



Sussex County Council Public/Media Packet

**MEETING:
April 19, 2016**

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



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Sussex County Council

A G E N D A

APRIL 19, 2016

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Melissa Martin, Assistant Director, Autism Delaware – Autism Awareness Month

Consent Agenda

1. Wastewater Agreement No. 638-9
Sussex County Project No. 81-04
The Estuary – Camp Barnes Road – Off Site Sewer (Construction Record)
Miller Creek Sanitary Sewer District
2. Wastewater Agreement No. 597-1
Sussex County Project No. 81-04
Woodlands – Phase 1
Miller Creek Sanitary Sewer District
3. Wastewater Agreement No. 1043
Sussex County Project No. 81-04
Route 24 Elementary School – Love Creek
Goslee Creek Planning Area



Todd Lawson, County Administrator

1. Proclamation – Fair Housing Month
2. Administrator's Report

Gina Jennings, Finance Director

1. Clean Water and Flood Abatement Task Force Update
2. Springfield Property Update and Recommendation

Hans Medlarz, County Engineer

1. Pump Station 210 Force Main – Contract A, Project 15-08A
 - A. Change Order No. 1
2. Pump Station 210 Force Main – Contract B, Project 15-08B
 - A. Change Order No. 1

Joe Wright, Assistant County Engineer

1. Water's Run Subdivision – Cash Performance Bonds

Aref Etemadi – Planning Technician

1. Proposed Belle Terre Annexation of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
 - A. Request to Prepare and Post Notices

Patti Deptula, Director of Special Projects

1. The Estates of Sea Chase Proposed Chapter 96 Project

Jamie Sharp, Assistant County Attorney

1. Discussion and Possible Introduction of an Ordinance Relating to Signs

Grant Request

1. Big Brothers Big Sisters of Delaware, Inc., for Sussex County Bowl for Kids' Sake

Introduction of Proposed Zoning Ordinances

Council Members' Comments

1:00 p.m. Workshop – DelDOT Transportation Improvement Districts

Location – Sussex County West Complex – Conference Room

Adjourn

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

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on April 12, 2016, at 4:20 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

####

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 12, 2016

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, April 12, 2016, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 174 16
Approve
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to amend the agenda by deleting "Introduction of Proposed Zoning Ordinances" and to approve the Agenda, as amended.

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of April 5, 2016 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

MILFORD MUSEUM, MILFORD, DELAWARE
RE: Letter in appreciation of grant.

**Public
Comments**

Paul Reiger spoke concerning the rules of procedure for filling the vacancy that now exists on the Planning & Zoning Commission.

Dan Kramer commented on a recent Cape Gazette article regarding the 10 commandments of open meetings.

Jean Ward and Joyce Jason spoke in opposition to the proposed Winding Creek Village Water District mentioning salt intrusion, the added expense of public water, the 194 affidavits received stating the desire to opt out of the Water District, as well as the County's inconsistent and more burdensome process required to obtain these particular affidavits when compared to other situations when affidavits are submitted.

**Public
Hearing/
Z&Z Real
Properties
Annexation
LNSSD**

A Public Hearing was held to consider annexing an area of land into the Long Neck Sanitary Sewer District (Z&Z Real Properties, LLC).

Aref Etemadi, Planning Technician, presented the proposal for the annexation of an area of land into the Long Neck Sanitary Sewer District (Z&Z Real Properties). The proposed annexation is located at 26152 School Lane, Millsboro, DE (Parcel 234-23.00-234.00). Mr. Etemadi appeared before Council on March 15, 2016 and received approval to prepare and post notices for the expansion. No correspondence has been received in opposition to the proposed annexation. The project proposes the connection (requested by the homeowner) of an existing totally renovated home to the existing 8 inch sewer located in School Lane. The area includes a one single family lot. The adjacent property owner was also contacted to inquire of their interest of being annexed to the district, but no response has been received. The developer will be responsible for payment of all applicable fees including the system connection charge, annual service and front footage assessment per EDU based on rates established for July 1, 2015 thru June 30, 2016. The developer will also be responsible for making the connection to the existing 8 inch main and extension of the lateral to the building.

There were no public comments. The Public Hearing and public record were closed.

**M 175 16
Adopt
R 006 16
Extend
Boundary
LNSSD/
Z&Z
Properties**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to Adopt Resolution No. R 006 16 entitled, "A RESOLUTION TO EXTEND THE BOUNDARY OF THE LONG NECK SANITARY SEWER DISTRICT (LNSSD) TO INCLUDE CERTAIN LOTS, PIECES OR PARCELS OF LAND, SITUATED WEST OF SCHOOL LANE IN SHERWOOD FOREST NORTH SUBDIVISION, SUSSEX COUNTY, DELAWARE".

Motion Adopted: 5 Yeas.

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

**Wastewater
Agreement**

Mr. Lawson presented a Wastewater Agreement for the Council's consideration.

**M 176 16
Execute
Wastewater
Agreement/
Landings
at Pepper
Creek**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 516-6, that the Sussex County Council execute a construction administration and construction inspection agreement between Sussex County Council and "HKS 4 LLC" for wastewater facilities to be constructed in "The Landings at Pepper Creek (A/K/A The Marina at Pepper's Creek) – Phase 3-4", located in the Dagsboro/Frankford Sanitary Sewer District.

**M 176 16
(Con't.)**

Motion Adopted: 5 Yeas.

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

**Adminis-
trator's
Report**

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

1. County Government Day – Thursday, April 14

The County is pleased to once again sponsor the annual County Government Day on Thursday, April 14. At 9:30 a.m., high school juniors from Sussex County Girls and Boys State will meet in the County Council Chambers. A mock County Council session will occur, with the representatives assuming leadership roles. It is always an interesting experience to watch student representatives tackle County issues as presented by County department heads. This program can be seen and heard on the County's website.

2. Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County Subcommittee Meeting

The Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County Conference Planning Subcommittee will meet on Monday, April 18, at 10:00 a.m. at the Sussex County Administrative Offices West Complex, 22215 North DuPont Boulevard, in Georgetown. During the meeting, the Committee will continue to discuss planning for their annual conference scheduled for October 19, 2016.

3. Department of Natural Resources and Environmental Control Meeting on FEMA Flood Maps

On April 20, 2016, the Department of Natural Resources and Environmental Control will host a meeting to discuss the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) and review the preliminary Flood Insurance Rate Maps and Flood Insurance Study for Sussex County.

The meeting will take place from 1:00 p.m. to 3:00 p.m. at the Carlisle Fire Company Hall located at 615 Northwest Front Street, Milford, Delaware. The public is encouraged to attend.

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

**Bid Results/
Henlopen
Acres
Pumping**

Hans Medlarz, County Engineer, presented the bid results for replacement of the main power supply feeder cable for the four wastewater pumping stations located in Henlopen Acres, which are owned and operated by Sussex

Stations Electrical Cable Replace- ment	County. Mr. Medlarz stated that a number of splices in the cable are exposed to the high ground water table and that this project would eliminate underground splicing and significantly reduce the potential for emergency shutdowns due to electrical ground faults. The original bids had to be rejected and a number of steps were taken to enlarge the bidding pool, which resulted in a number of contractors attending the pre-bid meeting. In the end, only one bid was received that was 19 percent below the Engineer's Estimate of \$250,142.11; the bid was reviewed by the County's consultants.
M 177 16 Award Bid/ Cable Replace- ment/ Henlopen Acres Pumping Stations	<p>A Motion was made by Mr. Cole, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project No. 14-12 - Henlopen Acres Pumping Stations Electrical Cable Replacement, be awarded to Mid-Shore Electrical Services, Inc., Millsboro, Delaware, at the base bid of \$202,092.50.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
Grant Request	Ms. Jennings presented the following grant request for the Council's consideration.
M 178 16 Council- manic Grant/ DE Devil Dogs	<p>A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to the Delaware Devil Dogs Detachment 780 for their 4th Annual Golf Tournament Fundraiser.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
Council Members' Comments	Mr. Arlett commented that he recently had the opportunity to be a member of the jury for a Superior Court mock trial held with a 4-H group from Bridgeville.
Old Business/ C/U 2039 Perfor- mance Injection Equipment	<p>Under Old Business, the Council considered Conditional Use No. 2039 filed on behalf of Performance Injection Equipment, LLC.</p> <p>The Planning and Zoning Commission held a Public Hearing on this application on December 10, 2015 at which time action was deferred. On January 14, 2016, the Commission recommended approval with conditions.</p> <p>The County Council held a Public Hearing on April 5, 2016 at which time action was deferred to allow the applicant to present evidence that the financial obligation with the County had been resolved.</p>

(Con't.) Discussion was held if it would be allowable for any applicant to request and be granted modifications to conditions written by the Commission (after an application and conditions have been approved by Council) without neighbor notification. Mr. Lank confirmed that the Commission – not Council – may make minor changes to a condition without notification to neighbors if the Commission had recommended the conditions originally.

M 179 16
Adopt
Ordinance
No. 2441/
C/U 2039
Perfor-
mance
Injection
Equipment

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to Adopt Ordinance No. 2441, entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MANUFACTURING AND INSTALLATION OF PERFORMANCE AUTOMOTIVE PARTS AND ACCESSORIES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 34,740 SQUARE FEET, MORE OR LESS” (Conditional Use No. 2039) filed on behalf of Performance Injection Equipment Co., LLC, with the following conditions:

- a. No outside repair work shall be performed on the site.
- b. Any fluids removed from vehicles shall be placed in approved containers and removed by licensed handlers of those materials.
- c. All used or junked parts, equipment, etc. shall be stored from view from neighboring properties and roadways and shall be appropriately discarded or recycled.
- d. The chassis dynamometer shall be operated with the doors to its building closed. It shall also only be operated between 10:00 a.m. and 5:00 p.m. Monday through Friday.
- e. The property shall have security lighting that is downward screened so that it does not project onto neighboring properties or roadways.
- f. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
- g. The applicant shall comply with all DelDOT requirements concerning access and roadway improvements.
- h. All dumpsters or trash disposal containers shall be screened from view from neighboring and adjacent properties and roadways.
- i. 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. Deaver, Yea; Mr. Cole, Yea;
Mr. Arlett, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea

Rules of
Procedure

Mr. Moore read the rules of procedure for public hearings.

Public
Hearing
C/U 2040

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF CONDITIONAL USE NO. 1474 (LANDSCAPING BUSINESS) TO

**Sposato
Imports
(Con't.)**

UTILIZE A WAREHOUSE FOR THE STORAGE OF WINE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 10.109 ACRES, MORE OR LESS" (Conditional Use No. 2040) filed on behalf of Sposato Imports (Tax Map I.D. No. 235-22.00-21.01) (911 Address: 16181 Hudson Road, Milton).

The Planning and Zoning Commission held a Public Hearing on this application on January 28, 2016 at which time the Commission recommended that the application be approved with the following conditions:

- a. No retail sales shall occur from the site.**
- b. No additional signage shall be permitted.**

(See the minutes of the Planning and Zoning Commission dated January 28, 2016).

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing and recommendation. The summary was admitted as part of the County Council's record. Mr. Lank provided Council with a copy of the sketch site plan showing the existing improvements on the property, as well as the location of the warehouse to be used for the storage of wine. Conditional Use No. 1474 (landscaping business) was approved by County Council on January 14, 2003 with seven conditions of approval. Mr. Lank noted that no additional agency comments had been received since the Commission's Public Hearing.

Mrs. Deaver took the opportunity to explain to those in attendance that the sequence of items on the Council agenda were sometimes subject to change in order to accommodate the advertised times of Public Hearings.

The Council found that the applicants, David and Karen Sposato, were present. They stated that the application was to convert an existing warehouse to be used for the storage of wine that would be imported from Argentina, which will be distributed to restaurants and package stores in Delaware, Maryland, and Washington, D.C.

There were no public comments in support or in opposition to this application.

The Public Hearing and public record were closed.

**M 180 16
Adopt
Ordinance
No. 2442/
C/U 2040
Sposato**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to Adopt Ordinance No. 2442 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXPANSION OF CONDITIONAL USE NO. 1474 (LANDSCAPING\ BUSINESS) TO UTILIZE A WAREHOUSE FOR THE STORAGE OF WINE TO BE LOCATED ON A

**M 180 16
(Con't.)**

CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 10.109 ACRES, MORE OR LESS” (Conditional Use No. 2040) filed on behalf of Sposato Imports, with the following conditions:

- a. No retail sales shall occur from the site.**
- b. No additional signage shall be permitted.**

Motion Adopted: 5 Yeas.

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

**Public
Hearing
C/U 2041
Scott
Witzke**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL AUTO SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 10.0 ACRES, MORE OR LESS” (Conditional Use No. 2041) filed on behalf of Scott Randall Witzke (Tax Map I.D. No. 532-19.00-7.00) (911 Address: 8137 Delmar Road, Delmar).

The Planning and Zoning Commission held a Public Hearing on this application on January 28, 2016 at which time the Commission recommended that the application be deferred; on February 11, 2016, the Commission recommended approval with the following conditions:

- a. No more than five (5) vehicles shall be displayed for sale on the site at any one time, and as stated by the applicant the vehicles shall be displayed only during daylight hours.**
- b. The vehicles shall be displayed no closer than fifty (50) feet from the front property line. The display area location shall be shown on the Final Site Plan.**
- c. There shall be no more than 15 vehicles stored on the site for sale at any one time.**
- d. No auto repair work shall be performed on the vehicles at the site.**
- e. As stated by the applicant, no automotive parts shall be sold from the site.**
- f. One lighted sign, not to exceed 32 square feet per side, shall be permitted.**
- g. No junked, unregistered or permanently inoperable vehicles or trailers shall be stored on the site. In addition, no automotive parts shall be stored outside on the site.**
- h. Any dumpsters shall be screened from view of neighbors and roadways. The dumpster location shall be shown on the Final Site Plan.**
- i. Any security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.**
- j. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

(Con't.) (See the minutes of the Planning and Zoning Commission dated January 28 and February 11, 2016).

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing and recommendation. The summary was admitted as part of the County Council's record. Mr. Lank noted that no additional agency comments had been received to date since the Commission's Public Hearing.

The Council found that the applicant, Scott Witzke, was present. Mr. Witzke explained that his business is approximately 7 years old, and is a wholesale business where typically everything is sold online, or thru international contacts who make purchase. Much of his sales go directly to the Port of Baltimore, New Jersey, or to Florida to be shipped to Haiti, the Dominican Republic, Nigeria, and other countries. Occasionally, someone may come to his business location to pick up a product. Mr. Witzke stated that he had no intention to display products out front with the exception of an occasional vehicle, but would not be displayed during night time hours; their method of sale does not lend itself to have an outside display. Mr. Witzke was approached by the State regarding the need for a retailer's license and is the reason for the zoning request to enable the transition from wholesaler to retailer; this will not impact their business operations. Mr. Witske stated that he is very sensitive to his neighbors and his property will continue to have the appearance of a farm; he noted that he has made significant improvements to his property since its purchase and plans to continue.

Mrs. Deaver raised question as to the inventory stored on the property as well as the sales from the property. Mr. Witzke noted that there may be some stored inventory, but most inventory would be toward the back of the 10-acre property. He noted that his inventory would also include heavy equipment (dump trucks, box trucks), along with vehicles; a lot of sales go directly from a remote location to an auction site or port.

Mr. Cole raised concern as to the compatibility of an agricultural residential district with the proposed use for a retail auto sales; the County's Land Use Plan states that the businesses in an agricultural residential district should complement the ag-related zoning. Mr. Witzke noted that he did not want to restrict himself from having stored inventory (no more than 10 and possibly one out front); he reiterated the amount of work that had been done to the property to bring it up to compliance; the planting of 15,000 pine trees as a perimeter; as well as the significant home renovations to date and the intention for continued improvements.

Mr. Arlett questioned the frequency and size of vehicles being sold and being picked up from his property. Mr. Witzke noted that vehicles are sometimes driven or hauled away; the need for a car carrier to be onsite would occur approximately once every six months.

(Con't.) **There were no public comments in support of the application.**

John Tawa (Horsey Road), Russell Kajenskey (Delmar Road), Barbara Culver (Nanticoke Road, Salisbury), Joseph and Kathleen Willin (Delmar Road), and Dean Tingle (Delmar Road) spoke in opposition to the application and referenced their close or adjacent proximity to the site; adverse effect on property values in the area; fire hazard and water pollution risk (from petroleum products), as well as the impact to neighboring trees and cattle that roam within the surrounding wooded area; possible eyesore from vehicles and products stored and displayed onsite; noise; compatibility of proposed use within agricultural residential zoning; lighted 32 square foot signage; storage of dump trucks and heavy equipment; compliance and policing of specific conditions that may be imposed if the application is approved; and the small signage posted by the County notifying property owners of the proposed conditional use.

The Public Hearing and public record were closed.

Mrs. Deaver requested that the application be deferred.

**M 181 16
Defer
Action/
C/U 2041
Scott
Witzke**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to defer action on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL AUTO SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 10.0 ACRES, MORE OR LESS” (Conditional Use No. 2041) filed on behalf of Scott Randall Witzke.

Motion Adopted: 5 Yeas.

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

**Old
Business/
C/Z 1770
TD
Rehoboth**

Under Old Business, the Council considered Change of Zone No. 1770 filed on behalf of TD Rehoboth, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on April 23, 2015, at which time action was deferred. On June 11, 2015, the Commission recommended that the application be approved.

The County Council held a Public Hearing on this application on June 2, 2015, at which time the Public Hearing was closed and action was deferred. At the conclusion of the Public Hearing, Council requested that the record remain open for a period of 30 days for written comments or questions from Council and/or responses from agencies; thereafter, once comments received had been introduced to the Council and into the public record, the record

(Con't.) would remain open for a period of 15 days for anyone wishing to respond (in writing) to the comments submitted.

On August 18, 2015, Lawrence Lank, Director of Planning and Zoning, reported to Council that reports were received from DelDOT and the Department of Agriculture, and that comments were also received from Vince Robertson, Assistant County Attorney, in response to questions raised by the Council and from Janelle Cornwell, Planning and Zoning Manager, relating to FAA regulations. On that date, it was noted that the public would be given a 15-day period of time, until the close of business on September 15, 2015, to submit written comments pertaining to the information submitted to Council.

The County Council was advised by a memorandum from Lawrence Lank to Todd Lawson, County Administrator, dated September 8, 2015, that the County Council could place the application on a future agenda to report receipt of public comments on those four comments previously referenced; that once the receipt of the information was reported to the County Council, the record could then be closed; and that the County Council could then place this application on a future agenda to render a decision.

On September 15, 2015, Mr. Lank reported that, during the 15-day period and prior to the September 2, 2015 deadline, approximately 165 letters/emails were received and copies were distributed to the Council. On that date, it was noted that due to the volume of the correspondence received, Council would have to decide which comments addressed specifically those comments addressed by DelDOT, the Department of Agriculture, Vince Robertson, Esquire, and Janelle Cornwell, AICP. Vincent Robertson, Esquire, was also in attendance and stated that it was important for County Council members to remember that they could only consider and rely upon the comments that related back to the four referenced comments received. The public record was closed at the September 15, 2015 Council meeting.

M 182 16 Adopt Proposed Ordinance/ C/Z 1770 TD Rehoboth <u>(DENIED)</u>	A Motion was made by Mr. Cole, seconded by Mr. Wilson, to Adopt the Proposed Ordinance entitled, "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 114.4821 ACRES, MORE OR LESS" (Change of Zone No. 1770) filed on behalf of TD Rehoboth, LLC.
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Motion Denied: 4 Nays; 1 Yea.

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

Council Members' Comments	<p>Mrs. Deaver expressed concern regarding earlier discussion and stated that neighbor notification should always occur when any modifications are made to zoning conditions once an application and specific conditions have been approved.</p> <p>Mr. Arlett briefly revisited the reasoning for his vote regarding C/Z No. 1770 and expressed that the need exists to determine how to effectively work together – the County, State, and community – to be able to properly plan for growth and to find positive solutions to make that happen.</p>
M 183 16 Go Into Executive Session	<p>At 12:10 a.m., a Motion was made by Mrs. Deaver, seconded by Mr. Cole, to go into Executive Session for the purpose of discussing matters relating to personnel and land acquisition.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
Executive Session	<p>At 12:15 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing issues relating to personnel and land acquisition. The Executive Session concluded at 1:20 p.m.</p>
M 184 16 Reconvene Regular Session	<p>At 1:40 p.m., a Motion was made by Mr. Wilson, seconded by Mrs. Deaver, to come out of Executive Session and to reconvene the Regular Session.</p> <p>Motion Adopted: 5 Yeas.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea</p>
E/S Action	<p>There was no action on Executive Session items.</p>
Rules of Procedure	<p>Mr. Moore read the rules of procedure for public hearings.</p>
Public Hearing/ C/Z 1790 and C/Z 1791 Carillon Square Apts.	<p>A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 8.66 ACRES, MORE OR LESS” (Change of Zone No. 1790) filed on behalf of Carillon Square Apartments, LLC [Tax Map I.D. No. 234-23.00-269.13 (Part of) and 269.15 (Part of)] (911 Address: None Available) <u>and</u> the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL</p>

(Con't.)

RESIDENTIAL DISTRICT AND A C-1 GENERAL COMMERCIAL DISTRICT TO A HR-1 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 17.19 ACRES, MORE OR LESS" (Change of Zone No. 1791) filed on behalf of Carillon Square Apartments, LLC [Tax Map I.D. No. 234-23.00-260.00 and 269.18 (Part of)] (911 Address: None Available).

The Planning and Zoning Commission held a Public Hearing on both applications on January 14, 2016 at which time the Commission recommended that the applications be deferred; on January 28, 2016, the Commission considered both applications under Old Business and, again, recommended deferral. On February 11, 2016 the Commission recommended approval of both applications.

(See the minutes of the Planning and Zoning Commission dated January 14, January 28, and February 11, 2016).

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing and recommendation. The summaries were admitted as part of the County Council's record.

Mr. Lank stated that the Exhibit Booklet provided by the applicant had been provided to each Council member, which included an Executive summary; data column; references to existing conditions; boundary survey; copy of the rezoning applications; copy of deeds; legal description; preliminary site plans; rezoning plan; multiple exhibits, maps and aerials; PLUS response; Environmental Assessment and Public Facilities Evaluation Report; and responses to Subdivision Ordinance Section 99-9C. The total acreage of the property is 27.02 acres and is located on the north side of Route 24 and west of the Route 24/Route 5 intersection. The two applications seek to rezone 17.2 acres to HR-1 High Density Residential, leaving the balance as AR-1 Agricultural Residential to allow an age-restricted development to be built on the property. To date, Mr. Lank noted that no additional comments had been received from any agencies or individuals on these two applications.

The Council found that Jax Corrado, Director of Leasing and Property Manager for Beach Plum Dunes Apartments; Zac Crouch, Professional Engineer with Davis Bowen & Friedel, Inc.; Eugene Bayard, the applicant's attorney, and Preston Schell, Chairman and CEO of Ocean Atlantic Communities, were present on behalf of the application.

With the use of the zoning map, Mr. Bayard presented background as to how the area has evolved, or been developed over the past 20 years. The two applications replace an existing project, which was a planned 54,000 square foot shopping center and 125 townhomes, with 204 age-restricted rental apartments. The proposed project has been endorsed by the State Housing Authority.

(Con't.)

Mr. Crouch spoke to the review process; the application did require a PLUS (Preliminary Land Use Service) Review and comments were received from the Office of State Planning Coordination (Exhibit 2) on August 18, 2015; a Traffic Impact Study (TIS) was not required per the Service Level Evaluation Request (SLER) process; a January 12, 2016 memo had been received from Rob Davis, Senior Planner with the County, regarding sewer capacity noting that the combined EDU allowable for this project is 214 EDUs – the proposed request is for 204 units, which is well within that allowable EDU limit; the application went thru the TAC process; an Environmentally Sensitive Developing District Overlay Zone Report was prepared; and a letter was prepared demonstrating compliance with County Subdivision Ordinance Section 99-9C. Mr. Crouch briefly reviewed the preliminary site plan for Carillon Square with Council, which included the layout of the proposed application, as well as the numerous amenities (4-seasons pool, clubhouse, community garden, dog park, game courts, walking trail, woodlands, and sidewalks throughout the project).

Mr. Cole expressed concern regarding the proposed buffer to minimize the impact to the wetlands area. Mr. Crouch noted that although no buffer is required by County Code, a buffer of 20 foot buffer is planned; he stated that he would be agreeable to a 30 foot buffer.

Jax Corrado, property manager at Beach Plum Dunes and Leasing Manager with Ocean Atlantic Communities, spoke to the fact that Beach Plum Dunes is an Ocean Atlantic Project and includes 194 apartments. She noted that this project broke ground in 2013 and is currently at 100 percent capacity, with a waiting list of 65 individuals. The amenities at Beach Plum Dunes include a swimming pool, walking trail, playground, and dog park. Ocean Atlantic will be directing and managing the proposed Carillon project. She commented that the success of the proposed project includes the amenities offered and positive demographics. Beach Plum Dunes has only 9 percent of families with children, which reflects the amount of persons retiring to the area. Approximately 70 percent of Beach Plum Dunes' residents are 55 and over, coming from New York, Pennsylvania, Virginia, and Maryland. She commented that this type of apartment living is a lifestyle choice. Mr. Bayard presented an unsolicited testimonial that Ms. Corrado received from a resident of Beach Plum Dunes.

Mr. Bayard introduced Mr. Paul Chandler, President of the Delaware Apartment Association which is a trade association that represents approximately 28,000 apartments within the State, out of approximately 43,000. The apartment industry has realized good prosperity over the last 5 years and continued growth is expected. There are two segments that desire apartment living – baby boomers and millennials. Apartment living has become a decision of choice, not out of necessity. 55+ communities have become the answer to many and the amenities/services offered are very important to allow community living, flexibility, and improved lifestyle. Mr. Chandler commented that the proposed application offers very attractive amenities and services within the project itself, as well as thru the local area; he feels that the proposed project will be hugely successful.

(Con't.)

Mr. Arlett questioned the number of apartment complexes in Sussex County. Mr. Chandler commented that 4 apartment complexes have been built in Sussex County since 2011 – County Seat Apartments (Georgetown), Beach Plum Dunes (Lewes), The Reserve Sandbar (Lewes) and The Villages of Stoneybrook (Seaford); all of these properties are at 97 percent, or greater, occupancy. When asked, he estimated there are approximately 600 to 700 apartments in Sussex County. He noted that the majority of these apartments are smaller, 30 to 50 unit complexes, with a good deal of them being subsidized housing-type apartment complexes.

Mr. Bayard concluded by stating that the application meets a growing need in Sussex County; it is consistent with the Comprehensive Land Use Plan; it is consistent with the future land use plan; it is endorsed by the State Housing Authority; road infrastructure is already in place; sewer capacity exists; public water service is available; the project, as the Commission found, is consistent with the character and trend of development in this area of Sussex County; and not only are there no negative impacts created by this project, it is a far better plan and a far better project than its predecessor.

Mr. Cole inquired of any guarantee that the dedicated open space would not be developed at a future time. Mr. Bayard stated that the open space would be dedicated on the Final Site Plan that the Commission approves. Mr. Schell and Mr. Bayard noted that the area will be preserved as open space. Mr. Cole, again, mentioned his concern that this was an environmentally sensitive development district and questioned if any landscaping could be added to help soften the harshness of the parking lot design. Mr. Crouch stated that they will attempt to make these revisions on the Final Site Plan.

There were no persons in attendance to speak in favor or in opposition of this application.

The Public Hearing and public record were closed.

M 185 16
Adopt
Ordinance
No. 2443
C/Z 1790
Carillon
Square
Apartments

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to Adopt Ordinance No. 2443 entitled, "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A C-1 GENERAL COMMERCIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 8.66 ACRES, MORE OR LESS" (Change of Zone No. 1790) filed on behalf of Carillon Square Apartments, LLC.

Motion Adopted: 5 Yeas.

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

**M 186 16
Adopt
Ordinance
No. 2444
C/Z 1791
Carillon
Square
Apartments**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to Adopt Ordinance No. 2444 entitled, “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A C-1 GENERAL COMMERCIAL DISTRICT TO A HR-1 HIGH DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 17.19 ACRES, MORE OR LESS” (Change of Zone No. 1791) filed on behalf of Carillon Square Apartments, LLC.

Motion Adopted: 5 Yeas.

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

**M 187 16
Adjourn**

At 2:32 p.m., a Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

**Nancy J. Cordrey
Assistant Clerk of the Council**

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

ENGINEERING DEPARTMENT

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



Sussex County

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

April 07, 2016

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
THE ESTUARY - CAMP BARNES ROAD - OFF SITE SEWER (CONSTRUCTION RECORD)
AGREEMENT NO. 638 - 9

DEVELOPER:

Mr. Steve Brodbeck
Estuary Development, LLC
8965 Guilford Road, Suite 200
Columbia, MD 20146

LOCATION:

South RD 363 on RD 364, east of 381

SANITARY SEWER DISTRICT:

Miller Creek Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Off Site Main Line

SYSTEM CONNECTION CHARGES:

\$0.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
01/14/16

Department Of Natural Resources Plan Approval
09/06/13

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 60
Construction Admin And Construction Inspection Cost – \$49,686.68
Proposed Construction Cost – \$331,244.54



ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

April 12, 2016

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
ROUTE 24 ELEMENTARY SCHOOL - LOVE CREEK
AGREEMENT NO. 1043

DEVELOPER:

Brian Bassett
Cape Henlopen School District
1270 Kings Highway
Lewes, DE 19958

LOCATION:

North side of John J. Williams Hwy., West of
Mulberry Knoll Rd.

SANITARY SEWER DISTRICT:

Goslee Creek Planning Area

TYPE AND SIZE DEVELOPMENT:

Sewer only

SYSTEM CONNECTION CHARGES:

\$0.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
11/06/15

Department Of Natural Resources Plan Approval
11/25/15

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 120
Construction Admin And Construction Inspection Cost – Subject to agreement already in place.
Proposed Construction Cost – \$566,020.00



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



PROCLAMATION

PROCLAIMING THE MONTH OF APRIL AS “FAIR HOUSING MONTH” IN SUSSEX COUNTY

WHEREAS, April 2016 marks the 48th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, religion, national origin, sex, familial status or handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the Sussex County Council and the Sussex County Association of REALTORS® are committed to highlight the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every American of their right to fair housing;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council proclaims April 2016 as “Fair Housing Month”, beginning a year-long commemoration of the U.S. Fair Housing Law in Sussex County, and urges all citizens to wholeheartedly recognize this celebration throughout the year.



Michael H. Vincent, President

GINA JENNINGS
DIRECTOR OF ACCOUNTING
(302) 855-7853 T
(302) 855-7722 F
gjennings@sussexcountype.gov



Sussex County
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sussexcountype.gov

MEMORANDUM

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

FROM: Gina A. Jennings
Finance Director

RE: **VACANT PROPERTY SALE**
22512 SPRINGFIELD LANE, GEORGETOWN, DE

DATE: April 15, 2016

Sussex County Council purchased parcel number 1-35-20.00-51.00 to establish a larger clear zone on the approach to Runway 4-22 at Delaware Coastal Airport. This larger clear zone is required by the Federal Aviation Administration should Runway 4-22 be extended to 6,000 feet.

The parcel of land purchased included approximately 9.82 acres and a 3,900 square foot house. The property was purchased for \$705,576. The entire property is not required as clear zone. We have subdivided the section not needed for the runway extension project. The new parcel, 1-35-20.00-51.00, Lot 4A, consists of 2.229 acres and a house. On May 29, 2015, Bay Country Appraisal Services provided a complete appraisal of the new parcel number, 1-35-20.00-51.00, at \$300,000.

In October, County Council approved the disposition of 22512 Springfield Lane by advertising the property and accepting sealed bids. The property was placed for sale in October. After advertising multiple times and extending the deadline to accept bids three times from October to March, we received no bids by the last deadline.

Administration is recommending that we hire a realtor and place the property on the market as a regular sale. On Tuesday, I will be requesting your approval to contact the Sussex County Association of Realtors to place this property for sale on the market versus continuing to advertise and accept sealed bids.

Please let me know if you have any questions.

pc: Mr. Todd F. Lawson

Change Order

No. 1

Date of Issuance: March 17th, 2016 Effective Date: April 19th, 2016

Project: Pump Station 210 Force Main to IBRWF	Owner: Sussex County	Owner's Contract No.: <u>15-08A</u>
Contract: Indian Mission and Beaver Dam Roads	Date of Contract: March 14 th , 2016	
Contractor: <u>Allan Myers, Inc.</u>	Engineer's Project No.: 14256-008	

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Inclusion of the Part E - Alternate Bid; Stevenson Road work items including 24" force main, combination air/vacuum valve and manhole, Type "C" Hot Mix overlay and 36" casing pipe.

Attachments (list documents supporting change): Part E Back-up form including quantity and unit costs for Bid Items E-1, E-2, E-3 and E-4 respectively.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:	Original Contract Times:	365 Calendar Days
<u>\$ 3,977,377.00</u>	Substantial Completion (days or date):	<u>365 days</u>
	Ready for final payment (days or date):	
[Unchanged] from previously approved Change Orders No. <u>X</u> to No. <u>Y</u> :	[Unchanged] from previously approved Change Orders No. <u>X</u> to No. <u>Y</u> :	
<u>\$ 0.00</u>	Substantial Completion (days):	<u>0 days</u>
	Ready for final payment (days):	
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:	
<u>\$ 3,977,377.00</u>	Substantial Completion (days or date):	<u>365 days</u>
	Ready for final payment (days or date):	
<u>Increase</u> on this Change Order:	Unchanged on this Change Order:	<u>0 days</u>
<u>\$ (220,400.00)</u>	Substantial Completion (days or date):	<u>365 days</u>
	Ready for final payment (days or date):	
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:	
<u>\$ 4,197,777.00</u>	Substantial Completion (days or date):	<u>365 days</u>
	Ready for final payment (days or date):	

RECOMMENDED:

By: Michael J. Whitman
Engineer (Whitman, Reardon & Assoc.)

Date: 3/17/16

ACCEPTED:

By: _____
Owner (Sussex County)

Date: _____

ACCEPTED:

By: Chlamys
Contractor (Allan Myers, Inc.)

Date: 4-13-16

EJCDC C-941 Change Order

Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

Page 1 of 1

MOTION

BE IT MOVED, BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT AND ITS CONSULTANT, WHITMAN REQUARDT AND ASSOCIATES, LLP, THAT CHANGE ORDER #1 FOR SUSSEX COUNTY CONTRACT NO. 15-08A, PS #210 FORCE MAIN CONTRACT A WITH ALLAN MYERS, INC., BE APPROVED, WHICH INCREASES THE CURRENT CONTRACT BY \$ 220,400.00 FOR A NEW CONTRACT TOTAL OF \$ 4,197,777.00.

HANS MEDLARZ
April 19, 2016

Change Order

No. 1

Date of Issuance: April 11th, 2016 Effective Date: April 19th, 2016

Project: Pump Station 210 Force Main to IBRWF	Owner: Sussex County	Owner's <u>Contract No.: 15-08B</u>
Contract: Plantation, Robinsonville and Kendal Roads		Date of Contract: January 4 th , 2016
<u>Contractor: Teal Construction, Inc. (TCI)</u>		Engineer's Project No.: 14256-008

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Elimination/Quantity Reduction of Part C - Unstipulated Contingent Bid Items (Line Item No. 1). Additional tees, isolation valves and pipe for future community connections at Stations 135+50, 77+40 and 31+00 (Line Item No. 2).

Attachments (list documents supporting change): "Part C" Cost Summary Sheet Adjustments (Line Item No. 1). TCI 3/9/16 cost proposal including cost breakout details for materials, labor and equipment at each location (Line Item No. 2).

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 3,144,540.00

[Unchanged] from previously approved Change Orders No. X to No. Y:

\$ 0.00

Contract Price prior to this Change Order:

\$ 3,144,540.00

Decrease on this Change Order:

\$ (2,200.00)

Contract Price incorporating this Change Order:

\$ 3,142,340.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: 365 Calendar Days

Substantial Completion (days or date): 365 days

Ready for final payment (days or date): _____

[Unchanged] from previously approved Change Orders No. X to No. Y:

Substantial Completion (days): 0 days

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial Completion (days or date): 365 days

Ready for final payment (days or date): _____

Unchanged on this Change Order: 0 days

Substantial Completion (days or date): 365 days

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial Completion (days or date): 365 days

Ready for final payment (days or date): _____

RECOMMENDED:

By: Michael J. Gilbert
Engineer (Whitman, Requardt & Assoc.)

Date: 4/11/16

ACCEPTED:

By: _____
Owner (Sussex County)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Teal Construction, Inc.)

Date: 4/11/2016

MOTION

BE IT MOVED, BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT AND ITS CONSULTANT, WHITMAN REQUARDT AND ASSOCIATES, LLP, THAT CHANGE ORDER #1 FOR SUSSEX COUNTY CONTRACT NO. 15-08B, PS #210 FORCE MAIN CONTRACT B WITH TEAL CONSTRUCTION INC., BE APPROVED, WHICH DECREASES THE CURRENT CONTRACT BY \$ 2,200.00 FOR A NEW CONTRACT TOTAL OF \$ 3,142,340.00.

HANS MEDLARZ
April 19, 2016

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
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UTILITY PERMITS	(302) 855-7719
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FAX	(302) 855-7799



Sussex County

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.
ASSISTANT COUNTY ENGINEER

MEMORANDUM

TO: SUSSEX COUNTY COUNCIL MEMBERS

FROM: JOE WRIGHT
ASSISTANT COUNTY ENGINEER

RE: WATER'S RUN
CASH PERFORMANCE BONDS

DATE: APRIL 12, 2016

Attached is documentation of the Memorandum Of Understanding (MOU) between Sussex County and WRDG, LLC, dated October 27, 2015, requiring immediate attention to outstanding work items. Some drainage swale work was completed on or about November 16, 2015 and the gravity sewer main was extended as required on or about December 17, 2015. In accordance with Item No. 8, the construction of roads was to commence immediately upon completion of the sanitary sewer installation. Due to cold weather, the deadline was extended to April 15, 2016 for completion of all items in the Agreement. As of this date, the road work has not started.

The Engineering Department is recommending that Sussex County Council, in accordance with Item No. 9 of the MOU, approve the recall of the cash performance bonds, so that the necessary work can be completed by contractors hired by the County.



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2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

MEMORANDUM OF UNDERSTANDING REGARDING WATERS RUN

BY AND BETWEEN WRDG, LLC and SUSSEX COUNTY, DELAWARE, dated this 27th day of October, 2015.

RECITAL

WRDG is the developer of a subdivision located in Sussex County, Delaware named Waters Run. The subdivision is being constructed in phases, and as of the date of this Memorandum, construction of roads and sewers has occurred or is planned to occur in Phases 1A, 1B and 2A of Waters Run. WRDG has tendered cash performance bonds with accompanying funds to Sussex County to assure completion of the roads and adjacent drainage system as well as to assure completion of all sanitary sewer installation as well as other items of work detailed in said bonds (collectively "Infrastructure").

Due to numerous issues, WRDG has not completed the construction and installation of the Infrastructure. Letters dated July 7, 2015 and July 15, 2015 from David N. Rutt, Esq., Assistant Sussex County Attorney, to Michael Daniels, principal of WRDG, set forth a list of work items WRDG was required to complete. The letters are attached hereto as Exhibit A. To date, many of these items remain to be done.

Sussex County has been contacted by numerous residents of Waters Run as well as by the Delaware Department of Justice regarding WRDG's failure to complete the Infrastructure. Sussex County is willing to permit WRDG to complete the work under certain terms and conditions as set out herein, and WRDG agrees that said terms and conditions are reasonable under the circumstances.

TERMS AND CONDITIONS

1. The terms for completion of the work on the Infrastructure set forth in Exhibit A shall still apply to WRDG; provided, however, where there is a conflict between those terms and the terms and conditions stated in this Memorandum, those stated in this Memorandum shall apply.

2. It is acknowledged Sussex County currently has in its possession the following cash performance bonds and the corresponding funds:

Phase 1A (Roads, plus)	\$25,999.00
Phase 1B (Roads, plus)	\$64,114.00
Phase 1B (Sewer, plus)	\$51,186.88

The specific items to be completed in the event said bonds are called by Sussex County are set forth in the bonds themselves.

3. WRDG shall complete all work necessary for final inspection and acceptance in the subdivision known as Magnolia Shores and in Phase 1A of Waters Run. WRDG shall commence work within seven (7) days upon signing this Memorandum and shall complete all work by December 11, 2015.

4. The funds deposited with Sussex County for Phase 1A shall not be released to WRDG but shall be held by the County to assure installation of the storm sewer grates in Phase 1A and the completion of all work remaining to be performed in Magnolia Shores. When the work for both Phase 1A and Magnolia Shores has been completed by WRDG and inspected and approved by Sussex County, the bond proceeds for Phase 1A shall be released by the County to WRDG.

5. Sussex County will not pay fees for pumping of holding tanks now due or incurred in the future nor release such fees from any bond funds. The fees for pumping holding tanks are the sole responsibility of WRDG.

6. Upon receipt of amended plans for completion of the work in Phase 1B, Sussex County will review them but shall not approve them and issue a notice to proceed until WRDG executes amendments to the cash performance bonds to encompass the lots added to Phase 1B and until this Memorandum of Understanding has been executed.

7. Work on the sanitary sewers to be completed in Phase 1B including installation of all laterals shall commence by November 9, 2015 and be completed by November 20, 2015.

8. The construction of the roads and adjacent drainage system in Phase 1B, as well as any final road construction in Phase 1A, shall start as soon as the sanitary sewer installation has been completed, inspected and approved. All road and drainage system construction shall be completed by December 11, 2015. Said roadwork shall not include sidewalk installation, but shall include all other items set forth on the approved plans.

9. In the event any milestone set forth in this Memorandum is missed, the County shall have the right to call the cash performance bonds and complete the items of work set forth in said bonds. WRDG shall be liable to Sussex County for all expenditures made in excess of the cash bond amounts needed to reasonably and satisfactorily complete the items of work.

10. Upon satisfactory completion, inspection and approval of all work items set forth on the approved plans and as stated in the cash performance bonds by WRDG, Sussex County shall reduce or refund the cash deposits. Any funds retained will be only what are necessary to assure completion of any punch list or outstanding items to be completed.

11. This Memorandum of Understanding shall be binding upon the parties, their principals, successors and assigns.

12. WRDG shall be permitted to convey Lot 2 in Phase 1A upon execution of this Agreement. WRDG shall be permitted to convey Lot 18 in Phase 1B after its compliance with Paragraph 8 herein.

13. This sets forth the final understanding of the parties and any prior statements or representations are deemed merged herein.

IN WITNESS WHEREOF and intending to be legally bound, the parties hereto set their hands and seals on the day and year first set forth above.



WITNESS

WRDG, LLC

By: _____(SEAL)
Michael Daniels



ATTEST

SUSSEX COUNTY

By: _____(SEAL)
Todd Lawson, County Administrator

AMENDED CASH PERFORMANCE BOND

FROM: WRDG, LLC
TO: Sussex County Council
RE: Agreement Number: 634-1
Agreement Name: Waters Run
Phase: 1B

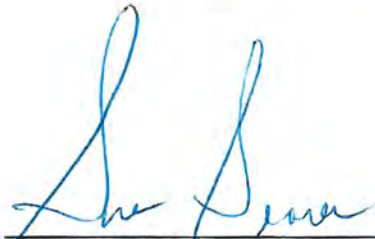
RECITAL

On or about July 12, 2012, WRDG, LLC presented to Sussex County Council a Cash Performance Bond ("Bond") in the principal sum of \$51,186.88, accompanied by a deposit of that amount with the County. The Bond is to provide funds to Sussex County Council to complete all items of work stated therein, including, but not limited to, the sanitary sewer facilities installation as well as all labor, materials, appliances, and tools necessary to perform the work in the event of WRDG, LLC's default or failure to complete. The Bond is for Phase 1B of Waters Run. Subsequent to the Bond being presented, Phase 1B has been amended to include additional lots. Therefore, this Amended Cash Performance Bond is tendered to conform to the rephrasing.

TERMS

1. This Amended Cash Performance Bond shall hereafter secure completion of the work defined in said Bond in Phase 1B of Waters Run to now include Lots 11 through 18 and Lots 39 through 52.
2. The Cash Performance Bond, as amended by the reduction in bond amount, is incorporated by reference herein and in all other respects unamended except as herein stated.
3. WRDG, LLC agrees it is still bound by the terms as stated in the original Bond as amended.

Signed and sealed on this 27th day of OCTOBER, 2015.



WITNESS

DEVELOPER, WRDG, LLC

By: _____(SEAL)

Print Name: MICHAEL DANIELS

Title: MANAGING MEMBER

AMENDED CASH PERFORMANCE BOND

FROM: WRDG, LLC
TO: Sussex County Council
RE: Agreement Number: 634-1
Agreement Name: Waters Run
Phase: 1B

RECITAL

On September 12, 2013, WRDG, LLC presented to Sussex County Council a Cash Performance Bond ("Bond") in the principal sum of \$73,233.75, accompanied by a deposit of that amount with the County. In January, 2014, said Bond amount was reduced to \$64,114.00. The Bond is to provide funds to Sussex County Council to complete all items of work stated therein, including, but not limited to, the private roads and drainage systems as well as all labor, materials, appliances, and tools necessary to perform the work in the event of WRDG, LLC's default or failure to complete. The Bond covers the work in Phase 1B of Waters Run, further defined as Lots 11 through 17 and Lots 40 through 52. Subsequent to the Bond being presented, Phase 1B has been amended to include additional lots. Therefore, this Amended Cash Performance Bond is tendered to conform to the rephrasing.

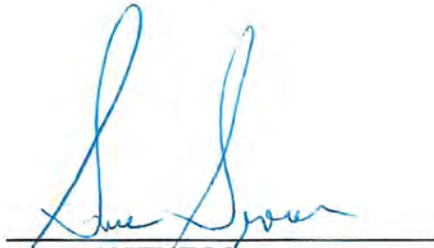
TERMS

1. This Amended Cash Performance Bond shall hereafter secure completion of the work defined in said Bond in Phase 1B of Waters Run to now include Lots 11 through 18 and Lots 39 through 52.

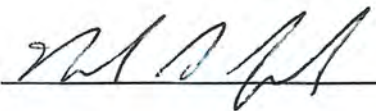
2. The Cash Performance Bond, as amended by the reduction in bond amount, is incorporated by reference herein and in all other respects unamended except as herein stated.

3. WRDG, LLC agrees it is still bound by the terms as stated in the original Bond as amended.

Signed and sealed on this 27th day of OCTOBER, 2015.


WITNESS

DEVELOPER, WRDG, LLC

By:  (SEAL)

Print Name: MICHAEL DANIELS

Title: MANAGING MEMBER

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

March 15, 2016

FACT SHEET

WEST REHOBOTH EXPANSION OF DEWEY BEACH SANITARY SEWER DISTRICT BELLE TERRE (AKA DORMAN)

DEVELOPER:

Sussex Real Estate Partnership, LLC
Mr. Daniel McGreevy
18585 Coastal Highway, Unit 10, PMB 121
Rehoboth, DE 19971

LOCATION:

South Side of Mulberry Knoll Road and Dorman Farm Lane
Rehoboth, DE 19971

SANITARY SEWER DISTRICT:

West Rehoboth Expansion of Dewey Beach Sanitary Sewer District

TYPE AND SIZE OF DEVELOPMENT:

200 Single Family and 178 Townhouse lots

SYSTEM CONNECTION CHARGES:

\$5,775.00

PROJECT DESCRIPTION:

This project proposes establishment of a residential subdivision with a total of 378 residential units situated within a 124 acre parcel with a density of 3.5 units per acre.

Portions of site will convey it's flows to the Love Creek ES pump station and rest of the site will be conveyed to a locally proposed station by developer for conveyance to IBRWF.

Adjacent property owner have also been contacted by mail to gauge their interest in being annexed to the district at the same time.



PROPOSED MOTION

BE IT MOVED BY THE SUSSEX COUNTY COUNCIL THAT THE SUSSEX COUNTY ENGINEERING DEPARTMENT IS AUTHORIZED TO PREPARE AND POST NOTICES FOR THE WEST REHOBOTH EXPANSION OF DEWEY BEACH SANITARY SEWER DISTRICT TO INCLUDE BELLE TERRE (AKA DORMAN) PARCELS 334-12.00-17.00, 18.00, 19.00 & 20.00 OWNED BY SUSSEX REAL ESTATE PARTNERS, LLC AND TWO ADJOINING LOTS 334-12.00-17.01&17.02 AS PRESENTED ON APRIL 19, 2016.

JOHN J. ASHMAN
FILE: WRSSD GC-8.03
APRIL 19, 2016

RESOLUTION NO. ____ R

**A RESOLUTION ESTABLISHING A DATE, TIME, PLACE AND JUDGE FOR AN ELECTION
TO BE HELD TO CONSIDER THE ESTATES OF SEA CHASE PROPOSED CHAPTER 96
SUSSEX COMMUNITY IMPROVEMENT PROJECT**

WHEREAS, Chapter 96 of the Sussex County Code, Sussex Community Improvements, provides for a Sussex County Program to facilitate the improvements of streets, roadways, and other construction designated by the County Engineer that will, upon completion, benefit or serve the entire community and which are controlled by a private subdivision Property Owners Association, to be implemented by the Sussex County Engineering Department; and

WHEREAS, the subdivision known as The Estates of Sea Chase, as represented on Sussex County Tax Map 3-34-12 Parcel 124, Unit Numbers 1-45, and on Recorder of Deeds Plot Book 76-Page 84; located on the northeast corner of Warrington Road (CR 275) and Old Landing Road (CR 274), Rehoboth Beach, DE, and in Lewes & Rehoboth Hundred, requested petition forms be provided from Sussex County Engineering Department to determine if there was enough interest in their community to obtain an estimate of costs and charges for proposed improvements, and if so, to submit the question of establishing a Chapter 96 Sussex Community Improvement project for the community of The Estates of Sea Chase to an election, in accordance with the provisions of Sussex County Code, Chapter 96, Sussex Community Improvements; and

WHEREAS, it was determined by the Sussex County Engineering Department that The Estates of Sea Chase meets all criteria as defined by Sussex County Code Chapter 96, §96-1(5) and thereby provided by direct mail the requested petition form to each property owner of record within the proposed Sussex Shores project, on December 11, 2015, in accordance with §96-3(b) (c) of the Sussex County Code; and

WHEREAS, 28 valid petition forms were returned to Sussex County Engineering Department and verified to represent approximately 62 % of the 45 assessable properties in the proposed project, thereby exceeding the fifty percent (50%) or more representation requirement in § 96-5(a) of the Sussex County Code; and

WHEREAS, on March 10, 2016, Sussex County Engineering Department mailed to all Sussex Shores property owners of record within the proposed project area: a layout of the proposed Chapter 96 project boundaries; a detailed project cost estimate; the estimated charges to be assessed to each property owner; and a Notice of a Public Meeting to be held on April 2, 2016; as required by §96-5 of the Sussex County Code; and

WHEREAS, Sussex County Engineering Department held the Public Meeting to discuss the Chapter 96 community improvements proposal on Saturday, April 2, 2016, at the Sterling Crossing community building, with The Estates of Sea Chase property owners, in accordance with §96-5 (b) of the Sussex County Code.

NOW, THEREFORE,

BE IT RESOLVED, Sussex County Council hereby formally accepts the community of The Estates of Sea Chase into the Sussex County Chapter 96 Sussex Community Improvement Program; and

BE IT FURTHER RESOLVED, that Sussex County Council approves for The Estates of Sea Chase Proposed Chapter 96 Sussex Community Improvement project, an estimated annual billing rate of \$ 234.10 for a ten (10) year time period, or an estimated lump sum payment cost of \$ 1,898.73 for each assessable property located within the boundaries of The Estates of Sea Chase Proposed Chapter 96 project, as determined by the Sussex County Engineering and Finance Departments; and

BE IT FURTHER RESOLVED, that the Sussex County Council does establish Friday, May 20, 2016, during the hours of 2:00 p.m. – 7:00 p.m., at the Right Property Management Offices located at 20245 Bay Vista Road, Suite 205, Rehoboth Beach, Delaware, as the date, time, and place for the Election to determine if the property owners of The Estates of Seas Chase Proposed Chapter 96 Project are in favor of proceeding with the project improvements, as presented at the April 2, 2016 Public Meeting. A provision for Absentee Ballots will be provided; and

BE IT FURTHER RESOLVED, Sussex County Council appoints Patricia Lowe Deptula, of the Sussex County Engineering Department, or her designee, to be the judge of the May 20, 2016 Election; and

BE IT FURTHER RESOLVED, that Sussex County Council directs the Sussex County Engineering Department to provide notice to all assessable property owners of record in The Estates of Sea Chase Proposed Chapter 96 Project, of the date, time, and place of the Election, including estimated costs and charges, as required by §96-5(c)(4) of the Sussex County Code.

Patricia Lowe Deptula
Director of Special Projects
Presented on: April 19, 2016



LEGEND

- 23 CONDOMINIUM UNIT NUMBER
- NOT INCLUDED IN PROPOSED PROJECT

ESTATES OF SEA CHASE
PROPOSED CHAPTER 96 – SUSSEX COMMUNITY
IMPROVEMENT PROJECT

FROM SC TAX MAP:
 3-34-12.00 PARCEL 124.00
 UNITS 1 – 45

SUSSEX COUNTY ENGINEERING DEPARTMENT

NOT TO SCALE

EXHIBIT "A"

This drawing is based upon, and is not to conflict with, information obtained from the Department of Transportation.
 11/19/2015

SUSSEX COUNTY ENGINEER

DATE SHEET DRAWN

SHEET
1

EXHIBIT "B" - PRELIMINARY COST ESTIMATE

November 19, 2015

The Estates of Sea Chase condominiums

ITEM	ITEM DESCRIPTION	UNITS	QTY	UNIT COST	TOTALSUB-ITEM COST	TOTAL ITEM COST
	DESIGN COSTS:					
1	PERMITS					\$ -
1A	DNREC NOI	LS	0	\$ 195.00	\$ -	
1B	SCD DESIGN REVIEW/INSPECTION FEES	LS	0	\$ 1,000.00	\$ -	
1C	DEL DOT Entrance/Safety Permit	LS	0	\$ -	\$ -	
2	DESIGN SURVEY	LF	0	\$ 1.50	\$ -	\$ -
	CONSTRUCTION COSTS:					
3	DRAINAGE IMPROVEMENTS					\$ -
3A	none		0	\$ -	\$ -	
4	PREPARATION					\$ 27,525.00
4A	Saw Cut Hot mix existing pavement	LF	55	\$ 5.00	\$ 275.00	
4B	Driveways	EA	45	\$ 100.00	\$ 4,500.00	
4C	Entrance 2" Mill	SY	110	\$ 25.00	\$ 2,750.00	
4D	Sewer Manhole Adj	EA	15	\$ 500.00	\$ 7,500.00	
4E	Water Valve Adjustments	EA	9	\$ 250.00	\$ 2,250.00	
4F	Clean-out Adjustments	EA	33	\$ 250.00	\$ 8,250.00	
4G	Joint Cleaning and Sealing	LF	200	\$ 10.00	\$ 2,000.00	
5	PAVING					\$ 78,740.00
5A	Sweep	SY	5800	\$ 0.25	\$ 1,450.00	
5B	Butt Joints	SY	100	\$ 25.00	\$ 2,500.00	
5C	2" Type C Hot Mix	TONS	510	\$ 92.00	\$ 46,920.00	
5D	2 1/2" Type C on Adriatic Drive	TONS	235	\$ 92.00	\$ 21,620.00	
5E	Hotmix patching	SY	25	\$ 50.00	\$ 1,250.00	
5F	Driveways @ 3' of Tie-in	TONS	40	\$ 125.00	\$ 5,000.00	
6	RESTORATION					\$ 4,000.00
6A	Soil Restoration Along Edges of Pavement (tps/seed/mulch)	SY	400	\$ 5.00	\$ 2,000.00	
6B	Driveway restoration	EA	45	\$ 40.00	\$ 1,800.00	
6C	Painted Stop Bars - 1 ea	SF	20	\$ 10.00	\$ 200.00	
7	7A CONTRACTOR INITIAL EXPENSE	LS	1	\$ 5,803.42		\$ 5,803.42

CONSTRUCTION COST SUMMARY

Subtotal Construction Estimate	\$	116,068.42
10% Contingency Fee		<u>\$11,606.84</u>
Total Construction Estimate	\$	127,675.26
Deduct Bond Recall		<u>(\$55,000.00)</u>
Total Project Cost	\$	72,675.26
10% Administration Fee (of total project cost)	\$	12,767.53
Final Project Cost	\$	85,442.79

Total Parcels 45
Interest Rate 4%

Project Engineer: Bob Jones

Approved by County Engineer:

Date: 12/10/15

Approved by County Finance Director:

Date: 12/10/15

Lump Sum Repayment Cost \$ 1,898.73
10 Year Repayment Period Cost \$ 234.10

Per Parcel
Per Parcel



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME:	Big Brothers Big Sisters of Delaware, Inc.		
PROJECT NAME:	Sussex County Bowl For Kids' Sake		
FEDERAL TAX ID:	51 6018399	NON-PROFIT:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADDRESS:	111-A N. Bedford Street		
	Georgetown	DE	19947
	(CITY)	(STATE)	(ZIP)
PHONE:	302-856-2918	EMAIL:	bspicer@bbbsde.org
CONTACT PERSON:	Brad Spicer		
TITLE:	Sussex County Program Manager		
ADDRESS:	111-A N. Bedford Street		
	Georgetown	DE	19947
	(CITY)	(STATE)	(ZIP)
PHONE:	3028562918	EMAIL:	bspicer@bbbsde.org

TOTAL FUNDING REQUEST: \$ 1,000.00

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? \$ 2,000.00

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? ³ _____

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

465

SECTION 3: PROGRAM SCOPE

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.

Big Brothers Big Sisters is respectfully requesting the Council's support of our most important annual fundraiser, Bowl for Kids' Sake. A \$1,000 contribution would greatly assist us in meeting our fundraising goal and could sponsor two County Council teams to join us for the event. Bowl for Kids' Sake (BFKS) is being held on May 18, 2016 at Milford Bowling Lanes. BFKS is a bowlathon where local businesses and community members raise pledges and come out to support Big Brothers Big Sisters. 100% of proceeds from this event directly support Big Brothers Big Sisters' mentoring services for at-risk youth in Sussex County. A \$1,000 contribution from Sussex County Council would represent just under 3% of our event goal to raise \$35,000.

In 2015, Big Brothers Big Sisters of Delaware served 257 Sussex County youth and their parents. Over 88% of these children served are from low-income families, as determined by eligibility for free/reduced school lunch. Big Brothers Big Sisters' mentoring programs have been proven to help youth succeed. Program outcome evaluation shows that youth matched with a Big Brother or Big Sister do better in school, get along better with their parents, and are more likely to avoid negative behaviors.

Big Brothers Big Sisters' headquarters in Sussex County is located at 111-A N. Bedford Street, with a dedicated staff of three highly qualified professionals:

Brad Spicer, Program Manager
Nancy Raihall, Mentor Manager
Joe Brake, Case Manager

Thank you in advance for your consideration of our request.

<p align="center">REVENUE</p> <p>Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)</p>		
<p align="right">TOTAL REVENUES</p>		\$ 35,000.00
<p align="center">EXPENDITURES</p> <p>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)</p>		
<p>- Bowl for Kids' Sake fundraiser expenses include:</p>		2800.
<p>Milford Bowling Lanes bowling fees, Prizes, refreshments & t-shirts for participants, etc.</p>		
<p align="right">TOTAL EXPENDITURES</p>		\$ 2,800.00
<p align="center">TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</p>		\$ 37,800.00

S

If this grant application is awarded funding, the Big Brothers Big Sisters of DE agrees that:
(Name of Organization)

- 1) All expenditures must have adequate documentation.
- 2) All accounting records and supporting documentation shall be available for inspection by Sussex County Government by request.
- 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 Human Service Grant funds.
- 4) All statements made in this funding request are accurate.
- 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.

Mary Fox, Executive Director; Brad Spicer, Sussex Program Manager

Applicant/Authorized Official

April 7, 2016
DATE