 FEET ABOVE GROUND.

COLORS

GREEN - LEGEND AND BORDER
 WHITE - SYMBOL ON BLUE BACKGROUND
 WHITE - BACKGROUND

ADA ACCESSIBLE PARKING SIGN DETAIL
NO SCALE

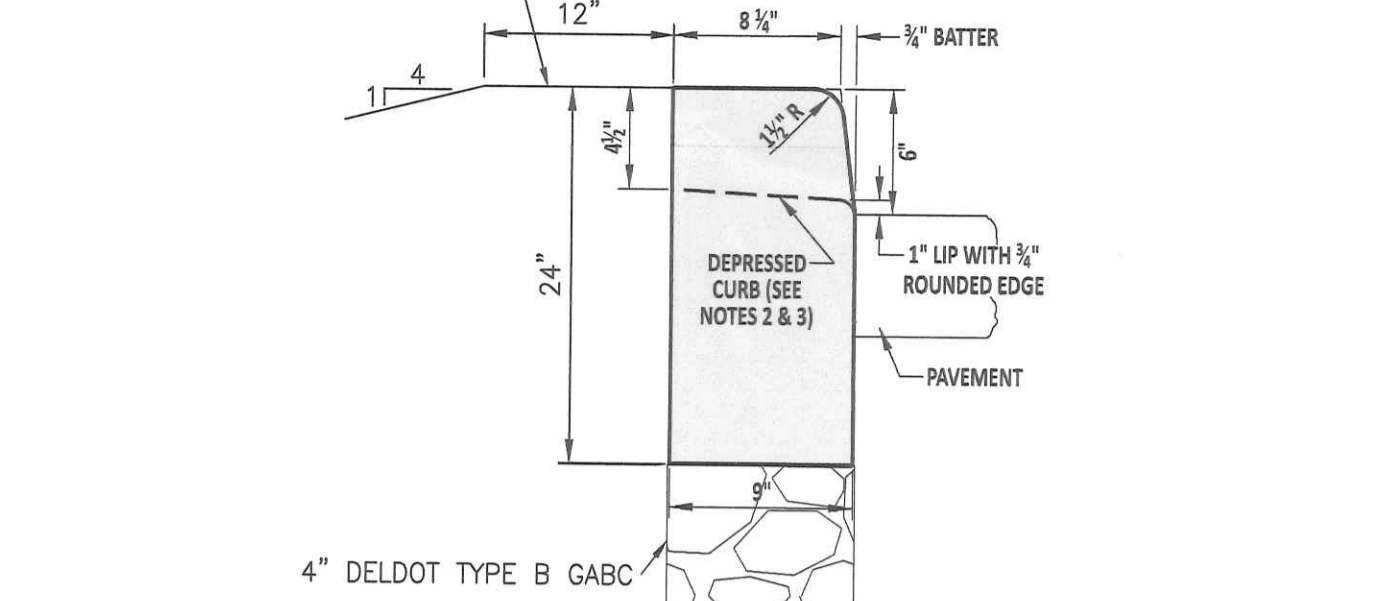


NOTES

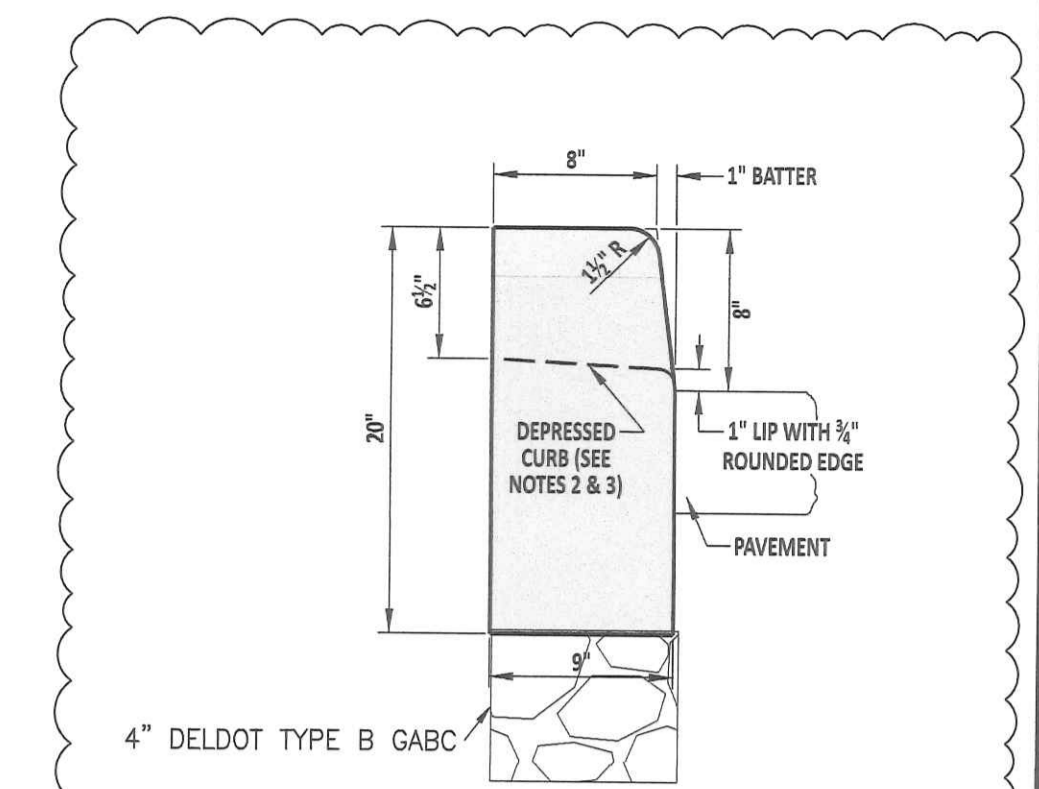
1. STRIPING SHOULD END AT FACE OF CURB
2. STRIPING MATERIAL AND METHODS OF CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST MUTCD EDITION AND SHA STDS. & SPECS.
3. STRIPING MUST COMPLY WITH ADA REQUIREMENTS.

ADA ACCESSIBLE PARKING SPACE
NO SCALE

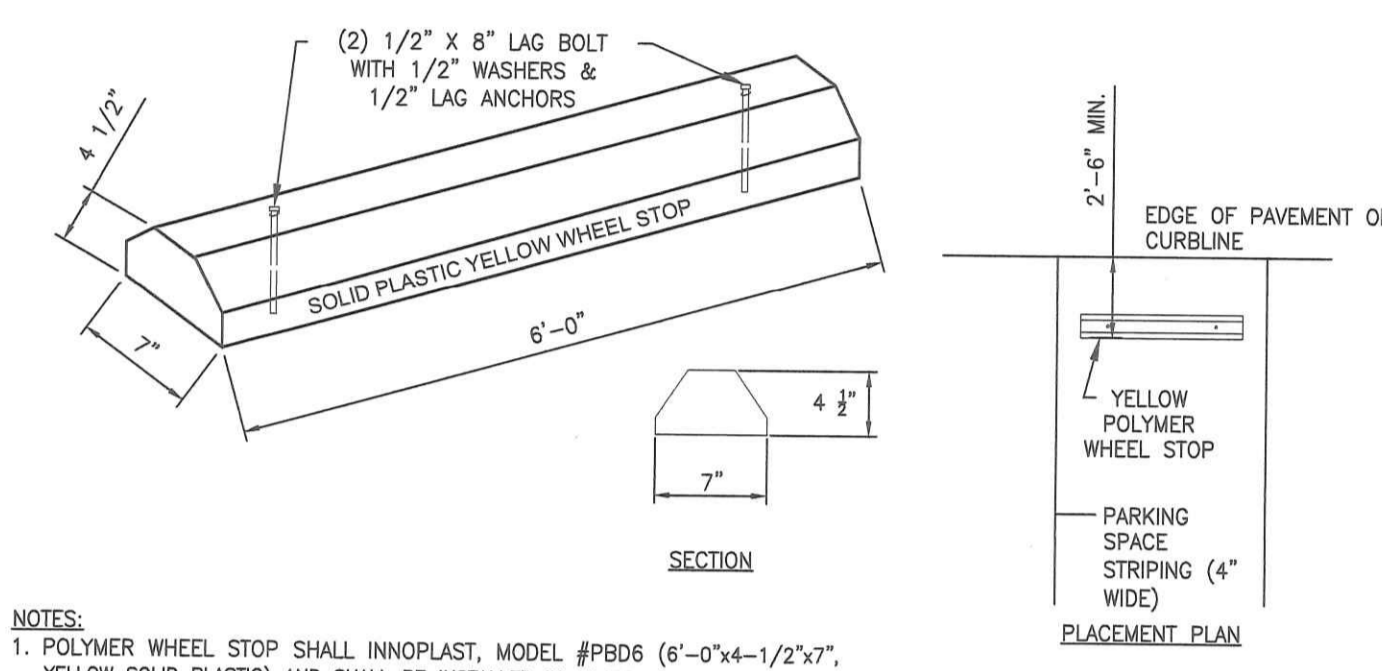
12" FLAT AREA FOR FENCE INSTALLATION. GRADE MAY VARY RELATIVE TO TOP OF CURB. MAX 6" BELOW TOP OF CURB FOR GRADING TIE-IN.



P.C.C. CURB TYPE 1-6 DETAIL MODIFIED AT FENCE LOCATION - WEST EDGE OF PARKING LOT
NO SCALE



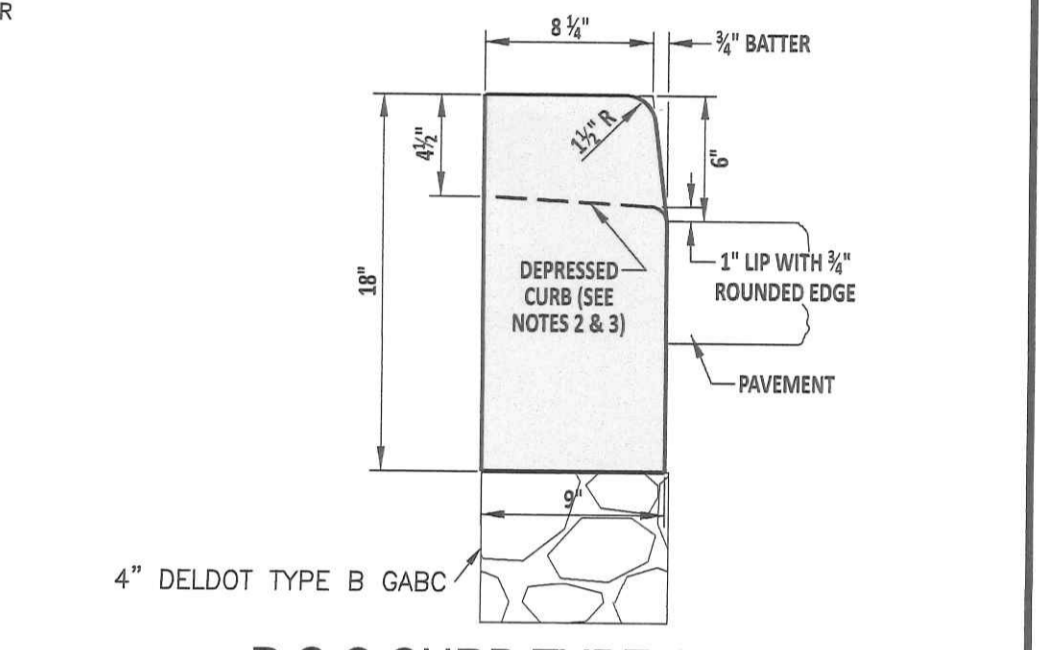
P.C.C. CURB TYPE 1-8 DETAIL
NO SCALE



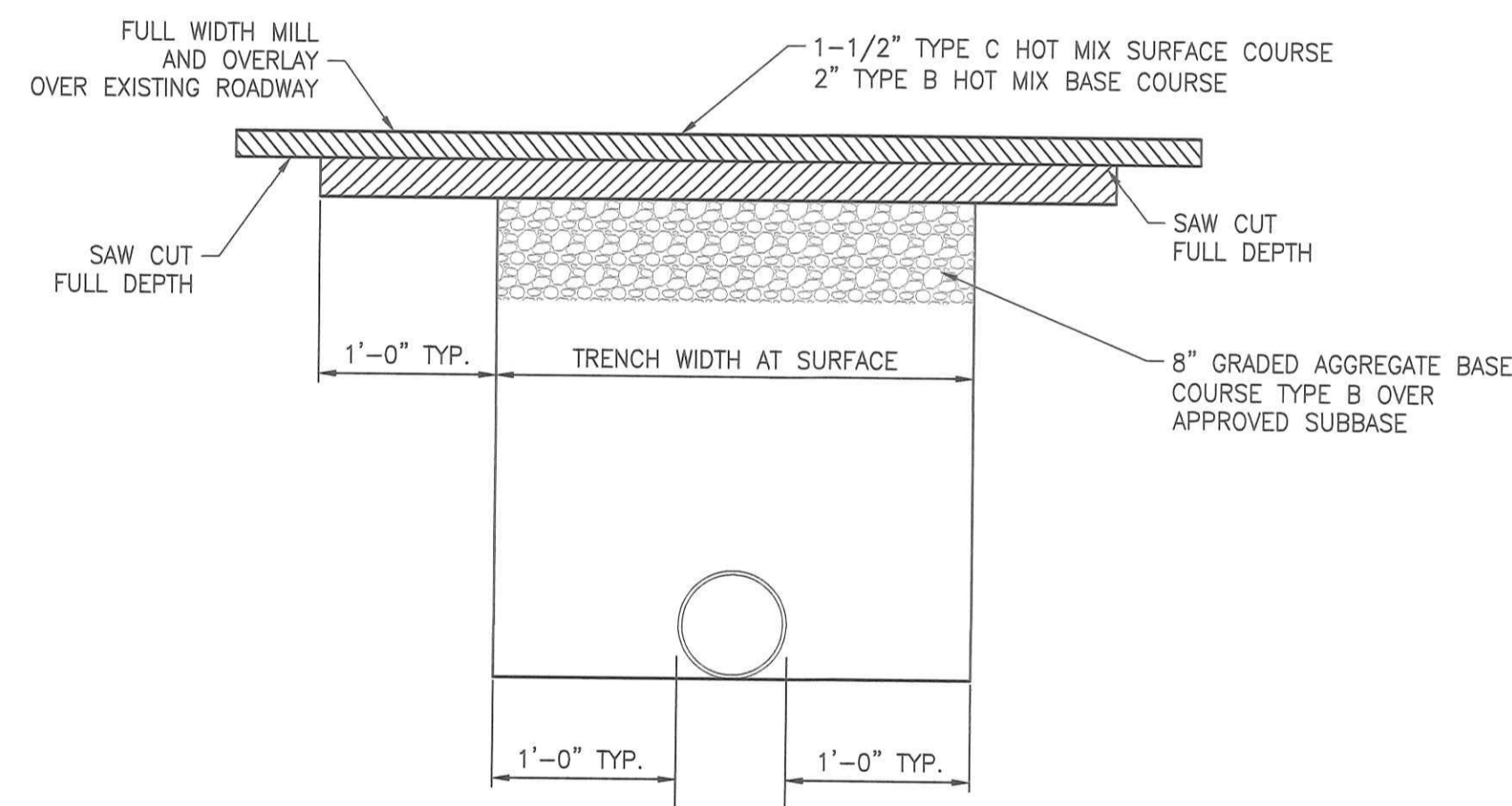
NOTES

1. POLYMER WHEEL STOP SHALL INNOPLAST, MODEL #P806 (6'-0" x 1/2" x 7"). YELLOW SOLID PLASTIC AND SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. REFER TO PLAN SET FOR LOCATIONS OF PROPOSED WHEEL STOPS.
3. WHEEL STOPS SHALL BE YELLOW SO AS TO CONTRAST WITH PAVEMENT SURFACE. WHEEL STOPS MUST BE PERPETUALLY MAINTAINED BY PROPERTY OWNER OR PARTY RESPONSIBLE FOR SITE MAINTENANCE.

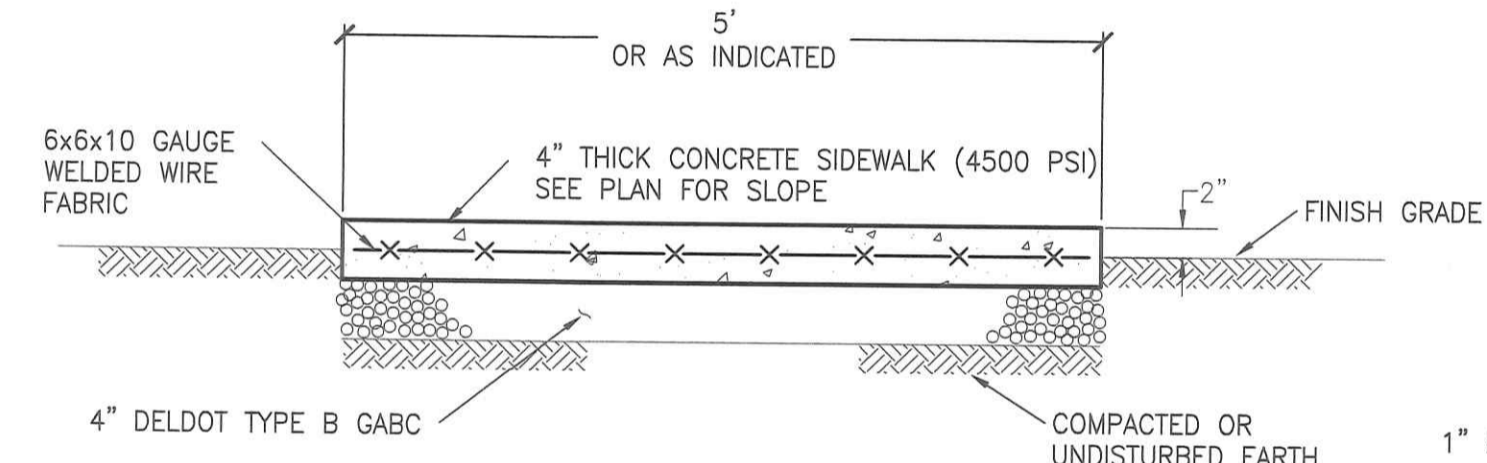
POLYMER WHEEL STOP DETAIL
NO SCALE



P.C.C. CURB TYPE 1-6 DETAIL
NO SCALE



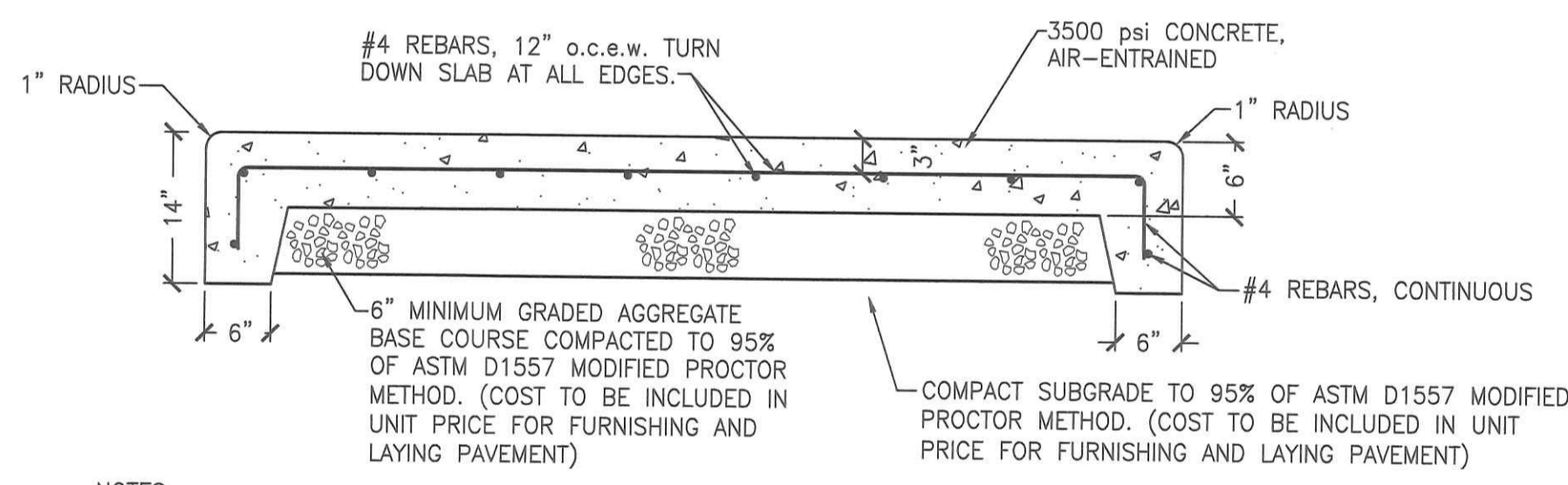
PAVEMENT RESTORATION OVER TRENCH DETAIL
NO SCALE



NOTES

1. PROVIDE EXPANSION JOINTS AT INTERVALS NOT GREATER THAN 20 FEET.
2. WHEN JOINING NEW SIDEWALK WITH EXISTING SIDEWALK: MATCH EXISTING SIDEWALK ELEVATION. SAWCUT EXISTING SIDEWALK AND PROVIDE EXPANSION JOINT BETWEEN NEW AND EXISTING SIDEWALK.
3. USE 1.5 LBS OF FIBER REINFORCEMENT PER CUBIC YARD OF CONCRETE

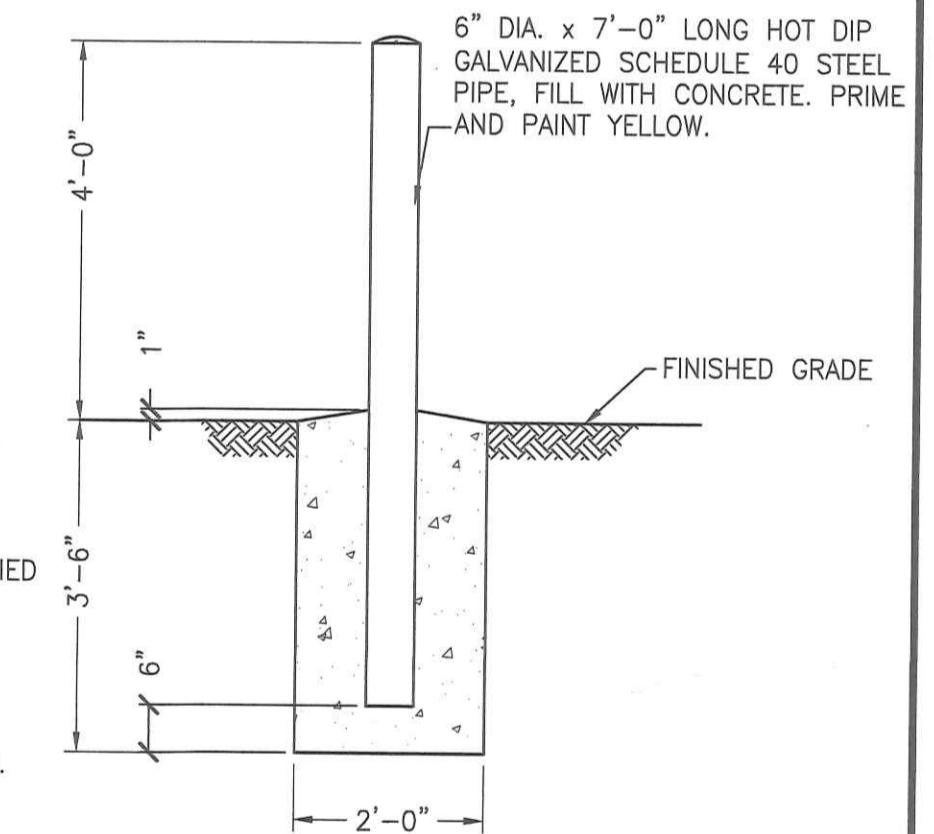
CONCRETE SIDEWALK DETAIL
NO SCALE



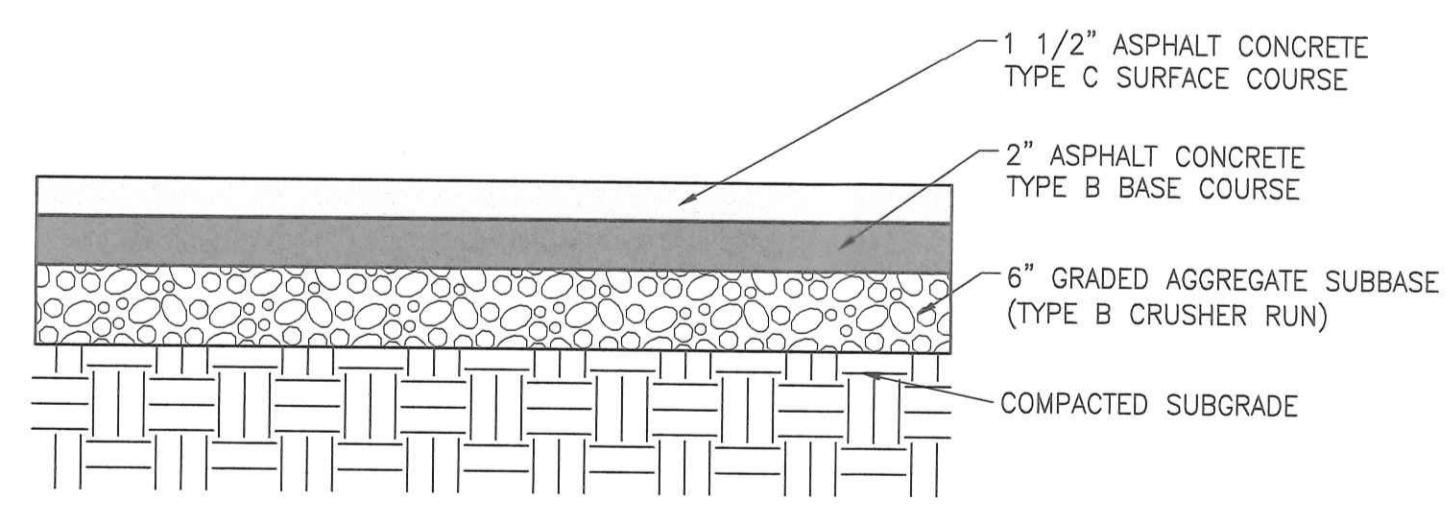
NOTES

1. CONTRACTOR SHALL COORDINATE EXPANSION AND CONTROL JOINTS WITH THE STRUCTURAL ENGINEER PRIOR TO PLACEMENT OF CONCRETE. (15' MAXIMUM SPACING OF CONTROL JOINTS, 30' MAXIMUM SPACING OF EXPANSION JOINTS).
2. GEOTECHNICAL ENGINEER TO VERIFY HEAVY DUTY CONCRETE SECTION.

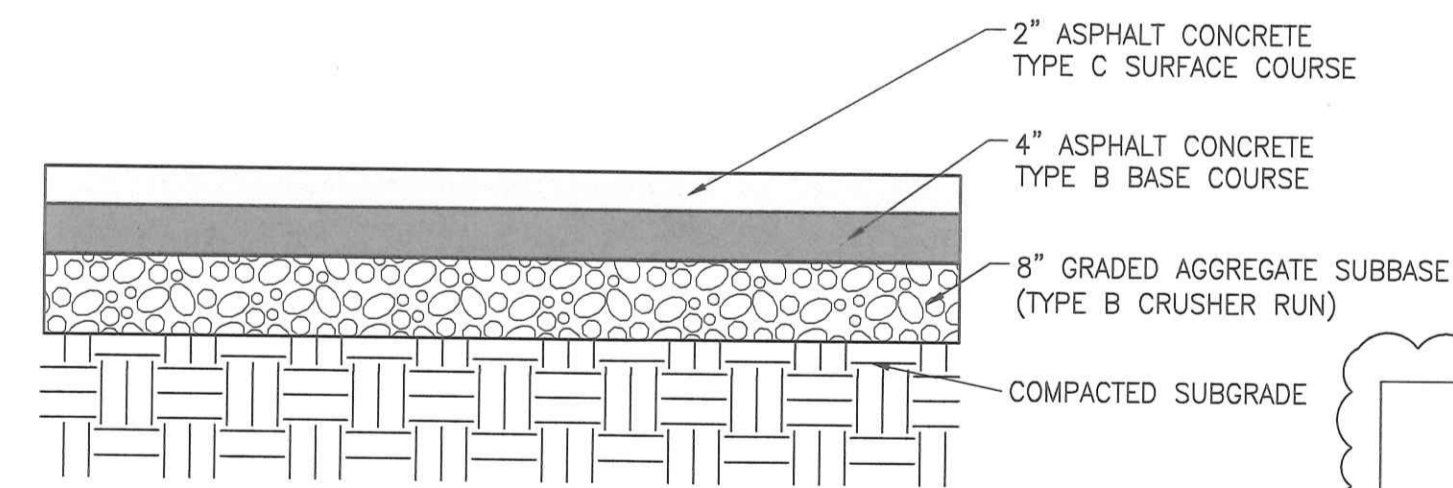
HEAVY DUTY CONCRETE DETAIL
NO SCALE



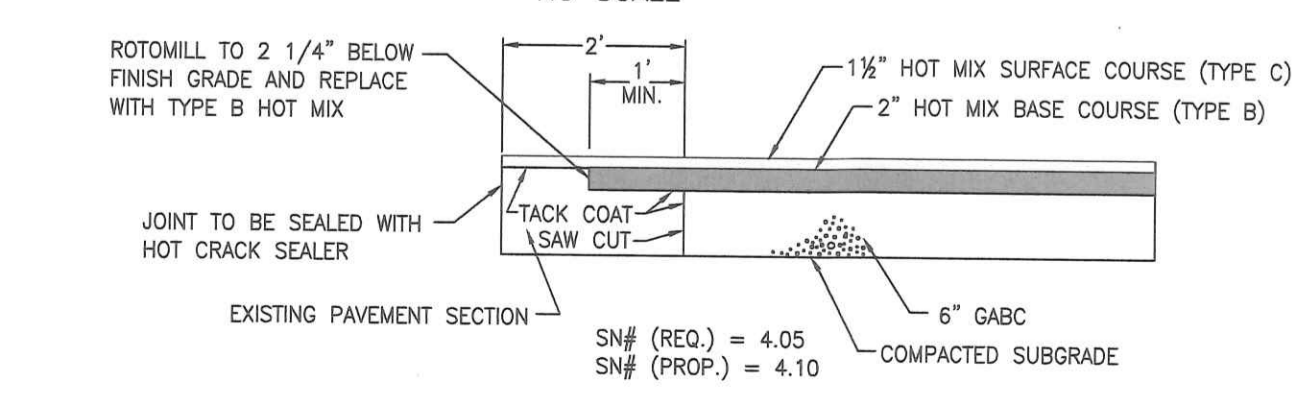
TYPICAL BOLLARD DETAIL
NO SCALE



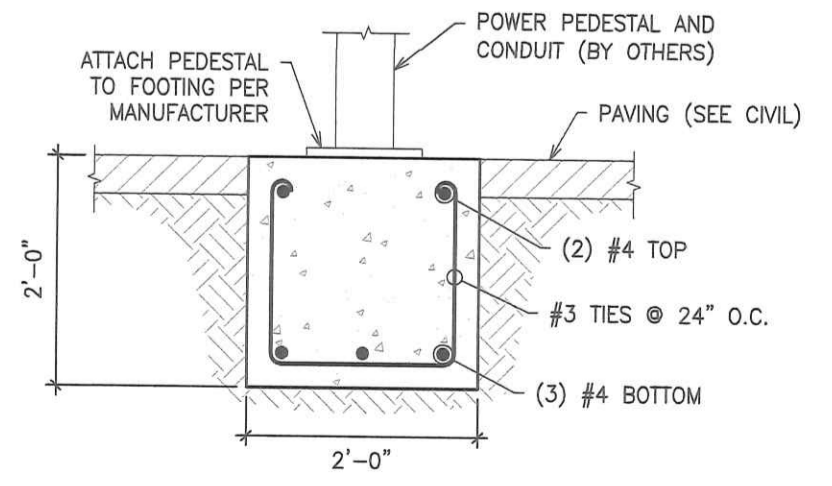
PAVEMENT DETAIL
NO SCALE



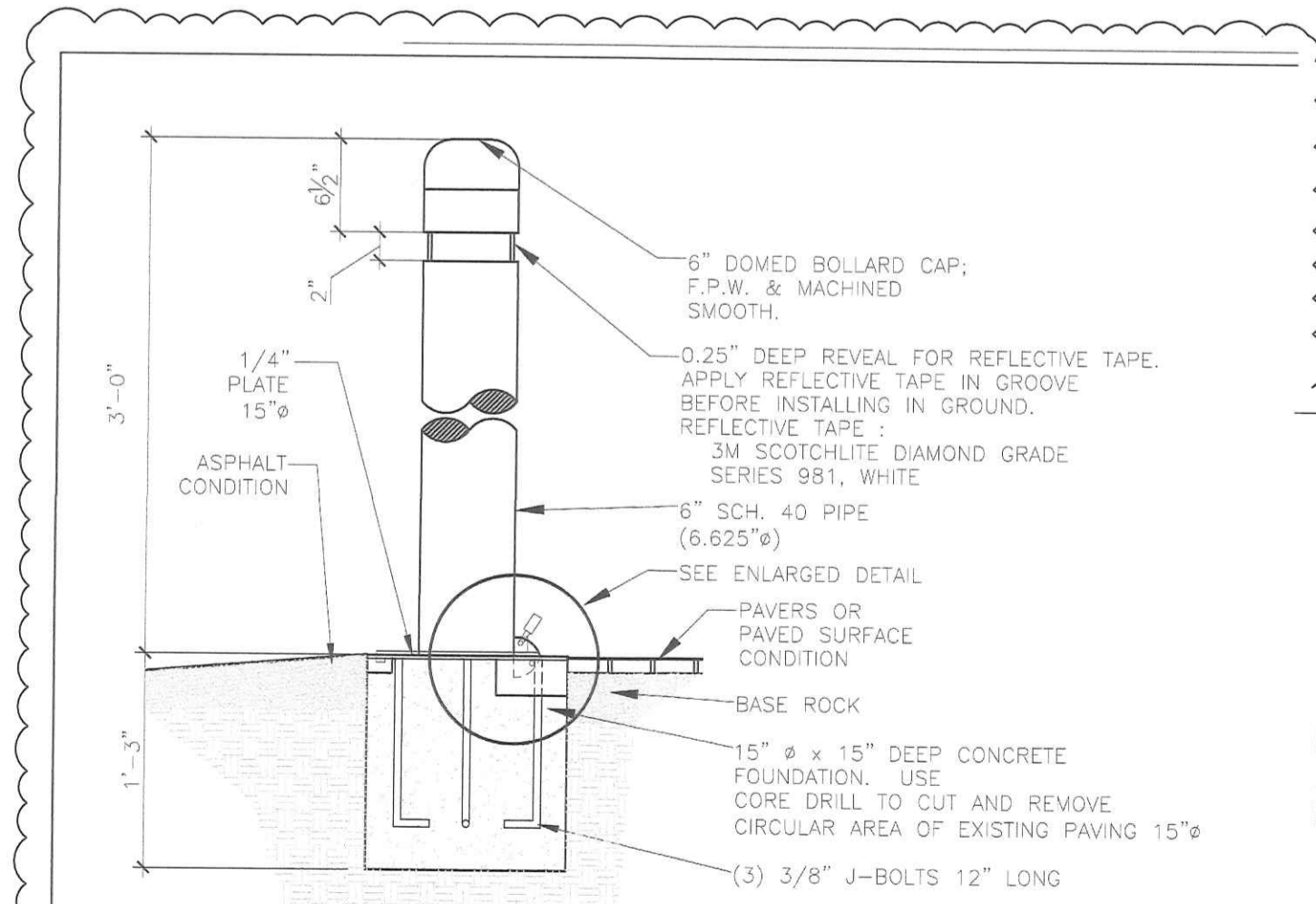
HEAVY DUTY PAVEMENT DETAIL
NO SCALE



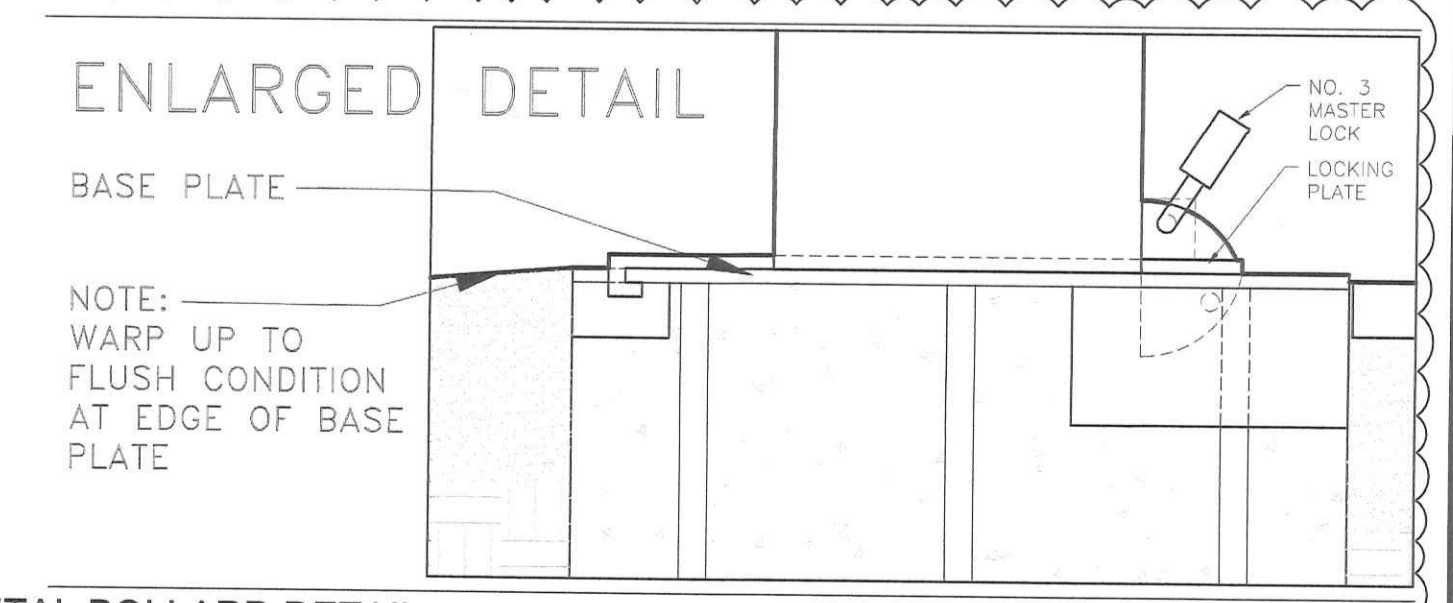
PAVEMENT TIE-IN DETAIL
NO SCALE



ELECTRIC PEDESTAL FOUNDATION
NO SCALE



REMOVABLE METAL BOLLARD DETAIL
NO SCALE



NOTE: WARP UP TO FLUSH CONDITION AT EDGE OF BASE PLATE

NO.	REVISION	DATE
5	PERMIT COMMENT REVISIONS	10/13/2021
6	ROOF DRAIN REVISION	12/7/2021
7	WINDOW REVISION	12/14/2021
8	COUNTY SITE GRADING REVISIONS	12/26/2021
9	DRAWING REVISIONS	1/27/2022
10	EOC KITCHEN REVISIONS	2/21/2022
11	MEMORIAL PLAZA REVISIONS	4/8/2022

GMB
 GEORGE, MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 SALESBURY - BALTIMORE - SEAFORD
 www.gmbnet.com

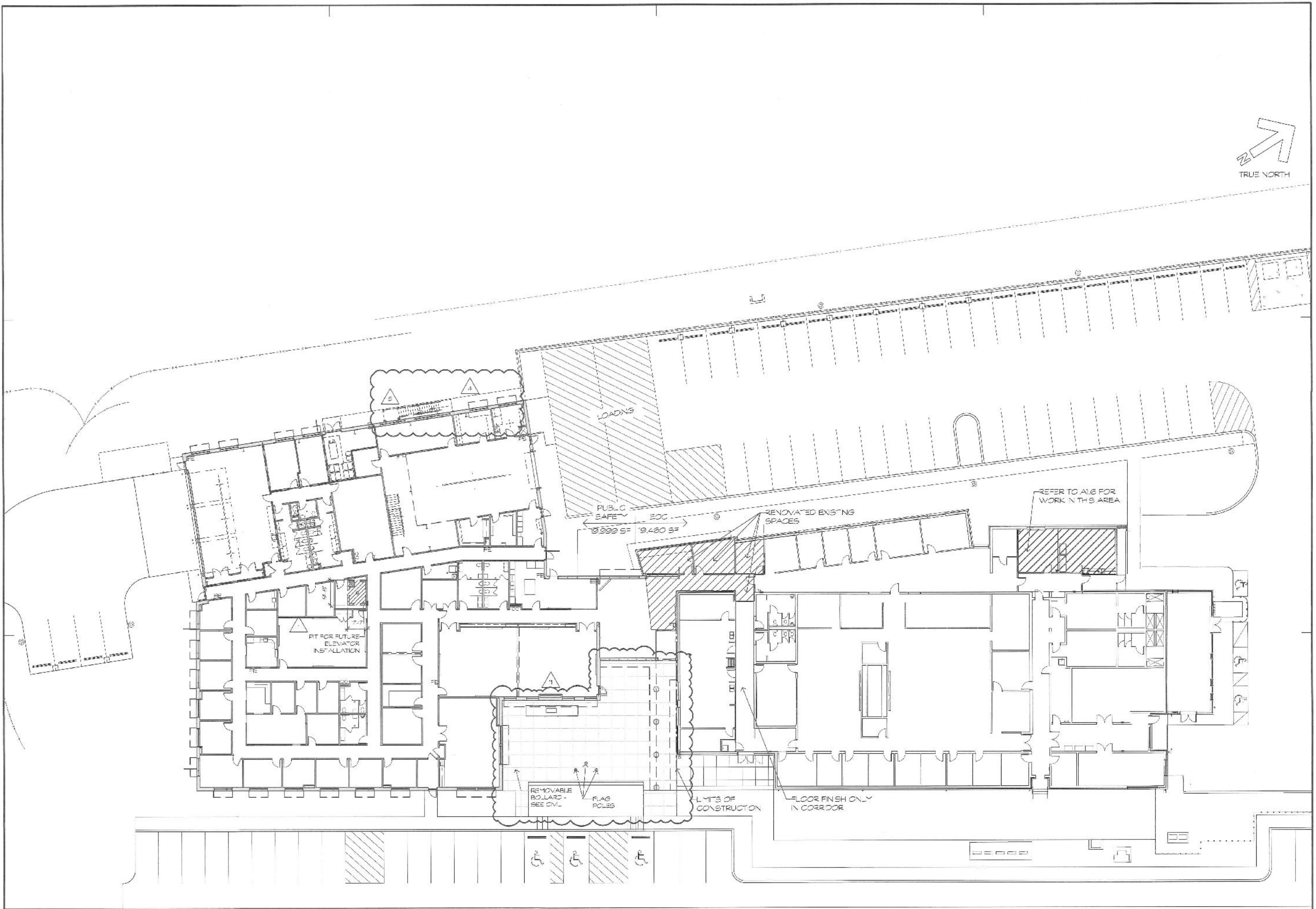
NEW ADDITION FOR:
SUSSEX COUNTY PUBLIC SAFETY BUILDING
 GEORGETOWN, DELAWARE

SITE DETAILS

SCALE	: 1" = 50'
DESIGN BY	: CJP
DRAWN BY	: RFT
CHECKED BY	: SLM
GMB FILE	: 180173
DATE	: DEC 2021

8 **C9.1**

g:\Projects\2018\180173 sussex county ems admin building\Drawings\current_drawing\A1.0 FLOOR PLAN.dwg, 4/8/2022, 2:43 PM, Dianne Iovarsene



NO.	REVISION	DATE
5	PERM. COMMENT REVISIONS	10/3/2021
6	RCOT. JOAN REVISION	12/7/2021
7	WINDOW REVISION	12/14/2021
8	COUNTY SITE GRADING REVISIONS	12/28/2021
9	DRAWING REVISIONS	1/27/2022
10	EOC KITCHEN REVISIONS	2/21/2022
11	MEMORIAL PLAZA REVISIONS	4/8/2022

GMB
 GEORGE MILES & BUHR, LLC
 ARCHITECTS & ENGINEERS
 1001 MARKET STREET, SUITE 200
 GEORGETOWN, DELAWARE 19630
 www.gmbnet.com

NEW ADDITION FOR:
**SUSSEX COUNTY PUBLIC
 SAFETY BUILDING**
 GEORGETOWN, DELAWARE

**OVERALL FLOOR
 PLAN**

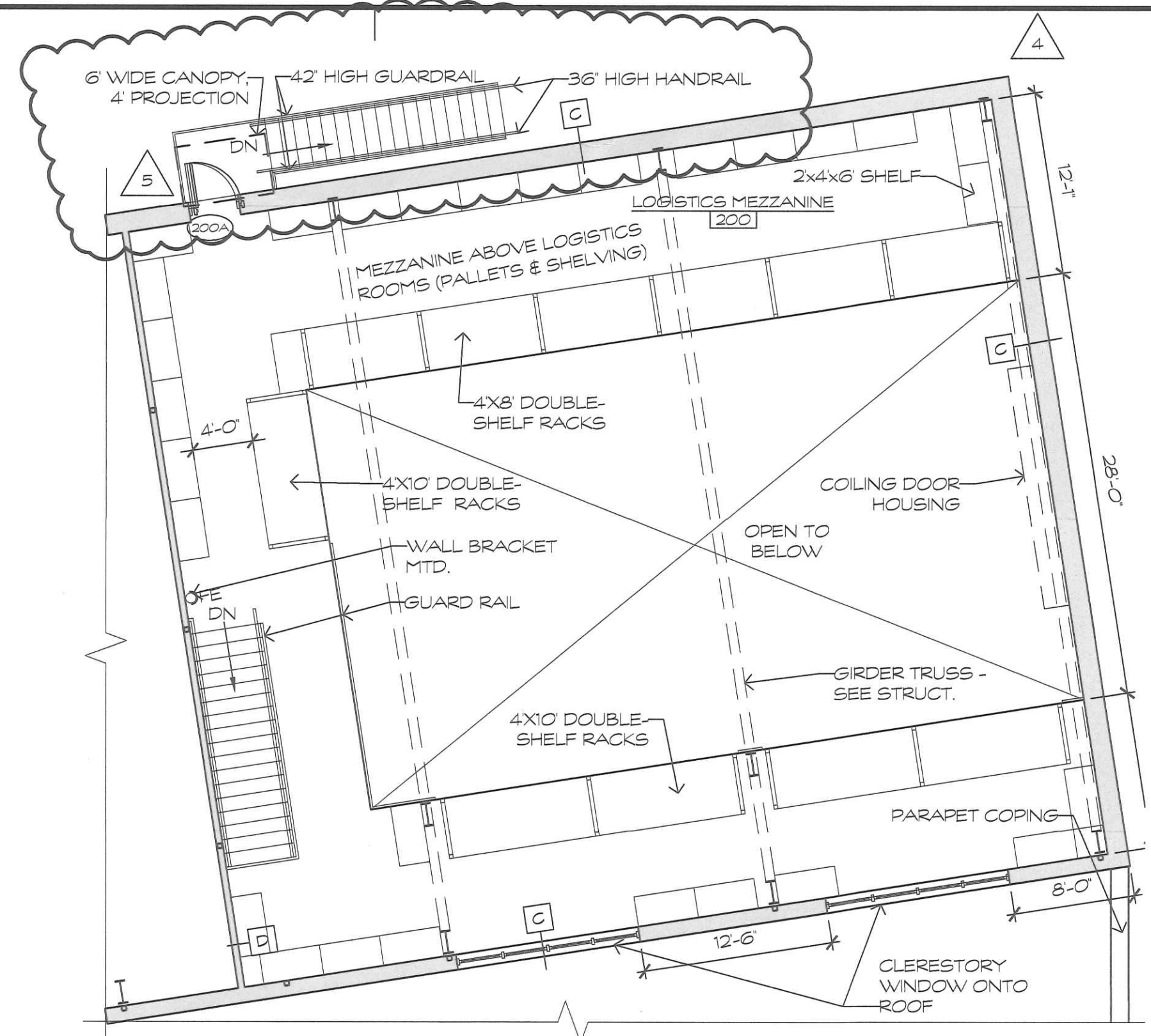
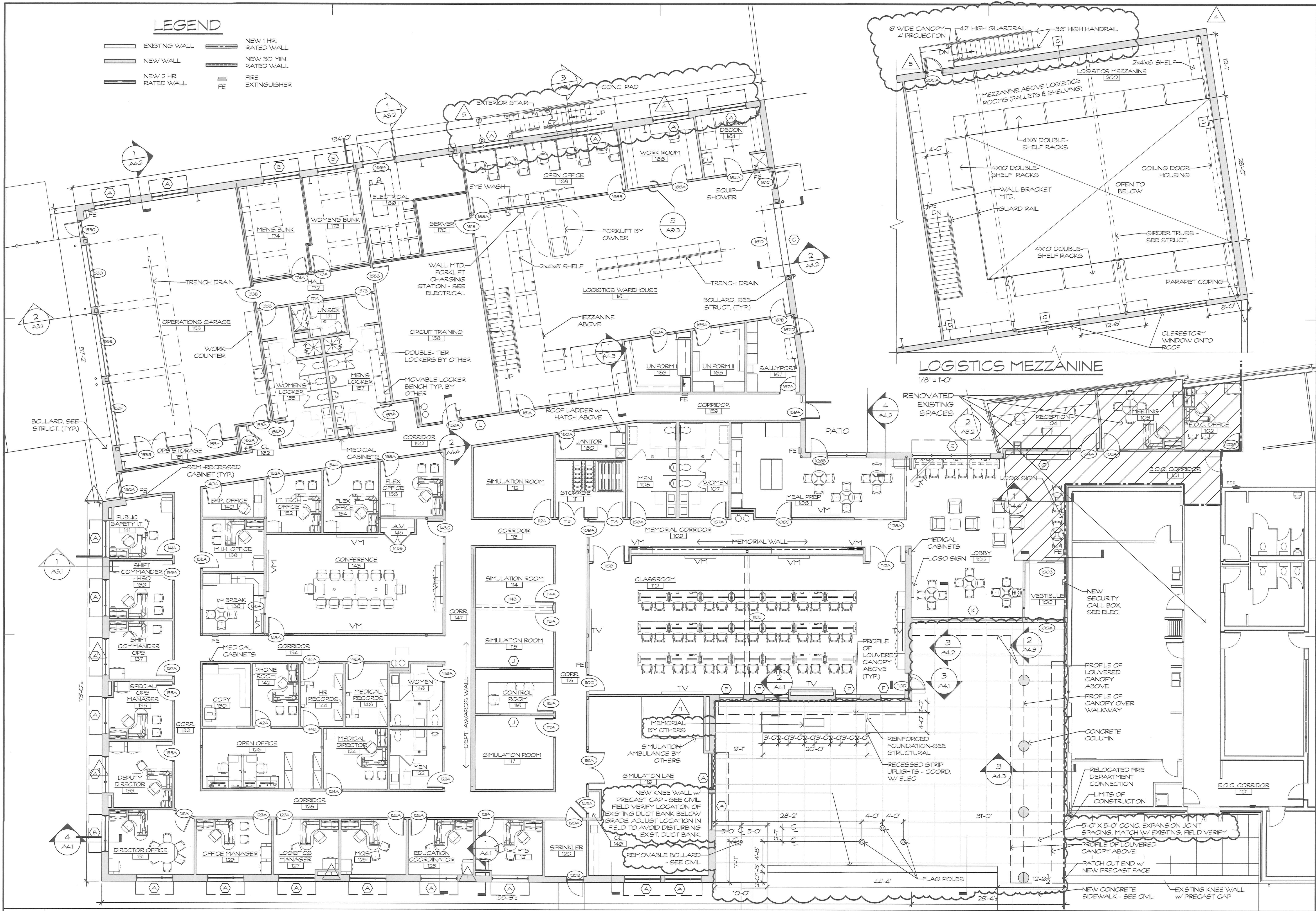
SCALE	: 1/16" = 1'-0"
DESIGN BY	: THT
DRAWN BY	: LEW/TJS
CHECKED BY	: THT
GMB FILE	: 180173
DATE	: 3-15-22

BLDG NORTH
A1.0

3 OVERALL FLOOR PLAN
 1/16" = 1'-0"

LEGEND

- EXISTING WALL
- NEW WALL
- NEW 2 HR. RATED WALL
- NEW 1 HR. RATED WALL
- NEW 30 MIN. RATED WALL
- FE FIRE EXTINGUISHER



LOGISTICS MEZZANINE
1/8" = 1'-0"

1 PARTIAL FLOOR PLAN
1/8" = 1'-0"

SINGLE STORY: 19,999 SF

NO.	REVISION	DATE
5	PERMIT COMMENT REVISIONS	12/13/2021
6	ROOF DRAIN REVISION	12/17/2021
7	WINDOW REVISION	12/14/2021
8	COUNTY SITE GRADING REVISIONS	12/26/2021
9	DRAWING REVISIONS	1/17/2022
10	E.O.C. KITCHEN REVISIONS	2/21/2022
11	MEZANINE PLAZA REVISIONS	4/8/2022

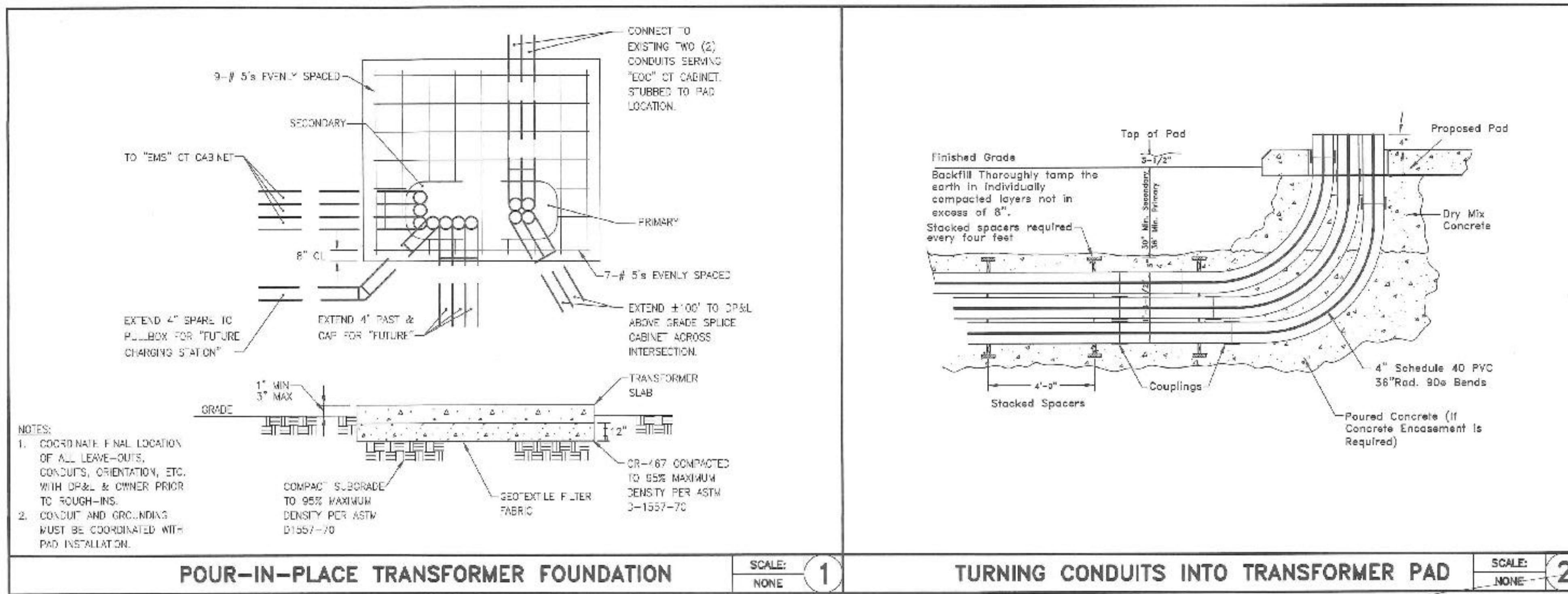
GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY - BALTIMORE - SEAFORD
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**NEW ADDITION FOR:
SUSSEX COUNTY PUBLIC
SAFETY BUILDING**
GEORGETOWN, DELAWARE

**ENLARGED
FLOOR PLAN**

SCALE : AS NOTED
DESIGN BY : MHH
DRAWN BY : LEW/TDE
CHECKED BY : MHH
GMB FILE : 180173
DATE : 3-16-22

A1.1



GENERAL NOTES:

- REFER TO ELECTRICAL PANEL SCHEDULES FOR WIRE SIZES, BREAKER SIZES, AND OTHER INFORMATION NOT SHOWN ON THIS DRAWING.
- ALL EQUIPMENT, CONDUITS, WIRING ETC. THAT PENETRATIONS NO FIRE RATED WALLS, PARTITIONS, OR BARRIERS MUST BE SEALED, FIRE RATED, & APPROVED BY THE A.U. PANELBOARDS TO UTILIZE BOLT-ON CIRCUIT BREAKERS.
- ALL LOW-VOLTAGE OUTLETS TO HAVE CONDUIT STUBS UP TO CEILING & TURNED OUT.
- COORDINATE WITH SUPPLIER'S OF ALL EQUIPMENT TO ENSURE ALL CONDUITS, CIRCUITS, & POWER CONNECTIONS ARE INSTALLED.
- PROVIDE/COORDINATE VOLTING BLOCK(S) FOR ALL EXTERIOR LIGHTS AND RECEPTACLES.

DRAWING NOTES:

- REMOVE & RELOCATE (NOT #2) EXISTING MOBILE COMMAND VEHICLE (MVC) CABINET, DEVICES, & CONTENTS. PROVIDE TRAFFIC RATED MANHOLE FOR EXTENSION & CONNECTION OF MVC EQUIPMENT. FIELD VERIFY EXISTING LOCATION.
- PROPOSED LOCATION OF EXISTING MOBILE COMMAND VEHICLE (MVC) CABINET, DEVICES, & CONTENTS. COORDINATE FINAL LOCATION WITH CIVIL & DIRECTOR OF EOC.
- PROVIDE (2) 4" CONDUITS ENCASED IN CONCRETE, EACH CONDUIT TO HAVE (3) INNERDUCTS. EXTEND EXISTING & PROVIDE [NEW] CABLES TO PROPOSED LOCATION OF MVC. COORDINATE CABLE ROUTING, CABLE SPECIFICATIONS, & TERMINATIONS WITH SUSSEX COUNTY.
- PROVIDE "VEHICLE POWER PEDESTAL" (PROVIDED BY OWNER), (2) COR. REF.S., (2) PLOT LIGHTS & CROUTRY. COORDINATE FINAL LOCATION WITH OWNER PRIOR TO ROUGH-IN. REFER TO 2/ES.1 & 3/ES.1.
- PROVIDE PERIMETER GROUNDING LOOP THAT MEETS MOTOROLA R56 GROUNDING STANDARD. PROVIDE HEAVY BONDING CONDUCTORS BETWEEN GROUND ROUS. CONNECT SERVICE ENTRANCE GROUND & SEP TO GROUNDING LOOP. EXTEND/MODIFY EXISTING R56 GROUNDING AS REQUIRED TO COMPLETE & MAINTAIN R56 GROUNDING STANDARD.
- PROVIDE BOND BETWEEN "ANTENNA" GROUND & PERIMETER GROUND. SIZE PER NEC.
- PROVIDE GROUNDING BETWEEN GENERATOR & PERIMETER GROUND. SIZE PER NEC.
- PROVIDE RFI BASE PER 1/ES.1. COORDINATE FINAL LOCATION WITH CIVIL PRIOR TO ROUGH-IN.
- EXTERIOR LIGHTING CONTROLLED THROUGH LIGHTING CONTACTOR VIA PHOTOCELL & TIMELOCK. COORDINATE ON/OFF TIMES WITH EXISTING EXTERIOR LIGHTING ON THE EXISTING BUILDING. REFER TO 7/ES.1.
- EXTERIOR LIGHTING TO REMAIN "ON" 24/7.
- PROVIDE 18"x24"x18" PULLBOX FLUSH WITH FINISH GRADE. COORDINATE WITH CIVIL ENGINEER, SITE CONTRACTOR, & OWNER PRIOR TO ROUGH-IN.
- EXTEND UNDERSLAB, TURN UP IN WALL AND EXTEND TO CEILING SPACE. EXTEND IN CEILING SPACE TO TIMELOCK, AS INDICATED.
- EXTEND UNDERSLAB, TURN UP AND EXTEND TO TIMELOCK, AS INDICATED.
- EXTEND (2) 2" WITH RING & SIRING TO ENTRANCE SIGN FOR IT & POWER. COORDINATE FINAL LOCATION WITH OWNER & CIVIL PRIOR TO ROUGH-IN.
- EXTEND UNDERSLAB, TURN UP IN WALL AND EXTEND TO CEILING SPACE. EXTEND IN CEILING SPACE TO PANEL, AS INDICATED.
- EXTEND UNDERSLAB, TURN UP IN EXISTING ELECTRICAL ROOM & CONNECT TO EXISTING CIRCUIT. EXTEND & MODIFY CIRCUITRY AS REQUIRED.
- PROVIDE CONNECTION TO GATE. EXTEND & MODIFY EXISTING CIRCUITRY AS REQUIRED. COORDINATE FINAL LOCATION & ELECTRICAL CONNECTIONS WITH GATE PROVIDER PRIOR TO ROUGH-IN.
- EXTEND UNDERSLAB, TURN UP IN EXISTING ELECTRICAL ROOM & CONNECT TO EXISTING PANEL. PROVIDE (2) SINGLE-POLE 25A BREAKER IN SPACE. LABEL BREAKER AS "EOC VEH. CHARGER". FIELD VERIFY EXISTING PANEL LOCATION & BREAKER SPACING.
- REPLACE EXISTING 12"x18" HANDHOLE WITH 18"x30" HANDHOLE. SPlice EXISTING MV & SM FIBER OPTIC CABLES. COORDINATE AS ALLIATION OF HANDOFF, MM, & SM CABLES WITH SUSSEX COUNTY.
- PROVIDE 4" CONDUIT WITH (3) 1" INNERDUCTS FROM REPLACED HANDHOLE & SPliced CABLES FOR FIBER OPTIC CABLES. COORDINATE INSTALLATION OF MM & SM CABLES WITH SUSSEX COUNTY.
- REPLACE EXISTING 2" SLEEVE WITH 8"x8" PULL BOX. FOR CONNECTION OF 4" CONDUIT. EXTEND FIBER OPTIC CABLES FROM PULL BOX TO DEMARC ROOM. COORDINATE INSTALLATION WITH SUSSEX COUNTY.
- TERMINATE FIBER OPTIC CABLE AT EXISTING PATCH PANELS. FIELD VERIFY ROUTING OF CABLES WITH SUSSEX COUNTY. COORDINATE INSTALLATION WITH SUSSEX COUNTY.
- DOWNLEAD TO GROUND. REFER TO 3/ES.2. INSTALL LIGHTNING PROTECTION PER CODE & VEEI MOTOROLA R56 GROUNDING STANDARD. COORDINATE WITH STRUCTURAL ENGINEER & ARCHITECT FOR FINAL LOCATION OF TRUSSES. SEE MASTER SPECIFICATION.
- GROUND INSPECTION WELL. REFER TO 4/ES.2. INSTALL LIGHTNING PROTECTION PER CODE & VEEI MOTOROLA R56 GROUNDING STANDARD. COORDINATE WITH STRUCTURAL ENGINEER & ARCHITECT FOR FINAL LOCATION OF TRUSSES. SEE MASTER SPECIFICATION.
- PROVIDE (2) 1' & (1) 2' RECESSED LINEAR LIGHT FIXTURE CONNECTED TO SAME LIGHTING CONTACTOR VIA PHOTOCELL & TIMELOCK AS NOTE #9. FIXTURES TO BE RECESSED IN GROUND PER MANUFACTURER REQUIREMENTS. BASIS OF DESIGN: COLOR KINetics; 523-00080-85 (2' FIXTURE); 120-30010-03 (2' OUTER BOX); 120-00010-02 (2' INNER BOX); 523-00080-90 (3' FIXTURE); 120-00010-05 (3' OUTER BOX); 120-00010-04 (3' INNER BOX).

NOTES:

- COORDINATE FINAL LOCATION OF ALL LEAVE-OUTS, CONDUITS, ORIENTATION, ETC. WITH DP&L & OWNER PRIOR TO ROUGH-INS.
- CONDUIT AND GROUNDING MUST BE COORDINATED WITH PAD INSTALLATION.

CONNECT TO EXISTING TWO (2) CONDUITS SERVING "EOC" OF CABINET STUBBED TO PAD LOCATION.

TO "EMS" OF CABINET

SECONDARY

PRIMARY

7-# 5/8" EVENLY SPACED

EXTEND ±1'00' TO DP&L ABOVE GRADE SPACE CABINET ACROSS INTERSECTION.

TRANSFORMER SLAB

1" MIN. 3" MAX.

GRADE

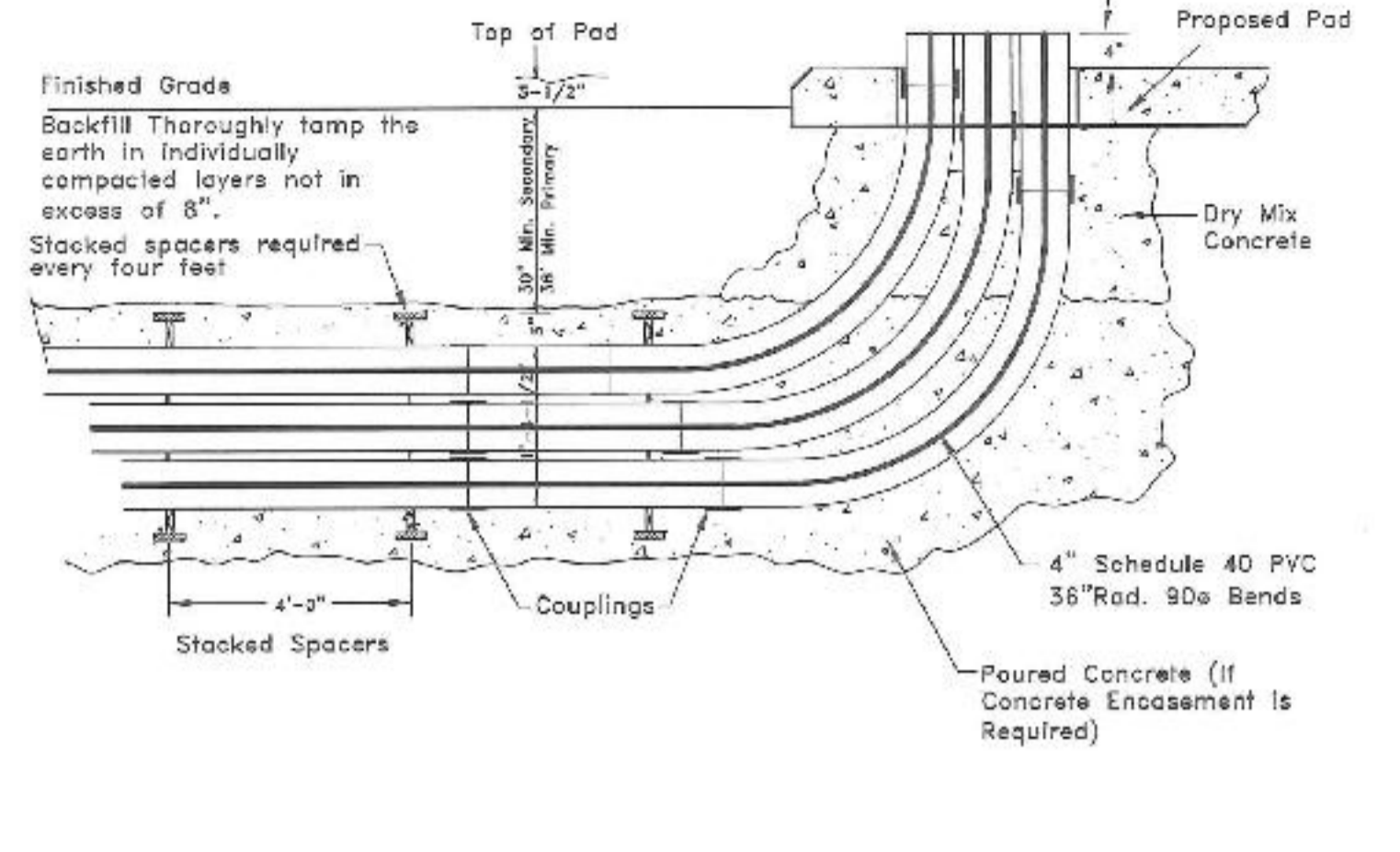
EXTEND 4" PAST & CAP FOR "FUTURE"

EXTEND 4" PAST TO PULLBOX FOR "FUTURE CHARGING STATION"

COMPACT SUBGRADE TO 95% MAXIMUM DENSITY PER ASTM D1557-70

GEOTEXTILE FIBER FABRIC

OR-67 COMPACTED TO 95% MAXIMUM DENSITY PER ASTM 3-1557-70



1 SITE PLAN - ELECTRICAL
SCALE: 1/32" = 1'-0"

NO.	REVISION	DATE
5	PERMIT COMMENT REVISIONS	10/13/2021
6	ROOF DRAIN REVISIONS	12/7/2021
7	WINDOW REVISIONS	12/14/2021
8	COUNTY SITE GRADING REVISIONS	12/28/2021
9	DRAWING REVISIONS	01/26/2022
10	EOC KITCHEN REVISIONS	02/21/2022
11	MEMORIAL PLAZA REVISIONS	04/08/2022

NEW ADDITION FOR:
SUSSEX COUNTY EMS
ADMINISTRATION BUILDING
GEORGETOWN, DELAWARE

SITE PLAN
ELECTRICAL

SCALE:	AS NOTED
DESIGN BY:	CUJ
DRAWN BY:	CUJ
CHECKED BY:	TRC
CAD FILE:	180773
DATE:	05-04-20

E3.1

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: November 9, 2022

RE: County Council Report for Ord. 21-06 filed on behalf of Eagle Crest Hudson Airfield

On June 7, 2022, the County Council introduced an Ordinance to amend the text and maps of the Comprehensive Plan in relation to parcels of land located at 29763 Eagles Crest Road, Milton.

The Planning & Zoning Commission held a Public Hearing on the application on August 25, 2022. At the conclusion of the meeting, the Commission closed the Public Record and deferred action on the application for further consideration. At the meeting of October 13, 2022, the Commission recommended that the County Council adopt the Ordinance, with the revisions as outlined in the motion.

Below are the minutes from the Planning & Zoning Commission meeting of August 25, 2022 and the meeting of October 13, 2022

Minutes of the August 25, 2022 Planning & Zoning Commission Meeting

AN ORDINANCE TO AMEND THE TEXT AND MAPS OF CHAPTER 13 (MOBILITY ELEMENT) OF THE COMPREHENSIVE PLAN IN ADDITION TO AMENDMENTS TO THE EXISTING AND FUTURE LAND USE MAPS OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-16.00-50.02, 235-22.00-441.00, AND 235-22.00-442.00. The property is lying on the west side of Coastal Highway (Route 1), west of the intersection of Coastal Highway and Eagles Crest Road (S.C.R. 264). 911 Address: 29763 Eagles Crest Road, Milton.

Mr. Whitehouse advised the Commission that submitted into the record were letters received on behalf of the property owners, a copy of the proposed ordinance introduced at County Council on June 7, 2022, a copy of the property owners' presentation, and documents that have been submitted,



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

a copy of the County's PLUS submission, a copy of the PLUS comments that were received from the State Planning Office dated July 22, 2021, a copy of the Delaware private use airport and heliport document dated August 2007, a copy of the property owner's exhibits, a copy of the technical assessment submitted on behalf of Century Engineering for Sussex County and a copy of the updates to the technical assessment. Mr. Whitehouse noted that there was one letter of comment which was included in the paperless packet.

Mr. Whitehouse stated that the request for a corrective amendment to the Comprehensive Plan of Sussex County was received by the Planning and Zoning Department from the property owners; that letter was included in the paperless packet; that following receipt of that letter there was discussion with the property owners and a PLUS submission was sent to the State Planning Office; that then an Ordinance was crafted and introduced at County Council this summer; that essentially there are three parts to the Ordinance; that the first part refers to the Future Land Use Map and the request is to change the designation from Low-density to Industrial; that the second part of the request relates to the existing Land Use Map of the County to change from the Utilities and Recreational designation to Industrial; and that the third element relates to Chapter 13 within the Comprehensive Plan to add the airport icons to recognize the airports as shown in Exhibits B & C in the paperless packet; that Mr. Drew Boyce from Century Engineering available to answer questions regarding the technical assessment; and that Staff from DelDOT are also available to answer questions the Commission may have.

Mr. Robertson stated that this is a somewhat unusual Ordinance before the Commission; that Century performed the technical assessment on behalf of the County; that the request is to make the hanger area and runway identified as industrial; that the second is to show the icons; and that the third is to amend some of the text in the Comprehensive Plan.

The Commission found that Mr. John Paradee, Esq. was present on behalf of the property owners; that Christian and Jamin Hudson, property owners are also present; that the first two map amendments are simply corrections to errors that were made in the 2018 Comprehensive Plan that eliminated designations that had been set forth in the 2008 Comprehensive Plan; that the 2018 Plan had identified the air strip and the hangers as industrial designation; that the other request is to add two icons to the maps in Chapter 13 of the Comprehensive Plan; that the power point presentation shows the history of the property, the designation in 2008, the error in the 2018 plan, the draft amendment to Chapter 13 to show the airplane icon, and there is a timeline included; that if the correction is not made it would essentially show that the industrial use was taken away from the property owners; that the icons on the map show the impact of the airport from a land use planning perspective; and that the Eagle Crest airport is the 5th largest airport in Delaware and the 2nd largest in Sussex County.

Chair Wheatley asked Staff about the process if an airport application was submitted in the AR-1 district.

Mr. Whitehouse responded that it would be a Conditional Use application.

Chair Wheatley spoke about historical use and the importance of having it correctly designated so that it cannot be taken away in the future.

Ms. Stevenson stated that it would be a good idea to have different color icons for public and private airports on the Maps in Chapter 13 of the Comprehensive Plan.

Mr. Robertson stated that there is an Agriculture Protection Notice placed as conditions on some applications and it could be reworded to mention the airstrip so that residents moving to the area would know that there is an airport close by.

Mr. Drew Boyce, Century Engineering stated that his company performed a technical assessment of DelDOT's comments regarding a public use airport versus a private airport; that the 2008 Comprehensive Plan referred to both public and private airports; that the 2018 Comprehensive Plan only refers to public airports and only identified the two public airports in Sussex County; that Century provided a technical assessment of the distinction between the two and provided some recommendations for Planning and Zoning and County Council to consider; that the recommendation to this body is that it should be technically correct in the Comprehensive Plan.

The Commission found that three people spoke in favor of the Application.

Mr. John Chirtea spoke in support of the Application. Mr. Chirtea stated that Eagle Crest Aerodrome is a great little airport and urges the support of the Commission.

Mr. Jeff King spoke in support of the Application. Mr. King stated that there are 26 or 27 homes that have access to the airstrip; that it is pretty unique to see this in the United States; that he has been involved on two airport boards; that Eagle Crest private airport is larger than Laurel public airport so it should be shown on the maps; that it is also good for future planning, for people moving to the area to know there is an airport in the area and it will be noisy; and that he supports the Hudson's proposal.

Mr. Steve Bayer, Delaware Department of Transportation (DelDOT), stated that DelDOT has no official position on this ordinance; that they are available as an information resource for the Commission; and that they offer encouragement that what appears in the final plan in terms of symbology and text be factually accurate.

Ms. Jennifer Cinelli-Miller, DelDOT, stated that she was part of the team who worked on the mobility chapter for the 2018 Comprehensive Plan; that DelDOT has no objection to the ordinance; and that the different color icons for public versus private airports are a good idea.

Mr. Joe Larrimore spoke in support of the Application. Mr. Larrimore stated that he owns parcel 50 which adjoins the area that would be changed to Industrial Zoning.

Chair Wheatley explained that the zoning will not be changed to Industrial Zoning that this Ordinance would just be a Land Map designation of Industrial and the only use would be the airport and that to put another use on that property if it is not a permitted use in the AR-1 district then it would require a new application.

Upon there being no further questions, Chairman Wheatley closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to the Ordinance related to Tax Parcel No. 235-16.00-50.02, 235-22.00-441.00, and 235-22.00-442.00. Motion by Ms. Stevenson to defer action for further consideration, seconded by Mr. Hopkins and carried unanimously. Motion carried 5-0.

Minutes of the October 13, 2022, Planning & Zoning Commission Meeting

The Commission discussed the Ordinance which had been deferred since August 25, 2022.

Mr. Mears moved that the Commission recommend approval of Ordinance 21-06 to amend the text and two maps within the Mobility Element of the Sussex County Comprehensive Plan and a portion of the Future Land Use Map of the Plan for parcels 235-16.00-50.01, 235-22.00-441.00 and 235-22.00-442.00 based on the record made during the public hearing and for the following reasons:

1. The Mobility Element of our Plan is contained in Chapter 13 of the Plan. The current text in the Mobility Element is insufficient in describing airports and landing strips that are located within Sussex County. It is important to identify all of these airports and landing strips so that their location is known and so that they can be taken into account during the land planning and approval process for nearby properties.
2. To more clearly identify the location of these airports and landing strips, the third bullet point of Section 13.2.3 of the Mobility Element should be modified so that the paragraphs between the first and last paragraphs of that section now state as follows:

“Laurel Airport is a privately-owned airport *that is open to the public and* [,] which is mostly [used] *utilized* for agricultural spraying and skydiving. The airport is a localized travel alternative and an important tourist attraction for the Town of Laurel.

There are also multiple private airports throughout Sussex County. These include small grass landing strips used sporadically by a single airplane to larger operations used by multiple airplanes and other aircraft (like helicopters, drones, gyrocopters and ultra-lights) for any number of uses including aerial application for mosquito control or agricultural purposes, private charters, flight schools and corporate aircraft. It is important to note the locations of these airports as a planning tool because they ought to be taken into consideration as nearby properties are developed. For example, their existence may impact the design of a site plan, or they may justify the need for a legal notice similar to the County’s Agricultural Use Protection Notice within the recorded restrictions of an adjacent development.

A listing of the private airports known to Sussex County as of September 1, 2022, is as follows (note that this listing is based upon the best information available and does not certify the continued existence of the airport, its current condition or whether it remains suitable for aircraft use):

MURPHY’S LANDING (2DE8) – Milford
HUEY (DE14) – Bridgeville
PEVEY (DE14 -- Seaford
SUGAR HILL (DE17) – Greenwood
BEEBE (DE22) – Lewes (Hospital Airport)
OCKEL FARMS (DE 23) – Milton

EAGLE CREST – HUDSON (DE25) – Milton
WEST (DE21) – Roxanna

3. In addition to the text amendments, the maps identified at Figure 13.1-1, which is entitled “Overview of Sussex County Transportation System” and Figure 13.2-8, which is entitled “Airports, Ferries and Navigable Waterways” should be amended to include icons locating each of the airports listed in the amended text of the Plan.
4. In the 2008 Sussex County Comprehensive Plan, the Eagle Crest – Hudson Airport was classified as “Industrial Area” in that Plan’s Future Land Use Map. That reflected the airport use of the property. However, that designation did not continue in the current Future Land Use Map. There is evidence in the record that the Eagle Crest- Hudson Airport is the 5th largest Delaware airport and the 2nd largest airport in Sussex County. It is appropriate that the Future Land Use Map be amended to the Industrial Area to reflect the past, present and future use of this parcel as an airport.
5. The “Industrial Use” designation given to this property in the Plan’s Future Land Use Map is not the same thing as Industrial Zoning. It merely reflects the current and future use of the property. Although there was testimony in the record that the site will continue to be used as an airport into the future, any change in the use of the property would still require additional County public hearings and approvals.
6. No parties appeared in opposition to these changes and several parties spoke in favor of them.
7. For all of these reasons, it is appropriate to amend the text of the Mobility Element, Figures 13.1-1 and 13.2-8 of the Mobility Element, and the Future Land Use Map.

Motion by Mr. Mears, seconded by Ms. Stevenson and carried unanimously to recommend approval of Ord. 21-06, to amend the text and maps of Chapter 13 (Mobility Element) of the Comprehensive Plan in addition to amendments to the existing and Future Land Use Maps of the Comprehensive Plan in relation to Tax Parcel No. 235-16.00-50.02, 235-22.00-441.00 and 235-22.00-442.00 for the reasons and conditions stated in the motion. Motion carried 5-0.









Vote by roll call: Ms. Stevenson – yea, Mr. Hopkins – yea, Ms. Wingate – yea, Mr. Mears – yea, Chairman Wheatley – yea



Sussex County
Comprehensive
Plan

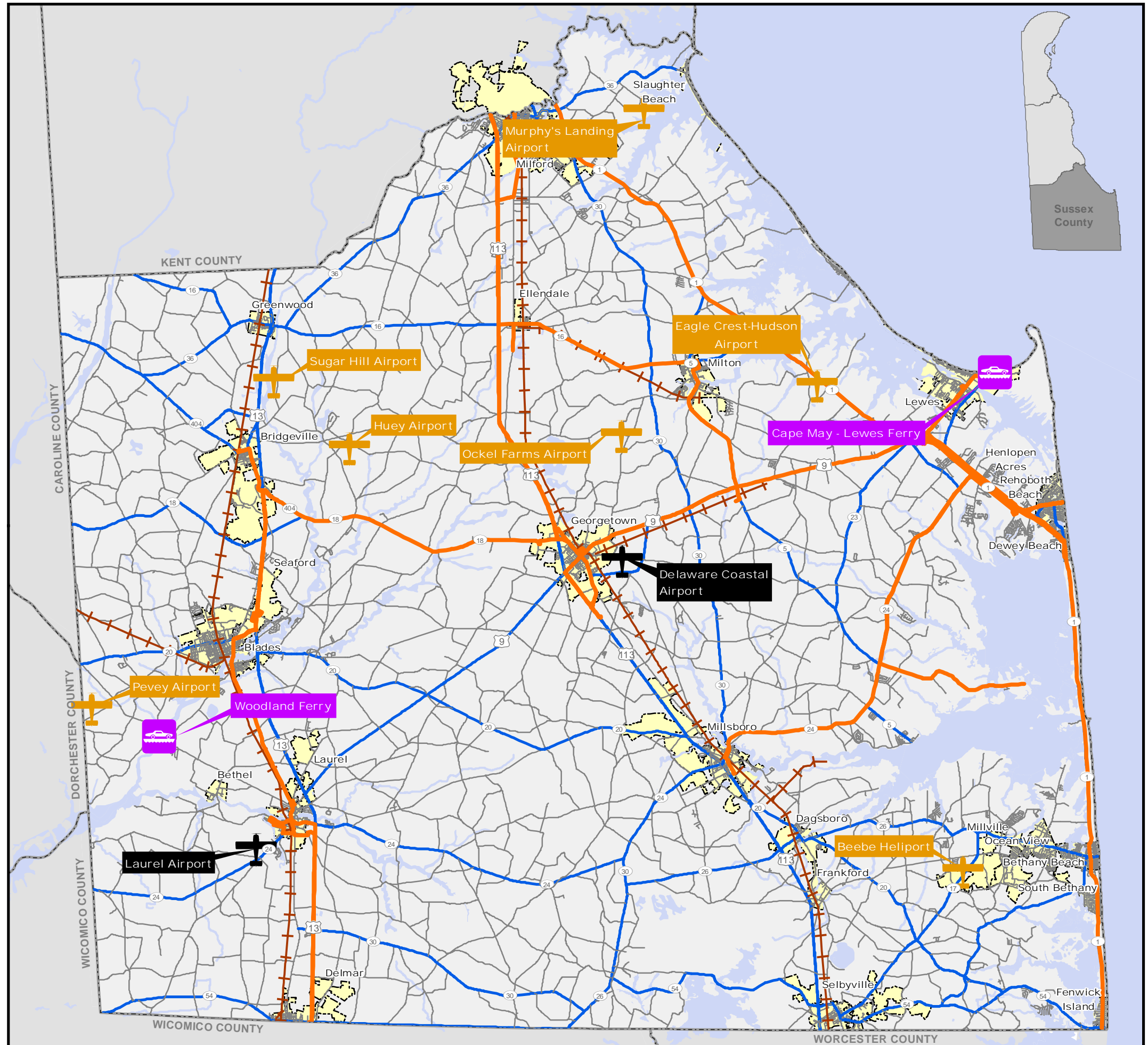
THE SUSSEX PLAN

Sussex County Transportation Network

-  Private Airport
-  Public Airport
-  Ferry
-  Transit Routes
-  Freight Rail
-  Major Roads
-  Other Roads
-  Towns

Sources: DE FirstMap, Sussex County Mapping Dept. Delaware Department of Transportation, Bureau of Transportation Statistics (RITA/BTS) National Transportation Atlas Databases (NTAD) 2006. AirNav (<http://www.airnav.com>).

AECOM










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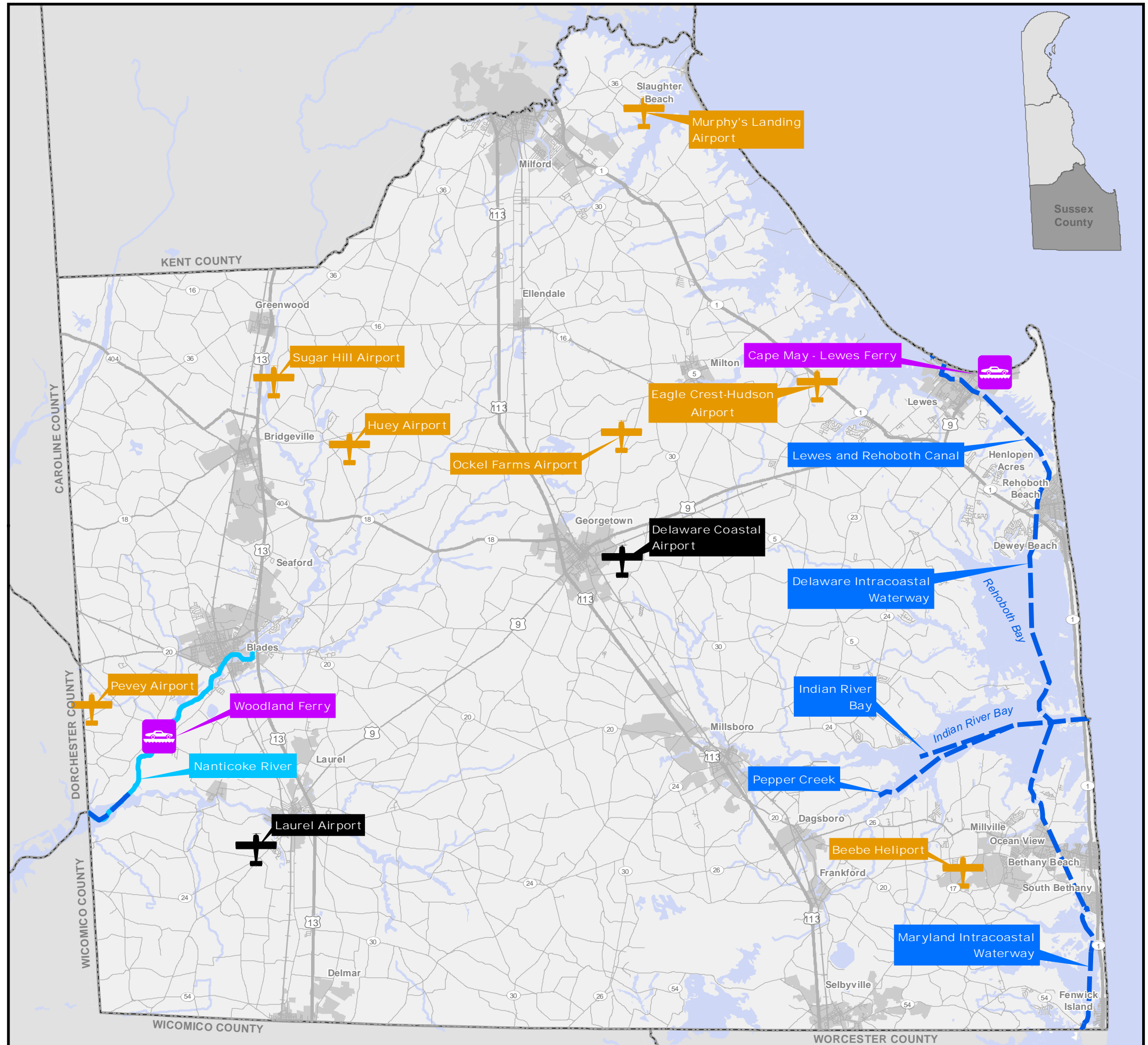
Sussex County
Comprehensive
Plan

THE SUSSEX PLAN

**Sussex County
Airports, Ferries, &
Navigable Waterways**

-  Private Airport
-  Public Airport
-  Ferry
-  National Waterway Network
-  Nanticoke River (Navigable Section)
-  County Boundaries
-  Municipalities

Sources: DE FirstMap, Sussex County Mapping Dept. Delaware Department of Transportation, Bureau of Transportation Statistics (RITA/BTS) National Transportation Atlas Databases (NTAD) 2006. AirNav (<http://www.airnav.com>).



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ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TEXT AND MAPS OF CHAPTER 13 (MOBILITY ELEMENT) OF THE COMPREHENSIVE PLAN IN ADDITION TO AMENDMENTS TO THE EXISTING AND FUTURE LAND USE MAPS OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-16.00-50.02, 235-22.00-441.00, AND 235-22.00-442.00.

WHEREAS, on November 30th, 2021, the Sussex County Planning and Zoning Office received an application for a Comprehensive Plan Amendment Request to amend the Existing and Future Land Use Map elements of the Comprehensive Plan to change the Area designations of Sussex County Parcel No. 235-16.00-50.02, 235-22.00-441.00 (2.79 Ac. part thereof), and 235-22.00-442.00) (the “Property”).

WHEREAS, the request received on November 30th, 2021 also included a request to amend the text and maps within the Comprehensive Plan to recognize the Property’s airport use.

WHEREAS, the Property is designated as being within the Low-Density Area as set forth in the Future Land Use Map identified as Figure 4.5-1 in the Plan, and is also designated as being within the Utilities and Recreation areas as set forth in the Existing Land Use Map identified as Figure 4.2-1 in the Plan.

WHEREAS, the Existing Land Use Map element of the 2008 Comprehensive Plan designated Parcel No. 235-16.00-50.02, Parcel No. 235-22.00-442.00 and part of Parcel No. 235-22.00-441.00 (2.79 Ac. part thereof), as being within an Industrial Area; and

WHEREAS, Sussex County Council desires to adopt this Ordinance amending the Existing and Future Land Use Maps of the Plan with minor amendments to the text and maps within the plan; and

WHEREAS, in accordance with the required process for public hearings on ordinances such as this one, both Sussex County Council and the Sussex County Planning & Zoning Commission will hold public hearings on this Ordinance, but limited in scope to this specific proposed amendments to the Existing and Future Land Use Map contained in the Plan and to the maps and text as referred to.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Future Land Use Map identified as Figure 4.5-1 of the Sussex County Comprehensive Plan is hereby amended to change the Area designation of Sussex County Parcel No. 235-16.00-50.02, 235-22.00-441.00 (2.79 Ac. part thereof), and 235-22.00-442.00 from the Low-Density Area to the Industrial Area. The Sussex County

Parcel No. 235-16.00-50.02, 235-22.00-441.00 (2.79 Ac. part thereof), and 235-22.00-442.00 so changed are identified in Exhibit A, attached hereto and incorporated herein.

Section 2. The Existing Land Use Map identified as Figure 4.2-1 of the Sussex County Comprehensive Plan is hereby amended to change the Area designation of Sussex County Parcel No. 235-16.00-50.02, 235-22.00-441.00 (2.79 Ac. part thereof), and 235-22.00-442.00 from the Utilities and/or Recreation area to the Industrial Area.

Section 3. The maps within Chapter 13 (Mobility Element) are amended as follows:

- Figure 13.1-1: Overview of Sussex County Transportation System is hereby amended to add the Airports icons as shown in Exhibit B
- Figure 13.2-8: Airports, Ferries and Navigable Waterways is hereby amended to add the Airports icons as shown in Exhibit C

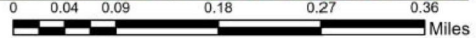
Section 4. This Ordinance shall also take effect following its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

EXHIBIT A:

Potential Comprehensive Plan
Amendment Parcels










Sussex County





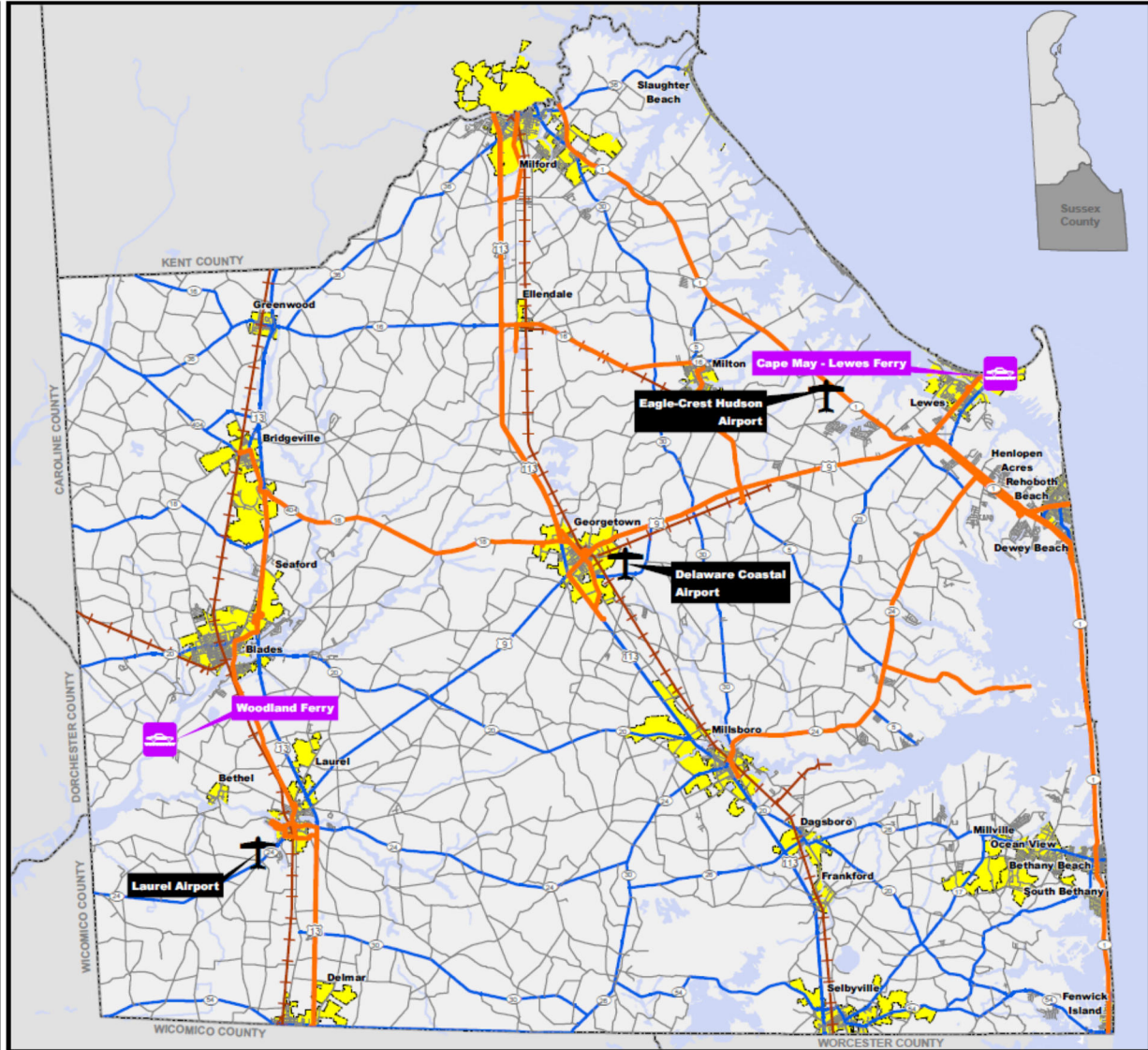
Sussex County
Comprehensive
Plan

Sussex County Transportation Network

-  Airports
-  Ferry
-  Transit Routes
-  Freight Rail
-  Major Roads
-  Other Roads
-  Towns

Sources: DE FirstMap, Sussex County Mapping Dept. Delaware Department of Transportation, Bureau of Transportation Statistics (RITA/BTS) National Transportation Atlas Databases (NTAD) 2006.

AECOM



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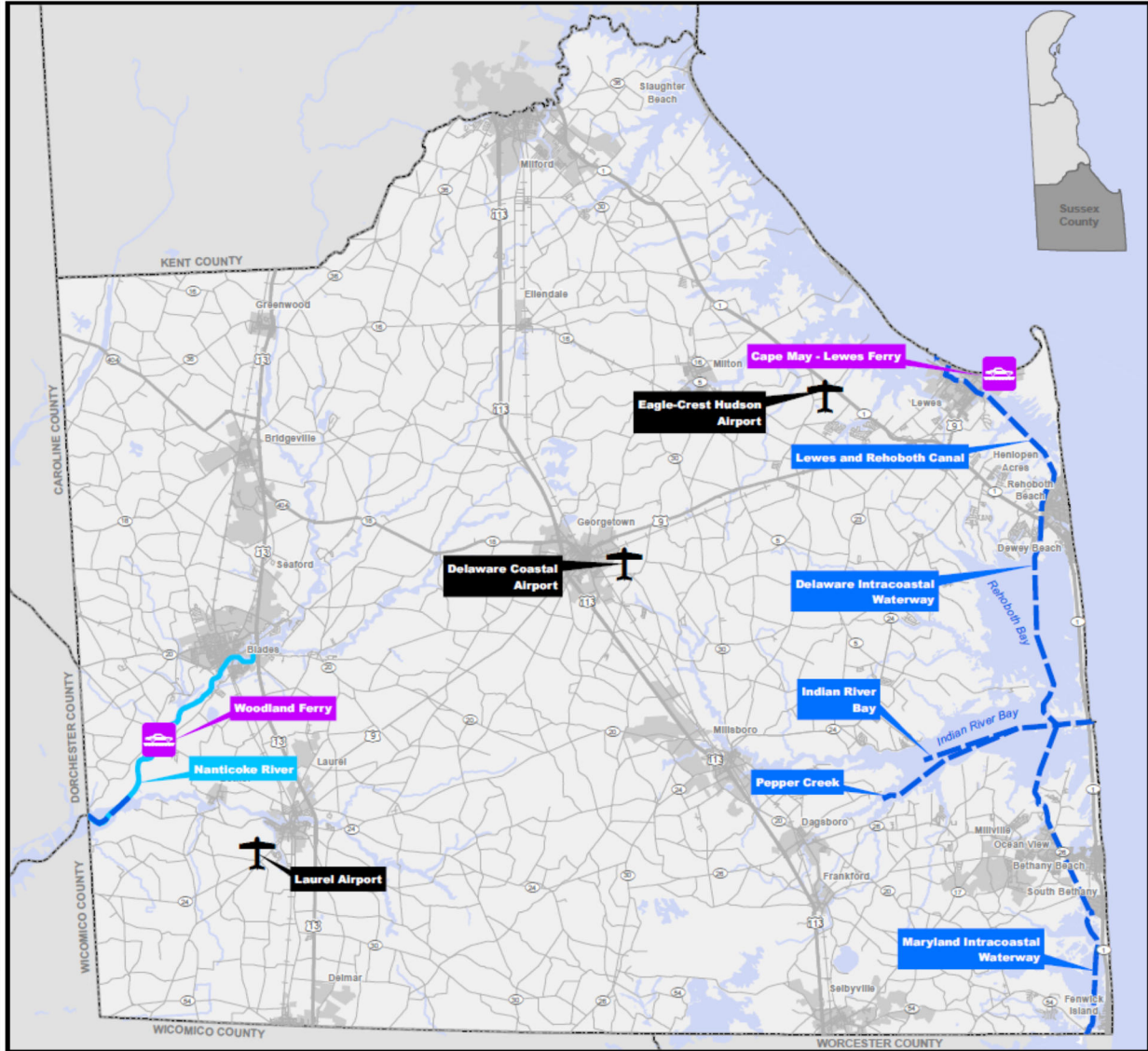


Sussex County
Comprehensive
Plan

Sussex County Airports, Ferries, & Navigable Waterways

- Airports
- Ferry
- National Waterway Network
- Nanticoke River (Navigable Section)
- County Boundaries
- Municipalities

Sources: DE FirstMap, Sussex County Mapping Dept. Delaware Department of Transportation, Bureau of Transportation Statistics (RITA/BTS) National Transportation Atlas Databases (NTAD) 2006.



13 5766 017 Air Sea EagleCrest Approved 11x17 3/24/2022 1:15:20 PM

Vincent.
Yes. 10/24.

Council Grant Form

Legal Name of Agency/Organization	Nanticoke River Watershed Conservancy ^{Conservan} Cy ✓
Project Name	Maintenance Equipment
Federal Tax ID	51-0342623 ✓
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	To conserve/preserve land as open space for the citizens of the County and etc.
Address	P.O. Box 418
Address 2	
City	Seaford
State	DE
Zip Code	19973
Contact Person	Steve Cooper / Marlene Mervine
Contact Title	Pres/Ex Director
Contact Phone Number	302-448-0047

Contact Email Address scooper9078@gmail.com

Total Funding Request 2500.00

Has your organization received other grant funds from Sussex County Government in the last year? Yes

If YES, how much was received in the last 12 months? 2640.00

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 6

Program Category (choose all that apply) Other

Program Category Other Open Space

Primary Beneficiary Category Other

Beneficiary Category All walks of life
Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 0

Scope We currently own or control (thru easements etc.) approx. 500 plus acres. We are currently purchasing another tract of over 139 acres on the Maryland/Delaware line . We requested funding for equipment from the State and received \$42900.00 for the purchase of a tractor, a gator and a trailer to haul the equipment ... The current economy and inflation has increased the final purchase prices from the original quotes . We need to make up the funding to purchase the equipment . For example, the tractor has been purchased for \$30,150.00 The quote originally was \$27150.00

Religious Components

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request) 2,500.00

Description Tractor

Amount 30,150.00

Description Gator
Amount 11,500.00

Description Trailer
Amount 6,395.00

Description
Amount

Description
Amount

Description
Amount

Description
Amount

Description
Amount

TOTAL EXPENDITURES 48,045.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -45,545.00

Name of Organization Nanticoke Conservancy

Applicant/Authorized Official Steve Cooper

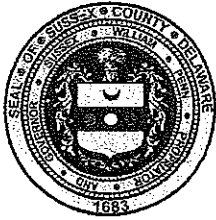
Date 10/20/2022

Affidavit Yes

Acknowledgement

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Vincent.
UCS 10/31



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Seaford Swimming Pool Association, Inc. ✓

PROJECT NAME: Upgrades and Improvements

FEDERAL TAX ID: 510079755 ✓ 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 provide a safe, inclusive and responsibly managed aquatics facility with a focus on family recreation and educating community members of all ages in swimming skills and water safety through swimming lessons and a competitive swim team.

ADDRESS: 26274 Craigs Mill Rd.
P.O. Box 434
Seaford Delaware 19973
(CITY) (STATE) (ZIP)

CONTACT PERSON: Michael S. Cotten

TITLE: Board President

PHONE: 302-628-9164 EMAIL: MSCotten83@yahoo.com

TOTAL FUNDING REQUEST: \$ 20,000.00

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

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

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

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

Other than fundraising and membership, no.

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

~650 - 700

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.

SSA was established in 1956, to provide family and youth recreational activities, swimming lessons and a swim team. Except for the heavy construction, the original membership volunteered to build and maintain that environment. Currently, however, the pool needs upgrades and improvements requiring professional attention that the membership can neither provide nor afford. Due to storm damage, the rear fencing must be replaced along with dead trees and debris removal, the pumphouse roof must be replaced, the concrete deck needs replacement and repair in several areas, and the pool also needs to be professionally repainted after deck improvements.

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

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

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

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

SECTION 4: BUDGET

REVENUE		
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)		
TOTAL REVENUES	/	
EXPENDITURES		
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, ^{for} rehab hard cost, ^{all} physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)		
REPAIR REAR FENCE - OPERATING COSTS	-	\$ 3000
REMOVE DEAD TREES - OP. COSTS (EQUIP), CONSTRUCTION	-	\$ 4000
REPAIR ROOF ON PUMP BLDG - SUPPLIES/EQUIP CONSTRUCTION + DEV.	-	\$ 2000
REPAIR CONCRETE EDGE MOLDING + JOINTS - SUPPLIES/CONSTRUCTION	-	\$ 7000
REPAIR SUNKEN PORTION OF DECK - SUPPLIES/CONST, EQUIP, REHAB HARD COST	-	\$ 4000
TOTAL EXPENDITURES	\$	20000 \$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	" "	\$ 0.00


SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Seaboard Swimming Pool Association 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.

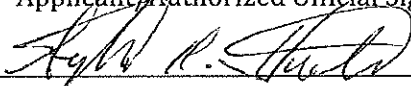
SECTION 5: STATEMENT OF ASSURANCES (continued)

- 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 Signature

10/22/2022
Date



Witness Signature

10/22/2022
Date

Completed application can be submitted by:

Email: casey.hall@sussexcountyde.gov

Mail: Sussex County Government
Attention: Casey Hall
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.

Montane S. Wallin
Applicant/Authorized Official Signature

Spencer A. Hart
Witness Signature

Treasurer
Title

10/22/2022
Date

Vincent.
Yes. 10/31

Council Grant Form

Legal Name of Agency/Organization	Seaford Central Elementary School
Project Name	Cooking with a Star
Federal Tax ID	237118015
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	The mission of the Cooking Club is to bring food lovers together to celebrate the art of cooking, increase our knowledge of skills, techniques, and recipes, and cook delicious meals from all countries and cultures.
Address	1 Delaware Place
Address 2	
City	Seaford
State	DE
Zip Code	19973
Contact Person	Tonekia Showell
Contact Title	Teacher

Contact Phone Number 443-859-4763

Contact Email Address tonekia.showell@seaford.k12.de.us

Total Funding Request 4000

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

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

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

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

Program Category (choose all that apply) Cultural, Educational, Health and Human Services

Program Category Other

Primary Beneficiary Category Youth

Beneficiary Category Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 300

Scope

Seaford Central Elementary launched a cooking club during the school day. Students, eager to learn how to cook, signed up for the initial 12-week series in 2022. Students learned the importance of eating balanced nutritious meals and gained hands-on cooking and kitchen experience. Students learn about grocery shopping on a budget, preparing nutritious meals, and have an opportunity to create their own delicious and healthy meals! Students have been excited and motivated to join the club and want more! Cooking helps students explore different options and allows them opportunities to give each other feedback that is constructive. Students have been able to express themselves with the meals they make and are even impressing their parent's and family members with what they learned.

Religious Components

Please enter the current support your organization receives for this project (not 500.00

entire organization
revenue if not
applicable to request)

Description foam bowls (300 count) * 2

Amount 30.00

Description foam plates (250 count) * 2

Amount 30.00

Description griddle

Amount 200.00

Description cooking pans

Amount 300.00

Description cooking utensils

Amount 100.00

Description double burner hot plate

Amount 250.00

Description Food for 12 weeks (4 rotations) from Food Lion & Walmart
(September 2022 - June 2023)

Amount 3,290.00

Description utensils (fork, knife and spoons)

Amount 300.00

TOTAL EXPENDITURES 4,500.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -4,000.00

Name of Organization Seaford Central Elementary

**Applicant/Authorized
Official** Tonekia Showell

Date 10/24/2022

**Affidavit
Acknowledgement** Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Green.
yes 11/1

Council Grant Form

Legal Name of Agency/Organization

Grace -N- Mercy Ministries, Inc. ✓

Project Name

Grace -N- Mercy Thanksgiving Dinner

Federal Tax ID

38-3655598 ✓

Non-Profit

Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)

No

Organization's Mission

We seek to improve the well-being of our community members in order to continue making a difference. We have programs that tackle crime, poverty and educational sectors. We seek to enhance the quality of life in our community through individual and family services, community programs, and partnerships with other organizations.

Address

PO BOX 70

Address 2

City

Greenwood

State

DE

Zip Code

19950

Contact Person	Tonekia Showell
Contact Title	Secretary
Contact Phone Number	443-859-4763
Contact Email Address	tonekia.showell@seaford.k12.de.us
Total Funding Request	2500
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	2000
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	25
Program Category (choose all that apply)	Health and Human Services, Other

Program Category Poverty/Feeding Program
Other

Primary Beneficiary Category Other

Beneficiary Category Disability & Special Needs, Elderly Person (62+), Homeless,
Other Low to Moderate Income

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 600

Scope We see a lot of people not being able to provide for their families all year long. The mission through our 18 years is to support our community. The dinner is specifically for those that are homeless, low income, senior citizen, etc. The first dinner will be served on the Tuesday before Thanksgiving. We have served over 600 people in Delaware that may not get a hot meal during the holiday. We also deliver meals in the community and surrounding areas in Sussex County. The meals are a traditional holiday meal: turkey, ham, stuffing, mashed potatoes and gravy, fresh sweet potatoes, green beans, cranberry sauce, rolls and assorted desserts. Over the past 20 years, there have been literally hundreds of volunteers from the community doing everything from baking pies to delivering hundreds of meals to our homebound guests, serving the guests at the dinner and cleaning up after the meal. Many hands truly have made this project a wonderful success over the years. Our servers collectively volunteer more than 1200 hours between preparation and planning for these grand events. Roughly 525 pounds of turkey, 140 pies, 736 dinner rolls, 70 large

cans of green beans, 30 pans of stuffing and 650 pounds of potatoes (mashed and fresh sweet potatoes) are required to make this event successful in 2022.

**Religious
Components**

**Please enter the
current support your
organization receives
for this project (not
entire organization
revenue if not
applicable to request)** 1,000.00

Description tablecloths (50 tables) \$3

Amount 150.00

Description napkins (\$3 a pack * 10 packs) 300 napkins in a pack

Amount 30.00

Description silverware (360 ct.) \$12 * 6

Amount 72.00

Description cups (1000 in a box) * 2 boxes

Amount 42.00

Description to go containers (200ct.) (\$35) * (4)

Amount 140.00

Description Plates (125 ct.) \$15 * 10 packs

Amount	150.00
Description	Turkeys (100 Turkeys) * \$20 each
Amount	2,000.00
Description	Ham (60) * (\$15)
Amount	900.00
TOTAL EXPENDITURES	3,484.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-2,484.00
Name of Organization	Grace -N- Mercy
Applicant/Authorized Official	Tonekia Showell
Date	10/24/2022
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Green
Yes, 11/4.

Council Grant Form

**Legal Name of
Agency/Organization**

MILTON HISTORICAL SOCIETY ✓

Project Name

Women of Milton Museum Exhibit

Federal Tax ID

23-7158119 ✓

Non-Profit

Yes

**Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)**

No

Organization's Mission

The Milton Historical Society is a nonprofit cultural and educational organization dedicated to increasing public understanding and appreciation of the history of Milton and the Broadkill Hundred. The Society collects, preserves, and interprets stories, artifacts and documents related to Milton and the Broadkill Hundred for study and education. We welcome the participation of people of all ages in sharing informative and engaging experiences that will encourage them to discover and appreciate their heritage.

Address

210 UNION ST

Address 2

City

MILTON

State

Delaware

Zip Code

19968-1620

Contact Person	DeeDee Wood
Contact Title	Development Director
Contact Phone Number	3026841010
Contact Email Address	visit@historicmilton.org
Total Funding Request	3050.00
Has your organization received other grant funds from Sussex County Government in the last year?	No
If YES, how much was received in the last 12 months?	N/A
Are you seeking other sources of funding other than Sussex County Council?	No
If YES, approximately what percentage of the project's funding does the Council grant represent?	N/A
Program Category (choose all that apply)	Educational
Program Category Other	

Primary Beneficiary Category Low to Moderate Income

Beneficiary Category
Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 8000

Scope

Our small nonprofit museum, The Milton Historical Society, in Milton, Delaware, is requesting funding for low to moderate income participants to be able to come to an exhibit at our museum, entitled, "Women of Milton." This show showcases post-mortem women who have had an impact within their community from as early back as the 1700s to the 1960s. It is our hope that sharing the lives of incredible, articulate, capable women of a Sussex County town such as Milton will inspire and encourage low to moderate income families who attend to encourage their young women and mothers to be inspired to follow in the footsteps of the women represented in this show, who overcame poverty, obstacles and nuances that could also be relevant in participants viewing the show, which will be available for them for free to view.

In addition, we are a small, but mighty historical society, and we endeavor to bring to our community, town, and county, a rich, pictorial and descriptive narrative of the lives in which these women led on a daily basis, which included shipbuilding, navigations of ships, cannery work, millinery shops, seamstress and embroidery work, teaching, owning businesses, emporiums, merchantile trades and more. This exhibit is a broad extension of representation of the lives of a group of people who did not always have proper representation, although with this show their voices can be

heard, perhaps for the first time in print. We are including minority groups, such as African-American women who had an impact on the area, Native American women who inspired, Hispanic contributions, as well as a broad age and range of women from the past, particularly from many walks of life.

Our show is intended to inspire, uplift, encourage and include any socio-economic group of individuals living in the town of Milton or Sussex County, and beyond. Inspiration is the first key to positive success and accomplishments, that include further educational options and more. Nurses, doctors, teachers and homemakers of the past will speak to all people of this area about the rich heritage and legacy that these women left for them.

Religious Components

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request) 0.00

Description Paint, Painting Tape, Spackle, Cleaning: Preparation of Exhibit Hall

Amount 350.00

Description Printing of Materials for Exhibit, which includes reproduction of photos of women of Milton, printing narrative storyboards that accompany the photos, and other wall mounted descriptions in the exhibit

Amount 2,000.00

Description Wall mountings and hanging equipment for show

Amount 200.00

Description Printing costs of brochures and postcards to mail to residents of Milton and Sussex County, Delaware, telling them about the show, plus postage

Amount 500.00

Description

Amount

Description

Amount

Description

Amount

Description

Amount

TOTAL 3,050.00

EXPENDITURES

TOTAL DEFICIT FOR -3,050.00

**PROJECT OR
ORGANIZATION**

Name of Organization Milton Historical Society

**Applicant/Authorized
Official** DeeDee Wood

Date 11/02/2022

Affidavit

Yes

Acknowledgement

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

To Be Introduced: 11/15/22

Council District 4: Mr. Hudson
Tax I.D. No.: 234-34.00-4.01
911 Address: N/A

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR RV AND BOAT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 14.34 ACRES, MORE OR LESS

WHEREAS, on the 25th day of August 2022, a conditional use application, denominated Conditional Use No. 2394 was filed on behalf of Wayne Development, LLC; and

WHEREAS, on the ____ day of _____ 2023, 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. 2394 be _____; and

WHEREAS, on the ____ day of _____ 2023, 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. 2394 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying on southwest side of Gull Point Road (S.C.R. 313) approximately 591 ft. northeast of Downs Landing Road and being more particularly described in the attached legal description prepared by Parsons & Robinson, P.A., said parcel containing 14.34 acres, more or less.

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

To Be Introduced: 11/15/22

Council District 2: Mrs. Green
Tax I.D. No.: 131-15.00-51.00
911 Addresses: N/A

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR FARM ON A 29.29 ACRE, PORTION, MORE OR LESS, OF A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 93.66 ACRES, MORE OR LESS

WHEREAS, on the 1st of July 2022, a conditional use application, denominated Conditional Use No. 2388 was filed on behalf of Rifle Range Road Solar, LLC; and

WHEREAS, on the ____ day of _____ 2023, 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. 2388 be _____; and

WHEREAS, on the ____ day of _____ 2023, 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. 2388 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 south side of Rifle Range Road (S.C.R. 545), approximately 1.14 mile east of Sussex Highway (Rt. 13), and being more particularly described in the attached legal description prepared by Sergovic, Carmean, Weidman, McCartney & Owens P.A., containing 93.66 acres, more or less.

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

To Be Reintroduced: 11/15/22

Council District 3: Mr. Schaeffer
Tax I.D. No. 334-12.00-7.00
911 Address 33508 Ritter Lake Road, Lewes

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 DISTRICT TO ALLOW THE CONTINUED SALES AND STORAGE OF STONE, MULCH, SOIL, AND RELATED OUTDOOR PRODUCTS AT THE PROPERTY WITH THE EXISTING, NON-CONFORMING BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 50.90 ACRES, MORE OR LESS

WHEREAS, on the 22nd day of November 2021, a conditional use application, denominated Conditional Use No. 2327 was filed on behalf of Howard L. Ritter & Sons, Inc.; and

WHEREAS, on the ____ day of _____ 2022, 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. 2327 be _____; and

WHEREAS, on the ____ day of _____ 2022, 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. 2327 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 & Rehoboth Hundred, Sussex County, Delaware, and lying on the southwest side of Plantations Road (Rt. 1D), approximately 0.18 mile southeast of Robinsonville Road (S.C.R. 277) and being more particularly described in the attached legal description prepared by Maull & Maull, P.A., said parcel containing 50.90 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.

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: November 9, 2022

RE: County Council Report for C/U 2323 filed on behalf of Leslye Brossus

The Planning and Zoning Department received an application (C/U 2323 filed on behalf of Leslye Brossus) for a Conditional Use for parcel 134-12.00-1198.00 for a treehouse and yurt to be utilized for short-term rentals. The property is located at 31631 Reading Street, Millville and is within the Banks Acres Subdivision. The parcel size is 0.26 acres +/-.

The Planning & Zoning Commission held a Public Hearing on the application on October 13, 2022. At that meeting, the Planning & Zoning Commission closed the record and deferred for further consideration.

Once a recommendation is received from the Planning & Zoning Commission, it will be reported to the County Council.

Below are the minutes from the Planning & Zoning Commission meeting of October 13, 2022.

Minutes of the October 13, 2022 Planning & Zoning Commission Meeting

Mr. Mears recused himself from the next public hearing and left Council Chambers.

C/U 2323 Leslye Brossus

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A TREEHOUSE AND YURT TO BE UTILIZED FOR SHORT-TERM RENTALS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.26 ACRES, MORE OR LESS. The property is lying on the south side of Reading Street,



approximately 0.14 mile south of Old Mill Road (Route 349) and is Lot 45 within the Banks Acres Subdivision. 911 Address: 31631 Reading Street, Millville. Tax Parcel: 134-12.00-1198.00.

Mr. Whitehouse advised the Commission that submitted into the record was a letter from the Applicant, the Staff Analysis, the DelDOT Service Level Evaluation Response, a copy of the Applicant's building permit information, the Site Plan, a letter from Sussex County Engineering Department Utility Planning Division, and a copy of guest books, containing customer reviews which were submitted by the Applicant. Mr. Whitehouse advised the Commission there had been one letter received in opposition, two letters received in support, and one mail return.

The Commission found that Ms. Leslye Brossus spoke on behalf of her Application; that it is her intent to have the Application as her supporting business through Air B&B; that the business does come with good insurances; that the Application will create two additional vehicles to her property, four and a half months out of the year; that these vehicles would be for the customers of the yurt and treehouse; that the yurt does not remain in place throughout the whole year; that she did obtain building permits for all structures before they were placed; that the property is served by sewer; that she is the only person living in the trailer located on the property; that when she is fully booked, it would be herself, possibly two people within the treehouse and two people within the yurt located on the property and using the sewer; that a Service Level Evaluation was performed; that DelDOT stated the use would have a diminutive impact on traffic; that the Banks Acres Subdivision does not have a Homeowners Association; that there are no deed restrictions for the development; that the most impacted adjacent property is located to the left with a trailer; that she owns that property; that she rents the trailer through Air B&B; that she only rents the trailer up to four and a half months out of the year; that there is a large agricultural field located behind the property; that there is a very heavy tree line located on the property line closest to the yurt; that the dwelling on the property closest to the yurt, sits far up on the property, closest to the road; that due to this there is no line-of-sight of the yurt; that she did submit a packet of photographs reflecting appropriate parking on the property; that during the months she rents the structures the trees are in full bloom; that when the trees are in full bloom the structures cannot be seen from the road; that one would be required to pull into the parking area before the structures could be seen; that she does not feel trash is a concern; that her customers are those which love to enjoy the environment; that her customers enjoy to be out in nature, which is the appeal of the property; that her customers leave a very small footprint; that she does have trash and recycling pick up on a regular basis; that should the property become overloaded, she has the adjacent property where she has year-round trash removal services; that she keeps a close eye on things, to avoid any negative reviews; that she mostly uses solar lights on the property; that all of the lights are downward facing; that some of the lights are activated by motion; that she attempts to not add to light pollution as the stars are what people come to the property to see; that noise is not an issue; that she has a no party policy; that the treehouse was made from 80% recycled materials; that she feels the property is a small piece of artwork; that she would like to think she is adding to the community; that anyone within the community has always been invited to view the property with her open door policy; that this allows for adjacent neighbors to know exactly what goes on at the property and she does inform people how they may take a video walk through on her Air B&B website.

Ms. Wingate stated she feels the treehouse was very nicely done; that she questioned when the structures are rented; that she did see sufficient parking at the site; that she did see a small sign on the property, and she questioned if Ms. Brossus would like a larger sign on the property.

Ms. Stevenson questioned if the structures have kitchens; that she questioned if the structures have running water and she questioned Mr. Robertson if there are any special restrictions for the intended use within the GR (General Residential) Zoning District.

Mr. Robertson stated the property is located within GR (General Residential), therefore does not permit a multi-family use and that this was the reason the Conditional Use was required.

Mr. Whitehouse stated GR (General Residential) does permit the placement of a single-wide mobile home.

Ms. Brossus stated she begins renting around Memorial Day weekend; that she begins to rent on weekends only around mid-August; that by mid-September she closes the structures down for the season; that she does not desire a larger sign for the property; that she desires to only have online advertising for the property, to avoid interface to the activity at the site; that her customers are looking for the “off the beaten path” accommodations; that if someone was not specifically looking for her particular use of the property, no one would know the uses were onsite; that the yurt does have a microwave; that the treehouse does not have a kitchen area; that the treehouse does have a miniature refrigerator in the case her customers were to bring home leftovers from a local eatery; that neither structure has running water within them; that there is an outdoor bathroom, one bathroom for each structure, located on the property; that the bathroom area has hot and cold water, with a sink and a toilet; that one bathroom has a shower; that the other bathroom has a shower-tub combination; that the outdoor bathroom area are two bathrooms built back to back; that she did submit photographs of the bathrooms into the record; that the bathrooms were constructed with outdoor materials; that she does the use with intent; that her use is not to slap something up to make a buck on it; that it took her a lot of time to construct; that she curated the use; that she keeps the property tidy; that she does not use any weed killers in the summer as her clientele is very wholesome and outdoorsy and her clientele often want to drink the water, with no desire to use a water bottle.

The Commission found there was no one present in the room or by teleconference who wished to speak in support or opposition of the Application.

Upon there being no further questions, Chairman Wheatley closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to Application C/U 2323 Leslye Brossus. Motion by Ms. Wingate to defer for further consideration, seconded by Ms. Stevenson and carried unanimously. Motion carried 4-0. Mr. Mears abstained.

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

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JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 13th, 2022

Application: C/U 2323 Leslye Brossus

Applicant: Ms. Leslye A. Brossus
31631 Reading Street
Millville, DE 19970

Owner: Ms. Leslye A. Brossus
31631 Reading Street
Millville, DE 19970

Site Location: 31631 Reading Street, Millville. The property is lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (Route 349) and is Lot 45 within the Banks Acres Subdivision.

Current Zoning: General Residential (GR) District

Proposed Use: Treehouse & Yurt for Short Term Rentals

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire Department

Sewer: Sussex County

Water: Private (Well)

Site Area: 0.26 acres +/-

Tax Map ID: 134-12.00-1198.00



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
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jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Ms. Lauren DeVore, AICP, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: September 7, 2022
RE: Staff Analysis for C/U 2323 Leslye Brossus

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2323 Leslye Brossus to be reviewed during the October 13th, 2022, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 134-12.00-1198.00 to allow for a treehouse and yurt structure for the purpose of providing short-term rentals. The property is lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (Route 349) and is Lot 45 within the Banks Acres Subdivision. The property is located approximately 0.17 mile north of the town limits of the Town of Millville. The property consists of 0.26 acres +/-.

Further Site Considerations

Staff note that Building Permits were obtained for a 12-ft x 10-ft lean to, two (2) outdoor restrooms of 3-ft by 8-ft (BP # 160045, which was issued on 6/25/2021,) and a 12-ft x 14-ft treehouse 7 to 8-ft in height with a 8-ft by 12-ft deck (BP #140685, which was issued on 9/17/2020). This information has been included in the Commission's packet this evening.

County records indicate that there are no Tax Ditches or related Tax Ditch Rights-of-Way (ROW) located on the property.

The property is not located within any established Transportation Improvement District (TID).

The property is located within Flood Zone "X" – Areas determined to be outside of the 0.2 Percent Annual Chance Flood Zone.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has a land use designation of "Coastal Area." All surrounding properties to the north, south, east and west of the subject site contain the Future Land Use Map designation of "Coastal Area."



As outlined in the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

Zoning Information

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 “Zoning Districts Applicable to Future Land Use Categories,” the General Residential (GR) District is listed as an Applicable Zoning District within the “Coastal Area.” (Sussex County Comprehensive Plan, 4-25).

The adjacent parcels to the north, west and east of subject property lying within the Banks Acres Subdivision are zoned General Residential (GR) District. The property immediately to the south of the subject property is zoned Medium Density Residential (MR) District. It should also be noted that a single parcel to the south is zoned Neighborhood Business (B-1) District.

The properties further west on the opposite side of Railway Road (S.C.R./Route 350) within the Banksville Park Subdivision are also zoned General Residential (GR) District. The properties to the south of Banksville Park, also located on the opposite side of Railway Road (S.C.R./Route 350), are zoned Medium Density Residential (MR) District.

Existing Conditional Uses within the Vicinity of the Subject Site

Since 1970, there have been two (2) Conditional Use applications within a 0.30-mile radius of the application site. The first application is for C/U 1148 Great Scott Broadcasting to allow for a radio broadcast tower to be located in an Agricultural Residential (AR-1) District. The Planning and Zoning Commission recommended approval for the use at their meeting of Thursday, February 22, 1996. The Sussex County Council approved the use at their meeting of Tuesday, March 12, 1996, and the change was adopted through Ordinance No. 1081. The second application is for C/U 2206 Linder & Company, Inc. (Evans Farm) to allow 200 multifamily units to be located in an Agricultural Residential (AR-1) District. The Planning and Zoning Commission recommended approval for the use at their meeting of Thursday, April 8, 2021. The Sussex County Council approved the use at their meeting of Tuesday, June 15, 2021, and the change was adopted through Ordinance No. 2776.

A Supplemental Map has been supplied which provides the location of all other Conditional Uses which are greater than 0.30-mile distance from the subject site.

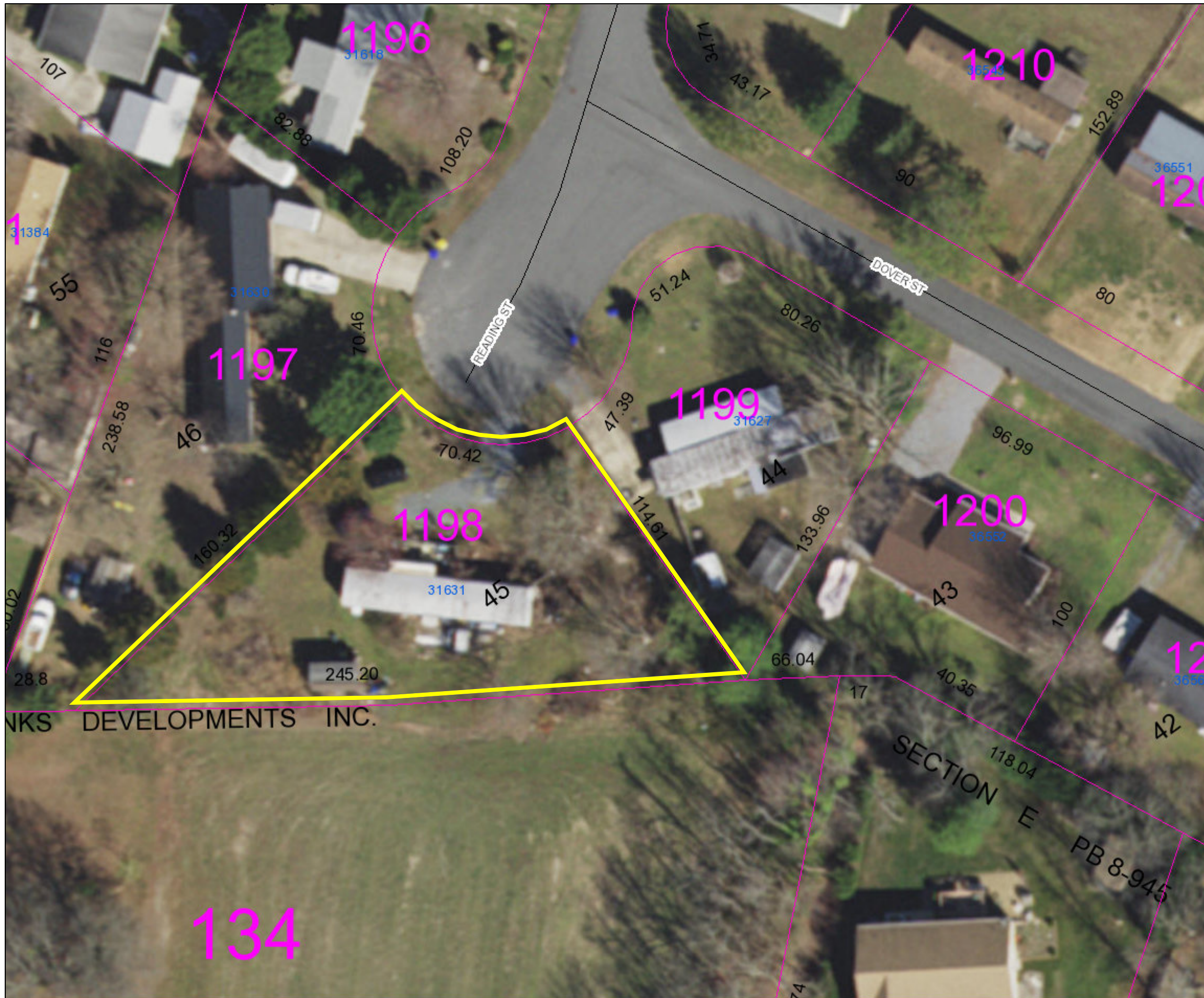
Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for a treehouse and yurt structure for the purpose of providing short-term rentals, subject to

considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

Conditional Use Applications (w/in a 0.30 mile radius of the subject site)*								
Application Number	Application Name	Current Zoning	Proposed Use	P&Z Decision	P&Z Decision Date	CC Decision	CC Decision Date	Ordinance Number
C/U 1148	Great Scott Broadcasting	AR-1	Radio Broadcast Tower	Recommended Approval	2/22/1996	Approved	3/12/1996	1081
C/U 2206	Linder & Company (Evans Farm)	AR-1	200 Multifamily Units	Recommended Approval	4/8/2021	Approved	6/25/2021	2776



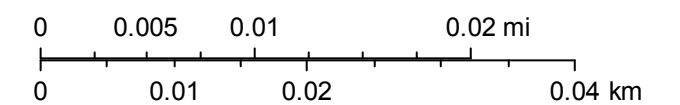
Sussex County



PIN:	134-12.00-1198.00
Owner Name	BROSSUS LESLYE A
Book	2635
Mailing Address	31631 READING ST BANKS
City	MILLVILLE
State	DE
Description	BANKS ACRES
Description 2	LOT 45
Description 3	T#22032
Land Code	

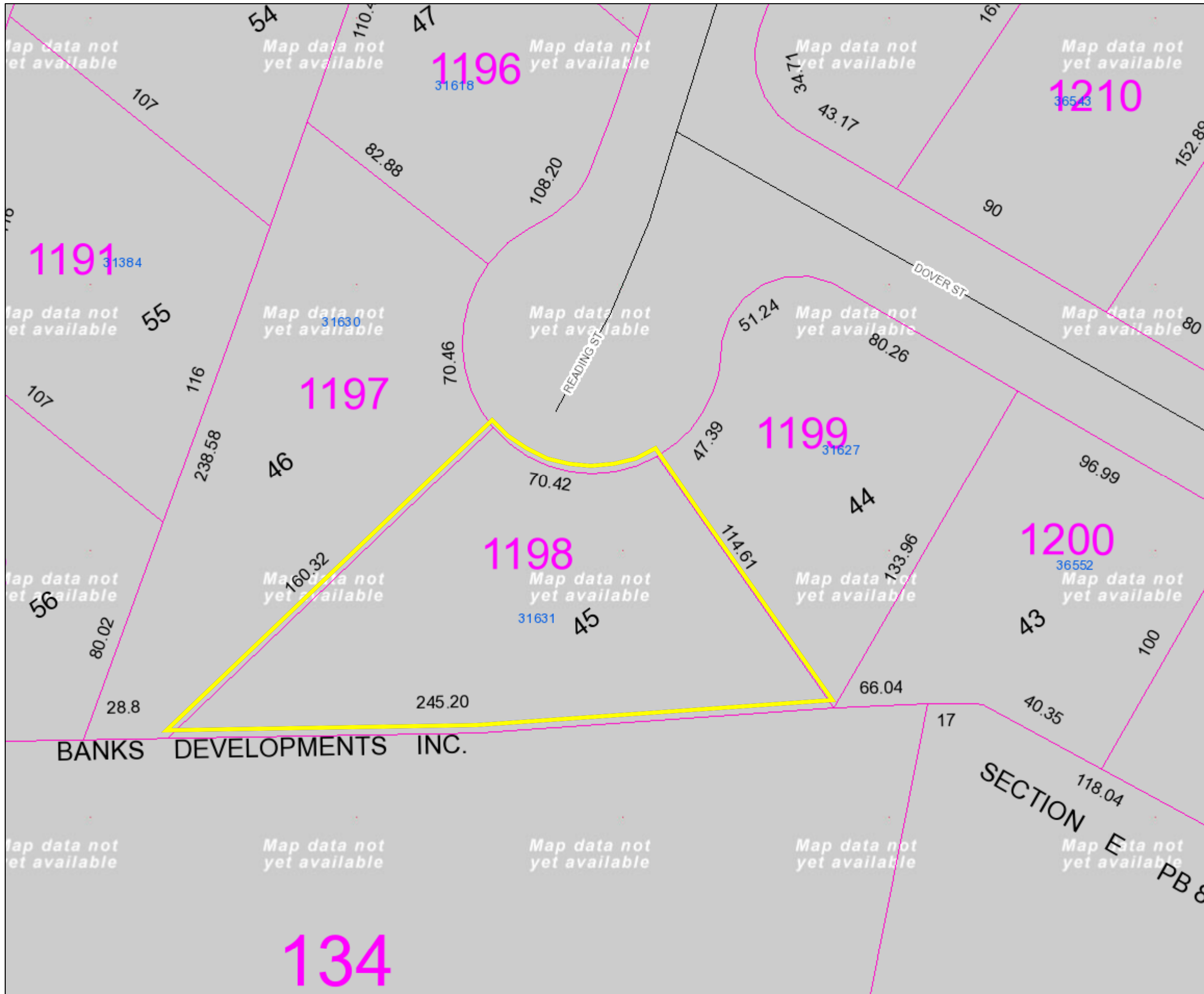
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- ⋯ Tax Parcels
- 911 Address
- Streets
- County Boundaries

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Sussex County



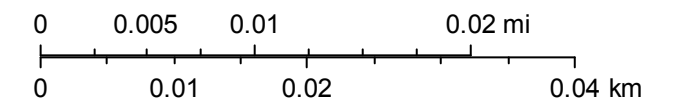
PIN:	134-12.00-1198.00
Owner Name	BROSSUS LESLYE A
Book	2635
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City	MILLVILLE
State	DE
Description	BANKS ACRES
Description 2	LOT 45
Description 3	T#22032
Land Code	

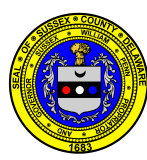
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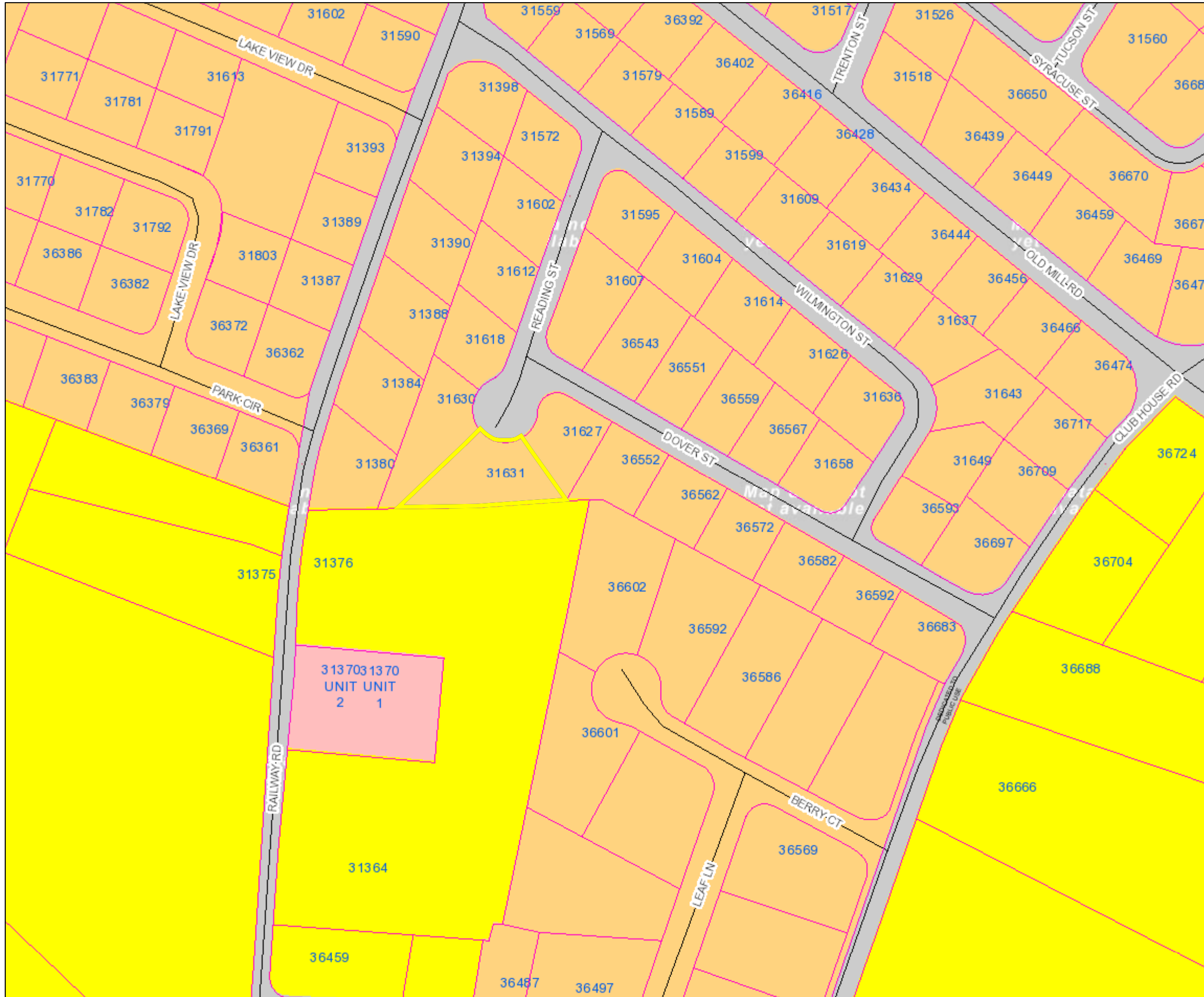
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- Tax Parcels
- 911 Address
- Streets
- County Boundaries

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Sussex County



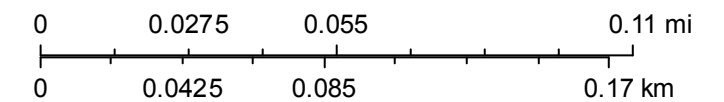
PIN:	134-12.00-1198.00
Owner Name	BROSSUS LESLYE A
Book	2635
Mailing Address	31631 READING ST BANKS
City	MILLVILLE
State	DE
Description	BANKS ACRES
Description 2	LOT 45
Description 3	T#22032
Land Code	

- polygonLayer

Override 1
- polygonLayer

Override 1
- Tax Parcels
- 911 Address
- Streets

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Introduced: 2/8/22

Council District 4: Mr. Hudson
Tax I.D. No.: 134-12.00-1198.00
911 Addresses: 31631 Reading Street, Millville

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A TREEHOUSE AND YURT TO BE UTILIZED FOR SHORT-TERM RENTALS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.26 ACRES, MORE OR LESS.

WHEREAS, on the 16th of November 2021, a conditional use application, denominated Conditional Use No. 2323 was filed on behalf of Leslye Brossus and

WHEREAS, on the ____ day of _____ 2022, 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. 2323 be _____; and

WHEREAS, on the ____ day of _____ 2022, 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 115, Subsection 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2323 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, being lot 45 within the Banks Acres Subdivision, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the south side of Reading Street, approximately 0.14 mile south of Old Mill Road (Route 349) and being more particularly described in the attached legal description prepared by Superior Title Corporation, containing 0.26 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.

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
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jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
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Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: November 9, 2022

RE: County Council Report for C/U 2324 filed on behalf of Zachary Bedell

The Planning and Zoning Department received an application (C/U 2324 filed on behalf of Zachary Bedell) for a Conditional Use for parcel 134-16.00-700.02 for an automotive and boat repair business. The property is located at 34282 Central Avenue, Frankford. The parcel size is 5.0 acres +/-.

The Planning & Zoning Commission held a Public Hearing on the application on October 13, 2022. At that meeting of October 27, 2022 the Planning & Zoning Commission recommended approval of the application for the 6 reasons stated and subject to the 16 recommended conditions as outlined in the motion.

Below are the minutes from the Planning & Zoning Commission meeting of October 13, 2022 and the draft minutes of the Planning & Zoning Commission meeting of October 27, 2022.

Minutes of the October 13, 2022 Planning & Zoning Commission Meeting

C/U 2324 Zachary Bedell

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE AND BOAT REPAIR BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS. The property is lying on the west side of Central Avenue (S.C.R. 84), approximately 350 feet south of Substation Road (S.C.R. 366). 911 Address: 34282 Central Avenue, Frankford, DE 19945. Tax Parcel: 134-16.00-700.02.

Mr. Whitehouse advised the Commission that submitted into the record were the Staff Analysis, the Conceptual Site Plan, a copy of the Notice of Violation from the Sussex County Constables Office,



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

issued on August 17, 2021, and the DelDOT Service Level Evaluation Response. Mr. Whitehouse noted that 14 comments in opposition were received with some being duplicates; that there were two mail returns, and that no comments were received in support of the Application.

The Commission found that Mr. Zachary Bedell spoke on behalf of his Application; that he is attempting to use his land to create an income; that he is trying to positively affect the economy; that the work he performs is the way he currently makes an income and he believed he has adequate land to perform his business.

Ms. Wingate questioned if the current business was Mr. Bedell's full-time employment; that she stated when she visited the site, there were a few items that looked as if they had been sitting for some time; that she questioned what the hours of operations were; that she stated there were comments submitted in opposition stating loud motors were running all hours of the night; that she questioned if there were hazardous chemicals stored on the site; that she had noticed some items being stored along the wood line; that she questioned if the items would be removed from the woods; that she stated a comment was submitted in opposition stating that Mr. Bedell allows people to use their private driveway, located on Pine Bark Lane, to access the property; that she questioned how the cars access the fenced in area to the rear of the property and she questioned if Mr. Bedell had any employees.

Ms. Stevenson requested more information on the operations; that she stated there are multiple vehicles on the property; that there are inoperable vehicles and boats on the property; that she questioned the hours of operations and she stated she believed County Code permitted the storage of vehicles by the property owner.

Mr. Hopkins questioned if Mr. Bedell lived on the property and he stated hours of operation do not only pertain to when customers are on the property but when work is being performed on the site as well.

Chairman Wheatley questioned if Mr. Bedell had obtained a Dealer's License, that without a Dealer's License it is problematic to obtain multiple vehicles for the purpose of reselling; that one of the main concerns of the Commission and adjacent neighbors is the unsightly nature of the unused vehicles being stored on the property; that he questioned what Mr. Bedell's intentions were for the inoperable vehicles; that he questioned how automotive fluids are disposed of; that he questioned if Mr. Bedell would be agreeable to having a fenced impound area for the storage of his vehicles and stated he does not feel the issue is Mr. Bedell having the vehicles, but the issue is the unsightly manner in which the vehicles are kept.

Mr. Bedell stated his current business is his full-time employment; that between the previous violations and fines, he was informed he had to stop work at the property; that he stated he rarely works on motors during inappropriate hours; that he does have other neighbors in the area with loud vehicles; that there is a pro-mod with 3,000 horsepower located four houses down from him; that when the pro-mod starts up it shakes windows for two miles; that he previously had a State Trooper called to his home for a loud car in the driveway, when he had only been at his property for three minutes; that he feels if his neighbors hear a noise, they immediately assume it is from him; that there are no hazardous chemicals stored on the site; that he has revised his site plan slightly; that he now has four shipping containers at the rear of the property; that a pad has been placed in front of the containers; that none of the containers will have electricity; that two of the containers will be self-sufficient by solar panels located on the container roofs; that the containers are not permanent structures; that he

is aware there is an easement on the rear tax ditch; that he does intend to remove all the items from the woods; that he intends to fence in a small area to contain the items on gravel; that no one accesses his property from Pine Bark Lane, or it happens very seldom; that approximately twice a year he may drive off the corner of his property, utilizing Pine Bark Lane; that he does not direct customers to use Pine Bark Lane; that customers enter the property through the driveway, driving through the backyard to access the fenced in area in the rear yard; that 99.9% of his work is performed on community vehicles; that he often will pick the vehicles up himself, dropping the vehicles back off when the work is completed; that he does not have any employees; that he would propose his hours of operation be 9:00 am to 5:00 pm, Monday through Saturday; that many of the vehicles onsite are cheap vehicles he could not pass up purchasing; that he mostly performs light maintenance work; that he occasionally purchases small equipment to recondition and sell; that he would like to have a small restoration shop at the property; that he does not have any inoperable boats located onsite; that there are two to three inoperable vehicles on the site; that he owns two of the boats; that the other two boats belong to someone else; that he placed three inoperable vehicles into a shipping container on the site; that he is open to having a fence or any other ideas that may provide privacy from adjacent properties; that two houses down from him there is a C-1 (General Commercial) Zoned property which performs automotive repairs; that he is not the only person in the area performing automotive repair work; that his property consists of five acres; that he feels five acres is adequate land for his use; that we would like to perform work 9:00 am to 5:00 pm every day; that if he performed automotive work to a stock car at 9:00 pm, it would be considered a hobby and not work; that he proposed performing operations to customers between the hours of 9:00 am to 4:00 pm; that he does live on the property; that he had not obtained a Dealer's License; that his main intention is to not resell vehicles; that his intention is to purchase and refurbish equipment, such as bob cats, excavators and woodchippers; that he has a friend who works at Bayside Jet Drive who uses recycled oil for heat in their shop; that he stores used oil in two 55 gallon drums; that when the drums become full, his friend comes to the site, pumps the used oil from both drums; that he does have a containment rig on the drums; that the drums are located in an area, that could contain 100 gallons, if there was a spill; that he believed the County Code allows for parking of four or more vehicles, not owned by the property owner, when located on a property of five acres or more; that he believed antique vehicles were excluded from the County regulations, subject to the vehicle being considered an antique and being located on a parcel of five acres or more; that he did question the County Constables about this, but did not receive confirmation; that the Constables reply was the vehicle would be required to be tagged antique; that the antique car would not be excluded, because it would therefore be tagged; that he has received a violation for this twice; that if the Code does exclude antique vehicles, he would not be in violation of the Code; that he would be agreeable to the placement of a fence to screen the storage of vehicles; that he has spent the last few weeks cleaning up the property and there are only two to three vehicles left on the property.

The Commission found Mr. David Goodman spoke in opposition to the Application; that he and his wife own 23 acres adjacent to the property; that the property is a disaster; that he requested to submit photographs of the property into the record; that he does drive down Pine Bark Lane daily; that the photos reflect the current state of the property; that the Applicant has moved a lot of items to the rear of the property; that he submitted a photo of a trailer full of metal; that another photo submitted shows a burn pile burning the metal; that another photo shows the junk and debris located around the property; that the property is an environmental hazard; that the Applicant stated he cleaned the property in preparation for the public hearing; that even with the work the Applicant has completed, the property is still a disaster; that he had previously spoke to Chief Constable Mr. Lester Shaffer regarding the illegal business and unsightly manner of the property with multiple vehicles and scrap

metal; that the Constables have been to the Applicant's property multiple times since 2020; that Mr. Shaffer stated Mr. Bedell was being fined for violations to the Code; that the fines will double with each visit; that the County currently has an open case, but has been placed on hold; that the case will be re-opened with the denial of the Applicant's Conditional Use; that in conversations with Mr. Shaffer, approximately around October 2020, Mr. Shaffer stated Mr. Bedell showed no respect to the law; that within 2020 the Applicant began working on vehicles after 5:00 pm and on weekends; that he believes this was done to avoid a Constable catching him while working; that Mr. Shaffer informed him during the COVID-19 lockdown it took many months for hearings; that this led to the circumstance being prolonged; that he felt the Applicant took advantage of the situation; that eventually Mr. Shaffer stated since there was an open case, he was not permitted to disclose any further information; that the Applicant has continued to conduct his illegal work after hours and on weekends; that the Applicant has added multiple metal storage containers to the site; that the storage containers were brought to the site under the cover of darkness according to a neighbor located across the street from the property; that he has spoken to Mr. Harold Dukes, Esq. who stated the top consideration for any Conditional Use is that it cannot negatively affect the value of the neighbors properties; that by allowing the Applicant to perform an auto repair business or a salvage, scrap metal yard, with the harmful environmental impact will cause a significant decrease in all neighbors property values; that he questioned who would want to live next to a junk yard; that he spoke with Officer Carpenter with DNREC Crime Unit, where he expressed the presence of salvage burning operations; that at that time, they did not wish to cause the Applicant, or the owners of the property being Mrs. Marie Bedell and Mr. Kenneth Bedell, any financial hardship; that he does wish to end the illegal operations completely; that Officer Carpenter stated he would go to the property, issuing a warning, without a fine; that the purpose of Delaware Open Burning Regulation (7 DE Admin. Code, 1113) is to control air emissions by establishing rules for open burning activities; that this regulation applies to all open burning activities in Delaware; that it is unlawful to burn industrial waste, being any waste produced by manufacture and process, which is all automotive parts, refuse, garbage, rubbish; that under Title 7 of the Natural Resources & Environmental Control Code, Section 4.1 it states *no persons shall cause or allow open burning of refuse*; that in Section 4.2 it states that *no persons shall cause or allow open burning in the conduct of a salvage operation*; that in Section 4.4.2 it states, *the open burning impacts a persons health, comfort and the enjoyment and use of his or her property*; that the Control Code states the environmental impacts of smoke burning prohibited materials, such as garbage, plastic or painted materials, are harmful to the environment, as the materials release toxic chemicals; that the toxic chemicals can be inhaled by humans and animals, deposited in the soil, surface water and plants; that the toxic chemicals can contaminate the soil and the ground water, allowing the chemicals to enter the human food chain; that he did question Constable Shaffer why the owners of the property, the Applicant's parents, have not been held accountable for the illegal activities; that an answer was not provided; that he strongly opposes the Application; that requested Sussex County put an end to the illegal uses on the property and he requested the owners of the property be held accountable.

Chairman Wheatley questioned Mr. Goodman about how much of the Applicant's property could be seen from Mr. Goodman's front porch or from his property line; that he questioned how the Applicant's use is impacting Mr. Goodman's daily living; that he questioned if Mr. Goodman had experienced an air quality issue and if he was a licensed realtor or appraiser.

Mr. Goodman stated he cannot see any of the Applicant's property from his porch; that he owns 23 acres of property; that he would be able to see the Applicant's property from his property line; that he can see the Applicant's property when driving down his driveway; that he has not experienced an air quality issue; that he is not a licensed realtor or appraiser; that he is aware, a property located

adjacent to a hazardous dump site is not considered as valuable as a property which is not; that he stated if Sussex County will allow this use to continue, the property condition will only get worse, as the condition never becomes better; that he previously work for DuPont as a Chemical Laboratory Technician; that he cannot fathom the hazardous activities currently happening and no one would want to be located next to a property in a similar condition.

The Commission found that Ms. Kelly Goodman spoke in opposition; that she walks in Forest Landing; that while walking she has multiple neighbors approach her, questioning if she is the owner of the Applicant's property; that the neighbors voice their concerns about the current condition of the property; that when she rides down Pine Bark Lane the property is clearly visible; that there is a scrap pile located on the site to date; that the complaint is not to oppose the Applicant from the proposed use; that the opposition is to the state the property is currently in; that people are attempting to purchase homes in Friendship Creek; that no one wants to purchase a property next to a dump; that they have raised these concerns since 2015 and they had previously requested the property be cleaned up.

The Commission found that Ms. Frances Lohmeyer spoke in opposition to the Application; that her mother is Ms. Margaret Crosby; that her mother lives directly adjacent to the property; that her mother can view the Applicant's property from her porch; that they are very disturbed about the appearance of the property; that she will be needing to sell her mother's property in the future; that they are very concerned about the property value diminishing; that direct problems impacting her mother include very loud noise, in all hours of the day and night; that they have experienced terrible mechanical odor coming from the property; that they believe this odor to possibly be from burning metal; that there is an issue of vehicles being run up and down Central Avenue at all hours of the day and night; that due to the widening of Central Avenue, her mother's home is located close to the road; that she believes vehicles are being ran up and down Central Avenue to perform testing by the Applicant, after mechanical work is performed; that she cannot verify that to be true, but she has seen the vehicles exit from the Applicant's property; that her mother has lived at her property for 17 years; that the condition of the property has gotten consistently worse and they are very fearful regarding the environmental impacts from the oil and automotive fluids being dumped into the ground.

The Commission found that Mr. Sean Cummings spoke in opposition to the Application; that he has heard the Applicant is a good mechanic; that he has had some personal issues with the Applicant; that he did have a machine taken to the Applicant; that the Applicant could not locate the issue; that the machine sat on the property for months; that he called the Applicant and sent text messages to attempt to reach him; that he went to the property, knocking on the door with no answer, despite hearing music playing in the background; that he eventually went to his property, had his machinery towed onto a flatbed in pieces and removed from the Applicant's property; that he had to have another mechanic put the equipment back together; that he has three small children; that his oldest child catches the bus at the end of Pine Bark Lane and he has concerns regarding his child catching the bus next to a property with so many issues.

The Commission found that Mr. Ronald Goodman spoke in opposition to the Application; that he can see the Applicant's property from his home; that he purchased his home five years ago with the intention it would be his retirement home; that he will not retire to the area if the Applicant's property stays in the condition it currently is in and he is not a realtor, however, he believes his property value has decreased within the five years of purchasing his home.

The Commission found that Ms. Sheree Bedell spoke in support of the Application; that she is the owner of the Application property; that the Applicant, her son, was put on hold causing all work to stop; that the property was the subject of a lawsuit for five years with Superior Court; that the lawsuit began in 2015; that this caused a hold up in work as well; that once the lawsuit was over, the COVID-19 pandemic hit; that the Applicant has been cleaning the property up; that there are piles of metal on the property; that the Applicant has been taking the piles of metal to the dump; that the Applicant has receipts for his trips to the dump; that the Applicant does not perform work at night; that there are many vehicles utilizing Central Avenue; that there are several communities being built; that due to this there are loud banging noises day and night; that it is not the Applicant making the noises; that the loud noises are coming from the community being constructed across the street from the property; that the Applicant is not testing vehicles along Central Avenue; that the Applicant does not use Pine Bark Drive; that there are woods located between the adjacent properties; that the Applicant is aware he is required to clean up the site; that the Applicant is making an effort to clean up the property; that there was material left on the property from her father and the previous owner; that the previous owner left a lot of material behind; that the Applicant is very knowledgeable and productive with all different types of equipment; that local farmers and tree service workers bring their equipment to the Applicant; that the Applicant enjoys working alone; that the Applicant's friends tend to drop equipment off without notice or permission; that if the Applicant were to get approved for the Conditional Use, they intend to post signs stating no equipment is permitted to be stored on the property without permission; that the Applicant is not burning any type of chemicals and now that the lawsuit is over, the property will be cleaned up.

The Commission found that Mr. Joseph Scott spoke in opposition to the Application; that he currently lives in New York; that his mother-in-law, Ms. Peggy Crosby, lives adjacent to the property; that he has visited Ms. Crosby on a regular basis, for the past 10 years, that over the last five years, the appearance of the property has diminished; that 10 years ago the property was beautiful and over time the property has increasingly become to look like a dump.

The Commission found that Ms. Karen Barker spoke in opposition to the Application; that she is a licensed realtor in Washington DC, Maryland, and Virginia; that she expressed concern regarding the commercial use of the property without organization, a business plan, screening, and signage, and she confirmed a property's condition does have an impact on adjacent property values.

Mr. Bedell stated he has had three visits from the Occupational Safety and Health Administration (OSHA), as well as the Delaware Department of Natural Resources & Environmental Control without receiving fines from either agency; that he handles waste oil and chemicals properly; that he does not allow any chemicals to be introduced to the environment; that he has spent the last two weeks cleaning the property; that he apologized for creating a burn pile on a piece of aluminum; that DNREC did come to the property and no violations were issued at that time.

Ms. Stevenson questioned if the Conditional Use is requested for the entire property or a section of the property; that she questioned the typical number of vehicles and boats the Applicant intends to have on the property at one time; that she questioned where the Applicant currently performs his work, and she questioned if the Applicant would like a sign.

Mr. Whitehouse provided the Commission photos of the property from Spring 2017, Spring 2019, and Summer 2021, using CONNECT Explorer, per Mr. Hopkins's request.

Mr. Bedell stated he would request the Conditional Use be provided on three acres at the rear of the property; that he is agreeable to not having the Conditional Use placed at the front of the property; that when residents of Friendship Creek purchased their homes, they were required to pass a C-1 (General Commercial) Zoned property, for the use of an automotive shop, to access the developments entrance; that he intends to have no more than 15 vehicles and boats on the property at one time; that currently he has four boats and four vehicles located on the property; that he did speak with DNREC before he purchased the shipping containers; that the shipping containers were brought to the site in the middle of the day; that the shipping containers are not fixed to the ground; that he does not intend to run power to the containers; that two of the containers will have solar panels; that he performs his work in the garage or within one of the containers; that the containers are 40-ft. high and 9-ft. wide cubes and he is not interested in having a sign.

Upon there being no further questions, Chairman Wheatley closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to Application C/U 2324 Zachary Bedell. Motion by Mr. Mears to defer for further consideration, seconded by Ms. Wingate and carried unanimously. Motion carried 5-0.

Minutes of the October 27, 2022 Planning & Zoning Commission Meeting

The Commission discussed the Application which had been deferred since October 13, 2022.

Mr. Robertson read Mr. Mears' prepared motion per Mr. Mears' request.

Mr. Mears moved that the Commission recommend approval of C/U 2324 Zachary Bedell for an automotive and boat repair business with several strict conditions based upon the record made during the public hearing and for the following reasons:

1. The Applicant is seeking approval of a small automobile and boat repair business on property owned by his family. It is a small business started by the Applicant and it has grown to the point where it must have a conditional use approval to continue.
2. There were many neighbors who appeared and testified with concerns about the Applicant's current operations on the property and the condition of the property in general. The Conditional Use, with the requirements imposed by it, will clean up the property and set limitations on what the Applicant can and cannot do on the property.
3. The use as a small automobile and boat repair business, if conducted properly, can be a benefit to property owners and businesses in the area by providing a convenient location for the service.
4. If operated correctly and in compliance with the conditions of approval, this use is consistent with other conditional uses in the area including a boat and RV storage facility.
5. This small use, with the conditions placed upon it, will not generate a significant amount of traffic on area roadways.
6. This property is in the Coastal Area according to the Sussex County Comprehensive Plan. A small business use like this can be an appropriate use within this Area according to the Plan.

7. This recommendation is subject to the following conditions.
 - A. The use shall be limited to the repair and maintenance of vehicles, boats and equipment.
 - B. There was concern stated during the hearing about burning that has occurred on the site. No outdoor fires or burning shall be permitted on the site.
 - C. No junked, inoperable, untitled or unregistered vehicles, boats or trailers shall be stored on the site.
 - D. No sales of vehicles, trailers, boats or equipment shall be permitted from the site.
 - E. The area of the conditional use shall be limited to a one-half acre area on the site. This area shall be fenced with a 6-foot-tall solid fence to screen the view from neighboring properties and roadways. The “CONEX”-style metal fright containers must be located within this one-half acre fenced area. This fenced-in area shall be completely outside of all setbacks on the property.
 - F. All repairs, maintenance and other work must occur within the one-half acre fenced area. All vehicles, boats, trailers, equipment or other items associated with the Conditional Use must be located within this fenced area at all times.
 - G. All existing vehicles, boats, trailers, equipment, tractors, machinery, junk and scrap metal or materials of any kind shall be relocated inside of the one-half acre fenced area. None of these items or anything else not used for residential purposes shall be stored outside of the one-half acre fenced area.
 - F. Although a Final Site Plan is required as part of this conditional use, the fence around the one-half acre area shall be permitted and installed within six months of the approval of this Conditional Use by Sussex County Council. Failure to construct this fence within this timeframe shall be grounds for the termination of this Conditional Use.
 - H. The property shall be cleaned up within six months of the approval of this conditional use by Sussex County Council, with all of the existing vehicles, boats, trailers, equipment, tractors machinery, junk and scrap materials of any kind either removed from the property or relocated into the one-half acre fenced area. Failure to abide by this requirement shall be grounds for the termination of this conditional use.
 - I. There shall be no more than 10 vehicles and boats (including trailers) in total on the property at any one time.
 - J. The one-half acre fenced in area of this conditional use shall be clearly shown on the Final Site Plan.
 - K. The violation of any of these conditions of approval at any time may be grounds for termination of this conditional use.
 - L. The Final Site Plan for this conditional use shall be reviewed and approved by the Sussex County Planning & Zoning Commission.
 - M. This conditional use shall be automatically reviewed by the Planning & Zoning Commission with a report from Staff within one year from the date of approval by Sussex County Council to review compliance and determine if its existence has any adverse impacts upon the neighboring and adjacent properties. It shall continue to be

reviewed annually by the Commission unless (a) it is terminated or (b) the Commission determines that such annual reviews are no longer necessary.

- N. All oils, liquids, and other fluids of any kind, which are associated with the use shall be disposed of properly.
- O. The hours of operation shall be limited to the hours of 7:00 am to 6:00 pm, Monday through Friday, and 7:00 am to 2:00 pm on Saturdays. There shall be no Sunday hours of operation.

Motion by Mr. Mears, seconded by Ms. Wingate and carried unanimously to recommend approval of C/U 2324 Zachary Bedell for the reasons and conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Mr. Hopkins – yea, Ms. Stevenson – yea, Ms. Wingate – yea, Mr. Mears – yea, Chairman Wheatley - yea

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

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JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: October 13th, 2022

Application: CU 2324 Bedell Automotive

Applicant: Zachary Bedell
34262 Central Avenue
Frankford, DE 19945

Owner: Sheree Bedell
35936 Pendel Avenue
Frankford, DE 19945

Site Location: Located on the west side of Central Avenue (S.C.R. 84), approximately 500-feet south of the intersection of Central Avenue and Substation Road (S.C.R. 366)

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Automotive repair shop (boats included)

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Rieley

School District: Indian River School District

Fire District: Millville Fire Co.

Sewer: On-site Septic

Water: On-site Well

Site Area: 5.00 ac. +/-

Tax Map ID.: 134-16.00-700.02



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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Elliott Young, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: October 3, 2022
RE: Staff Analysis for CU 2324 Zachary Bedell

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2324 Zachary Bedell to be reviewed during the October 13th, 2022, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel: 134-16.00-700.02, to allow for an automotive and boat repair business, to be located at 34282 Central Avenue Frankford, Delaware. The property is lying on the west side of Central Avenue (S.C.R. 84), approximately 500 feet southwest of the intersection of Substation Road (S.C.R. 366 and Central Avenue. The parcel consists of 5.00-acres +/- and also contains a Tax Ditch ROW (80-foot to TOB) which runs through the center of the property.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has a designation of "Coastal Area." The adjoining parcels to the north, west, and south also have a Future Land Use Map designation of "Coastal Area." The parcels to the east, across Central Avenue also have a Future Land Use Map designation of "Coastal Area."

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhomes, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed.

Zoning Information

The subject property is zoned Agricultural Residential (AR-1) District. All adjacent properties to the north, west, and south of the subject property are zoned Agricultural Residential (AR-1) District. The parcels to the east of the subject property, on the opposite side of Central Avenue



(S.C.R. 84), the parcels contain a mix of General Residential (GR) and Medium-density Residential (MR) Districts.

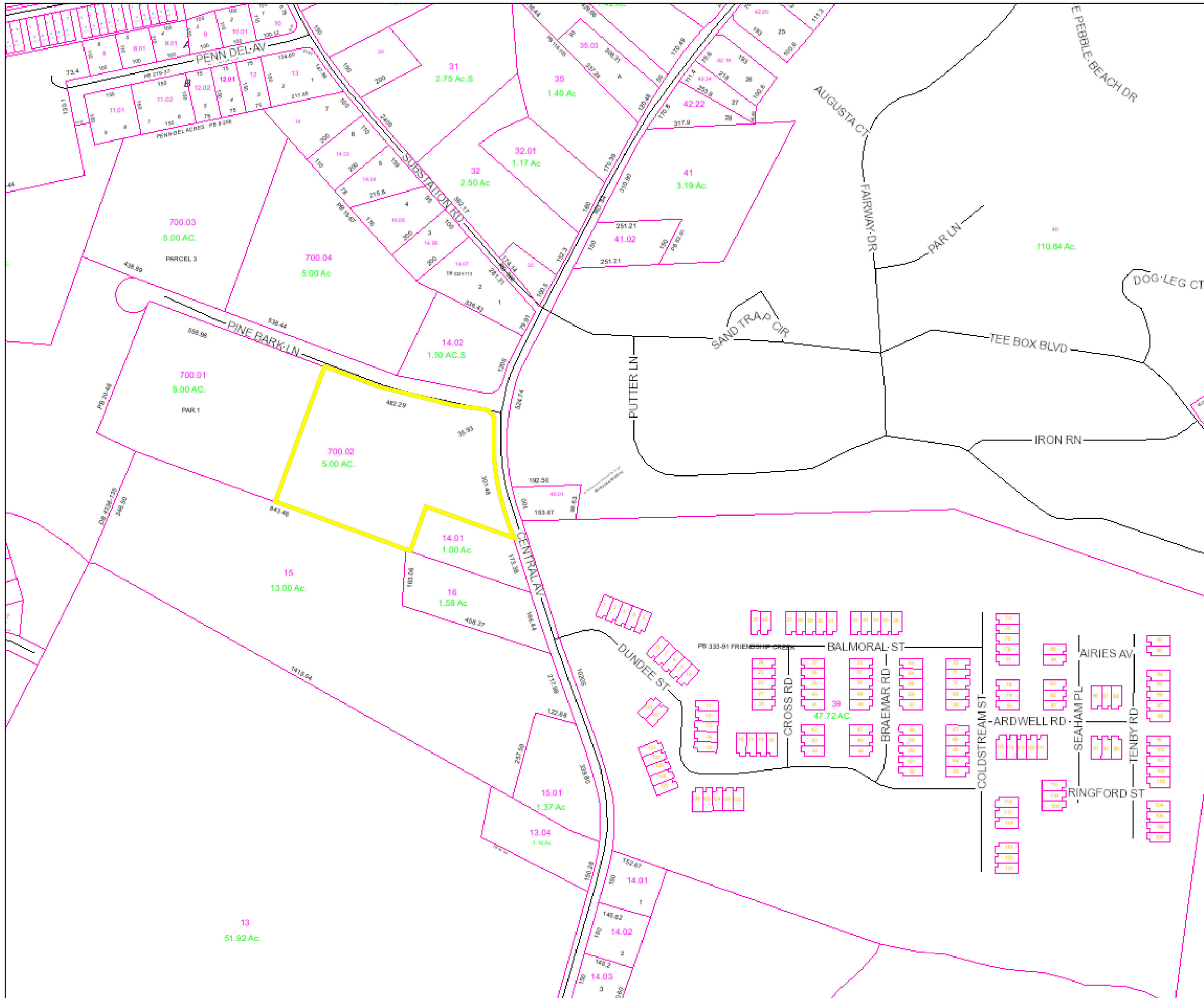
Existing Conditional Uses within the Vicinity of the Subject Property

Since 2011, there has been four (4) Conditional Use application within a one (1) mile radius of the application site. The first application was Conditional Use No. 1896 for Timmothy Miller to allow for mulch, RV and boat storage to be permitted within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, August 2nd, 2011; and this change was adopted through Ordinance No. 2206. The second application was Condition Use No. 2142 for Ribera Development, LLC to allow for one-hundred thirty-five (135) townhomes to be permitted within a General Residential (GR) Zoning District. This application was approved by the Sussex County Council on Tuesday, November 13th, 2018; and this change was adopted through Ordinance No. 2612. The third application is Conditional Use No. 2305 for Barnhill Preserve of Delaware, LLC to allow for a Zoological Park to be permitted within an Agricultural Residential (AR-1) Zoning District. This application was approved by the Sussex County Council on Tuesday, March 22nd, 2022; and this change was adopted through Ordinance No. 2843. The fourth and fifth applications are Conditional Use Nos. 2338 for Lora Collins and 2339 for Ron Sutton, both of which have yet to have pubic hearings in front of the County Council, leaving them currently undecided.

Based on the analysis provided, the Conditional use to allow for an automotive and boat repair business in this location could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.



Sussex County



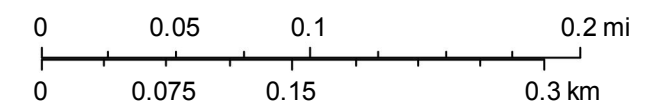
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Owner Name	BEDELL SHEREE J
Book	5468
Mailing Address	35936 PENDEL AVE
City	FRANKFORD
State	DE
Description	HERBERT G ZINSZER
Description 2	SUBDIV 5 AC
Description 3	N/A
Land Code	

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 - Override 1
 - Tax Parcels
 - Streets
 - County Boundaries

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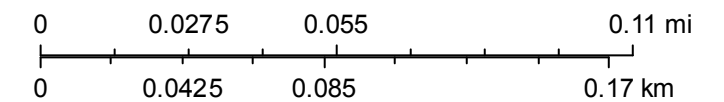
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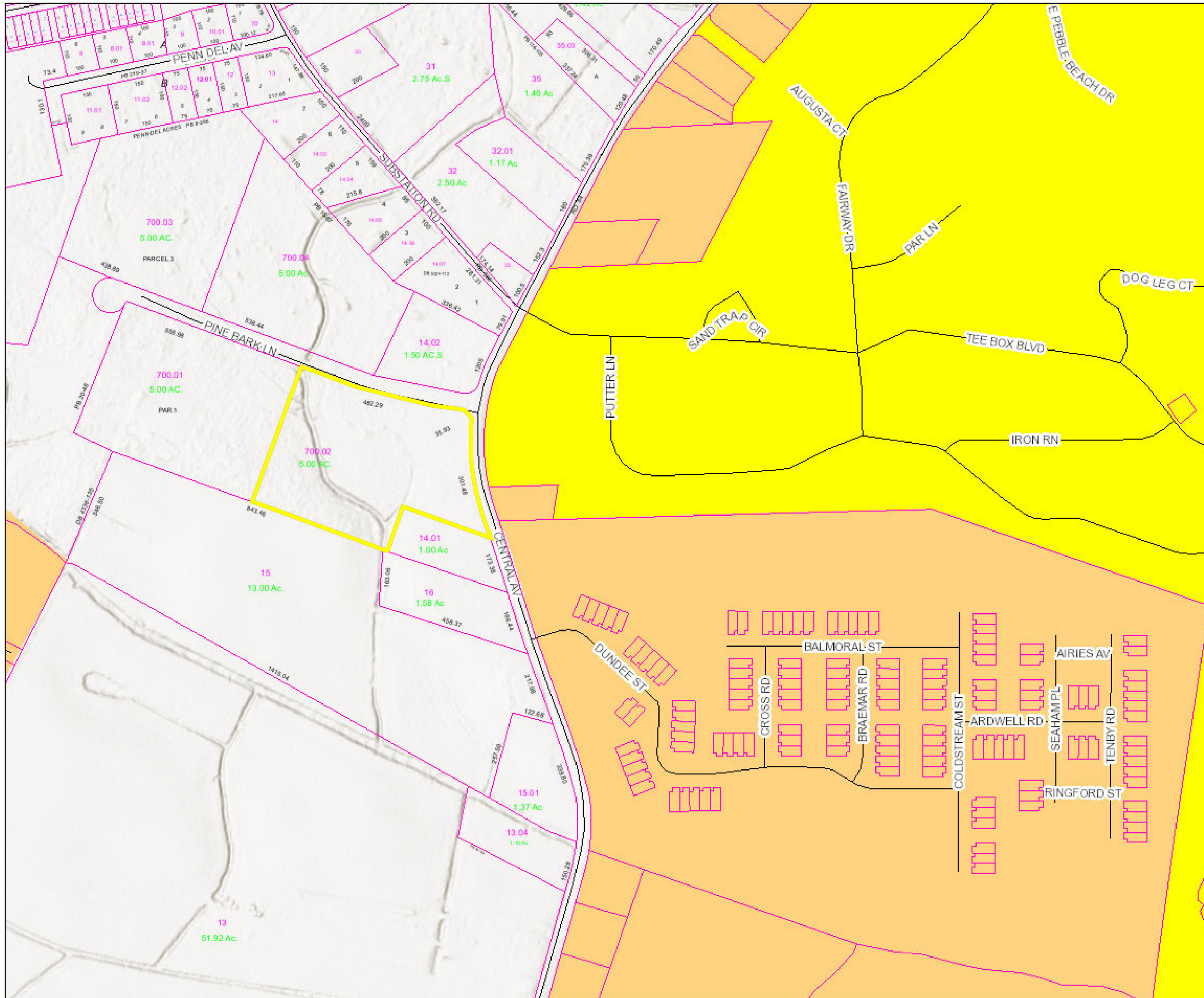
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- County Boundaries

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Sussex County



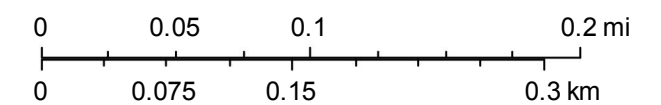
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- Streets

1:4,514



Introduced: 2/8/22

Council District 5: Mr. Rieley
Tax I.D. Nos. 134-16.00-700.02
911 Address 34282 Central Avenue, Frankford, DE 19945

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE AND BOAT REPAIR BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS

WHEREAS, on the 17th day of November 2021, a conditional use application, denominated Conditional Use No. 2324 was filed on behalf of Zachary Bedell; and

WHEREAS, on the ____ day of _____ 2022, 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. 2324 be _____; and

WHEREAS, on the ____ day of _____ 2022, 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. 2324 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 Baltimore Hundred, Sussex County, Delaware, and lying on the west side of Central Avenue (S.C.R. 84) approximately 350-ft south of Substation Road (S.C.R. and being more particularly described in the attached legal description prepared by Tomasetti Law, LLC, said parcel(s) containing 5.00 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.