

COUNTY COUNCIL

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CYNTHIA C. GREEN
DOUGLAS B. HUDSON
MARK G. SCHAEFFER



Sussex County

DELAWARE
sussexcountye.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

AGENDA

May 21, 2024

10:00 AM

Call to Order

Approval of Agenda

Approval of Minutes - May 14, 2024

[Draft Minutes 051424](#)

Reading of Correspondence

Public Comments

Presentation - Town of Fenwick Island related to Dredging Project

Todd Lawson, County Administrator

1. **Proclamation - Community Action Month**
2. **Administrator's Report**
3. **Fiscal Year 2025 – Budget Presentation**



4. **Discussion and Possible Introduction of Proposed Ordinances:**

“AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2025”

“AN ORDINANCE ESTABLISHING ANNUAL SERVICE CHARGES, ANNUAL ASSESSMENT RATES FOR COLLECTION AND TRANSMISSION AND/OR TREATMENT, AND CONNECTION CHARGES FOR ALL SUSSEX COUNTY WATER AND SANITARY SEWER DISTRICTS”

“AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE V, § 62-16 OF THE CODE OF SUSSEX COUNTY TO INCREASE THE FEES FOR RESIDENTS AND NON- RESIDENTS FOR OUT-OF-OFFICE MARRIAGE CEREMONIES AND RENEWAL OF MARRIAGE VOWS AND TO INSTITUTE FEES FOR MISCELLANEOUS SERVICES”

“AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE VI., § 62-18A. OF THE CODE OF SUSSEX COUNTY TO MODIFY CURRENT FEES CHARGED BY THE RECORDER OF DEEDS AND TO ENUMERATE SUCH OTHER RECORDER OF DEEDS FEES ADOPTED IN THE BUDGET PROCESS AND SET FORTH IN THE DELAWARE CODE”

[Ordinance Budget 2025](#)

[Ordinance Sewer and Water Rates 2025 Final](#)

[Amendment to 62-16 \(Fees - Clerk of Peace\)](#)

[Ordinance - Chapter 62 Section 62-18 ROD Fees](#)

Robbie Murray, Public Safety Director

1. **Healthcare Provider Amendment/Agreement with Blood Bank of Delmarva**
[SCEMS and BBD Amendment](#)

Jamie Whitehouse, Planning and Zoning Director

1. **Conditional Use No. 2193 filed on behalf of Chappell Farm, LLC - request for an extension**
[Chappell Farm \(CU 2193\) CC Report](#)
2. **2019-24 filed on behalf of Stratus Estates (Formerly Known as Cool Spring Meadows) - request for an extension**
[Stratus Estates \(2019-24\) \(F.K.A. Cool Spring Meadows\) CC Report](#)
3. **2020-15 filed on behalf of The Estuary at Oyster Rock - request for an extension**
[The Estuary at Oyster Rock \(2020-15\) CC Report](#)

Grant Requests

1. **Slaughter Neck Community Action Organization, Inc. for their Slaughter Neck senior program**
[Slaughter Neck Community Action Organization Inc.](#)
2. **First State Community Action Agency, Inc. for their 9th Annual “It’s a Par-Tee” Miniature Golf Tournament**
[First State Community Action Agency](#)

3. **Town of Millsboro for a Police E Bike**
[Town of Millsboro](#)
4. **Millsboro Historical Society for Jacob Godwin School maintenance and repairs**
[Millsboro Historical Society](#)

Introduction of Proposed Zoning Ordinances

[Ord Intros CU2504 CZ2009 CU2440](#)

Council Members' Comments

Executive Session - Land Acquisition pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session Items

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on May 14, 2024 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://sussexcountyde.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://sussexcountyde.gov/agendas-minutes/county-council>.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MAY 14, 2024

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, May 14, 2024, at 12:30 p.m., in Council Chambers, with the following present:

Michael H. Vincent	President
John L. Rieley	Vice President
Cynthia C. Green	Councilwoman
Douglas B. Hudson	Councilman
Mark G. Schaeffer	Councilman
Todd F. Lawson	County Administrator
Gina 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 243 24
Approve
Agenda**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, to approve the Agenda, as presented.

Motion Adopted: 5 Yeas

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

Minutes

The minutes from May 7, 2024, were approved by consensus.

**Correspond-
ence**

Mr. Moore reported that correspondence was received from Cape Henlopen Senior Center thanking Council for their donation.

**Public
Comments**

Public comments were heard.

Mr. Paul Rieger spoke about appointments to the Board of Adjustment and Planning & Zoning Commission.

**Adminis-
trator's
Report**

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

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Mitchell's Corner (F/K/A Zwaanendael Farm) Phase 2 - Commercial Building Entrance

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

Road (Sewer Only) effective May 1st and Spring Lake Condominiums effective May 7th.

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

**Bulk
Delivery/
Polymer**

Mark Parker, Assistant County Engineer presented a recommendation to award for bulk delivery of polymer for Council's consideration.

**M 244 24
Approve
Polymer
Delivery/
South
Coastal**

A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, that be it moved based upon the recommendation of the Sussex County Engineering Department, that the first contract year alternative bid item 1 for Sussex County project M24-11, bulk delivery of polymer to the South Coastal Regional Wastewater treatment facility, be awarded to Pollu-Tech Inc., at the bid amount of \$18.81 per gallon.

Motion Adopted: 5 Yeas

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

**M 245 24
Approve
Polymer
Delivery/
Inland Bays**

A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, that be it moved based upon the recommendation of the Sussex County Engineering Department that the first contract year bid item 2 for Sussex County project M24-11, bulk delivery of Polymer to the Inland Bays Regional Wastewater facility, be awarded to Watertech, Inc. at the bid amount of \$14.94 per gallon.

Motion Adopted: 5 Yeas

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

**Millsboro
Paramedic/
CO No. 1**

Mark Parker, Assistant County Engineer presented change order no. 1 for Millsboro Paramedic Station 103 for Council's consideration.

**M 246 24
Approve CO
No. 1/
Millsboro
Paramedic
Station**

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that be it moved based upon the recommendation of the Sussex County Engineering Department, that change order no. 1 for contract C21-18, Millsboro Paramedic Station 103, be approved, decreasing the contract by \$1,946.00.

Motion Adopted: 5 Yeas

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

Consultant Services Selections **Mark Parker, Assistant County Engineer presented a recommendation to award for professional service contracts. The contracts included RFP 24-17 Miscellaneous Engineering Consultant, RFP 24-18 for land survey & mapping services and RFP 24-19 for geotechnical engineering services.**

M 247 24 **A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that be it**
Approve **moved based upon the recommendation of the consultant selection**
Miscellan- **committee, that Sussex County Council approves the selection of Davis**
ous **Bowen and Friedel (DBF), George Miles and Buhr (GMB), Johnson,**
Engineering **Mirmiran & Thompson, Inc. (JMT) and Aracadis U.S., Inc. to provide**
Consultant **miscellaneous professional services with individual task orders not**
 exceeding \$250,000.00 without specific Council authorization, and to
 negotiate base professional service agreements for a five (5) year period
 effective July 1, 2024 and ending June 30, 2029.

Motion Adopted: 5 Yeas

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

M 248 24 **A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, be it**
Approve **moved based upon the recommendation of the consultant selection**
Land Survey **committee, that Sussex County Council, approves the selection of Davis,**
& Mapping **Bowen & Friedel and Greenman-Pederson, Inc. to provide on-call land**
Services **survey and mapping services as needed, and the negotiate a professional**
Consultant **services agreement for a five (5) year period, with an annual cost not to**
 exceed \$100,000.00.

Motion Adopted: 5 Yeas

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

M 249 24 **A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, that be it**
Approve **moved based upon the recommendation of the consultant selection**
Geotechn- **committee, that Sussex County Council approves the selection of Verdantas,**
ical **LLC to provide on-call geotechnical engineering services as needed, and to**
Engineering **negotiate a professional services agreement for a five (5) year period, with**
Services **an annual cost not to exceed \$100,000.00.**
Consultant

Motion Adopted: 5 Yeas

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

General **Mark Parker, Assistant County Engineer presented a recommendation to**

- Equip. & Labor** award for general labor & equipment contract for Council’s consideration.
- M 250 24** A Motion was made by Mr. Schaeffer, seconded by Mr. Rieley, that be it moved based upon the recommendation of the Sussex County Engineering Department, that the total bid for contract 25-01, FY 2025 general labor & equipment contract, be awarded to George & Lynch, Inc., of Dover, DE in the amount of \$4,949,784.00.
- Approve General Equipment & Labor Contract** Motion Adopted: 5 Yeas
- Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea; Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Vincent, Yea
- Permission to Prepare & Post Notices/ Bayard Commons** John Ashman, Director of Utility Planning & Design Review presented permission to prepare and post notices for Bayard Commons Annexation into the Sussex County Unified Sanitary Sewer District (SCUSSD), Miller Creek Area. The Engineering Department received a request from George, Miles & Buhr, LLC on behalf of their client Bayard Commons, LLC, the owners/developers of a project known as Bayard Commons for parcel 134-19.00-22.00. The proposed site will consist of a 3,000 SF strip mall on 3.00 acres within the B-2 Zoning District. The project will be responsible for System Connection Charges of \$7,700.00 per EDU based on current rates.
- M 251 24** A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, that be it moved by the Sussex County Council that the Sussex County Engineering Department is authorized to prepare and post notices for the Bayard Commons, Miller Creek Area expansion of the Sussex County Unified Sanitary Sewer District to include parcel 134-19.00-22.00 as presented.
- Approve Permission to Prepare & Post Notices/ Bayard Commons** Motion Adopted: 5 Yeas
- Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea; Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Vincent, Yea
- Permission to Prepare & Post Notices/ Jefferson Lodge** John Ashman, Director of Utility Planning & Design Review presented permission to prepare and post notices for Jefferson Lodge Annexation into the Sussex County Unified Sanitary Sewer (SCUSSD), West Rehoboth Area. The Engineering Department received a request from Baird, Mandalas, Brockstedt & Federico, LLC on behalf of their client Jefferson Lodge #15 (Masonic Hall of Lewes, DE) in connection with its initiative to relocate to parcel 334-4.00-28.02 on Sweetbriar Road just south of Pinetown Road. The project is proposed as a new Masonic Lodge. The Engineering Department would like to include the adjacent County owned parcel 334-4.00-28.01. The project will be responsible for System Connection Charges of \$7,700.00 per EDU based on current rates.
- M 252 24** A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer, that be it

Approve Permission to Prepare & Post Notices/ Jefferson Lodge moved by the Sussex County Council that the Sussex County Engineering Department is authorized to prepare and post notices for the Jefferson Lodge No. 15 expansion of the Sussex County Unified Sanitary Sewer District, West Rehoboth Area to include parcels 334-4.00-28.01 and 334-4.00-28.02 as presented.

Motion Adopted: 5 Yeas

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

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

M 253 24 Parkinson's Education & Support Group A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$1,000 (\$1,000 from Mr. Schaeffer's Councilmanic Grant Account) to Parkinson's Education and Support Group of Sussex County for their Parkinson's caregivers wellness education series.

Motion Adopted: 5 Yeas

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

M 254 24 Rehoboth Summer Children's Theatre A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$1,350 (\$1,350 from the Countywide Youth Grant Account) to Rehoboth Summer Children's Theatre for their Outreach Tour – Robin Hood.

Motion Adopted: 5 Yeas

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

Proposed Ord. Intro There were no Proposed Ordinances for Introduction.

CC Member Comments Mrs. Green commented that last week she attended the Law Enforcement Memorial Unity bike tour that occurred in Sussex County. She shared that it was a good program and event.

M 255 24 Go Into Executive Session At 12:57 p.m., a Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to go into Executive Session for the purpose of discussing matters related to land acquisition, personnel & job applicants' qualifications.

Motion Adopted: 5 Yeas

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

Mr. Vincent, Yea

Executive Session **At 1:02 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room to discuss matters related to land acquisition, personnel & job applicants' qualifications. The Executive Session concluded at 1:45 p.m.**

M 256 24 Reconvene **At 1:48 p.m., a Motion was made by Mr. Rieley, seconded Mr. Hudson to come out of Executive Session 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**

M 257 24 Parcel 2024-H **A Motion was made by Mr. Rieley, seconded by Mr. Hudson to authorize the County Administrator to negotiate, enter into a contract and settle on a parcel identified as 2024-H.**

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**

Rules **Mr. Moore read the rules and procedures for public hearings.**

**Public Hearing/
CU2412** **A Public Hearing was held on a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 0.459 ACRE, MORE OR LESS" (property lying on the northeast corner of the intersection of Wilkins Lane and Lewes Georgetown Highway [Rt. 9]) (911 Address: 22163 Lewes Georgetown Highway) (Tax Map Parcel: 135-15.00-49.00) filed on behalf of Marco Morales.**

The Planning & Zoning Commission held a Public Hearing on the application on April 10, 2024. At the meeting of April 24, 2024, the Planning & Zoning Commission recommended approval of the application for the 5 reasons stated and subject to the 8 recommended conditions as outlined.

The Council found that Mr. Marco Morales spoke on behalf of his application; that he is requesting to put in an office building to have his for his construction business office; that there will be a large room for display for clients; that the conditions were reviewed and agreed upon by the applicant.

There were no public comments.

The Public Hearing and public record were closed.

**M 258 24
Adopt
Ordinance
No. 3013/
CU2412**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson to Adopt Ordinance No. 3013 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 0.459 ACRE, MORE OR LESS” for the reasons and conditions given by the Planning & Zoning Commission as follows:

- 1. The property is located along Route 9 on the outskirts of the Town of Georgetown. Route 9 is one of the main cross-county roadways in Sussex County and this area of it has developed with a variety of business and commercial uses including Sports at the Beach, contractor facilities, stores and other offices. This location is appropriate for this business use.**
- 2. The Applicant has stated that this site will only be for office purposes. No retail sales, storage or construction activities (aside from construction associated with the site itself) will occur on the premises.**
- 3. The proposed use will not generate a significant amount of traffic, and it will not have any adverse effect on area roadways.**
- 4. The proposed use is very limited in nature, and it will not have any adverse impact on neighboring properties or the community.**
- 5. No parties appeared in opposition to the application.**
- 6. This recommendation is subject to the following conditions:**
 - a. The use shall be limited to use as an office.**
 - b. One lighted sign shall be permitted. It shall not exceed 32 square feet per side.**
 - c. The applicant shall comply with any DelDOT entrance and roadway improvement requirements.**
 - d. Parking areas for all vehicles shall be shown on the Final Site plan and clearly marked on the site itself.**
 - e. All outdoor trash receptacles shall be screened from view of neighboring properties and roadways.**
 - f. All security lighting shall be directed downward so that it does not shine on neighboring properties or roadways.**
 - g. Failure to comply with these conditions may result in the revocation of the Conditional Use approval.**
 - h. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Motion Adopted: 5 Yeas

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

Mr. Vincent, Yea

**Public
Hearing/
CZ2002**

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT, A CR-1 COMMERCIAL RESIDENTIAL DISTRICT, AND AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT, A CR-1 COMMERCIAL RESIDENTIAL DISTRICT, AND A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 21.11 ACRES, MORE OR LESS” (property lying on west side of DuPont Boulevard [Rt. 113] approximately 0.40 mile south of Nine Foot Road [Rt. 26]) (911 Address: 32602 Dupont Boulevard, Dagsboro) (Tax Map Parcel: 233-16.00-26.00) filed on behalf of Sadie Properties, LLC.

The Planning & Zoning Commission held a Public Hearing on the application on April 10, 2024. At the meeting of April 24, 2024, the Planning & Zoning Commission recommended approval of the application for the 9 reasons as outlined.

The Council found that Mr. Bob Palmer, of Beacon Engineering, spoke on behalf of the Applicant that they are looking for a change in zone tax parcel 233-16.00-26.00 which is located on the southbound side of DuPont Blvd just outside of Dagsboro; that the Applicant chose to change zoning to C-3 for the AR-1 portion because it was the least impactful commercial zone that would allow the Applicant to continue his expansion; that Mr. Rudloff started the business in his apartment in Wilmington fixing boat motors; that the use is for boat sales, use and storage; that this is an expansion of the existing use; that a wetland delineation was conducted; that the property was cleared of wetlands or any regulated resources on the property; that site plan approval has been received for the initial project in October 2017; that the area where the change of zone is proposed was approved as an accessory storage use to the primary boat sales and service; that in April of 2018, the applicant purchased additional lands which are the CR-1 lands in the exhibit; that the site plan was further amended in 2021 and 2022; that this property has a commercial history; that in 2005, the then owner was granted a conditional use (CU1723) to develop self-storage on the AR piece of the property; that he appeared with the applicant before the Board of Adjustments in 2017 to seek relief from the tree planting requirements in the combined highway corridor overlay zone; that the Board of Adjustment at that time granted them the relief to allow for turf plantings; that the C-3 use purpose is intended for larger scale auto oriented retail and service businesses along major arterial roads that serve local, regional residents and the traveling public; that most commercial uses found in this zone are automobile, truck, recreational vehicle and boat sales, rentals and major repair facilities; that the property is Level 2, 3 and 4 in the investment strategies and the area subject to the rezone is actually Level 3 and the Counties comp plan notes that lands in investment Level 3 areas are those

**Public
Hearing/
CZ2002
(continued)**

in the long term growth plans for counties or municipalities where development is not necessary to accommodate expected or growth population within the next five years or longer; that Investment Level 3 areas also include lands adjacent to or intermingled with fast growing areas within counties or municipalities that are otherwise categorized as investment levels; that the front half of the property is Level 2 investment area which in chapter four of the comp plan, the Future Land Use Map identifies the AR-1 piece as commercial or developing areas; that the comp plan says that developing areas are newer emerging growth areas that demonstrate the characteristics of developmental pressures; that most of the proposed developing areas are adjacent to municipalities, within adjacent to or potential future annexation areas of municipality or located next to town centers; that Table 4.5.2 in the Comprehensive Plan notes that C-3 is appropriate zoning classification in Developing and Commercial areas; that currently the property is served by well and septic; that the property is mapped in the Dagsboro/Frankford planning area and adjacent to the Dagsboro/Frankford sanitary sewer district; that when sewer becomes available, they will request to be connected; that as the applicant continues to grow, more attractive and higher paying jobs are coming to the region to help support the boating and marine recreational use.

There were no public comments.

The Public Hearing and public record were closed.

**M 259 24
Adopt
Ordinance
No. 3014/
CZ2002**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer to Adopt Ordinance No. 3014 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT, A CR-1 COMMERCIAL RESIDENTIAL DISTRICT, AND AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT, A CR-1 COMMERCIAL RESIDENTIAL DISTRICT, AND A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 21.11 ACRES, MORE OR LESS” for the reasons given by the Planning & Zoning Commission as follows:

- 1. The entire property currently has three zoning designations. The area of the property that fronts along Route 113 is zoned C-1 while one portion behind that is zoned CR-1 the remainder of the property is zoned AR-1. The Applicant seeks to convert the AR-1 area to the C-3 Zoning District.**
- 2. The commercially zoned portions of this site are currently used in the Applicant’s boat storage, sales and repair business known as “Rudy South”. This rezoning will permit the reasonable expansion of the Applicant’s business. The C-3 zoning for the rear portion of the property is consistent with the existing use of the property.**
- 3. C-3 Heavy Commercial Zoning is designed to allow auto-oriented retail and service businesses that serve local and regional residents.**

**M 259 24
Adopt
Ordinance
No. 3014/
CZ2002
(continued)**

Permitted Uses include retail uses, restaurants, offices and vehicle service stations. Although a number of uses are permitted, this Applicant intends to use the site for roadside services and auto repair.

- 4. This property has frontage along Route 113. Route 113 is considered to be a Principle Arterial Roadway according to DelDOT's roadway classification. This is the highest roadway classification issued by DelDOT and it is an appropriate location for C-3 Zoning.**
- 5. The parcel is in an area of Route 113 where there are a variety of zoning districts. This includes HI-1, C-1, CR-1 and GR and AR-1 zoning districts. There is other business, commercial, and industrial uses in the area as well. This rezoning is consistent with the surrounding zoning districts and uses.**
- 6. This property is located in the Commercial Area according to the current Sussex County Land Use Plan. This proposed C-3 Zoning is appropriate in this Area according to the Plan.**
- 7. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity and welfare of the County.**
- 8. No parties appeared in opposition to this rezoning application.**
- 9. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.**

Motion Adopted: 5 Yeas

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

**Public
Hearing/
CU2411**

A Public Hearing was held on a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TREE SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.94 ACRES, MORE OR LESS" (property lying on the east side of Gravel Hill Road [Rt. 30] approximately 0.35 mile north of the intersection of Gravel Hill Road [Rt. 30] and John J. Williams Highway [Rt. 24]) (911 Address: 28121 Gravel Hill Road, Millsboro) (Tax Map Parcel: 234-32.00-30.00) filed on behalf of Joshua Zuppo.

The Planning & Zoning Commission held a Public Hearing on the application on April 10, 2024. At the meeting of April 24, 2024, the Planning & Zoning Commission recommended approval of the application for the 7 reasons stated and subject to the 13 recommended conditions as outlined.

The Council found that Mr. David J. Weidman, Esq., spoke on behalf of Mr. Joshua Zuppo in regard to the application; that the applicant would like to operate a tree business within the AR-1 zoning district; that the staff analysis dated October 23, 2023 states that this Conditional Use could be

**Public
Hearing/
CU2411
(continued)**

considered with being consistent with the surrounding land use, zoning and uses subject to consideration of scale and impact; that the applicant has owned the property since September 9, 2021; that he splits firewood at the property; that his employees come to the property to come to work; that he operates his business, AAA tree care from this property; that he lives on site as well; that pictures were shown of the property; that with the exception to the small sign out front of the property there is no way to tell that there is a tree business even located on the property; that the neighbors of the adjacent properties have written letters of support and that there is no adverse impact on them; that the owner currently has the sides of the property well buffered to limit disturbance to the neighbors; that since the Planning & Zoning hearing, Mr. Zuppo has cleaned the property up; that pictures were provided to show the property now after it was cleaned up; that the intent going forward is to only keep wood that is 18 inches or less so that it is easier to spilt up for fire wood; that some of the people that opposed this application has a problem with the noise; that there is a tree business that is immediately behind Mr. Zuppo's property that does not have a conditional use; that the other property owner has not been as considerate; that one of the owners that appeared at the PZ hearing in opposition owns the property at 28161 who complained about noise; that the owner of the property of 21851 submitted a letter that was read in the record; that the owners of that property are Krista & Christopher Amoroso; that the letter stated "We will be unable to attend the public hearing for an Ordinance to grant the conditional use of land. We just want it known that we have no objection to Joshua Zuppo's tree service business being located next to us. They have been very respectful of the neighbors by not starting any business before 8:00 a.m. or after 6:00 p.m. Monday through Friday. I am a stay-at-home wife and have never been disrupted by anything they have done on that property. The traffic is WAY LOUDER and constant in anything than they have done. Thank you for your time"; that the property to the south are saying that the noise did not bother them; that it is thought that the owner that complained about the noise is complaining about the noise at the other tree business property.

Mr. Joshua Zuppo, of 28121 Gravel Hill Rd Millsboro, stated that the property behind his property has a tree company; that the video that was played at the PZ hearing was from the property behind him; that the other company has a circular saw; that the property owner is big into race cars and does work during the night; that to his understanding, he also has to get a conditional use; that pictures were distributed to show what has been cleaned up on the property since the PZ hearing; that he plans to send the debris to Eastern Shore Forestry Products in Frankford so that it will not continue to pile up; that you can take it there and they mulch it up; that he is not having anything else dumped on his property; that his property is served by a well; that the conditions set by the PZ Commission were acceptable to the applicant; that business hours be Monday through Friday 8:00 a.m. - 6:00 p.m.; that no more than one item of power equipment operating at a time from 9:00 a.m.-1:00 p.m. Monday through Friday; that security lighting would not point in the direction of the neighbors' homes;

that they asked for approval of the Conditional Use; that the hours of operation would have an exception in the event of emergencies; that he would be allowed to take the truck out, remove the tree and bring it back to the site until the next day; that in emergencies and bad weather events, they would ask for exceptions which is included in the conditions.

There were no public comments.

The Public Hearing and public record were closed.

**M 260 24
Amend
Condition
8 B/CU2411**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson to amend Condition 8 B to read “No retail sales shall be conducted except for sale of firewood from the site”.

Motion Adopted: 5 Yeas

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

**M 261 24
Adopt
Ordinance
No. 3015/
CU2411**

A Motion was made by Mr. Rieley, seconded by Mr. Schaeffer to Adopt Ordinance No. 3015 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TREE SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.94 ACRES, MORE OR LESS” for the reasons and conditions given by the Planning & Zoning Commission as follows and as amended by this Council:

1. The property is a 1.94-acre parcel located on Gravel Hill Road. The Applicant testified that many of his neighbors have no objection to the use as a tree service. The approval of this Conditional Use will confirm the existence of the Applicant’s tree service, but with conditions that further protect the neighborhood from the impacts of this business.
2. This property is located in the “Developing Area” according to Sussex County’s Comprehensive Plan. There are also other small businesses out in this area. This small business will be consistent with those other uses.
3. There will be no retail sales from the property and the proposed use is limited. With the conditions imposed by the County, the use will not adversely affect neighboring properties, roadways, or traffic.
4. This is an agricultural-type use, and it is consistent with the underlying AR-1 zoning of the property.
5. The business provides a service to a wide variety of Sussex County residents, farmers, and businesses. It has a public or semi-public character that will benefit the residents, farmers, and businesses of Sussex County.
6. The Applicant’s property contains natural buffers in the form of tree

**M 261 24
Adopt
Ordinance
No. 3015/
CU2411
(continued)**

- lines that will screen this use from the adjacent properties.
7. The proposed use will have no significant impact upon traffic and DelDOT did not require a TIS.
 8. This recommendation is subject to the following conditions:
 - a. This use shall be limited to a tree service business. No other business shall be conducted from the site.
 - b. No retail sales shall be conducted except for sale of firewood from the site.
 - c. No dyeing of mulch or other materials shall occur on the site.
 - d. A small, lighted sign shall be permitted. It shall not exceed 24 square feet per side.
 - e. The hours of operation shall be limited to 8:00 a.m. through 6:00 p.m., Monday through Friday. The use of chainsaws, log splitters, grinders or other power equipment shall only be used between 9:00 a.m. and 1:00 p.m., Monday through Friday. There shall not be any Saturday or Sunday hours of operation except in the very limited case of weather emergencies.
 - f. The natural tree buffers shall remain in place along the property's side boundaries to screen the use from the view of neighboring properties.
 - g. Any security lighting shall be screened so that it does not shine on neighboring properties or roadways.
 - h. The applicant shall comply with any DelDOT requirements, including any entrance or roadway improvements.
 - i. The Final site plan shall clearly show all areas set aside for the temporary storage of logs, timber, firewood or woodchips. These storage areas shall be no closer than 20 feet to the property's boundaries.
 - j. All cars, trucks, trailers, and equipment shall be parked at the rear of the property, behind the improvements. This parking area shall be shown on the Final Site Plan.
 - k. All dumpsters shall be screened from the view of neighboring properties and roadways. The location of all dumpsters shall be shown on the Final Site Plan.
 - l. Failure to comply with any of these conditions may be grounds for termination of the Conditional Use approval.
 - m. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion Adopted: 5 Yeas

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

**Public
Hearing/
Ord No. 24-
01**

A Public Hearing was held on a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES I, IV, XI, XIA, XIC, XIII, XIV, AND XV, AND XXV, SECTIONS 115-4, 115-20, 115-77, 115-83.2, 115-83.18, 115-

**Public
Hearing/
Ord No. 24-
01
(continued)**

83.19A 115-94, 115-102 AND 115-194.6 TO REGULATE MARIJUANA ESTABLISHMENTS IN SUSSEX COUNTY”.

The Planning & Zoning Commission held a Public Hearing on the Ordinance on April 10, 2024. At the meeting of April 24, 2024, the Planning & Zoning Commission recommended adoption of the Ordinance for the 6 reasons as outlined.

The Council found that Mr. Robertson spoke on behalf of Ordinance No. 24-01; that a timeline of the implementation of the State legislation was shown; that the County needs to be in front of the State’s regulations; that in July of 2024, regulations for licensing are going to become official, November 1, 2024 is when the state will begin to issue cultivation facility licenses, December 1, 2024 for manufacturing facility licenses and March 1, 2025 is when they will begin to issue up to 30 retail store licenses statewide; that Commissioner Coupe stated that Delaware’s levels for those are more stringent or equal to the most stringent of any other state in the country; that Delaware wouldn't accept a product that has met adjacent states requirements because they aren't as stringent as our stand it's going to be very highly regulated; that Commissioner Coupe provided an example of an industrial site that was vacant and it was redeveloped as a cultivation facility and a manufacturing facility licensed by the state under our medicinal marijuana regulations; that it's totally closed with no public access, there's no signage to indicate what's occurring; that after talking to Commissioner Coupe, staff and County Council, the ordinance was introduced so that the cultivation, manufacturing and testing facilities could be a permitted use in a AR-1, C-1, CR-1, C-3 and three industrial zones, L-1, L-2 and H-1; that stores could only be approved in the C-3 Zoning District with a conditional use; that there are 4 conditions that are governed conditional uses: first, is no retail marijuana store shall be located within 3 miles of a municipal boundary, two, no retail marijuana store shall be located within 3 miles of any other retail marijuana store, three, no retail marijuana store shall be located within 3 miles of any church, school, college, or substance abuse treatment facility is defined in the Delaware Code; that the hours of operation need to be established; that he would recommend to amend D to state “Retail Marijuana stores may only operate between the hours established for them by Title 4 of the Delaware Code”; that the state currently allows sales from 9:00 a.m. to 1:00 a.m., and that is undergoing a proposed change to 9:00 a.m. to 10:00 p.m.; that the County should follow the states guidelines; that if someone wanted to open a marijuana retail store, they would apply with the PZ office; that if they are already zoned C-3, they would just apply for a Conditional Use; that a public hearing would be held before PZ and County Council; that if it is approved with County Council, it still has to go through the Office of Marijuana Commissioner’s public hearing process.

Public comments were heard.

Ms. Jean Duffy spoke about the application; that she stated that there are

**Public
Hearing/
Ord No. 24-
01
(continued)**

liquor stores and places where cigarettes can be brought within 3 miles of schools, churches, colleges, or substance abuse treatment facility; that Mr. Robertson stated that there are other factors that could come into play; that it would depend on where the property is and what the zoning of the land is next to it; that Ms. Duffy stated that cannabis is legal as well as alcohol and tobacco; that she questioned the opposition of cannabis being sold within the 3 miles.

Mr. Roberston stated that there is not any prohibitions of the sale of tobacco. For alcohol, it is regulated with some distance requirements that are in state code and there is a public hearing process.

Ms. Zoey Patchell, Executive Director of Delaware Cannabis Advocacy Network spoke about the application; that she requested that the Council zone cannabis businesses similar to alcohol establishments; that cannabis has never been responsible for an overdose death; that she provided statistics of crimes that alcohol is responsible for; that cannabis has been shown to not be associated with aggressive or violent behavior; that prohibiting legal cannabis businesses in Sussex County will not be effective; that she encouraged everyone to reconsider this matter; that legal cannabis businesses will create employment opportunities which will decrease the unemployment rate; that these businesses will generate business license fees and property taxes for local areas which will benefit Sussex County.

The Public Hearing and public record were closed.

**M 262 24
Amend
Condition**

A Motion was made by Mr. Hudson, seconded by Mrs. Green to amend Section 115-194.6D to read “Retail Marijuana stores may only operate between the hours established for them by Title 4 of the Delaware Code”.

Motion Adopted: 5 Yeas

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

**M 263 24
Adopt
Ordinance
No. 3016/
Ord No. 24-
01**

A Motion was made by Mr. Hudson, seconded by Mrs. Green to Adopt Ordinance No. 3016 entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES I, IV, XI, XIA, XIC, XIII, XIV, AND XV, AND XXV, SECTIONS 115-4, 115-20, 115-77, 115-83.2, 115-83.18, 115-83.19A 115-94, 115-102 AND 115-194.6 TO REGULATE MARIJUANA ESTABLISHMENTS IN SUSSEX COUNTY” for the reasons given by the Planning & Zoning Commission and as amended by this Council as follows:

1. The State legislature enacted legislation that permits the licensure of Marijuana Establishments in the State of Delaware. A “Marijuana Establishment” includes Cultivation Facilities, Manufacturing Facilities, Testing Facilities and Stores. As part of that state

**M 263 24
Adopt
Ordinance
No. 3016/
Ord No. 24-
01
(continued)**

- legislation, municipalities are able to ban Marijuana Establishments within their jurisdiction. Sussex County cannot ban them, but Sussex County can permit them with certain regulations through zoning.
2. The Ordinance strikes a reasonable balance between allowing these Establishments in appropriate locations under certain circumstances while respecting the decision of many municipalities to prohibit them within their boundaries.
 3. The Ordinance also creates reasonable distance and separation requirements between the Establishments and other sensitive existing uses including schools, colleges, churches and rehabilitation facilities. There is also an appropriate separation requirement between Establishments.
 4. It is appropriate for Cultivation, Manufacturing and Testing Facilities to be a permitted use within the AR-1, C-1, CR-1, C-3, LI-1 and LI-2 Districts. Based on the evidence presented, including information provided to staff by the Marijuana Commissioner, it is most likely that cultivation, manufacturing and testing will occur entirely indoors because of the purity, testing and security requirements that are in place. These operations will be very similar to greenhouses that are already a permitted use in AR-1 and other zoning districts. Likewise, based on that same information, the Testing and Manufacturing Operations will most likely occur entirely within a commercial or industrial building that is identical to what is permitted in the commercial and industrial districts. And none of these uses are open to the public, so their impact upon neighboring or adjacent properties should be minimal. In fact, one example provided by the Office of the Marijuana Commissioner included the adaptive redevelopment of a derelict manufacturing or industrial facility that improved the property significantly.
 5. It is appropriate for Marijuana Stores to be located in the C-3 Heavy Commercial District with a conditional use and subject to separation locations. This use is consistent with the “Purpose” of the C-3 District and it is similar to other uses listed within this District. Also, with a conditional use for Marijuana Stores, the County and the public will be made aware of the proposed use and have an opportunity to comment upon it as part of a public hearing process.
 6. After the Ordinance was introduced, the Office of the Marijuana Commissioner commented that an amendment should be made to the hours of operation for Marijuana Stores so that there is not an inconsistency with State Code. Therefore, this recommendation is subject to the further recommendation that Section 115-194.6D be amended so that it now states, “Retail Marijuana Stores may only operate between the hours established for them by Title 4 of the Delaware Code.” Similarly, Section 115-194D should be amended to state, “Any licensed and approved pre-existing, legally nonconforming Retail Marijuana Store shall be subject to the hours of operation established for them by Title 4 of the Delaware Code.”

Motion Adopted: 5 Yeas

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

**M 264 24
Adjourn**

**A Motion was made by Mr. Hudson, seconded by Mr. Rieley to adjourn at
3:06 p.m.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
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.}



SUSSEX COUNTY EMERGENCY MEDICAL SERVICES

Caring People, Quality Service

21911 Rudder Lane • P.O. Box 589 • Georgetown, DE 19947 • 302-854-5050 • FAX 302-855-7780

Robert W. Murray
Director



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

FROM: Robert Murray, Director EOC - EMS 

RE: Blood Bank of Delmarva – Health Care Provider Amendment

DATE: May 21, 2024

One year ago, Sussex County EMS began carrying one unit of whole blood on each of our paramedic supervisor units. Since then, over 50 units have been administered to more than 40 patients. The program has been extremely successful and has undoubtedly saved lives. A recent review of data indicates that 80% of the patients who received pre-hospital blood survived.

An initial goal was to create a program where there was zero waste. An environment where units of blood could be exchanged prior to expiration. Initially, we were unable to achieve this goal. Though a continued commitment to achieve the zero-waste goal, the Blood Bank of Delmarva and Sussex County EMS have drafted the attached amendment.

If approved, blood would be returned to the blood bank and Sussex County would receive partial credit for the return. The returned unit of blood would be utilized by the blood bank elsewhere.

A review of the last year suggests this amendment will slightly reduce overall costs of the program.

We are requesting your support by approving this amendment to the Health Care Provider Agreement between the Blood Bank of Delmarva and Sussex County.

Enclosure

- Proposed motion
- Health Care Provider Agreement – Amendment

Todd F. Lawson
Administrator



Motion – Health Care Provider Agreement Amendment

Be it moved that Sussex County Council approve the Health Care Provider Agreement - Amendment between The Blood Bank of Delmarva and Sussex County.

**FIRST AMENDMENT TO THE
HEALTH CARE PROVIDER AGREEMENT
BETWEEN
SUSSEX COUNTY EMERGENCY MEDICAL SERVICES DEPARTMENT
AND NEW YORK BLOOD CENTER, INC. D/B/A
BLOOD BANK OF DELMARVA**

This First Amendment (the "First Amendment") amends the Health Care Provider Agreement dated May 12, 2023, (the "Agreement") entered into between Sussex County Emergency Medical Services Department ("Customer") and New York Blood Center, Inc. d/b/a Blood Bank of Delmarva ("BBD"), (collectively referred to as the "Parties").

WHEREAS the Parties entered into the Agreement pursuant to which BBD provides blood products to the Customer; and

WHEREAS the Parties desire to amend certain provisions of the Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the Parties agree to amend the Agreement as follows:

1. **Effective Date.** This First Amendment shall have an effective date of May 20, 2024.
2. **Addition of New Schedules B and B-1.** The Agreement is hereby amended to include this First Amendment, together with Schedules B and B-1 annexed hereto which are incorporated by reference into Section 2.1, "Schedule(s)" of the Agreement.
3. **Principles of Construction.** Whenever the terms and conditions of the Agreement and this First Amendment conflict, the terms and conditions of this First Amendment control. Except as specifically modified by the terms and conditions of this First Amendment, the remainder of the Agreement remains in full force and effect. This First Amendment may be executed in any number of counterparts, each of which is deemed an original, but all of which constitute the same instrument.

Duly authorized representatives of the Parties executed this First Amendment as of the dates written below and agree to be bound by the terms of this First Amendment.

**SUSSEX COUNTY EMERGENCY MEDICAL
SERVICES DEPARTMENT**

**NEW YORK BLOOD CENTER, INC.
D/B/A BLOOD BANK OF DELMARVA**

By:	By:
Name:	Name:
Title:	Title:
Date:	Date:

Schedule B

Zero-Waste Initiative

As part of the State of Delaware's Zero-Waste Initiative Program, BBD and Customer agree that Customer may return low titer type-O leuko-reduced whole blood ("WBLR") to BBD. BBD may use such WBLR products for further manufacture into transfusable blood (packed red blood cells) products that it will sell to 3rd parties. Customer and BBD further agree as follows:

1. Customer may return unused WBLR blood products for credit, provided that each returned WBLR product meets the following acceptance criteria, as determined by BBD in its sole discretion:
 - 1.1 The WBLR product must be returned to BBD at least ≥ 5 days prior to its expiration or outdate;
 - 1.2 Blood monitoring temperature indicators in the WBLR cooler must be functional and indicate that there has not been a core temperature breach above 6° C
 - 1.2.1 Temperature excursions between 6.1-10°C will be allowed if the cumulative amount of time the temperature was between 6.1-10.0°C does not exceed 24 hours;
 - 1.3 The WBLR Blood bag must not be damaged, and all labels must be intact, including unit number, ABO, RH and/or expiration date;
 - 1.4 The WBLR blood bag seals must be unbroken; and
 - 1.5 The WBLR product must not display any other evidence of non-conformance with applicable regulatory standards.
2. Provided the criteria in Section 1 are met, BBD shall issue a full credit ("Return Credit") to Customer for each returned WBLR, subject to the additional fees set forth in Section 3, below.
3. Return Fee. BBD shall charge Customer a Return Fee as follows: (i) a Labor fee for processing the Zero Waste Program as set forth in Schedule B-1; (ii) the difference between Return Credit and the resale price of the subsequent product that BBD manufactures from the returned WBLR (the "Differential Fee"). Additionally, if BBD is unable to manufacture a returned WBLR into a transfusable product, for any reason, BBD shall reverse the Return Credit and shall also invoice Customer for the Labor Fee.
4. Termination Rights. Either party may terminate this First Amendment at any time and without cause by giving at least thirty (30) days' advance written notice to the other party. It is understood that such termination rights shall apply solely to this First Amendment and no termination or cancellation of this First Amendment shall apply to the Agreement, which shall remain in full force and effect.

Schedule B- 1

Zero-Waste Initiative Program Fee Schedule

Zero Waste Fee Schedule		
Billing Code	Description	Price
ZRBC	Zero Waste Program Differential Fee	*
ZLAB	Labor fee for zero waste program	\$50

* The Differential Fee is the difference between the Return Credit amount and the amount that BBD charges to the subsequent purchaser for the blood product it manufactures from the returned WBLR.



Memorandum

To: Sussex County Council

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

CC: Everett Moore, County Attorney

Date: May 13th, 2024

RE: County Council Report for Chappell Farm (C/U 2193) – Request for extension of Conditional Use (C/U 2193)

On March 4th, 2024, the Planning and Zoning Department received a request for a 6-month time extension for Chappell Farm (C/U 2193), a Conditional Use approval to allow for 128 multifamily units, stormwater management, private roads, parking, and other site improvements. The Conditional Use was approved by Sussex County Council on June 22, 2021. The applicant indicates that construction was delayed due to reasons outside of their reasonable control. The Applicant cites the construction of the interchange at the intersection of Coastal Highway (Route 1) and Cave Neck Road in Milton as the primary reason for this request. The Applicant is seeking an extension on these grounds and has provided materials to demonstrate that the project will meet the “substantially underway” threshold required if County Council were to grant an extension under the provisions of (§99-40) in Sussex County Code. Under (§99-9(B)) of the Code, the Preliminary Subdivision Plan approval is valid for a period of three years and will expire on June 22nd, 2024, unless “construction or use” is “substantially underway.” The is located on northwest corner of Coastal Highway (Route 1) and Cave Neck Road in Milton.

The Applicant filed this request with the Planning & Zoning Department in writing on March 4th, 2024. The request for extension has been submitted under the sunset provision of (§99-40(C)) which allows an Applicant to request up to a six-month extension of the Subdivision approval. The Council may grant a time extension for up to six (6) months pursuant to (§99-40) based on the following:

1. Prior to the expiration date of its current approval, any Applicant holding a currently valid approval set forth in this §99-40(C) may request an extension up to six months for the validity of said approval. The six-month period shall commence on upon the date of expiration of the current approval. Such a request must be in writing and delivered to the Director on or before the expiration date of its current approval. At a minimum, the written request must include the following information:
 - (a) A schedule or plan for the project describing the steps that have been completed through the date of the extension request and describing the remaining steps to be completed. For any steps that remain outstanding, the Applicant is to provide the anticipated time frame for completing those remaining steps.



- (b) A detailed explanation of the reasons in support of the Applicant’s request for the time extension. The Applicant is to include an explanation of whether such reasons were within the Applicant’s reasonable control. Examples of reasons beyond the Applicant’s reasonable control include, but are not limited to, undue delays in receiving regulatory approvals, litigation affecting the progression of the project, third-party economic restrictions of an extraordinary or unreasonable nature, or delays caused by significant medical or health issues impacting the Applicant’s key stakeholders.
- (c) For subdivisions, a specific schedule and plan demonstrating that the improvements on the subdivision plat will be substantially constructed within six months of the expiration of the current approval.

On March 4, 2024, the Planning & Zoning Department received both the initial request for extension letter as well as a copy of the approved Preliminary Subdivision Plan. After receipt of the Applicant’s request for extension, the Planning and Zoning Department directed the Applicant to the requirements of the written request under (§99-40). The Applicant’s request detailed the circumstances prompting the construction delay as well as an update on the status of the required agency approvals.

The following are the status of agency approvals. The Applicant indicates that as of the March 4, 2024 transmission of the extension request, all Plan have been submitted to all required agencies for final approval. The applicant indicated that they received updated design plans from DelDOT in early January 2024band have incorporated those revisions into their Final Plans which have also been submitted to all required agencies for Final Approvals.

The Applicant indicates they do not expect the required agency approvals to be completed prior to the expiration of (CU 2193) and the site will not to be under substantial construction prior to June 22nd, 2024; however, the Council may grant a time extension for an additional six (6) months so that the project can proceed with construction and establishing that they have substantially constructed the project prior to the termination of the six (6) month time extension, if granted. Staff note that the Applicant’s request was submitted to the Planning & Zoning Office on March4, 2024. The Planning & Zoning Commission recommended the Request for Extension be Approved at their meeting of April 10, 2024.

If the Council agrees, there should be a motion that, based upon the authority granted to Council under §99-40(C)), and based upon compliance and requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director of Planning and Zoning that Chappell Farm (C/U 2193) shall be granted a six (6) month time extension until December 22nd, 2024, which is six (6) months from April 22nd, 2024, the original expiration date for the Subdivision.



Memorandum

To: Sussex County Council

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

CC: Everett Moore, County Attorney

Date: May 13th, 2024

RE: County Council Report for Stratus Estates (2019-24) (F.K.A. Cool Spring Meadows)

On April 12th, 2024, the Planning and Zoning Department received a request for a 6-month time extension for Stratus Estates (2019-24) (F.K.A. Cool Spring Meadows), a cluster subdivision to consist of two-hundred and twenty-six (226) single-family lots, stormwater management, private roads, open space and other site improvements. The Preliminary Subdivision Plan for the Subdivision was approved by the Planning and Zoning Commission at their meeting of Thursday, April 22nd, 2021. The Applicant indicates that construction was delayed due to reasons outside of their reasonable control. The Applicant is seeking an extension on these grounds and has provided materials to demonstrate that the project will meet the “substantially underway” threshold required if County Council were to grant an extension under the provisions of (§99-40) in Sussex County Code. Under (§99-9(B)) of the Code, the Preliminary Subdivision Plan approval is valid for a period of three years and will expire on April 22nd, 2024, unless “construction or use” is “substantially underway.” The property is located on the north and south sides of Stockley Road (S.C.R. 280), approximately 0.65 mile southeast of Forest Road (S.C.R. 292) in Milton, Delaware.

The Applicant filed this request with the Planning & Zoning Department in writing on April 12th, 2024. The request for extension has been submitted under the sunset provision of (§99-40(C)) which allows an Applicant to request up to a six-month extension of the Subdivision approval. The Council may grant a time extension for up to six (6) months pursuant to (§99-40) based on the following:

1. Prior to the expiration date of its current approval, any Applicant holding a currently valid approval set forth in this §99-40(C) may request an extension up to six months for the validity of said approval. The six-month period shall commence on upon the date of expiration of the current approval. Such a request must be in writing and delivered to the Director on or before the expiration date of its current approval. At a minimum, the written request must include the following information:
 - (a) A schedule or plan for the project describing the steps that have been completed through the date of the extension request and describing the remaining steps to be completed. For any steps that remain outstanding, the Applicant is to provide the anticipated time frame for completing those remaining steps.



- (b) A detailed explanation of the reasons in support of the Applicant's request for the time extension. The Applicant is to include an explanation of whether such reasons were within the Applicant's reasonable control. Examples of reasons beyond the Applicant's reasonable control include, but are not limited to, undue delays in receiving regulatory approvals, litigation affecting the progression of the project, third-party economic restrictions of an extraordinary or unreasonable nature, or delays caused by significant medical or health issues impacting the Applicant's key stakeholders.
- (c) For subdivisions, a specific schedule and plan demonstrating that the improvements on the subdivision plat will be substantially constructed within six months of the expiration of the current approval.

On April 12th, 2024, the Planning & Zoning Department received both the initial request for extension letter as well as a copy of the approved Preliminary Subdivision Plan. After receipt of the Applicant's request for extension, the Planning and Zoning Department directed the Applicant to the requirements of the written request under (§99-40). The Applicant's representative responded with another letter detailing the hardships and circumstances prompting the construction delay as well as an update on the status of the required agency approvals.

The following are the status of agency approvals. The Applicant's representative at Morris James, LLP indicates that the 6th submission was made to the Sussex Conservation District on March 18th, 2024, and that a Notice of Intent Permit was issued on March 26th, 2024. The Applicant's representative also notes that approvals have been received from the Office of the State Fire Marshal, the Geographic Information Office, and the Office of Drinking Water of which an extension of the prior approval was received on January 22nd, 2024. The Applicant's representative further notes that a Letter of No Objection to Recordation (LONOR) and Record Plan approval were received on December 12th, 2023, from DelDOT. The Applicant's letter also includes details on the progress of the pending Sussex County Engineering Department approval.

It may be difficult for the site to be considered under substantial construction; however, the Council may grant a time extension for an additional six (6) months so that the project can proceed with construction and establishing that they have substantially constructed the project prior to the termination of the six (6) month time extension, if granted.

If the Council agrees, there should be a motion that, based upon the authority granted to Council under §99-40(C)), and based upon compliance and requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director of Planning and Zoning that Stratus Estates (2019-24) (F.K.A. Cool Spring Meadows) shall be granted a six (6) month time extension until October 22nd, 2024, which is six (6) months from April 22nd, 2024, the original expiration date for the Subdivision.



Memorandum

To: Sussex County Council

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

CC: Everett Moore, County Attorney

Date: May 13th, 2024

RE: County Council Report for The Estuary at Oyster Rock (2020-15)

On April 4th, 2024, the Planning and Zoning Department received a request for a 6-month time extension for The Estuary at Oyster Rock (2020-15), a standard subdivision to consist of twenty-one (21) single-family lots, stormwater management, private roads, open space and other site improvements. The Preliminary Subdivision Plan for the Subdivision was approved by the Planning and Zoning Commission at their meeting of Thursday, May 13th, 2021. The Applicant indicates that construction was delayed due to reasons outside of their reasonable control. The Applicant is seeking an extension on these grounds and has provided materials to demonstrate that the project will meet the “substantially underway” threshold required if County Council were to grant an extension under the provisions of (§99-40) in Sussex County Code. Under (§99-9(B)) of the Code, the Preliminary Subdivision Plan approval is valid for a period of three years and will expire on May 13th, 2024, unless “construction or use” is “substantially underway.” The property is located on the north and south sides of Stockley Road (S.C.R. 280), approximately 0.65 mile southeast of Forest Road (S.C.R. 292) in Milton, Delaware.

The Applicant filed this request with the Planning & Zoning Department in writing on April 4th, 2024. The request for extension has been submitted under the sunset provision of (§99-40(C)) which allows an Applicant to request up to a six-month extension of the Subdivision approval. The Council may grant a time extension for up to six (6) months pursuant to (§99-40) based on the following:

1. Prior to the expiration date of its current approval, any Applicant holding a currently valid approval set forth in this §99-40(C) may request an extension up to six months for the validity of said approval. The six-month period shall commence on upon the date of expiration of the current approval. Such a request must be in writing and delivered to the Director on or before the expiration date of its current approval. At a minimum, the written request must include the following information:
 - (a) A schedule or plan for the project describing the steps that have been completed through the date of the extension request and describing the remaining steps to be completed. For any steps that remain outstanding, the Applicant is to provide the anticipated time frame for completing those remaining steps.



- (b) A detailed explanation of the reasons in support of the Applicant's request for the time extension. The Applicant is to include an explanation of whether such reasons were within the Applicant's reasonable control. Examples of reasons beyond the Applicant's reasonable control include, but are not limited to, undue delays in receiving regulatory approvals, litigation affecting the progression of the project, third-party economic restrictions of an extraordinary or unreasonable nature, or delays caused by significant medical or health issues impacting the Applicant's key stakeholders.
- (c) For subdivisions, a specific schedule and plan demonstrating that the improvements on the subdivision plat will be substantially constructed within six months of the expiration of the current approval.

On April 4th, 2024, the Planning & Zoning Department received both the initial request for extension letter as well as a copy of the approved Preliminary Subdivision Plan. After receipt of the Applicant's request for extension, the Planning and Zoning Department directed the Applicant to the requirements of the written request under (§99-40). The Applicant's representative responded with another letter detailing the hardships and circumstances prompting the construction delay as well as an update on the status of the required agency approvals.

The following are the status of agency approvals. The Applicant's representative at Merestone Consultants, Inc. indicates that approvals have been received from DelDOT in the form of a Letter of No Objection to Recordation (LONO) and the Office of the State Fire Marshal. The Applicant mentions within the time extension request letter that approvals from the Sussex County Engineering Department and Sussex Conservation District are anticipated within 3-4 months of the date of the letter, with approval from the Army Corps of Engineers for discharges into the receiving wetlands anticipated within 4-5 months of the date of the letter. Lastly, the Applicant's representative indicates that Water Distribution Plans have been reviewed by Tidewater Utilities and that an extension of Tidewater's approval will need to be requested.

It may be difficult for the site to be considered under substantial construction; however, the Council may grant a time extension for an additional six (6) months so that the project can proceed with construction and establishing that they have substantially constructed the project prior to the termination of the six (6) month time extension, if granted.

If the Council agrees, there should be a motion that, based upon the authority granted to Council under §99-40(C)), and based upon compliance and requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director of Planning and Zoning that The Estuary at Oyster Rock (2020-15) shall be granted a six (6) month time extension until November 13th, 2024, which is six (6) months from May 13th, 2024, the original expiration date for the Subdivision.



SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION

Green.

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Slaughter Neck Community Action Org. Inc.

PROJECT NAME: Slaughter Neck Senior Program / Recreation

FEDERAL TAX ID: 51 010 9444 ✓ NON-PROFIT: YES NO

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

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

ORGANIZATION'S MISSION:

ADDRESS: 22942 Slaughter Neck Rd.

Lincoln
(CITY)

De
(STATE)

19960
(ZIP)

CONTACT PERSON: Roslyn D. Harris

TITLE: Director

PHONE: 302-260-4437 EMAIL: RORZ1948@Aol.Com

TOTAL FUNDING REQUEST: \$ 6000.00

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

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

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

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

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- Fair Housing
 Infrastructure¹
 Health and Human Services
 Other _____
 Cultural
 Educational

BENEFICIARY CATEGORY

- Disability & Special Needs
 Elderly Persons
 Minority
 Victims of Domestic Violence
 Low to Moderate Income²
 Other _____
 Homeless
 Youth

BENEFICIARY NUMBER

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

300

SECTION 3: PROGRAM SCOPE

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

The funds will be used for the Senior Program, and Recreation. The Senior program operates for days a week + offers breakfast daily from 7:30- 11:30 daily. The Seniors participate in various activities and enjoy socializing with each others. The program receives very minimal funds and most often have to use members dues for helping with the operation.

We're also asking for funds for our recreation program to keep our youth + children active and to have necessary equipment for the program.

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	\$ 50,000.00
	EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)		
	Personnel	\$ 30,000.00
	Utilities	3,900.00
	Insurance	4,800.00
	Telephone	4,200.00
	Food	3,900.00
	Supplies, + other	2,700.00
	Inspections	1,000.00
	TOTAL EXPENDITURES	\$ 60,300.00
	TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 10,300.00


SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the *Slaughter Neck Community* agrees that:
 (Name of Organization) *Action Organ*

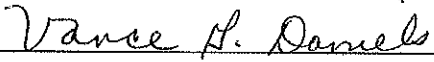
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application.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

5/7/24
Date

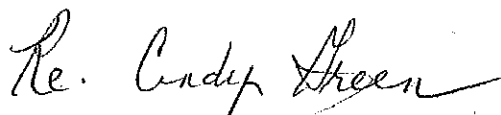

Witness Signature

5/7/24
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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



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

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

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

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

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

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

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

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

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

Robert D. Harris
Applicant/Authorized Official Signature

Director
Title

Vance B. Daniels
Witness Signature

5/7/24
Date

yes. 5/14

Ricley.

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Thursday, May 9, 2024 5:31 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization First State Community Action Agency, Inc.

Project Name 9th Annual It's a Par-Tee Miniature Golf Tournament

Federal Tax ID 51-0104704

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 work towards the elimination of poverty and lessen the effects of poverty on people with low incomes.

Address 308 N. Railroad Ave.

City Georgetown

State DELAWARE

Zip Code 19947

Contact Person Jaime Sayler

Contact Phone Number 3028567761

Contact Email Address jsayler@firststatecaa.org

Total Funding Request 1,000

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? 55500

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? 3

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

Program Category Other Youth Education and Development

Primary Beneficiary Category Low to Moderate Income

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

11632

Scope

On Monday, May 20, 2024, First State Community Action Agency proudly presents our 9th annual "It's a Par-tee" Miniature Golf Tournament at Jungle Jim's in Rehoboth Beach, Delaware. This annual charity event benefits First State's community-based youth programs, which provide educational opportunities for youth to engage in the arts, improve their academic performance through tutoring and homework assistance, and enhance their knowledge of money and banking. Support for this event also provides mentoring and case management for Delaware teens, as well as skills training for the workforce.

The Miniature Golf Tournament is sponsored by Discover Bank and will attract many leaders from the community, local organizations, and businesses.

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

9,000.00

Description

Supplies

Amount

750.00

Description

Printing

Amount

500.00

Description

Contractual - DJ, Photographer, Etc.

Amount 1,500.00

Description Luncheon

Amount 9,000.00

TOTAL EXPENDITURES 11,750.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -2,750.00

Name of Organization First State Community Action Agency, Inc.

**Applicant/Authorized
Official** Bernice M. Edwards

Date 05/09/2024

**Affidavit
Acknowledgement** Yes

yes 5/14

Rieley

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
 <notifications@d3forms.com>
Sent: Thursday, May 2, 2024 12:35 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization Town of Millsboro/~~Millsboro Police Department~~

Project Name Police E Bike

Federal Tax ID 51-6000390

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 Millsboro Police Department is committed to enhancing the quality of life by creating a safe environment in partnership with the community we serve.

Members of the Millsboro Police Department will act with integrity to reduce fear and crime while treating all with respect, compassion, and fairness.

Address 322 Wilson Highway

City Millsboro

State	DE
Zip Code	19963
Contact Person	Jamie Burk
Contact Title	Town Manager
Contact Phone Number	(302)934-8171
Contact Email Address	jamieb@millsboro.org
Total Funding Request	\$5,000
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)	Other
Primary Beneficiary Category	Youth
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	7700
Scope	Requesting funding for a new E Bike for the Millsboro Police Department. Our ever growing town could use an additional E Bike to help patrol and maintain a safe environment for our residents.
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	0.00
Description	E Bike
Amount	3,500.00
Description	Police upfit to add markings, bags, and safety equipment
Amount	1,500.00
TOTAL EXPENDITURES	5,000.00

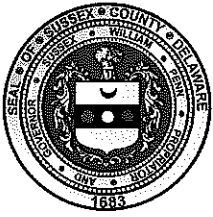
**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -5,000.00

Name of Organization Town of Millsboro

**Applicant/Authorized
Official** Jamie Burk

Date 05/02/2024

**Affidavit
Acknowledgement** Yes



SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION

Yes 5/11.

Rieley.

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Millsboro Historical Society ✓

PROJECT NAME: Jacob Godwin School

FEDERAL TAX ID: 51-0313038 ✓ 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 an educational and historical setting for community individuals to visit for multiple purposes. This requires maintaining the grounds and building for needed maintenance and repairs.

ADDRESS: 23235 Godwin School Road

Millsboro DE 19966
(CITY) (STATE) (ZIP)

CONTACT PERSON: John G. Mitchell

TITLE: President

PHONE: 302-381-9934 EMAIL: sadpearl@mediacombb.net

TOTAL FUNDING REQUEST: \$5,000.00

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? \$3,000.00

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

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

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

250

SECTION 3: PROGRAM SCOPE

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

Godwin School is a historic landmark and serves as an icon for the way students learned through 1936 and with the continued support of the Sussex County Council will be able to maintain and make improvements as necessary.

Over the past three years the Council has awarded Godwin School \$3,000, respectively. The Society members have worked to reduce expenses of security, building insurance, power washing and termite inspection in 2022 and 2023. Termite inspection is a must expense for 2024 as well as power washing, painting and groundskeeping.

Therefore, we are requesting \$5,000 so we can fully maintain Godwin School.

Mr. Arthur E. Cathell, Secretary/Treasurer
23344 Godwin School Road
Millsboro, DE 1966

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	0.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Absolute Security	\$ 0.00
State Farm Insurance	\$ 0.00
Lawn Care	\$ 0.00
Delaware Electric Coop.	\$ 0.00
Pressure Wash and Paint Work	\$ 0.00
Remedy Battery Window Candles	\$ 0.00
Tish Pusey Benefit	\$ 0.00
Bank Service Charge and Franchise Fee	\$ 0.00
TOTAL EXPENDITURES	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

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

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

SECTION 5: STATEMENT OF ASSURANCES (continued)

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

_____	05/13/2024
Applicant/Authorized Official Signature	Date
_____	05/13/2024
Witness Signature	Date

Completed application can be submitted by:

Email: casey.hall@sussexcountype.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.

Applicant/Authorized Official Signature

Witness Signature

President


Title

05/13/2024

Date


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

05/13/2024

Date


Witness Signature

05/13/2024

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.

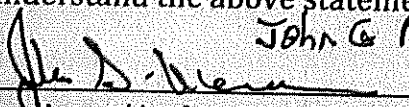
For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

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.

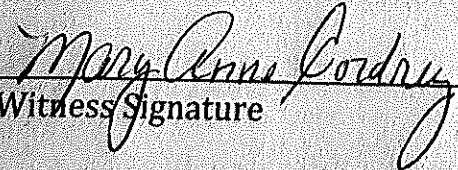
Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used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


John G. Mitchell

Applicant/Authorized Official Signature



Witness Signature

President

Title

05/13/2024

Date

To Be Introduced: 5/21/24

Council District 2: Mrs. Green
Tax I.D. No. 430-1.00-13.06
911 Address: 13848 Staytonville Road, Greenwood

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CEMETERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 7.2 ACRES MORE OR LESS

WHEREAS, on the 28th day of December 2023, a conditional use application, denominated Conditional Use No. 2504 was filed on behalf of Living Hope Fellowship Church; and

WHEREAS, on the ____ day of _____ 2024, 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. 2504 be _____; and

WHEREAS, on the ____ day of _____ 2024, 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. 2504 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcels of land lying and being situate in Nanticoke Hundred, Sussex County, Delaware, and lying on the west side of Staytonville Road (S.C.R. 224), approximately 0.42 mile northwest of Blacksmith Shop Road (S.C.R. 44), and being more particularly described in the attached legal description prepared by Walter G. Feindt, P.A., said parcels containing 7.20 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: 5/21/24

Council District 4: Mr. Hudson
Tax I.D. No.: 533-19.00-47.00
911 Address: 35090 Lighthouse Road, Selbyville

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR MEDIUM RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 37.52 ACRES, MORE OR LESS

WHEREAS, on the 6th day of April 2023, a zoning application, denominated Change of Zone No. 2009 was filed on behalf of Double H. Development, LLC; and

WHEREAS, on the ____ day of _____ 2024, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 2009 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 has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the southeast side of Lighthouse Road (Rt. 54) approximately 0.50 mile northeast of Williamsville Road (S.C.R. 395) and being more particularly described in the attached legal description prepared by David W. Baker, Esq., P.A., said parcel containing 37.52 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: 5/21/24

Council District 4: Mr. Hudson
Tax I.D. No.: 533-19.00-47.00
911 Address: 35090 Lighthouse Road, Selbyville

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR MEDIUM-DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS (108 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 37.52 ACRES, MORE OR LESS

WHEREAS, on the 6th day of April 2023, a Conditional Use Application, denominated Conditional Use No. 2440 was filed on behalf of Double H. Development, LLC; and

WHEREAS, on the ____ day of _____ 2024, 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. 2440 be _____; and

WHEREAS, on the ____ day of _____ 2024, 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 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2440 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the southeast side of Lighthouse Road (Rt. 54) approximately 0.50 mile northeast of Williamsville Road (S.C.R. 395) and being more particularly described in the attached legal description prepared by David W. Baker, Esq., P.A., said parcel containing 37.52 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.