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June 17, 2016

ELECTRONIC TRANSMISSION AND FEDERAL EXPRESS OVERNIGHT

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Philadelphia Center Director
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Chief
Attn: DJ #175-15-46
Housing and Civil Enforcement Section
Civil Rights Division
United States Department of Justice
1800 G Street NW
Washington, DC 20006

Re: Seventh Semi-Annual Compliance Report Under the Sussex County Voluntary Compliance Agreement (HUD) and Consent Decree (USDOJ)

Dear Ms. Delaney and Ms. Wagner:

This correspondence serves as Sussex County's seventh semi-annual compliance report ("Seventh Semi-Annual Compliance Report") as required under Section V(A)(1) of the Voluntary Compliance Agreement ("VCA") executed between Sussex County and the U.S. Department of Housing and Urban Development ("HUD") on November 28, 2012, and Section VI(18) the Consent Decree ("CD") executed between Sussex County and the U.S. Department of Justice ("USDOJ") on November 28, 2012, entered by the Court on December 19, 2012 (Civil Action No. 12-1591-MPT). By email dated March 30, 2016, from Ms. Delaney to Stephanie Hansen, an extension until June 19th, 2016, was granted by HUD to submit this Seventh Semi-Annual Compliance Report. No extension was required by USDOJ under the CD because

submission of the Seventh Semi-Annual Compliance Report on or before June 19, 2016, is timely. Exhibits are attached as noted.

This correspondence expressly incorporates by reference all of the previous reporting information submitted to HUD and USDOJ in the County's correspondences dated December 28, 2012; March 28, 2013; May 28, 2013; July 2, 2013; July 23, 2013; August 5, 2013[1]; September 30, 2013; October 30, 2013; November 7, 2013, November 27, 2013; January 6, 2014; March 19, 2014; May 9, 2014[2]; June 19, 2014; December 19, 2014; June 19, 2015; September 21, 2015; October 28, 2015; December 18, 2015, and May 11, 2016.

I. Requirements Under the Consent Decree

The compliance status of each requirement is addressed below in the numerical order in which the requirement is found in the CD.

A. **Section I(8)(a) through (d)** – General Injunction. The County believes it is in compliance with the continuing obligations of the general injunction as set forth in this section.

B. **Section II** – Development of New Horizons by Diamond State Community Land Trust ("Diamond State CLT"). With the exception of Subsection II(11)(a), the requirements of this section become active only upon submission of an application by Diamond State CLT. Since no application has been received, the requirements have not been activated. With regard to Subsection II(11)(a), the County affirmatively states that it is in compliance with the requirements of this subsection which prohibit public disparagement of Diamond State CLT, the New Horizons development project, or the viability of the community land trust model for affordable housing development.

Subsection II(11)(b) states that the County shall, upon request by Diamond State CLT, provide letters from the County to actual or potential funders or any other governmental entity indicating the County's support for Diamond State CLT's New Horizons project. As mentioned in the County's Fourth Semi-Annual Compliance Report, although Diamond State CLT did not request a letter of support for New Horizons, they did request support for a project in which they were to build affordable housing in Ingram Village in Ellendale. The County provided letters of support of the project to the Delaware State Housing Authority and certification from the County to FHL Bank of Pittsburgh mentioning that the County encourages the creation of affordable housing through the land trust model of home ownership as well as detailing the benefits of the

[1] The August 5, 2013 correspondence was sent solely to HUD in response to HUD's July 30, 2013 email request from Ms. Sharese Paylor for additional information on the County's interaction with DSHA and the Delaware Office of State Planning Coordination in drafting the AI Evaluation and Proposed Priority Fair Housing Plan.

[2] The May 9, 2014 correspondence was sent solely to HUD in partial response to the HUD Review Letter (hereinafter defined).

sewer deferral program. This effort was successful and Diamond State CLT has released information that it is now building its first three homes in Ingram Village. The County believes it is in compliance with this requirement.

C. **Section III(12)** – Additional Provisions Related to Affordable and Fair Housing. This section requires certain notice to an applicant should the County Council or Planning and Zoning Commission decline, reject, or deny any type of request or application for zoning or land use approval related to an Affordable Housing proposal or a proposal processed under the Moderately Priced Housing Unit ("MPHU") program or the Sussex County Rental Program ("SCRP"). In particular, the County is to supply written findings explaining the specific grounds for its action to the applicant within ten (10) days of the date on which the final decision was made. The County believes it has not declined, rejected, or denied any such request and, therefore, believes it is in compliance with this section. However, the Board of Adjustment denied a special use exception application from Immanuel Shelter for an emergency homeless shelter and, as is the County's practice, supplied written findings explaining the specific grounds for its action to the applicant within ten (10) days of the date on which the final decision was made. The applicant has since filed an appeal of the decision to the Delaware Superior Court. The County is not agreeing or admitting that the denial of the special use exception application from Immanuel Shelter is an action that is required to be reported under this provision of the CD, but we are including here in order to be forthcoming and over-inclusive regarding this provision.

D. **Section III(13)(a) through (d)** - Additional Provisions Related to Affordable and Fair Housing. This section requires the County to submit to USDOJ a draft Affordable and Fair Housing Marketing Plan ("Marketing Plan") inclusive of specific items within one hundred (100) days of the adoption of the CD. The one-hundred-day deadline was April 1, 2013. The County submitted its draft Marketing Plan in its correspondence to USDOJ and HUD dated March 28, 2013. USDOJ provided comments to the draft Marketing Plan by letter dated April 29, 2013, and the County submitted a revised Marketing Plan to USDOJ by letter dated May 13, 2013. The County submitted a second revised Marketing Plan in its correspondence to USDOJ on July 2, 2013 to incorporate "gender identity" as a new protected class in accordance with a new law recently enacted in Delaware. Subsequently, the County requested a date change for one of the items in the Marketing Plan (the date by which to hold the Homebuyer Fair) in its correspondence to USDOJ dated July 23, 2013, and with that correspondence, submitted another revised Marketing Plan showing the date change.

Under the provisions of this section of the Consent Decree, the County must proceed to implement the Marketing Plan within five (5) days upon its approval by USDOJ. The County considers its Marketing Plan approved by USDOJ. As mentioned within the County's Fourth Semi-Annual Compliance Report, the County asked one final time for approval from USDOJ on the Marketing Plan and stated that unless it was informed otherwise by USDOJ by January 1, 2015, it would consider the Marketing Plan approved. No such communication was received from USDOJ and USDOJ has never communicated to the County that the Marketing Plan is insufficient or not approved. Regardless, since the Marketing Plan was first submitted to USDOJ over three (3) years ago, the County has proceeded in good faith to implement the

provisions of the Marketing Plan as those items have come due. Compliance with the Marketing Plan has been addressed in other correspondences to USDOJ dated July 2, 2013; September 30, 2013; January 6, 2014; September 21, 2015; and various semi-annual compliance reports submitted by the County. The County's second annual Homebuyer Fair was prospectively reported in the County's Interim Compliance Report dated September 21, 2015, and was held on September 26, 2015 as anticipated.

E. **Section IV(14)** – Fair Housing Compliance Officer. This section required the County to designate a Fair Housing Compliance Officer ("FHCO"). As set forth in its correspondence to USDOJ and HUD dated December 28, 2012, the County is in compliance with this requirement.

F. **Sections IV(15) and (16)** - Fair Housing Compliance Officer. These sections require the FHCO to receive and review all complaints of housing discrimination made against the County, to keep a written record of verbal complaints, and to provide HUD and USDOJ with a copy of the complaints received and the County's response. Since the County's Sixth Semi-Annual Compliance Report dated December 18, 2015, the County has not received any complaints of housing discrimination. The County would like to note that its complaint form is available in Spanish on the County's website and in the County's offices.

G. **Section IV(17)** - Fair Housing Compliance Officer. This section requires the FHCO to maintain copies of the CD, the Fair Housing Policy, the HUD Complaint form and HUD pamphlet entitled "Are you a victim of housing discrimination?" (HUD official forms 903 and 903.1, respectively) and make these materials freely available to anyone, upon request, without charge, including all persons making fair housing complaints to the FHCO. The required materials continue to be freely available, upon request, without charge, to anyone at the County's office of Community Development and Housing and on the County's website. As a result, the County believes it is in compliance with this section.

H. **Section IV(18)** - Fair Housing Compliance Officer. This section requires the FHCO to report to the County every six months on activities taken in compliance with this CD. The FHCO reported to the County at the County Council meeting held on June 14, 2016, in compliance with this section. Attached as **Exhibit 1** is the agenda from the County Council meeting showing the FHCO's presentation on the agenda and memorandum of the FHCO outlining the material presented.

I. **Section V(19)** – Fair Housing Policy. Among other things, this section requires the County to adopt a Fair Housing Policy with the text as set forth in the CD at Attachment A. The policy was so adopted and notice of the fulfillment of this requirement was sent to USDOJ and HUD in the County's correspondence dated December 28, 2012. The Fair Housing Policy has subsequently been revised to reflect new protected class status for gender identity in Delaware and to include the County's Anti-NIMBY language. Notice of each revision was sent to your office via correspondences dated July 2, 2013, and July 23, 2013.

This section also requires the County to include the Fair Housing Policy in all literature and information or application materials provided to residential developers, including developers

of affordable housing. As mentioned in the Sixth Semi-Annual Compliance Report, the County is inserting the Fair Housing Policy in its Application for Major Subdivision. This section also requires the County to include the Fair Housing Policy as a readily accessible link on the County's website. This link is currently active and can be found on the County's website and under the Community Development & Housing webpage at: http://www.sussexcountyde.gov/fair-housing-policy.

Lastly, the Fair Housing Policy is available in Spanish on the County's website and in the County's offices. As a result, the County believes it is in compliance with this section.

J. **Section V(20)** – Fair Housing Policy. This section requires the County to place the "Equal Housing Opportunity" or fair housing logo on the County's website and on all future published notices and advertisements related to housing or residential development. The County states affirmatively that this requirement continues to be fulfilled and includes the agendas from recent meetings of the Board of Adjustment, the Planning and Zoning Commission, and County Council as examples illustrating such compliance as **Exhibit 2**.

K. **Section VI(21) – (23)** – Training. The County's fourth annual in-person training was held on June 9, 2016. In its correspondence dated February 25, 2016, HUD did not disagree with holding the training during the summer of 2016. The trainer was Mr. Jeffrey May of International Development and Planning L.L.C. HUD approved of Mr. May as the trainer via email from Barbara Delaney to Stephanie Hansen dated January 5, 2016. USDOJ approved of Mr. May as the trainer via email from Lori Wager to Stephanie Hansen dated January 20, 2016. HUD and USDOJ approved of Mr. May's training materials via emails from Barbara Delaney and Lori Wagner to Stephanie Hansen dated February 23rd and February 24th, 2016, respectively. The training certificates of each of the County attendees of the in-person training on June 9th are included herein as **Exhibit 3**. Those that did not attend the training are expected to review the videotape of the training no later than June 23, 2016, and their certificates will be provided to USDOJ and HUD in the County's next submission. As a result, the County believes it is in compliance with this section.

New Employees: One new County employee (Hans Medlarz) has been hired since the submission of the Sixth Semi-Annual Compliance report whose employment position the County believes is covered under the terms of the CD and who received the fair housing training in compliance with the 30-day requirement in the CD. There has also been one new member appointed to the County's Planning and Zoning Commission (Mr. Douglas Hudson). Mr. Hudson was appointed on May 3, 2016. Since the in-person training was scheduled for June 9th, 2016, the County requested and received approval from HUD and USDOJ by email dated May 4, 2016, that allowed Mr. Hudson to receive the in-person training instead of being required to review the videotape of the previous year's in-person training within 30 days of employment in addition to attending the in-person training. The training certificates for Mr. Medlarz and Mr. Hudson are included in **Exhibit 3**.

1. Hans Medlarz (hired 12/8/2015, trained 12/22/2015)

2. Douglas Hudson (appointed 5/3/2016, attended in-person training on 6/9/2016)

L. **Section VII(24)(a) through (c)** – Reporting and Recordkeeping. The requirements of this section do not become active until Sussex County acts upon Diamond State CLT's preliminary subdivision plat application for New Horizons. Since no such application has been submitted as of this time, the requirements of this section have not been activated. Additionally, as mentioned in the Third Semi-Annual Compliance Report, Sussex County understands that Diamond State CLT will not be pursuing the development of the New Horizons project on the land that was the subject of the original application.

M. **Section VII(25)** – Reporting and Recordkeeping. This section requires the submission to USDOJ of contact information for the FHCO, the adopted Fair Housing Policy, a printout of the County's website showing the "Equal Opportunity Logo," the name of the fair housing trainer, and other information required by section 21(a). As set forth in the County's previous correspondences, the County has fulfilled the requirements of this section.

N. **Section VII(26)** – Reporting and Recordkeeping. This section required the County to submit the executed Certificates of Training and Receipt of Consent Decree for the initial in-person training, and the proposed Marketing Plan, to USDOJ by April 1, 2013. These documents were submitted to USDOJ and HUD in the County's correspondence dated March 28, 2013. As a result, the County believes it has fulfilled the requirements of this section (also please see the County's response to Section VI(21) – (23) above).

O. **Section VII(27)(a) through (f)** – Reporting and Recordkeeping.

Webpage: This section requires the County to develop an Affordable Housing webpage and update the webpage twice annually with certain information. The County was required to post its first compliance report and notify USDOJ of such posting within six (6) months after entry of the CD (by June 19, 2013). The County launched the webpage on June 19, 2013, and the content of the webpage conforms to the requirements of this section and to the draft Marketing Plan. However, the County has gone above and beyond the requirement to update the webpage twice annually and, instead, updates the webpage on a continuous basis as new material related to affordable housing becomes available. For your reference, the web address to the County's Affordable Housing webpage is:

http://www.sussexcountyde.gov/affordable-and-fair-housing-resource-center

Compliance Report Postings: This section also sets forth the information that should be posted on the webpage as part of the compliance report postings. In particular, the compliance report postings on the webpage should include: (a) copies of any letters of support by the County for New Horizons; (b) a summary of each zoning or land-use request or application related to Affordable Housing or housing being processed under the MPHU or SCRP programs and certain information related to those requests or applications; (c) representative copies of any

published notices or advertisements containing the phrase "Equal Housing Opportunity" or the fair housing logo; (d) copies of any Certifications of Training and Receipt of Consent Decree signed since the preceding compliance report; (e) copies of any materials previously submitted to USDOJ if such materials have been substantially altered or amended since they were last submitted; and (f) copies of any changes to the County's zoning or land use laws, regulations, policies or procedures addressing the construction of or approval process for Affordable Housing or housing being processed under the MPHU or SCRP programs enacted since the previous compliance report was submitted.

The County states affirmatively that the above required information has been posted on the Affordable Housing webpage. Since the County's submission of the Sixth Semi-Annual Compliance Report, the County states the following with respect to the items required above, each in the order as presented above:

(a) The County has not issued any letters of support for New Horizons and there is no active application for New Horizons in front of the County.

(b) There have been no zoning or land-use requests or applications related to Affordable Housing or housing being processed under the MPHU or SCRP programs on which County Council or the Planning and Zoning Commission have made a determination since the County's Sixth Semi-Annual Compliance Report. As reiterated in the County's Sixth Semi-Annual Compliance Report, USDOJ and the County have agreed that the phrase 'A summary of each zoning or land-use request or application related to Affordable Housing' refers to zoning or land use requests or applications for housing development projects intended or designed for households earning less than 80% of the Area Median Income ("AMI") as calculated by the U.S. Department of Housing and Urban Development. Such projects do not include requests or applications from individual homeowners seeking variances or special use exceptions from the County's Board of Adjustment. Instead, this provision is interpreted as applying to requests and applications from developers of residential housing projects. A residential housing project is interpreted as a project to construct housing in which more than one family is intended to be served and in which some portion of the project is specifically proposed by the developer as intended to serve households earning less than 80% AMI. However, the County has posted information regarding the application from the Immanuel Shelter for a special use exception from the Board of Adjustment on its webpage. As mentioned in our response in Section III(12) above, the County is not agreeing or admitting that this application is an action that is required to be reported under the CD or required to be posted, but the County has included this information on its webpage in order to be forthcoming and over-inclusive regarding this provision.

(c) Attached are representative copies of published notices containing the phrase "Equal Housing Opportunity" (**see Exhibit 2**). These notices are the agendas

of County Council, the Planning and Zoning Commission, and the Board of Adjustment.

(d) As mentioned earlier in this correspondence, the County has hired one new employee and appointed one new member to the Planning and Zoning Commission since the Sixth Semi-Annual Compliance report whose employment positions the County believes are covered under Sections VI(21) to (23) of the CD and who have completed the required training. Copies of their certificates of training will be posted on the County's website concurrent with the posting of this Seventh Semi-Annual Compliance Report.

(e) There have been no materials submitted to USDOJ under the CD that have been substantially altered or amended since such materials were last submitted to USDOJ.

(f) There have been no changes to the County's zoning or land use laws, regulations, policies or procedures addressing the construction of or approval process for Affordable Housing, or housing being processed under the MPHU or SCRP programs enacted since the previous compliance report was submitted.

P. **Section VII(28)** – Reporting and Recordkeeping. This section requires the County to send to USDOJ any proposed change to the County's zoning or land-use laws, regulations, policies or procedures addressing the construction of or approval process for Affordable Housing or housing being processed under the MPHU or SCRP programs prior to the County's consideration. As reiterated in the Sixth Semi-Annual Compliance Report, USDOJ and the County understand that this section is meant to address proposed changes to laws, regulations, policies, or procedures that are intended to specifically address the construction of or approval process for Affordable Housing programs, or housing being processed under the MPHU or SCRP programs, not changes which implicate residential development in general. There have been no such proposed changes since the County's submission of the Sixth Semi-Annual Compliance Report. However, the County is in the process of reviewing the County Code provisions governing the SCRP program with stakeholders in order to make the SCRP program more effective and will send any draft ordinance originating from this process to HUD and USDOJ prior to the County's consideration. We believe that the SCRP program as currently structured is not being utilized for the development of affordable housing because there are structural problems with the program. The County has submitted a timeline to HUD within its May 2016 Revised Priority Plan outlining its anticipated timeline for changes to the SCRP program.

Q. **Section VII(29)** – Reporting and Recordkeeping. This section requires the County to retain all records relating to any provision of the CD and gives USDOJ the opportunity to inspect and copy any such records. The County affirmatively states that it is in compliance with this section.

R. **Section VIII(30) – (31)** – Compensation of Aggrieved Persons. These sections require compensation to Diamond State CLT and set forth a procedure whereby, once the compensation is received, a release from Diamond State CLT ("Release") is obtained and sent to the County. The compensation has been received by Diamond State CLT and the Release has been received by the County via correspondence from USDOJ dated January 3, 2013. As a result, the County believes the requirements of these sections have been fulfilled.

S. **Section IX(32) – (33)** – Jurisdiction and Scope of Decree. These sections set forth the jurisdiction of the Court in this matter and state that the CD is in effect for four (4) years after its entry. As the CD was entered by the Court on December 19, 2012, the date of its expiration is therefore December 19, 2016. Nothing in these sections requires compliance on the part of the County.

T. **Section IX(34)** – Jurisdiction and Scope of Decree. This section states that modifications to the CD, other than a time limit for performance, will be effective upon the filing of a written agreement between the County and USDOJ with the Court. In order to modify the CD to include the agreement between USDOJ and the County regarding certain training provisions, calculations of deadlines, and posting of Certificates of Training and Receipt of Consent Decree, the County submitted to USDOJ a draft Stipulation and Order for review within the First Semi-Annual Compliance Report and reports thereafter. As per communication from USDOJ, it is the County's understanding that all of the terms in that Stipulation and Order are acceptable to USDOJ and USDOJ has never expressed a contrary opinion. Additionally, even though the Stipulation and Order have not been filed with the Court, the County and USDOJ have been proceeding as though the Stipulation and Order have been properly filed. As with previous compliance reports, the County renews its request that USDOJ execute the Stipulation and Order as submitted within the Fourth Semi-Annual Compliance Report.

U. **Sections X (Enforcement of This Decree), XI (Costs and Fees) and XII (Termination of Litigation Hold)**– Nothing in these sections require compliance on the part of the County.

II. Requirements Under the Voluntary Compliance Agreement

Since the submission of the County's Sixth Semi-Annual Compliance Report, HUD issued a VCA monitoring review letter dated February 25, 2016 (the "February 2016 HUD Review Letter") and the County and HUD held a conference call on February 29, 2016 ("February 2016 HUD Conference Call"). Pertinent information from the February 2016 HUD Review Letter and the February 2016 HUD Conference Call is discussed below where appropriate.

A. **Section II** – General Provisions. The only provision in this section requiring compliance on the part of the County is Section II(7). This section requires that the County

make a copy of the VCA available for review to any person, in accordance with the law. The County affirmatively states that it continues to be in compliance with this section.

B. **Section III(1)** – Corrective Actions. This section references the training requirements set forth in Section VI(21)(a) through (c) of the CD. As mentioned earlier in this Seventh Semi-Annual Compliance Report, the County's annual training occurred on June 9, 2016. In its correspondence dated February 25, 2016, HUD did not disagree with holding the training during the summer of 2016. The trainer was Mr. Jeffrey May of International Development and Planning L.L.C. HUD approved of Mr. May as the trainer via email from Barbara Delaney to Stephanie Hansen dated January 5, 2016. USDOJ approved of Mr. May as the trainer via email from Lori Wagner to Stephanie Hansen dated January 20, 2016. HUD and USDOJ approved of Mr. May's training materials via emails from Barbara Delaney and Lori Wagner to Stephanie Hansen dated February 23rd and February 24th, 2016, respectively. The training certificates of each of the County attendees of the in-person training are included herein as **Exhibit 3**. Those that did not attend the in-person training are expected to review the videotape of the training no later than June 23, 2016, and their certificates will be provided to USDOJ and HUD in the County's next submission. As a result, the County believes that it is in compliance with this section.

C. **Section III(2)** – Corrective Actions. Under this provision in the VCA, the County is required to address the decision to deny the New Horizons Cluster Subdivision proposal and reimburse Diamond State CLT as agreed upon in Sections II(10) and VIII of the CD. As set forth in previous compliance reports, the County believes it is in compliance with this section. The February 2016 HUD Review Letter states that HUD agrees the County is in compliance with this section and recommends that the County "continue to engage with Diamond State CLT in identifying land for affordable housing opportunities, as this is comprehensively documented in the 2011 Analysis of Impediments." The County is continuing to engage in discussions with Diamond State CLT.

D. **Section III(3)** – Corrective Actions. This section requires the County to limit the evaluation of future land use proposals to compliance with the County Code and State law. The County affirmatively states that it is in compliance with this section and the February 2016 HUD Review Letter states that this provision of the VCA has been met.

E. **Section III(4)** – Corrective Actions. This section requires the County to comply with guidance and instructions provided by the State of Delaware to affirmatively further fair housing, to the greatest extent feasible or practicable, contingent upon funding and the County's authority. The County believes it is in compliance with this section and the February 2016 HUD Review Letter states that HUD agrees.

F. **Section III(5)** – Corrective Actions. This section requires the County to hire or appoint the FHCO and to notify HUD of the appointment within 30 days. As set forth in the County's correspondence to HUD and USDOJ dated December 28, 2012, the County is in compliance with this requirement. The February 2016 HUD Review Letter states that this provision of the VCA has been met.

G. **Section III(6)** – Corrective Actions. This section only becomes active if the FHCO resigns or is otherwise terminated prior to the expiration of the VCA. Because that situation has not arisen, there is nothing in this section that requires compliance by the County at this time. The Sixth Semi-Annual Compliance Report mentioned that FHCO Brandy Nauman would be on maternity leave beginning at the end of December for approximately three (3) months and in her absence, the current Director of Community Development and Housing for Sussex County, Brad Whaley, would temporarily assume her role. She returned to work as planned and has resumed her duties as the FHCO.

H. **Section III(7)** – Corrective Actions.

1. **Section III(7)(a)** requires that the County review and evaluate the 1998, 2003, and 2011 Analysis of Impediments ("AI's"), develop a proposed priority fair housing plan to address the identified impediments that continue to exist, and submit the plan to DSHA and HUD for review and approval within 120 days of the effective date of the VCA (by March 28, 2013). In response, the County performed the required review and evaluation, drafted the Priority Plan, and submitted the Priority Plan to HUD and DSHA for review and approval.

In the April HUD Review Letter, HUD listed eight separate recommendations that it believed the County needed to address in order to be in compliance with the VCA under Section III(7)(a). All of the recommendations involved changes to the County's Priority Plan. There has been much correspondence between HUD and the County regarding these eight recommendations and the reader is directed to previous compliance reports and correspondences for the entirety of the discussion. The County submitted its revised Priority Plan on October 28, 2015. HUD addressed the County's revised Priority Plan in its February 2016 HUD Review Letter and the County and HUD discussed specific issues related to the revised Priority Plan in the February 2016 HUD Conference Call. As mentioned in the February 2016 HUD Review Letter, most of the HUD recommendations have been addressed to HUD's satisfaction; however HUD required some additional information regarding HUD Recommendations Nos. 1 and 2 (which are considered together) and HUD Recommendation No. 5. In addition, there was an outstanding item due under HUD Recommendation No. 8. The County submitted correspondence with a re-revised Priority Plan to HUD on May 11, 2016, which we believe addresses these recommendations.

Without waiving any of the County's general or specific objections to the eight recommendations as set forth in previous compliance reports, below is a synopsis of the eight HUD Recommendations and the current status of each.

a. HUD Recommendation Nos. 1 and 2

Mentioned in the July 2015 HUD Review Letter, the outstanding action item that HUD was requiring to be in the Priority Plan was "a timeline for the strategy of meeting with housing advocates to explore options for

increasing the supply of accessible, affordable housing, including what outreach will be performed to housing advocates, how will suggestions be compiled, how will the Recipient assess these suggestions, and how long does the Recipient anticipate the process will take (HUD's recommendation in the November 2014 letter)."

The County responded by revising its Priority Plan and submitted the revised Priority Plan on October 28, 2015. The February 2016 HUD Review Letter requested additional information under HUD Recommendation Nos. 1 and 2. In particular, HUD recommended that "the County specifically identify in the Priority Plan how it will monitor and measure the success of the deferral option and aforementioned activities. What type of evaluation instrument will be utilized? Who will develop, administer, and evaluate the methodology for the instrument to ensure effectiveness? The Priority Plan should also reference that the County will include a report of findings at the conclusion of the activities."

The County has now re-revised its Priority Plan to address these issues raised by HUD and submitted its re-revised Priority Plan to HUD on May 11, 2016. We believe that these recommendations are now complete.

b. HUD Recommendation No. 3

According to the February 2016 HUD Review Letter, this recommendation remains complete.

c. HUD Recommendation No. 4

According to the February 2016 HUD Review Letter, this recommendation remains complete.

d. HUD Recommendation No. 5

Within the February 2016 HUD Review Letter, HUD requested further discussion with the County on the sewer impact fee deferral option as a method by which the County would increase the supply of affordable housing in the Balance of State available to households making 80% or less of the median household income. The County and HUD discussed the

sewer impact fee deferral option during the February 2016 HUD Conference Call. As mentioned in the County's correspondence and re-revised Priority Plan submitted to HUD on May 11, 2016, the County is going to continue to track the number of affordable housing units built which have taken advantage of the sewer impact fee deferral and the County has added the availability of the sewer deferment incentive to the existing Affordable Housing Support Policy in order to raise public awareness of this incentive and encourage its use. However, the County and HUD recognize that a change to the County's SCRP program may be even more effective. At this time the County has begun a review of the SCRP program and has proposed a timeline for HUD's approval in meeting HUD Recommendation #5.

e. HUD Recommendation No. 6

Within the July 2015 HUD Review Letter, HUD requested a copy of the County's LEP Plan to review and provide comments. HUD stated that the comments, if any, will not become part of the approval of the Priority Plan, but rather will be for technical assistance for the County. This was the only outstanding action item within this recommendation. The County submitted its LEP Plan to HUD within its September 21, 2015, Interim Report. HUD acknowledged the County's submission and provided its comments in the February 2016 HUD Review Letter. The County now considers this recommendation complete.

f. HUD Recommendation No. 7

According to the February 2016 HUD Review Letter, this recommendation is complete.

g. HUD Recommendation No. 8

Within the February 2016 HUD Review Letter, HUD stated that this recommendation is complete, and mentioned that the County stated it would send a letter to State legislators in Sussex County making them aware of the County requirement under the Analysis of Impediments to support legislative protection for borrowers to assist them in meeting housing costs. The letter has been sent and is attached hereto as **Exhibit 4.** As a result, this recommendation is complete.

2. **Section III(7)(a)(i).** As mentioned in the February 2016 HUD Review Letter, HUD considers this provision of the VCA to have been met.

3. **Section III(7)(a)(ii).** As mentioned in the February 2016 HUD Review Letter, HUD considers this provision of the VCA to have been met.

4. **Section III(7)(a)(iii)**. As mentioned in the February 2016 HUD Review Letter, HUD considers this provision of the VCA to have been met.

5. **Section III(7)(b)**. As mentioned in the February 2016 HUD Review Letter, HUD considers this provision of the VCA to have been met.

6. **Section III(7)(c)** requires the County to perform an internal evaluation of the Impacted Communities through the Strong Communities Initiative in order to determine investment strategies, priority designation of infrastructure and/or community development for those elements of infrastructure over which the County has primary governing authority. This section also requires the County to evaluate its past participation in providing secondary elements of infrastructure in the Impacted Communities with the goal of prioritizing the funding for such infrastructure improvements and formalizing an approval process for continued County participation in such infrastructure projects.

HUD Recommendation: As recognized in the February 2016 HUD Review Letter, this provision remains open and pending until the completion of the Impacted Communities Study by the County and the other elements as mentioned within this provision.

County's Response: As mentioned in the May 11, 2016, correspondence to HUD incorporating the re-revised Priority Plan, the Impacted Communities Study is anticipated to be completed in June 2016. The County has begun preliminary internal discussions, but is awaiting the final Impacted Communities Study before determining investment strategies and drafting a policy meant to guide the approval process for funding primary and secondary infrastructure projects.

I. **Section III(8)** – Corrective Actions. Following the internal evaluation and drafting of an approval process for future primary and secondary infrastructure projects, this section requires

the County to provide such improvements and services so long as such assistance is consistent with the County's available resources, and is consistent with relevant statutes, rules, regulations and policies. The evaluation of the Impacted Communities, the approval process, and the approvals granted will be made publicly available on Sussex County's website on an on-going basis. Since the internal evaluation has not been completed and no approval process is yet in place, the requirements of this section have not yet been activated. As mentioned by HUD in the February 2016 HUD Review Letter, this provision of the VCA is open and ongoing.

J. **Section III(9)** – Corrective Actions. Under this provision in the VCA, the County is required to revise its methodology, as currently proposed by DSHA, to target minorities with disproportionate housing needs to ensure that minorities are benefiting from all affordable housing programs supported by the County. Within the County's Fifth Semi-Annual Compliance Report, the County attached documentation from past DSHA CDBG Quarterly Status Reports to show that its methodology does target minorities with disproportionate housing needs. Within the July 2015 HUD Review Letter, HUD agreed that the CDBG reports show that minorities are targeted for funding. However, HUD further stated that "as the Recipient plans to incorporate the Impacted Community Study into the targeting process, this provision remains open while the Study is completed." As mentioned within the February 2016 HUD Review Letter, this continues to be HUD's position, in particular, this provision remains open while the Impacted Communities Study is being completed.

K. **Section IV** – Public Notice of the VCA. As mentioned in the February 2016 HUD Review Letter, HUD considers this provision of the VCA to have been met.

L. **Section V** – Reporting and Compliance Requirements. Under Section A(1), the County must submit semi-annual reports to HUD for the duration of the CD. Under Section A(2) the reports must contain information on each corrective action (progress made, work remaining, reasons for any delay, dates of completion or proposed completion), and must be signed and certified as accurate by the FHCO. This correspondence from the County is meant to satisfy the requirements of these sections for the Seventh Semi-Annual Compliance Report.

M. **Section VI** – Recordkeeping Requirements. This section requires the County to maintain adequate files along with all materials relating to the County's implementation of the VCA. The County asserts that it is in compliance with this section.

This concludes the County's Seventh Semi-Annual Compliance Report. Please feel free to contact me with any questions or comments.

Sincerely yours,

Stephanie L. Hansen

Alice Hung (via email at Alice.Hung@usdoj.gov)
Ms. Melody Taylor-Blancher (via email at Melody.C.TaylorBlancher@hud.gov)
Ms. Mary Jean Carabello (via email at MaryJean.Carabello@hud.gov)
Ms. Danielle.L.Sievers (via email at Danielle.L.Sievers@hud.gov)
Mr. Todd Lawson (via email at tlawson@sussexcountyde.gov)
Mr. Brad Whaley (via email at bwhaley@sussexcountyde.gov)

I attest that the material presented in this Seventh Semi-Annual Compliance Report is accurate to the best of my knowledge as the Sussex County Fair Housing Compliance Officer.

Brandy B. Nauman
Sussex County Fair Housing Compliance Officer

Exhibit List

Exhibit 1 - County Council Agenda for June 14, 2016, and the FHCO Memorandum.

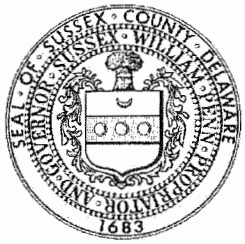
Exhibit 2 – Representative agendas of County Council, the Planning and Zoning Commission, and the Board of Adjustment.

Exhibit 3 - Certificates of Training

Exhibit 4 – Letter to Sussex County Legislators

Exhibit 1

MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
ROBERT B. ARLETT
GEORGE B. COLE
JOAN R. DEAVER



2 THE CIRCLE | PO BOX 589
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Sussex County Council

AGENDA

JUNE 14, 2016

10:00 A.M.

****AMENDED ON JUNE 13, 2016 AT 9:30 A.M.[1]**

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Presentation by the League of Women Voters of Sussex County – Annual Report

Todd Lawson, County Administrator

1. **Legislative Update**

2 **Proposed Amendment to Ordinance No. 2414 entitled "AN ORDINANCE TO ESTABLISH A MORATORIUM UPON THE ACCEPTANCE OF SPECIAL USE EXCEPTION APPLICATIONS FOR OFF-PREMISES SIGNS"**

3. **Administrator's Report**

Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer

1. **Fair Housing Update**

John Ashman, Director of Utility Planning

1. **Request to Prepare and Post Notices for the Proposed Chapel Branch Expansion of the Sussex County Unified Sanitary Sewer District**

Old Business

1. **Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115 ("ZONING"), ARTICLE XXI ("SIGNS")"**

Grant Requests

1. **Harry K. Foundation for the Halt Hunger Program**
2. **Delmar Public Library for the new building project**
3. **Mid-Atlantic Symphony Orchestra for concert series expenses**
4. **Delaware Celebration of Jazz for the Rehoboth Beach Jazz Festival**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

****Executive Session – Pending Litigation, Collective Bargaining, Personnel, and Land Acquisition pursuant to 29 Del. C. §10004(b)**

Possible Action on Executive Session Items

1:30 p.m. Public Hearings

Change of Zone No. 1796 filed on behalf of Lockwood Design and Construction, Inc.
"AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 35.45 ACRES, MORE OR LESS" (located on the northeast side of Warrington Road (Road 275), 0.25 mile southeast of John J. Williams Highway (Route 24) (Tax Map I.D. No. 334-12.00-127.02, 127.04, 127.05) (911 Address: None Available)

Conditional Use No. 2046 filed on behalf of Lockwood Design and Construction, Inc.
"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 35.45 ACRES, MORE OR LESS" (located on the northeast side of Warrington Road (Road 275), 0.25 mile southeast of John J. Williams Highway (Route 24) (Tax I.D. No. 334-12.00-127.02, 127.04, 127.05) (911 Address: None Available)

Adjourn

****

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

****

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 7, 2016 at 5:40 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

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[1] Per 29 Del. C. § 10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended under Executive Session to include Pending Litigation listed therein.
The Council intends to discuss public business in Executive Session. The agenda amendment was required to address these matters which need immediate Council attention and which arose after the initial posting of the agenda but before the start of the Council meeting.

BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
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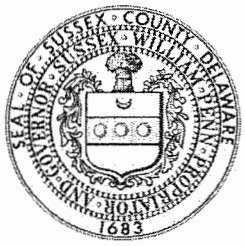
bnauman@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

MEMORANDUM

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Samuel R. Wilson, Vice President
The Honorable George B. Cole
The Honorable Joan R. Deaver
The Honorable Robert B. Arlett
Todd Lawson, County Administrator

FROM: Brandy Nauman, Fair Housing Compliance Officer

RE: Fair Housing Update

DATE: June 10, 2016

During Tuesday's Council meeting, I will provide you with a brief update on actions taken in compliance with the U.S. Department of Justice and U.S. Department of Housing & Urban Development fair housing settlement agreements over the last six months in order to comply with Section IV(18) of the Consent Decree. Below you will find an outline of the items I will be discussing. Please note that no action is required of Council; this is simply an update.

U.S. Department of Justice Consent Decree

- Section II – Diamond State CLT construction in Ingram Village
- Section III(13)(a-d) – Affordable and Fair Housing Marketing Plan
  - September 2016 - 3rd Annual Sussex County Homebuyers Fair
- Sections IV(15) and (16) – Housing Discrimination Complaints
  - None
- Section VI(18) – Submission of Seventh Semi-Annual Compliance Report
  - In process
- Section VI(21 – 23) and VII(26) – Fair Housing Training
  - June 9, 2016
- Section VII(27)(a) through (f) – Affordable Housing Webpage
- Section VII(28) – Reporting of proposed changes to policies related to affordable housing construction
  - Sussex County Rental Program

U.S. Department of Housing & Urban Development Voluntary Compliance Agreement

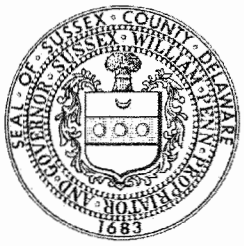
- Section III(7)(a)(i-iii) – Sussex County Analysis of Impediments Evaluation and Proposed Priority Fair Housing Plan
    - Revised Priority Plan Submission & HUD Response
    - LEP Plan Submission, HUD Response, and Implementation
- Section III(7)(c) – Strong Communities Initiative
    - Study Status & Estimated Release Date
- Section V – Submission of Seventh Semi-Annual Compliance Report

If you have any questions, please do not hesitate to ask. Thank you.

CC: Brad Whaley, Director of CD&H
Stephanie Hansen, Esquire
Robin Griffith, Clerk of Council

Exhibit 2

MICHAEL H. VINCENT, PRESIDENT
SAMUEL R. WILSON JR., VICE PRESIDENT
ROBERT B. ARLETT
GEORGE B. COLE
JOAN R. DEAVER



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sussexcountyde.gov

Sussex County Council

AGENDA

JUNE 7, 2016

10:00 A.M.

****AMENDED ON JUNE 3, 2016 AT 1:30 P.M.[1]**

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. **Proclamation – Home Ownership Month**
2. **Appointment to Planning and Zoning Commission**
3. **Appointment to Advisory Committee for the Aging and Adults with Physical Disabilities**
4. **Administrator's Report**

Gina Jennings, Finance Director

1. **Springfield Road Property Sale**

Janelle Cornwell, Planning and Zoning Manager

1. **Lewes Scenic Byway Endorsement**

Hans Medlarz, County Engineer

1. **Request to Prepare and Post Notices for the Proposed Route 13 Commercial Expansion of the Sussex County Unified Sanitary Sewer District**

2. **Henlopen Acres Pumping Stations Electrical Cable Replacement Project**

   A. **Substantial Completion and Final Balancing Change Order No. 1**

Joseph Wright, Assistant County Engineer

1. **Taxiway B (W) and Asphalt Tie-Down Apron (N) Rehabilitation (Project 16-21)**

   A. **Recommendation to Award**

John Ashman, Director of Utility Planning

1. **Resolution of the Final Boundary for the Proposed Herring Creek Expansion of the Sussex County Unified Sanitary Sewer District**

Patti Deptula, Director of Special Projects

1. **The Estates of Sea Chase Proposed Chapter 96 Project**

Aref Etemadi, Planning Technician

1. **Proposed McCabe Expansion of the Sussex County Unified Sanitary Sewer District**

Old Business

1. **Conditional Use No. 2041 filed on behalf of Scott Randall Witzke**

2. **Conditional Use No. 2042 filed on behalf of Beachfire Brewing Company, LLC**

3. **Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115 ("ZONING"), ARTICLE XXI ("SIGNS")"**

Grant Requests

1. **FCA Bucks Football for program expenses**

2. **New Zion Youth Outreach Organization through UMC for event expenses**

3. **Nanticoke Senior Center for defibrillator upgrades**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

****Executive Session – Personnel, Potential Litigation and Land Acquisition pursuant to 29 Del. C. §10004(b)**

Possible Action on Executive Session Items

Adjourn

****

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

****

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 31, 2016 at 4:30 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

####

---

[1] Per 29 Del. C. § 10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended under Executive Session to include Personnel listed therein.
The Council intends to discuss public business in Executive Session. The agenda amendment was required to address these matters which need immediate Council attention and which arose after the initial posting of the agenda but before the start of the Council meeting.

ROBERT C. WHEATLEY, CHAIRMAN
IRWIN G. BURTON, III
DOUGLAS B. HUDSON
MICHAEL B. JOHNSON
MARTIN L. ROSS

2 THE CIRCLE I PO BOX 417
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sussexcountyde.gov

Sussex County
Planning & Zoning Commission

AGENDA

June 9, 2016

6:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes – May 26, 2016

Old Business

C/U #2049 Blue Claw, LLC
An Ordinance to grant a Conditional Use of land in an AR-1 (Agricultural Residential District) for a boat storage facility located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.5052 acres, more or less. The property is located southeast of Downs Landing Rd. (Rd. 313A) 235 ft. southwest of River Rd. (Rd. 312). (911 Address: 30842 Downs Landing Rd., Millsboro). Tax Map I.D. 234-34.00-298.01 & 292.00

2016-7- Wanda Weber
This is a Major Subdivision plan. The plan proposes to subdivide 3.0129 acres +/- into 2 lots with a private road. The property is located at the southwest corner of Shadow Grove Rd. and Roxana Rd. (Rd. 17). Tax Parcel: 134-15.00-126.00. Zoning: AR-1 (Agricultural Residential District).
Waiver request for elimination of landscape buffer and from the street design standard.

Public Hearings

C/U #2051 Dale Thaxton
An Ordinance to grant a Conditional Use of land in a GR (General Residential District) for a computer repair business located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 0.236 acres, more or less. The property is located east of Camp Arrowhead Rd. (Rd. 279) southwest of Cypress Dr. 125 ft. northwest of Maple Ln. and being Lot 50, Angola Neck Park Subdivision. (911 Address: 22874 Cypress Dr., Lewes). Tax Map I.D. 234-12.14-54.00

C/U #2052 Delaware Electric Cooperative, Inc.,
An Ordinance to grant a Conditional Use of land in a C-1 (General Commercial District) for a public utility located on a certain parcel of land lying and being in Northwest Fork Hundred, Sussex County, containing 20.48 acres, more or less.
The property is located west of Sussex Hwy. (U.S. Rt. 13) north of Adam Rd (Rd. 583) and east of Cart Branch Rd. (Rd. 583A). (911 Address: 14198 Sussex Hwy., Greenwood). Tax Map I.D. 530-14.00-13.00, 14.00, 16.00, and 18.01

Other Business

Red Clover Walk 2007-5
Final Subdivision Plan

The Woods at Burtons Pond 2007-29
Final Subdivision Plan

Beachfire Brewery on Central Ave. (CU 2042)
Preliminary Site Plan

Cellco Partnership for Tucker Farm, LLC on Hummingbird Rd.
Preliminary Site Plan

Cellco Partnership for Richard Cook on Watson Rd.
Preliminary Site Plan

Carillon Woods on Indian Mission Rd.
Preliminary Site Plan

Thermo King Chesapeake on Sussex Hwy.
Preliminary Site Plan

Coastal Club
Amendment to Condition of Approval

Additional Business
Discussion of Comprehensive Plan

****

Planning and Zoning Commission meetings can be monitored on the internet at www.sussexcountyde.gov.

****

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 1, 2016, at 1:50 pm., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

####

DALE A. CALLAWAY, CHAIRMAN
JEFFREY M. HUDSON
JOHN M. MILLS
NORMAN C. RICKARD
E. BRENT WORKMAN

2 THE CIRCLE | PO BOX 417
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sussexcountyde.gov

Sussex County Board of Adjustment

REVISED AGENDA

JUNE 6, 2016

7:00 P.M.

Call to Order

Pledge of Allegiance

Approval of Agenda

Public Hearings

Case No. 11776 – Tina E. Windsor seeks a variance from the side yard setback (Sections 115-34B and 115-185F of the Sussex County Zoning Code). The property is located on the south side of Club House Rd. approximately 19 ft. west of Bay Haven St. 911 Address: 37400 Club House Rd., Ocean View. Zoning District: MR. Tax Map: 134-8.00-74.00

Case No. 11777 – David P. Elliott Construction, LLC seeks a variance from the front yard setback (Section 115-25C of the Sussex County Zoning Code). The property is located on the south side of Beacon Cir. approximately 380 ft. east of Robinson Dr. 911 Address: 65 Beacon Cir. Millsboro. Zoning District: AR-1. Tax Map: 133-19.00-279.00

Case No. 11778 – Carol Walker seeks variances from the side yard setbacks (Sections 115-25C and 115-185F of the Sussex County Zoning Code). The property is located on the southwest side of Council Ln. approximately 40 ft. west of Herring Landing. 911 Address: 35480 Council Ln., Lewes. Zoning District: AR-1. Tax Map: 234-24.00-25.00

Case No. 11780 – BE & F, LLC seeks a variance from the rear yard setback (Sections 115-25C of the Sussex County Zoning Code). The property is located on the south side of Elmwood Ave. E. approximately 1,214 ft. south of Woodland Cir. 911 Address: 23801 Elmwood Ave. E., Lewes. Zoning District: AR-1. Tax Map: 234-18.09-3.00

Case No. 11781 – Ruth Ann Crovetto seeks a variance from the rear yard setback (Sections 115-25C and 115-183C of the Sussex County Zoning Code). The property is located on the south side of Mallard Dr. approximately 200 ft. west of Bay Dr. 911 Address: 5 Mallard Dr., Lewes. Zoning District: AR-1. Tax Map: 234-12.00-121.00

EQUAL HOUSING OPPORTUNITY

Case No. 11782 – Richard & Phyllis Carmine seek a special use exception to retain a manufactured home type structure for a security office (Sections 115-80A and 115-210A(1) of the Sussex County Zoning Code). The property is located on the southwest corner of Trussum Pond Rd. and Old Stage Rd. 911 Address: 11450 Trussum Pond Rd., Laurel. Zoning District: C-1. Tax Map: 332-2.00-82.00

Case No. 11783 – William K. & Edna M. Messmer seek a special use exception for a private garage for more than four (4) cars and per 900 SF floor area (Sections 115-23C(1) and 115-210A(3)(a) of the Sussex County Zoning Code). The property is located on the north side of Middleford Rd. approximately 97 ft. west of Pineview Rd. 911 Address: 9445 Middleford Rd., Seaford. Zoning District: AR-1. Tax Map: 331-6.00-50.00

Case No. 11784 – Julie & Claude Saragosa seek a variance from the side yard setback (Section 115-25C of the Sussex County Zoning Code). The property is located on the west side of Boat Dock Cir. E. approximately 170 ft. north of Woodland Cir. 911 Address: None Available. Zoning District: AR-1. Tax Map: 234-11.20-268.01

Old Business

Case No. 11771 – Wayne James Brzoska seeks variances from the front yard, side yard, and rear yard setbacks (Sections 115-25C, 115-182D, 115-182B, and 115-183C of the Sussex County Zoning Code). The property is located on the northeast corner of Basin St. and Bald Eagle Rd. 911 Address: 37403 Basin St., Rehoboth Beach. Zoning District: AR-1. Tax Map: 334-19.16-18.01

Case No. 11772 – Rickie Todd seeks a variance from the height requirement for a fence (Section 115-185C of the Sussex County Zoning Code). The property is located on the west side of Lewis Dr. at the end of Chipmans Ln. 911 Address: 244 Lewis Dr., Laurel. Zoning **District**: AR-1. Tax Map: 232-12.20-12.00

Additional Business

Case No. 11204 – Bay Twenty, LLC seek a special use exception for additional "temporary" ground signs (Sections 115-41 and 115-159I of the Sussex County Zoning Code). The property is located on the south side of Rt. 20 (Zion Church Rd.) corner of Rd. 382A (Johnson Rd.) within Fox Haven Subdivision. 911 Address: None Available. Zoning District: GR. Tax Map: 533-11.00-45.01 & 46.03
REQUEST TIME EXTENSION

****

Board of Adjustment meetings can be monitored on the internet at www.sussexcountyde.gov.

****

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 13, 2016, at 10:31 a.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.
Revised: May 17, 2016 (to include Old Business Case Nos. 11771 & 11772)

####

Exhibit 3

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On June 9, 2016, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

John J. Ashman
Print Name

6-9-2016
Date

Director of Utility Planning
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Daniel L. Brandewie
Signature

DANIEL L. BRANDEWIE
Print Name

June 9, 2016
Date

Planner II
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

01:12731981.2

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Irwin G. Burton
Signature

Irwin G. Burton
Print Name

6-9-16
Date

RWZ Commissioner
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

01:12731981.2

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dale A. Callaway
Signature

DALE A. CALLAWAY
Print Name

June 9, 2016
Date

Board of Adjustment
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Wendy Carmean
Signature

Wendy Carmean
Print Name

6/9/16
Date

Assessor I
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

SHERRY A. COLLINS

Print Name

6/9/2016

Date

ASSESSOR 3

[redacted]

Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On June 9 2016, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Janelle M Cornwell
Signature

Janelle Cornwell
Print Name

6-9-16
Date

Planning & Zoning Manager
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

M. Costello
Signature

Michael Costello
Print Name

June 9, 2016
Date

Chief Constable
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Jayne E. Dickerson
Signature

Jayne E Dickerson
Print Name

6/9/16
Date

Director, Utility Permits
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Denise Draper
Signature

Denise Draper
Print Name

6/9/16
Date

Clerk III Technician - Constable's office
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

S L Hansen
Signature

Stephanie L Hansen
Print Name

6/9/2016
Date

Attorney for Sussex County
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

DOUGLAS B. HUDSON
Print Name

6/19/16
Date

COMM. PLANNING & ZONING
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Jeffrey Hudson
Signature

Jeffrey Hudson
Print Name

6/9/16
Date

Board of Adjustment
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Norman C Baker

Print Name

6/9/16

Date

Assessment

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

01:12731981.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 6-19-16, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

William M. Jones
Signature

William M Jones
Print Name

6-9-16
Date

Project Manager
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Christopher S. Keeler
Print Name

6/9/16
Date

Director of Assessment
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Dana N. Lathbury
Print Name

6/9/16
Date

~~Building~~ Permit Tech I
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

01:12731981.2

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Todd F. Larson

Print Name

June 9, 2016

Date

County Administrator

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dale McDowell
Signature

Dale McDowell
Print Name

6-9-16
Date

S.R. Planner
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

HANS MEDLARZ
Print Name

6/9/2016
Date

County Engineer
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Martha R. Miller
Signature

Martha R. Miller
Print Name

6/9/16
Date

Assessment Clerk IV
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

John M. Mills

Print Name

6/9/16

Date

MEMBER - BOARD OF ADJUSTMENTS

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Steve Mitchell
Signature

Steve Mitchell
Print Name

6-9-16
Date

inspector
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Guillermo Montalvo
Signature

Guillermo Montalvo
Print Name

06/09/16
Date

Project Manager
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

J. Everett Moore Jr.

Print Name

6/9/16

Date

ATTORNEY

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Brandy B. Nauman
Print Name

6/9/16
Date

Fair Housing Compliance officer
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Charles K. Nicodemus
Signature

Charles K. Nicodemus
Print Name

6-9-16
Date

Code Enforcement Officer
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Jennifer Donaxel
Print Name

6/9/16
Date

Clerk III P&Z
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dean Pettyjohn
Signature

Dean Pettyjohn
Print Name

6-9-16
Date

Building Code Inspector
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 6/8/16, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Norman C. Rickard
Print Name

6/8/16
Date

BOA
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Nicole Riddick
Signature

Nicole Riddick
Print Name

6/9/16
Date

Secretary II
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

01:12731981.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On June 9, 2016, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Vincent G. Robertson, Esq.
Print Name

6/9/16
Date

Assistant County Attorney
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Stacie L Rogers
Signature

Stacie Rogers
Print Name

6-9-16
Date

Clerk IV - Planning and Zoning
Position with Sussex County

[redacted]
Home Street Address

[redacted]

[redacted]
Home Telephone Number

01:12731981.2

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Marvin L. Rodd

Print Name

6-9-16

Date

Planning + Zoning Commission

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Robert Rotik

Print Name

6/9/16

Date

P&Z Inspector

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On Jeff Sauers, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Jeff Sauers
Print Name

6/9/16
Date

Assessor
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On JAMES SHARP, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

James P. Sharp
Signature

JAMES P. SHARP
Print Name

6/9/16
Date

ASSISTANT ATTORNEY
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On JUNE 9, 2016, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Jeffrey C. Shockley
Print Name

6-9-2016
Date

Environmental Manager
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 6-9-16, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Julio Vazquez Jr.
Print Name

6-9-16
Date

Building Code (Inspector)
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Michael Vincent
Signature

MICHAEL VINCENT
Print Name

6/9/16
Date

COUNTY COUNCIL
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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Lewis Wells
Signature

Lewis Wells
Print Name

6-9-16
Date

Inspector Building Code
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Russell K Warrington
Signature

RUSSELL K WARRINGTON
Print Name

6/9/16
Date

CLERK/Planning + ZONING
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Brad Whaley
Print Name

6/9/2016
Date

Director Comm. Dev
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Kelly Willing
Print Name

6-9-16
Date

Assessment Specialist
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On June 9, 2016, I attended training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

Anderson Wright
Print Name

6/9/16
Date

Chief of Building Code
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Joseph Wright
Signature

JOSEPH WRIGHT
Print Name

6-9-16
Date

ASS'T. COUNTY ENGINEER
Position with Sussex County

[redacted]
Home Street Address

[redacted]
City, State, Zip

[redacted]
Home Telephone Number

ATTACHMENT B

CERTIFICATION OF TRAINING AND RECEIPT OF CONSENT DECREE

On 12/22/2015, I ~~attended~~ completed training on the federal Fair Housing Act. I have had all of my questions concerning these topics answered to my satisfaction.

I also have been given and I have read a copy of the Consent Decree entered in United States v. Sussex County, Delaware, et al., Case No. 12-1591-MPT (D. Del.). I understand my legal responsibilities and will comply with those responsibilities. I further understand that the Court may impose sanctions on Sussex County or the Planning and Zoning Commission of Sussex County if I violate any provision of this Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signature

HANS MEDLARZ

Print Name

12/23/2015

Date

COUNTY ENGINEER

Position with Sussex County

[redacted]

Home Street Address

[redacted]

City, State, Zip

[redacted]

Home Telephone Number

"I was unable to attend the live-training session due to:

_____ I was a member of the 25% of my department's staff that was required to report to work on the day of training.

_____ Traveling either out of State, or out of the Country

_____ Illness

X I was hired by the County, or transferred departments, after the date of the training."

01:12731981.2

Exhibit 4

TODD F. LAWSON
COUNTY ADMINISTRATOR

(302) 855-7742 T
(302) 855-7749 F
tlawson@sussexcountyde.gov

Sussex County
DELAWARE
sussexcountyde.gov

April 26, 2016

The Honorable Ronald E. Gray
Representative of the State of Delaware
37176 Sunset Cove
Selbyville, DE 19975

Dear Representative Gray:

As you may know, Sussex County is working with the Department of Justice and the U.S. Housing and Urban Development agencies to ensure compliance with fair housing rules and regulations and increase accessibility to housing.

In 2011, the State of Delaware commissioned a report which reviewed the laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing throughout the State, including Sussex County. This report is known as the "Analysis of Impediments to Fair Housing Choice" dated July 2011 ("the Report").

Sussex County has worked hard since 2011 to address the issues raised in the Report and is continuing to support increased buyer education and counseling by annually funding many nonprofit counseling agencies with foreclosure prevention programs and education curricula. The County does this through its partnership with The Money School and through its organization of the annual Sussex County Homebuyer Fair where one-on-one financial counseling is available.

Although we are not aware of a particular bill in the General Assembly currently under consideration addressing this issue, to further assist the homeowners in our County, Sussex County wishes to express our general support for legislative protections for borrowers to assist them in meeting housing costs.

Please let us know if you would like to discuss these initiatives in the future.

Sincerely,

Todd F. Lawson
County Administrator

COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947