



Sussex County Council Public/Media Packet

**MEETING:
August 9, 2016**

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

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

AGENDA

AUGUST 9, 2016

10:00 A.M.

**AMENDED ON AUGUST 5, 2016 AT 9:45 A.M.!

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Wastewater Agreement No. 984-6
Sussex County Project No. 81-04
Coastal Club – Land Bay 4 – Phase 1
Goslee Creek Planning Area
2. Possible Introduction of a Proposed Ordinance Relating to Signs
3. 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”
4. Administrator’s Report

Vince Robertson, Assistant County Attorney

1. Consideration of Annual Comprehensive Plan Report to the Governor’s Advisory Council



Jim Hickin, Director of Airport and Industrial Park Operations

1. Hangar Lease Assignment – M&C Group, Inc.

Joe Thomas, Director of Emergency Operations Center

1. Sussex County Multi-Jurisdictional Hazard Mitigation Plan Update

Hans Medlarz, County Engineer

1. Administrative Office Building Chimney & Stair Repairs, Project 16-30

A. Bid Rejection

- ** 2. Runway 4-22 24 Inch Storm Drain Lining**

A. Change Order No. 1

John Ashman, Director of Utility Planning

1. Proposed Resolution of the Boundary for the Chapel Branch Area of the Sussex County Unified Sanitary Sewer District

Grant Requests

1. Chamber of Commerce for Greater Milford for festival and fireworks expenses
2. CHEER for Car, Truck & Bike Show fundraiser
3. Milton Little League for trip expenses (9/10 All Star Team)
4. Nanticoke River Arts Council for general operating expenses

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session – Job Applicants' Qualifications, Personnel, Pending Litigation, 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 August 2, 2016 at 4:50 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 to address a matter which arose after the initial posting of the agenda but before the start of the Council meeting.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 2, 2016

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, August 2, 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
Robert B. Arlett	Councilman
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
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 389 16
Amend
and
Approve
Agenda**

A Motion was made by Mr. Wilson, seconded by Mr. Cole, to amend the Agenda by deleting “Grant Request – Bridgeville Apple-Scrapple Festival for festival expenses” and “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 July 19 and July 26, 2016 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**WOODLAND FERRY ASSOCIATION, SEAFORD, DELAWARE.
RE: Letter in appreciation of grant.**

LEWES FIRE DEPARTMENT, LEWES, DELAWARE.

RE: Letter in appreciation of the assistance given and interagency cooperation displayed to the Lewes Fire Department “during the trying and stressful times surrounding the untimely death of our fallen brother Timothy McClanahan”.

**Public
Comments**

Public Comments

Paul Reiger commented on Conditional Uses versus home occupations and commented on barbed wire fencing regulations.

**Public
Comments
(continued)**

Dan Kramer commented on a Conditional Use application that has been recommended for approval as a home occupation by the Planning and Zoning Commission.

Walt Yatko of Winding Creek Village expressed thanks to Council for approving the Herring Creek Sanitary Sewer District, stating that it would provide significant benefits to the community and help clean up the Inland Bays.

**M 390 16
Approve
Consent
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to approve the following items listed under the Consent Agenda:

**Wastewater Agreement No. 558-8
Sussex County Project No. 81-04
Peninsula Lakes – Phase 3 (Construction Record)
Long Neck Sanitary Sewer District**

**Wastewater Agreement No. 558-9
Sussex County Project No. 81-04
Peninsula Lakes – Phase 4 (Construction Record)
Long Neck Sanitary Sewer District**

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 his Administrator's Report:

1. Project Receiving Substantial Completion

Per the attached Engineering Department Fact Sheet, The Landings at Pepper Creek (a/k/a/ The Marina at Pepper's Creek) – Phase 3-4 received Substantial Completion effective July 29th.

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

**Mobile
Command
Unit/
Frontline
Contract**

Mr. Vincent recused himself from the discussion and possible vote on the Agenda item entitled "Mobile Command Unit – Frontline Contract".

Mr. Vincent passed the gavel to Mr. Wilson.

Joe Thomas, Director of Emergency Operations, presented a Proposed Agreement and Contract to purchase a new Mobile Command Unit. He explained the uses of the Mobile Command Unit (MCU) and noted that the current MCU is 15 years old with outdated technology. Mr. Thomas reported that the purchase would be made through a State contract vendor;

**Mobile
Command
Unit/
Frontline
Contract
(continued)**

Government Support Services, Office of Management and Budget, has entered into a cooperative agreement with Houston-Galveston Area Council of Governments (HGACBUY) and Frontline is the vendor awarded in the HGACBUY agreement. Mr. Thomas reviewed the cost of the equipped MCU (\$1,640,200) and the grants that will help fund the purchase (DEMA/FEMA grant funding in the amount of \$945,400); total cost to the County would be \$694,800. It was noted that there may be the opportunity to sell the current MCU to another agency.

**M 391 16
Proceed
with
Agreement
with
Frontline
Communi-
cations for
Mobile
Command
Unit**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, that the Sussex County Council approves the Director of Emergency Operations Center to move forward with an Agreement with Frontline Communications to purchase a Mobile Command Unit in the amount of \$1,369,736.60.

Motion Adopted: 4 Yeas, 1 Absent.

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

Mr. Vincent rejoined the meeting.

Mr. Wilson passed the gavel to Mr. Vincent.

**Public
Hearing/
Tidewater
Landing
Expansion**

At 10:36 a.m., a Public Hearing was held to consider extending the boundary of the Sussex County Unified Sanitary Sewer District to include parcels situated on the north and south side of Robinsonville Road in the vicinity of Goslee Mill Pond.

John Ashman, Director of Utility Planning, presented information on the Proposed Tidewater Landing Expansion (West Rehoboth Area). Mr. Ashman reported that the expansion was requested by the developer of the project known as Tidewater Landing subdivision (formerly known as Love Creek Landing). Mr. Ashman reported that the proposed boundary has been revised from the original request to remove a parcel to the south; therefore, the acreage has been revised for the expansion; the revised acreage is 223.84±. The owners of the parcels will be responsible for system connection charges in the amount of \$5,775.00 based on current rates.

Mr. Ashman reported that, to date, no calls have been received in opposition to the proposed expansion.

In response to questions, Lawrence Lank, Director of Planning and Zoning, reported that the Tidewater Landing Subdivision was approved for a time extension on July 19, 2016.

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

M 392 16
Adopt
R 012 16

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Resolution No. R 012 16 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE PARCELS SITUATED ON THE NORTH AND SOUTH SIDE OF ROBINSONVILLE ROAD IN THE VICINITY OF GOSLEE MILL POND AND BEING IN LEWES & REHOBOTH HUNDRED, 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, Yeas**

**Existing
Infra-
structure
Use
Agreement**

Hans Medlarz, County Engineer, presented a proposed Existing Infrastructure Use Agreement with Coastal Club, LLC for the use of existing infrastructure. This arrangement does not modify the underlying land use decision in any form; it allows the wastewater originating from the approved 686 on-site as well as off-site equivalent dwelling units (Ordinance No. 2413) to be conveyed through the transmission system constructed by the County. Under this arrangement, most of the Coastal Club development will be connected to Regional Pump Station 207 while Phase 7 of Coastal Club and parcels along Jimtown Road will be served via a local pump station. Both stations will be connected to the 24 inch transmission system. In return, Coastal Club, LLC will contribute \$270,762.00 for the perpetual use of these transmission facilities.

M 393 16
Approve
Existing
**Infra-
structure**
Agreement

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves the Use of Existing Infrastructure Agreement between Sussex County and Coastal Club, LLC for a capacity allocation in the regional transmission system, as presented on August 2, 2016.

Motion Adopted: 5 Yeas

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

**Improve
Utilities
(Airfield
Lighting)
Project**

Hans Medlarz, County Engineer, presented for Council’s consideration a Balancing Change to the Improve Utilities (Airfield Lighting) Project (Contract 15-11). He reported that Change Order No. 3 adjusts all quantities to their final amounts and reduces the contract amount by \$6,051.77 to \$282,051.23.

M 394 16
Change
Order

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Council, that the Balancing Change Order for Contract 15-11, Improve Utilities (Airfield Lighting) be

M 394 16
Approve
Change
Order/
Improve
Utilities
Project
(continued)

approved, which decreases the Contract amount by \$6,051.77 for a new total of \$282,051.23.

Motion Adopted: 5 Yeas

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

Summer-
crest
Community
Subdivision
Completion

Joe Wright, Assistant County Engineer, presented for Council's consideration a Balancing Change Order and request to grant Substantial Completion (as of June 30, 2016) for the Summercrest Community Subdivision Completion Project (Contract 12-30). Mr. Wright explained that this is a project where the bond was pulled and the bond proceeds will pay for the entire amount of the contract. The Balancing Change Order is a result of an overrun/underrun in quantity in the total amount of \$4,200.90.

M 395 16
Approve
Change
Order/
Summer-
crest
Community
Subdivision
Completion

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that the Balancing Change Order for Contract No. 12-30, Summercrest Community Subdivision Completion, be approved, which increases the Contract amount by \$4,200.90 for a new total of \$259,872.90, and that Substantial Completion be granted effective June 30, 2016, and any held retainage be released in accordance with the Contract documents.

Motion Adopted: 5 Yeas

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

Proposed
Resolution/
Herring
Creek Area

John Ashman, Director of Utility Planning, presented the results of the Herring Creek referendum that was held on July 9, 2016: 439 votes for the sewer district and 272 against the sewer district (including absentee votes), thereby approving the creation of the sewer district.

M 396 16
Adopt
R 013 16

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to Adopt Resolution No. R 013 16 entitled "HERRING CREEK AREA OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65 OF THE DELAWARE CODE".

Motion Adopted: 5 Yeas

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

**Report/
CZ 1759/
Osprey
Point D,
LLC**

Lawrence Lank, Director of Planning and Zoning, reported on Change of Zone No. 1759 filed on behalf of Osprey Point D, LLC. The County Council held a Public Hearing on this application on February 3, 2015 at which time the Council deferred action and left the record open for the sole purpose of receiving the reports that the Planning and Zoning Commission requested (for the Sussex Conservation District reference to grandfathering of the project and for DelDOT's comments on the Traffic Operational Analysis and the Applicant's response to DelDOT's comments) and to have a representative from DNREC's Division of Soil and Water Conservation address the County Council to discuss soil conservation regulations pertaining to this specific site; further, it was stipulated that, once the reports have been received and the presentation made to the Council, the record will remain open for 20 additional days for written comments only for the public and the applicants to comment on those items that the record was held open for.

Mr. Lank reported on the following: DNREC's report to the County Council; the Sussex Conservation's District's comments; the receipt of DelDOT's comments (March 24, 2016); the receipt of the Applicant's comments to DelDOT's comments; and the receipt of 48 public comments regarding DelDOT's comments and the Applicant's comments during the 20 day period of time that the Planning and Zoning Commission's comment period remained open. Mr. Lank reported that the Planning and Zoning Department received a revised site plan for 217 single family residential lots (the project originally sought approval for 339 units).

Mr. Lank reported that the Planning and Zoning Commission recommended approval of the application (for the revised site plan for 217 single family residential lots).

Mr. Lank announced that the purpose of his report on this date is to announce the receipt of all requested information and to begin the 20 day period of time that is open for written public comments on items the public record was held open for.

Mr. Cole questioned if the new calculation (217 single family residential lots) qualifies as an AR-RPC. Mr. Lank responded that he would look into it, calculate it, and report back to Council. Mr. Lank noted that, in a MR-RPC, the Council can limit the number of units.

Mr. Cole stated that if the application, as amended, qualifies as an AR-RPC, it should be kept as the same (AR-RPC). Mr. Lank noted that this would require the application to go back through the public hearing process.

It was clarified that, as of this date, the record will remain open for written comments only (pertaining to the information requested and received) for a period of 20 calendar days.

**Council
Members'
Comments**

Council Members' Comments

Mrs. Deaver and Mr. Cole commented on a Carrying Capacity Study.

**M 397 16
Recess
and
Go Into
Executive
Session**

At 11:12 a.m., a Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to recess the Regular Session and to go into Executive Session to discuss matters relating to pending litigation and land acquisition.

Motion Adopted: 5 Yeas

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

**Executive
Session**

At 11:15 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to pending litigation and land acquisition. The Executive Session concluded at 11:55 a.m.

**M 398 16
Reconvene
Regular
Session**

At 11:57 a.m., a Motion was made by Mr. Arlett, seconded by Mrs. Deaver, to come out of Executive Session and to reconvene the Regular Session.

Motion Adopted: 4 Yeas, 1 Absent.

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

E/S Action

There was no action on Executive Session matters.

**M 399 16
Recess**

At 11:57 a.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to recess until 1:30 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

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

**M 400 16
Reconvene**

At 1:33 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Cole, to reconvene.

Motion Adopted: 3 Yeas, 2 Absent.

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

Mr. Arlett and Mr. Wilson joined the meeting.

**Old
Business/
Proposed
Ordinance
Relating
to Signs**

The Council continued its discussion on the Proposed Ordinance relating to signs, entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115 (“ZONING”), ARTICLE XXI (“SIGNS”).

Assistant County Attorneys Jamie Sharp and Vince Robertson were in attendance. Also in attendance was Lawrence Lank, Director of Planning and Zoning.

Mr. Lawson distributed materials contained in a notebook for the Council’s review, including draft versions of the sign ordinance, draft Motions to amend the sign ordinance, a Chart of Agreed Upon Changes in Consensus Motion, and a Chart of Proposed Amendments.

Mr. Vincent commented on the process that has taken place in regards to the Proposed Sign Ordinance; he noted that since the Public Hearing held on May 24, 2016, there have been a lot of meetings and, since the public hearing, the public has not had the opportunity to comment. Mr. Vincent suggested that once discussions conclude on the information presented on this date, that a new ordinance be drafted and that an extension of the moratorium be considered.

Mr. Moore noted that the sign ordinance is looking totally different than the version the public hearing was held on and he recommended that a new ordinance be drafted. He further noted that, once a new draft ordinance is introduced, public hearings would be scheduled before the Planning and Zoning Commission and the County Council.

For the purpose of determining a consensus on various matters relating to the sign ordinance, Mr. Sharp reviewed the Chart of Proposed Amendments and the Council made a decision by consensus on the fifteen issues.

**M 401 16
Adjourn**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at 2:55 p.m.

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,

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

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

ENGINEERING DEPARTMENT

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

July 28, 2016



Sussex County

DELAWARE

sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
COASTAL CLUB - LAND BAY 4 - PHASE 1
AGREEMENT NO. 984 - 6

DEVELOPER:

Mr. Preston Schell
Coastal Club LLC
20184 Phillips Street
Rehoboth Beach, DE 19971

LOCATION:

+/-3,000' South east of intersection between
Beaver Dam Rd. & Jimtown Road

SANITARY SEWER DISTRICT:

Goslee Creek Planning Area

TYPE AND SIZE DEVELOPMENT:

41 single family lots in this phase

SYSTEM CONNECTION CHARGES:

\$236,775.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
04/01/16

Department of Natural Resources Plan Approval
7/26/16

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90
Construction Admin And Construction Inspection Cost – \$21,991.13
Proposed Construction Cost – \$146,607.50



COUNTY ADMINISTRATIVE OFFICES
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GEORGETOWN, DELAWARE 19947

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

August 2, 2016

PROPOSED MOTION

BE IT MOVED THAT BASED UPON THE RECOMMENDATION OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, FOR SUSSEX COUNTY PROJECT NO. 81-04, AGREEMENT NO. 984-6 THAT THE SUSSEX COUNTY COUNCIL EXECUTE A CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION AGREEMENT BETWEEN SUSSEX COUNTY COUNCIL AND "COASTAL CLUB LLC", FOR WASTEWATER FACILITIES TO BE CONSTRUCTED IN "COASTAL CLUB – LAND BAY 4 – PHASE 1", LOCATED IN GOSLEE CREEK PLANNING AREA.

ORDINANCE NO. 38
AGREEMENT NO. 984-6

TODD LAWSON
COUNTY ADMINISTRATOR



COUNTY ADMINISTRATIVE OFFICES
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GEORGETOWN, DELAWARE 19947

REPORT TO GOVERNOR’S ADVISORY COUNCIL ON PLANNING

SUSSEX COUNTY

2015-2016

JULY 1, 2016

INTRODUCTION

Sussex County’s current Comprehensive Land Use Plan was adopted on June 24, 2008 (the “Plan”). Each year after adoption, Sussex County is required to prepare a Report on the status of its Plan for submission to the Cabinet Committee on State Planning Issues and the Office of the State Planning Coordination (“OSPC”). This is the Fifth Annual Report to the Cabinet Committee on State Planning Issues and OSPC covering the one-year period between July 1, 2015 and June 30, 2016. This Report is intended to comply with Title 9, Section 6958 of the Delaware Code.

Sussex County has started the process of preparing its next Comprehensive Development Plan, which must be completed in 2018. In furtherance of this, Sussex County interviewed several consultants to assist in this process, finally retaining McCormick and Taylor as the primary consultant, with assistance from Aecom. McCormick and Taylor has established a tentative schedule of the various stages of the Plan and its development, and has been gathering information so that it can start its work in earnest with the Sussex County Planning and Zoning Commission. The anticipated goal is to write a new Plan rather than merely “updating” the previous Plan as has occurred in the past. Sussex County looks

forward to working with the Office of State Planning Coordination to complete this new Plan and get it certified by the Cabinet Committee and ultimately the Governor.

LAND USE

In this reporting year, the number of land use applications has increased slightly over prior years. Sussex County (through its Planning and Zoning and Engineering Departments) also continues to monitor and inspect a great deal of activity in the ongoing development and construction of previously approved residential projects.

Since July 1, 2015, Sussex County has received 124 applications filed for all types of land use approvals. This includes commercial and residential development in the form of subdivision applications, rezoning applications, and conditional use applications and site plan applications.

Sussex County has processed 14 new subdivision applications for a total of 579 lots during this reporting year. Sussex County also processed 21 rezoning applications and 22 applications for Conditional Use Permits and 67 Site Plans during the time covered by this Report. A few of the larger or more significant public hearings conducted during this reporting year include the following:

1. Change in Zone #1770 for TD Rehoboth sought a rezoning of 114.48 acres along Route One from AR-1 to CR-1. The Planning and Zoning Commission recommended approval of this application during the 2014-2015 reporting year by a vote of 3 to 2. On April 12, 2016, Sussex County Council voted to deny the

rezoning request by a vote of 4 to 1. That decision has since been appealed by the Applicant to the Delaware Superior Court.

2. Change in Zone #1785 and Conditional Use #2029 sought by Truitt Homestead, LLC were for a rezoning from AR-1 to MR, with a Conditional Use to allow an age-restricted multi-family development for 90 units. The project, located near Route One and the entrance to Rehoboth Beach received approval from County Council on November 17, 2015.

3. Conditional Use #2035 for Synagro Central, LLC sought an Agri-Business approval in cooperation with Baxter Farms for the land application of biosolids as agricultural fertilizer (and subject to DNREC's approval) for approximately 203 acres near Georgetown. This was approved by County Council on December 15, 2015.

4. Change in Zone #1790 and 1791 for Carillon Square Apartments, LLC sought approval to allow the construction of a large apartment complex of 204 units in the Long Neck area. According to the applicant, it will be market priced rentals for the local workforce and other residents. These applications were approved by County Council on April 12, 2016.

5. Change in Zone #1796 and Conditional Use #2046 filed by Lockwood Design & Construction, Inc. sought approval for a single family and multi-family residential development near the intersection of Warrington and Old Landing Roads in eastern Sussex County. This application received a recommendation of approval from the Sussex County Planning and Zoning Commission on April 14, 2016. It remains pending before County Council.

6. Subdivision 2016-1 for The Estates of Middle Creek Subdivision sought approval for 314 single family lots on 146.96 acres on the north side of Angola Road in the Angola Neck area of Sussex County. This AR-1 subdivision is still pending before the Planning and Zoning Commission.

7. Change in Zone #1800 for Sussex Real Estate Partners, LLC sought to rezone 123.75 acres from AR-1 to an MR-RPC for 378 lots. This application for a development known as "Belle Terre" is in the Love Creek area of Sussex County between Route 24 and Plantations Road. Its point of access is via Plantations Road, and it is in proximity to the new Love Creek Elementary School and a new State Police barracks. The application, which had opposition, remains pending.

Sussex County has also undertaken a complete rewrite of its sign ordinance governing off-premises signs (which consist primarily of billboards) as well as on-premises signs and electronic message displays. While this process is underway, a Moratorium was implemented prohibiting new off-premises sign permit applications. At the beginning of this process, the County convened a working group that included members of the sign industry, homebuilders, business interests, attorneys and members of the public. With the information obtained from this working group and at the direction of County Council, a new ordinance was drafted. That ordinance amendment is currently proceeding through the public hearing process before County Council.

Finally, by operation of the prior time-extension ordinances, all extended land use approvals expired on January 1, 2016. County Council, through Ordinance Number 2428, allowed any developer/land owner to request a final 6-month extension, provided certain criteria were satisfied, including efforts to obtain all

necessary agency approvals. Of the 36 projects that sought this final 6-month extension, 26 extensions were granted. Several of these projects have completed all of the necessary steps to be underway during this time.

WASTEWATER

Sussex County continues to increase the availability of County sewer to various areas of the County. The Angola Neck Sanitary Sewer District continues to expand and eliminate existing individual on-site septic systems along the Inland Bays, with construction planned in the Route 24/Love Creek area. As described in last year's Report, Sussex County continues a major expansion of its sewer system as part of the Goslee Creek Planning Area to provide central sewer to new and existing communities in the area between Route 9, Route One and Route 24. In summary, approximately 1,141 new EDUs were added to County sewer during this reporting year. Sussex County is also in the process of determining (through a referendum as required by State law) whether to expand sewer service to several areas in the vicinity of Pinewater Farms and Winding Creek Village. The referendum on this expansion is scheduled to occur on July 9, 2016.

Finally, to address and consolidate the multiple sewer districts that existed in Sussex County, a Resolution was adopted by County Council establishing the Sussex county Unified Sanitary Sewer District. This did not expand any existing districts; instead, it brought all of them under one single district classification. This consolidation was also reflected in the budget proposed for the upcoming fiscal year.

HOUSING

Sussex County continues to promote affordable housing through a variety of means and methods. All of this work is coordinated through the County's Fair Housing Compliance Officer under the County's Community Development and Housing Department.

There have not been any new applications during this past year for affordable housing under the County's Moderately Priced Housing Unit or Rental Programs. However, several developers have proposed their own workforce and/or affordably-priced residential developments in Sussex County. In addition, developers of an existing approved Moderately Priced Rental development have been in discussions with Sussex County to implement the County's Program in their development. This "real world" application has been beneficial to all parties, in that it could lead to a more streamlined program that enables more of this type of development in the County. In addition, the County has convened a working group consisting of developer representatives, housing agencies and county representatives to look for more ways to promote all types of affordable housing throughout Sussex County.

Sussex County continues to independently promote these projects in various ways through its Community Development and Housing Department, the County website and other materials and the land use application process. The Community Development and Housing Office continues to work with several local housing providers and advocacy organizations to provide an inaugural Sussex County Homebuyer Fair.

Finally, Sussex County continues to evaluate impacted Communities in order to determine investment strategies, priority designations of infrastructure and/or community development for those elements of infrastructure over which the County has primary governing authority. Once this data is collected, the County anticipates performing an evaluation and drafting an approval process for future infrastructure projects.

ECONOMIC DEVELOPMENT

Agriculture and tourism continue to be some of Sussex County's main economic drivers, pumping nearly a billion dollars into the County economy.

For example, during this past reporting year, Perdue AgriBusiness announced that it plans to build corporate offices in Delmar. This will add up to 200 well-paying jobs to Sussex County. In addition, health care providers, including Beebe Health Care, Bayhealth, Nanticoke Health Services and Peninsula Regional Medical Center continue to expand. Dogfish Head continues to expand, as well, with its distilling operations and other products that are shipped nationwide. Technology businesses are making great strides, too. Sussex County has also undertaken another project to stay abreast of the evolving economy by constructing a "fiber ring" in Georgetown that will ultimately link homes and businesses in Georgetown with broadband internet.

Overall, throughout the past twenty years, there has also been an incredible population growth in Sussex County – from 114,000 residents in 1990 to around 210,000 today – fueling economic growth in housing, schools, jobs, services and infrastructure.

CONCLUSION

Sussex County continues to monitor the implementation of its current Plan and the trends affecting the County throughout the coming year, while starting work on the new Comprehensive Land Use Plan in 2018.

ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718
AIRPORT & INDUSTRIAL PARK (302) 855-7774
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UTILITY ENGINEERING (302) 855-7717
UTILITY PERMITS (302) 855-7719
UTILITY PLANNING (302) 855-1299
FAX (302) 855-7773



Sussex County

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JAMES A. HICKIN, A.A.E.
AIRPORT MANAGER

MEMORANDUM

TO: Sussex County Council

THROUGH: Todd Lawson
County Administrator

FROM: Jim Hickin, A.A.E.
Airport Manager

DATE: Aug 5, 2016

RE: AIRPORT LEASE

I am on the August 9th agenda to ask Council's approval of a lease assignment from M&C Group, Inc. to Seneca Flight, LLC.

M&C Group was assigned this lease in May 2008 by the original lease holder, Sean Carroll. The original lease was signed in May 2006, and here are some of the terms:

- Lot Number 5 on Aviation Avenue – 21,658 sq ft
- 30 year initial term expires January 31, 2037
- Two 10-year extensions, with tenant and landlord approval required
- Rent currently \$9,198.36 per year
- Use of premises limited to active aviation purposes only
- Assignment or subletting requires written County approval

Please feel free to call me at 855-7775 with any questions.

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



M & C GROUP, INC.

12601 Lamp Post Lane
Potomac, Maryland 20854

SENT VIA U.S. CERTIFIED MAIL / RETURN RECEIPT REQUESTED
AND VIA EMAIL AND OVERNIGHT COURIER

July 12, 2016

Todd F. Lawson, County Administrator
Sussex County Administration Building
2 The Circle, First Floor
Georgetown, Delaware 19947

Re: Sussex County Airport / Lease (the "Lease") for Lot 5 / Known or Identified As:
21785 Aviation Avenue, Georgetown, DE (the "Property") / Proposed
Assignment of Lease / Request for Approval of Assignment

Dear Mr. Lawson:

As you may recall, the above-referenced Lease, which originated on May 16, 2006, was assigned on May 1, 2008 by the original lessee to M & C Group, Inc. ("M&C"). A true and correct copy of the Lease, and the original assignment, are attached hereto as Exhibits 1 and 2, respectively. As you may be aware, M&C is in a dispute with its lender, PNC Bank ("PNC"), which lender holds a Leasehold Mortgage on the Property ("Mortgage"). PNC has agreed (with Sussex County's consent), to the further sale/assignment of the Lease interest by M&C in satisfaction of the Mortgage. Such satisfaction should resolve and end the current litigation in the Superior Court regarding the Mortgage, in which Sussex County is a named party.

Accordingly, M&C now wishes to assign said Lease to Seneca Flight, LLC, a sole-member company owned and operated by a Mr. C.W. Gilluly. Pursuant to Paragraph 12 of the Lease, any assignment of the Lease is required to be approved in writing by Sussex County before it is effectively binding on the parties. A proposed **ASSIGNMENT OF COMMERCIAL LEASE AGREEMENT AND CONSENT OF SUSSEX COUNTY, DELAWARE THERETO** (the "Assignment") is enclosed for your review and consideration. This document mirrors an assignment of the Lease previously approved by your office. I respectfully request that, upon review, the Assignment be presented to the Sussex County Council at its next available meeting, for its consideration and consent thereto in writing.

I appreciate your time, attention, and cooperation in addressing this request. As time is of the essence, please do not hesitate to contact me with any questions or concerns that may arise.

Sincerely,



David Morales, President

DM:ddh
Encs.

**ASSIGNMENT OF COMMERCIAL LEASE AGREEMENT
AND CONSENT OF SUSSEX COUNTY, DELAWARE THERETO**

THIS ASSIGNMENT OF COMMERCIAL LEASE AGREEMENT AND CONSENT OF SUSSEX COUNTY, DELAWARE THERETO (the "Assignment"), is made by and among M & C Group, Inc., a Delaware corporation (the "Assignor"), Seneca Flight, LLC, a Virginia limited liability company registered as a foreign limited liability company authorized in Delaware (the "Assignee"), and Sussex County, Delaware, a county and political subdivision of the State of Delaware (the "County" or "Lessor");

WITNESSETH:

WHEREAS, the County and Sean Carroll (the "Original Tenant") entered into an Agreement of Lease dated May 16, 2006 (the "Lease") whereby the Original Tenant leased Lot Number 5 from the County (the "Leased Property"), which Leased Property is known or identified by the address 21785 Aviation Avenue, Georgetown, Delaware 19947; and

WHEREAS, the Original Tenant and the County entered into an Assignment of Commercial Lease Agreement and Consent of Sussex County Delaware Thereto, dated May 1, 2008 (the "Initial Assignment"), whereby the Original Tenant and the County assigned the Lease for the Leased Property to Assignor (a true and correct copy of the Lease and the May 1, 2008 Initial Assignment are attached hereto as Exhibits 1 and 2, respectively); and

WHEREAS, the Lease prohibits the transfer or assignment of the Lease without the written consent of the County; and

WHEREAS, the Assignor wishes to assign the Lease to the Assignee, and has requested that the County provide its written consent to such assignment as required by the Lease; and

WHEREAS, the County will consent to the Assignment, pursuant to the terms and conditions hereof;

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Recitals: The above recitals are restated and incorporated herein by reference.
2. Conditions. In order for this Assignment to be effective, the Assignor must not be then in breach of any of the terms and conditions of the Lease.
3. Assignment of Lease. Provided the condition set forth in Paragraph 2 is met, the Assignor hereby assigns, sets over, and transfers to Assignee all of Assignor's right, title, and interest in, to, and under the Lease.

4. Assumption of Lease. Provided the condition set forth in Paragraph 1 is met, Assignee hereby assumes all liabilities and obligations of Assignor under the Lease arising from and after the date hereof.

5. Indemnity. Assignor agrees to indemnify, defend, and hold harmless Assignee and Lessor from any loss, cost, claim, liability, judgment, damage, expense, or demand of whatsoever nature under the Lease that arose or accrued prior to the date hereof. Assignee agrees to indemnify, defend, and hold harmless Assignor and Lessor from any loss, cost, claim, liability, judgment, damage, expense, or demand of whatever nature under the Lease arising or accruing on or after the date hereof.

6. Enforceability. The Assignor and Assignee each covenant that the execution and delivery of this Assignment, and all documents related thereto, are valid and legally binding upon the Assignor and Assignee, and are enforceable in accordance with their respective terms, subject to applicable bankruptcy, insolvency, reorganization, moratorium, fraudulent conveyance and other similar state or federal debtor relief laws from time-to-time in effect; general principles of equity, and general principles of commercial reasonableness and good faith.

7. Counterparts. This Assignment may be executed in counterparts, each of which shall be an original, and all of which counterparts, when assembled as a whole, shall constitute one and the same agreement.

8. Miscellaneous. This Assignment shall be interpreted in accordance with the laws of the State of Delaware, except for its conflicts of laws provisions, without reference to the party causing the same to be prepared. Where used herein, the plural shall refer to the singular, the singular to the plural, and one gender to the other or the neuter, where the context so requires. No modification to this Assignment shall be binding unless in writing and signed by the party against whom such modification is sought to be enforced.

EXECUTED and sealed effective the ____ day of _____, 2016.

[Remainder of this Page is Intentionally Left Blank]

ASSIGNOR:

M & C Group, Inc. a Delaware Corporation

Barbara Mas [Seal]
Witness

By: [Signature] [Seal]
David Morales, President
Date: 7/11/16

ASSIGNEE:

Seneca Flight, LLC, a Virginia limited liability company, registered as a foreign limited liability company in Delaware

MA Gilluly [Seal]
Witness

By: [Signature] [Seal]
CW Gilluly, Sole Member
Date: 07-11-2016

SUSSEX COUNTY CONSENT HERETO:

_____ [Seal]
Witness

By: _____ [Seal]
Name: _____
Date: _____

APPROVED AS TO FORM:

_____ [Seal]
County Attorney

Date: _____

Sussex County Multi-Jurisdiction Hazard Mitigation Plan Update
County Council Briefing August 9, 2016



Hazard Mitigation is any action taken to reduce or eliminate long-term risk to people and property from natural hazards.



HMP Update Project: The purpose of this grant-funded project is to update the County's existing Hazard Migration Plan. The project involves stakeholders from the County, each municipality, DEMA and other Delaware agencies, University of Delaware, and the public.

Where we are with the Update:

- 4 of the 7 Plan Sections are completed in draft form and are in the process of final edits before submission to DEMA.
- We are in the process of updating the data found in Sections 4: Risk Assessment, Section 5: Capabilities and Resources and Section 6: Mitigation Strategy with each municipality.
- Currently we are working define and update significant hazards that may impact the County.
 - The Team is working to secure and analyze data related to Hazardous Materials Incidents in the County since the last update.
 - Adding language to discuss the potential risk from coastal zone erosion into the erosion section.
- With the assistance of the County GIS Office, the team is in the process of updating Section 4 Risk Assessment.
- On August 10th and 11th, we will be holding working sessions with all participating municipalities to review material from the previous plan, assess local capabilities to manage hazards and to review potential hazard mitigation projects as warranted to reduce community risk.
- We have taken steps to engage the community in the process. The project has a web presence on the Sussex County EOC website. Residents will be able to review the draft document and provide feedback for discussion within the working group.
- We have held public meetings to include presenting the intent of the update to the County Planning and Zoning Commission. The next public meeting is tentatively scheduled for September 1, 2016 during our Advisory Committee and Working Group meeting.
- The draft Plan will be submitted to DEMA in September and to FEMA for Review and Approval in October.
- We will come back before Council after FEMA Approval for adoption and seek municipal adoption at that time.

ENGINEERING DEPARTMENT

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Sussex County

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.
ASSISTANT COUNTY ENGINEER

SUSSEX COUNTY ADMINISTRATIVE OFFICE BUILDING CHIMNEY & STAIR REPAIRS PROJECT 16-30

Bids for the “Sussex County Administrative Office Building Chimney & Stair Repairs” were opened on July 28, 2016. Due to the complexity of the work, a mandatory pre-bid meeting was held to allow for discussion and questions. Out of the seven (7) contractors who attended the mandatory pre-bid meeting, one (1) contractor submitted a bid. Common Sense Solutions, LLC bid \$293,000.00, which was well above the engineer’s estimate of \$150,000.00.

Sussex County Engineering recommends rejecting the bid for Project 16-30. We plan to immediately re-bid the stair work as a standalone contract. The Engineering Department will contact the representatives who attended the pre-bid to determine the reason for lack of bids. The chimney work will be re-bid at a later date, once a revised scope of work is determined based upon feedback from the contractors.



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

FROM: Hans Medlarz
County Engineer

RE: ***RUNWAY 4-22 24-INCH STORM DRAIN LINING***

DATE: August 9, 2016

Please see the attached Change Order No. 1 for Runway 4-22, 24" Storm Drain Lining Project, Sussex County Project No. 16-16. Change Order No. 1 increases the contract price by \$8,580.00 and brings the new contract price to \$62,929.00.

Engineering staff is in the process of designing the Taxiway C phase I pavement overlay project. During the field investigation phase a clogged 8" diameter clay drainage pipe under the taxiway was identified for further investigation. Recently the Environmental Services Department cleaned and videotaped the line in question which dates to the original airport construction. It was determined that the line was compromised requiring immediate attention. Any open cut type repair of the drainage under the taxiway would be disruptive to the air traffic as well as expensive and it was determined that slip lining was a more suitable, cost effective remedy.

We hence requested a price from the contractor on the 4-22 project who will mobilize the second week of August 2016. Substantial money could be saved if the work is performed as a change order, eliminating the need for remobilization costs. Savings of approximately \$40/LF (approx. \$6000) justified adding the work as a change order to the Council's agenda for consideration. Work is intended to be completed immediately, if approved, and thus having no effect on the contract completion time.

Hans Medlarz
Sussex County Engineer





**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **Runway 4-22 24 Inch Storm Drain Lining**
2. Sussex County Contract No. 16-16
3. Change Order No. 1
4. Date Change Order Initiated - 8/04/16
5.
 - a. Original Contract Sum \$54,349.00
 - b. Net Change by Previous Change Orders -0-
 - c. Contract Sum Prior to Change Order \$54,349.00
 - d. Requested Change \$8,580.00
 - e. Net Change (No. of days) -0-
 - f. New Contract Amount \$62,929.00
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

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

7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Addition of a separate 8" storm drain under Taxiway "C". This additional line was discovered after bidding and is required to be performed prior to paving Taxiway "C". By completing the work during the same mobilization, there will be savings to the County in the range of \$5,000-\$6,000.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes _____ No

E. APPROVALS

1. Fast Pipe Lining East, Inc., Project General Contractor

Signature Date

Representative's Name in Block Letters

2. Sussex County

President, Sussex County Council Date

RESOLUTION NO. _____

**BOUNDARIES FOR THE PROPOSED CHAPEL BRANCH AREA OF THE
SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT**

WHEREAS, petitions were received from more than 50 legal voters of the proposed Chapel Branch Area of the Sussex County Unified Sanitary Sewer District requesting the Sussex County Council to submit the question of organizing a sanitary sewer district to a vote of electors residing in that area; the description and a map of the proposed district boundaries is attached as Exhibit "B"; and

WHEREAS, a public hearing was held on **July 14, 2016** on the question of organizing a sanitary sewer district dealing with the location of the boundaries of the proposed Chapel Branch Area of the Sussex County Unified Sanitary Sewer District as shown in **Exhibit "A"**; and

NOW, THEREFORE,

BE IT RESOLVED by the Sussex County Council that the establishment of a sanitary sewer district is deemed to be in the public interest and will be conducive to the preservation of the public health; and

BE IT FURTHER RESOLVED that the area shown as **Exhibit "B"** is hereby established as the "Proposed Chapel Branch Area of the Sussex County Unified Sanitary Sewer District " and is more fully described as follows:

BEGINNING at a point located on the northerly right-of-way (ROW) of County Road 280B (Conleys Chapel Rd) said point being the southwesternmost corner of lands N/F of Christopher Borris; thence following said lands of Borris the following directions and distances: northeasterly 980± feet, northeasterly 405± feet to a point, said point being the northwesternmost corner of lands N/F of Tyndall Bishoff; thence following said lands of Bishoff in a northeasterly direction 1130± feet to a point, said point being the

southeasternmost corner of lands N/F of Alfred Lawrence, and a point on the southwesterly ROW of lands N/F of Frederick & Doris Tana; thence following said lands of Tana the following directions and distances: northwesterly 800± feet, westerly 945± feet, northerly 610± feet, southeasterly 910± feet, northeasterly 290± feet, northwesterly 180± feet, to a point, said point being the southeasternmost corner of lands N/F of Adam Gelof; thence following said lands of Gelof in a northwesterly direction 205± feet to a point, said point being the southeasternmost corner of lands N/f of Frederick & Doris Tana; thence following said lands of Tana the following directions and distances: northerly 65± feet, northwesterly 80± feet, northeasterly 1230± feet to a point, said point being the northeasternmost corner of lands N/F of Bartolomeo & Vincenza Camarca; thence following said lands of Camarca in a northwesterly direction 185± feet, to a point, said point being the lands N/F of Alan Waldron; thence following said lands of Waldron northwesterly 260± feet to a point, said point being a point on the southeastern boundary of lands N/F of John & Linda Novosel; thence following said lands of Novosel in a southwesterly direction 350± feet to a point, said point being a point on the southerly boundary of lands N/F of The Adkins Co.; thence following said lands of Adkins in a southwesterly direction 2755± feet to a point, said point the southeasternmost corner of lands N/F of Diane Loekle; thence following said lands of Loekle in the following directions and distances: northwesterly 202± feet, southwesterly 915± feet to a point, said point being a point on the easterly ROW of Country Road 288 (Wil King Rd); thence following said ROW in a northerly direction 392± feet to a point, said point being the southwesternmost corner of lands N/F of William King Sr.; thence following said lands of King in a northeasterly direction 215± feet to a point, said point being the northeasternmost corner of said lands of King and a point on the boundary of other lands N/F of William King Sr.; thence following said lands of King in the following directions and distances: northwesterly 200± feet, southwesterly 210± feet, northwesterly 60± feet, northeasterly 210± feet, northwesterly 205± feet, northeasterly 70± feet to a point, said point being the easternmost corner of lands N/F of Brenda Hastings; thence following said lands of Hastings the following directions and distances: northwesterly 130± feet, southwesterly 270± feet to a point, said point being the northwesternmost corner of said lands N/F of Hastings and a point on the easterly ROW of Wil King Rd; thence crossing

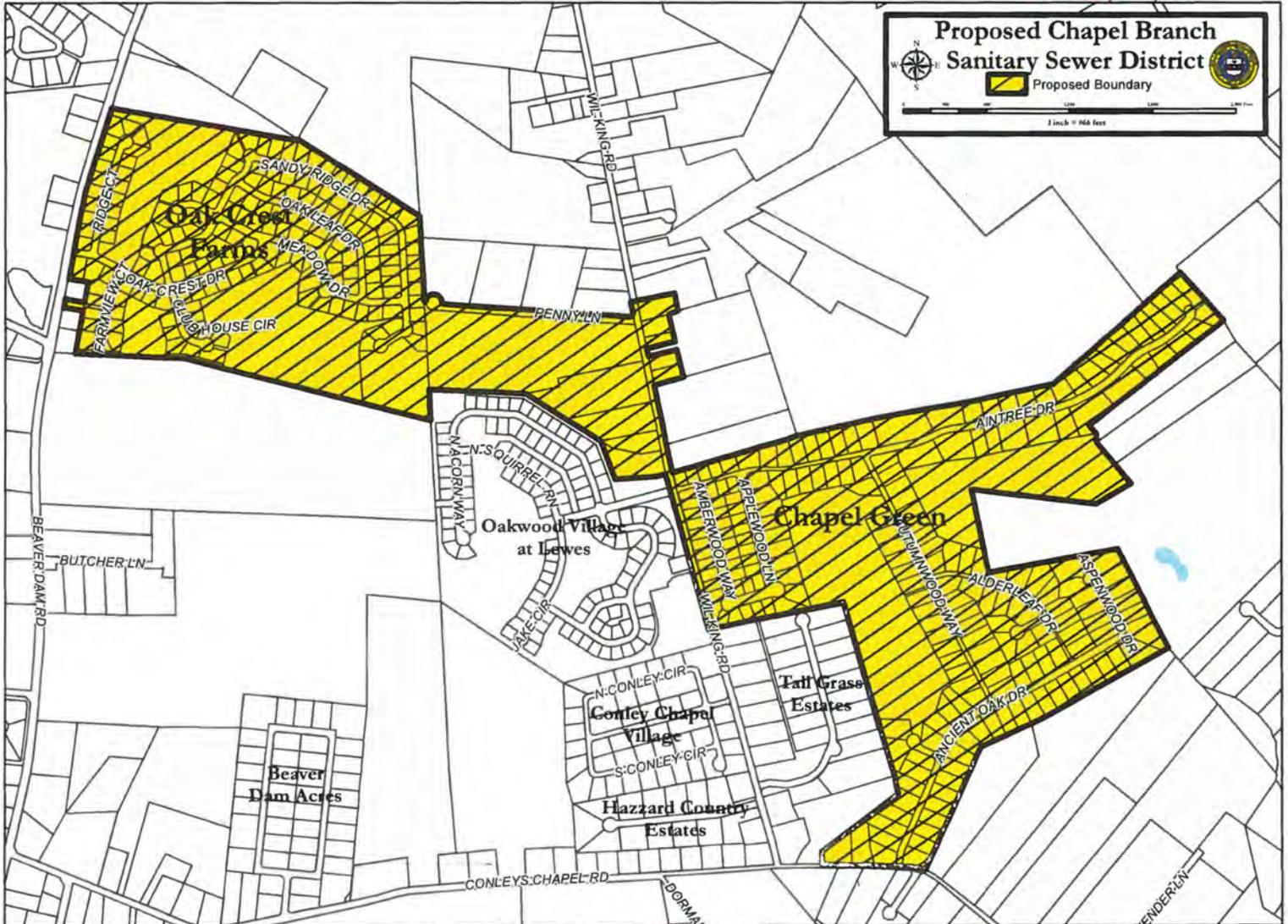
said ROW in a westerly direction 50± feet to a point, said point being located on the easterly boundary of lands N/F of Helen Wert; thence following said lands of Wert in a southeasterly direction 95± feet to a point, said point being located on the northerly side of a private ROW known as Penny Ln; thence following said ROW in a northwesterly direction 1200± feet to a point, said point being the southeasternmost corner of lands N/F of Gary & Kathy Kaier; thence following said lands of Kaier in a northeasterly direction 475± feet to a point, said point being a point on the southerly property line of lands N/F of Sarah C Harmon, Heirs; thence following said lands of Harmon the following directions and distances: southeasterly 983± feet, northwesterly 197± feet, westerly 175± feet, northerly 260± feet, northeasterly 148± feet, northerly 20± feet, westerly 150± feet, northwesterly 216± feet to a point, said point being a point on the southerly boundary of lands N/F of Janet Linton; thence following said lands of Linton in the following directions and distances: southeasterly 98± feet, northeasterly 109± feet, easterly 100± feet to a point, said point being located on the westerly ROW of Wil King Rd, thence following said ROW in a northwesterly direction 525± feet to a point, said point being the southeasternmost corner of lands N/F of Elmer Norwood; thence following said lands of Norwood in a northwesterly direction 350± feet to a point, said point being the southeasternmost corner of lands N/F of Jacqueline McGrellis Trustee; thence following said lands of McGrellis the following directions and distances: northwesterly 890± feet, southerly 175± feet, southeasterly 971± feet, northwesterly 1040± feet to a point, said point being the easternmost corner of lands N/F of Kris Knutsen; thence following said lands of Knutsen the following directions and distances: southwestly 13± feet, westerly 1345± feet to a point, said point being the southwesternmost corner of said lands of Knutsen and a point on the easterly boundary of Beaver Dam Rd; thence following said ROW in a southerly direction 1270± feet to a point, said point being located on the northerly property boundary of lands N/F of Diana Butler; thence following said lands Butler the following directions and distance: southwestly 140± feet, 155± feet, northwesterly 140± feet to a point, said point being the northwesternmost corner of lands N/F of Oak Crest Farms Property Owners Association; thence following said lands of Oak Crest Farms the following directions and distances: southwestly 70± feet, southeasterly 140± feet to a point, said point being the northeasternmost corner of lands N/F of Joseph

Choma; thence following said lands of Choma southwesterly 150± feet to a point, said point being the northwesternmost corner of lands N/F of Mathew Cottrell; thence following said lands of Cottrell southwesterly 165± feet to a point, said point being a point on the northerly boundary of lands N/F of Hilda Norwood, Trust; thence following said lands of Norwood the following directions and distances: easterly 790± feet, southeasterly 1820± feet to a point, said point being a point on the westerly boundary of lands N/F of Oakwood Village at Lewes, LLC; thence following said lands of Oakwood Village the following directions and distance: northerly 225± feet, easterly 695± feet, southeasterly 640± feet to a point, said point being the northwesternmost corner of lands N/F of Oswaldo & Zully Echevery; thence following the said lands of Echevery the following directions and distances: southeasterly 221± feet, easterly 140± feet to a point, said point being the southeasternmost corner of said lands of Echevery and a point on the westerly ROW of Wil King Rd; thence following said ROW in a southeasterly direction 1330± feet to a point, said point being a point on the easternmost boundary line of lands N/F of Joseph & Teresa Mocci; thence leaving said lands of Mocci crossing said ROW of Wil King Rd in a northeasterly direction 50± feet to a point, said point being the northwesternmost corner of lands N/F of Charles & Gladys Smith; thence following said lands of Smith in a northeasterly direction 300± feet, to a point said point being the northwesternmost corner of lands N/F of Tall Grass Estates, LLC; thence following said lands of Tall Grass the following directions and distances: northeasterly 645± feet, southeasterly 1080± feet to a point, said point being the northeasternmost corner of lands N/F of Linda Wardrup; thence following said lands of Wardrup southeasterly 230± feet to a point, said point being the northeasternmost corner of lands N/F of Michael Hazzard; thence following said lands of Hazzard the following directions and distances: southeasterly 135± feet, southwesterly 695± feet, southerly 97± feet to a point, that being the point of the **BEGINNING**.

NOTE: The above description has been prepared using Sussex County Tax Map No. 234-6.00.

The proposed Chapel Branch Area of the Sussex County Unified Sanitary Sewer District is within these approximate boundaries containing 324.92 acres more or less.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware



A public hearing to discuss the proposed boundary is scheduled **July 14, 2016 at 6:00 PM**, at Conley's United Methodist Church, 33106 Jolyn's Way, Lewes, DE 19958 .
 For more information please visit: <https://www.sussexcountyde.gov/legal-notices/sewer-water>. Or call Sussex County Utility Planning at 302-855-1299



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Chamber of Commerce for the Greater Milford

PROJECT NAME: Riverwalk "Freedom" Festival Fireworks

FEDERAL TAX ID: 51-0319055 NON-PROFIT: YES NO

ADDRESS: 411 N. Rehoboth Blvd.
Milford DE 19963
(CITY) (STATE) (ZIP)

PHONE: 302-422-3344 EMAIL: milford@milfordchamber.com

CONTACT PERSON: Jo Schmeiser

TITLE: Executive Director

ADDRESS: 411 N. Rehoboth Blvd.
Milford DE 19963
(CITY) (STATE) (ZIP)

PHONE: _____ EMAIL: jschmeiser@milfordchamber.com

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? _____

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

YES NO

If YES, approximately what percentage of the project's funding does the Council grant represent? 1/14

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

The City of Milford (13,000)

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.

Each year for the last 16 years (since 911) the Milford Chamber has featured the Riverwalk "Freedom" Festival, where on Friday night we have Operation Give Back, any retired or active military person is given their dinner free and the family receives a discount on their meal. We have live entertainment in BiCentennial Park which this year will feature the Milford Community Band playing patriotic music, a patriotic boat parade on the Mispillion River, we have children's games and food vendors, then at dusk we have our fireworks display which can be seen all over town and we usually have 5-7,000 people in the park.

On Saturday, we close the whole downtown down and have a car show, over 120 vendors (craft and businesses), a kids corner with games, pony rides, fire engine rides, Bayhealth does a health fair, we have a duck dash on the river, a tug-of-war on the Washington St. bridge between Kent and Sussex firefighters, more live entertainment throughout the day, a pet-riotic parade, just a fun day for families and friends to come down town and enjoy.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	We never know how much we will receive since our fireworks are funded by sponsorship donations and they change from year to year.
TOTAL REVENUES	
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing, telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
	The fireworks cost \$14,000.00
TOTAL EXPENDITURES	\$14,000.00 \$0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Chamber of Commerce for Greater Milford 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.

Ruth Abbate, Fireworks Chairperson

 Applicant/Authorized Official

7/27/16

 DATE



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME:	CHEER, Inc.		
PROJECT NAME:	CHEER Car, Truck & Bike Show		
FEDERAL TAX ID:	51-0112599	NON-PROFIT:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ADDRESS:	546 S. Bedford Street		
	Georgetown	DE	19947
	(CITY)	(STATE)	(ZIP)
PHONE:	302-875-5187	EMAIL:	kbock@cheerde.com
CONTACT PERSON:	Ken Moore		
TITLE:	Development Manager		
ADDRESS:	546 S. Bedford Street		
	Georgetown	DE	19947
	(CITY)	(STATE)	(ZIP)
PHONE:	302-515-3065	EMAIL:	kmoore@cheerde.com

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? _____

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? 8%

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 type="checkbox"/> Educational |

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

1100

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.

On Saturday, August 6, 2016, CHEER is holding our 6th annual Car-Truck & Bike Show at the Warren L. and Charles C. Allen Jr. CHEER Community Center on Sand Hill Road in Georgetown. The show benefits CHEER's Sand Hill Adult Day and Meals On Wheels programs. All proceeds of the event are used for direct services to the seniors of Sussex County. As in past years, there will be the Sussex County Council trophy awarded to the "Best Vehicle in the Show from Sussex County."

The Sand Hill Adult Day Program provides services to Sussex County seniors who are diagnosed with Alzheimer's disease and/or related dementia. The program is licensed by the State of Delaware to serve 20 clients per day. Due to growing needs for services, CHEER is working to expand the capacity to 40 clients daily. Attendees participate in programs designed to stimulate them socially, intellectually and creatively, based on their individual needs and functional ability. CHEER operates the program out of the Warren L. and Charles C. Allen Jr. CHEER Community Center for clients from throughout Sussex County. The lack of transportation in Sussex County means that CHEER is operating buses to transport clients to the Adult Day Program. This program impacts not only the lives of clients but also enables caregivers to work outside of their home and care for their own family while the senior is at Sand Hill Adult Day Program. While the program is licensed to serve 20 clients, the unduplicated count has been as high as 76 Sussex County seniors in a one year period. This is because of client turnover, hospitalization, and partial week attendance schedules.

CHEER's Meals On Wheels program provides nutritious meals to vulnerable seniors who are living independently in their home. In the current fiscal year, CHEER is projecting 235,000 homebound meals to be delivered. The growth in the homebound program is unprecedented as in 2010 there were 129,737 homebound meals delivered. That is an 81% increase in 6 years! CHEER must raise funds for the program as Meals On Wheels Delaware, who pays once the State meal funding is exceeded, only covers raw food and packaging. MOWD does not cover labor nor transportation costs for the meals. Currently CHEER serves 1056 unduplicated homebound clients throughout Sussex County.

The Car Truck & Bike Show is known as the premier show of Sussex County. This year the feature car of the show is Mario Andretti's Indy race car. In the past we have welcomed entrants from as far west as Missouri and hosted a car enthusiast who traveled from France. Vehicles shown have ranged from an 1890's Board Track Racer to Councilman Sam Wilson's 1957 Chevrolet to a new Ferrari.

Thank you for your consideration of the sponsorship of programs that serve our seniors.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	\$ 12,500.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing, telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Supplies for Car Show	-1200.00
Security	-700.00
Marketing	-2000.00
*Note: All proceeds of the event are used for direct services to the seniors of Sussex County.	
TOTAL EXPENDITURES	-\$ 3,900.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 8,600.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the CHEER, Inc. 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.

Kenneth S. Bock, Executive Director

 Applicant/Authorized Official

July 28, 2016

 DATE



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Milton Little League 9/10 All Star Team

PROJECT NAME: Milton represents Delaware in Rhode Island

FEDERAL TAX ID: 51-0293060 NON-PROFIT: YES NO

ADDRESS: PO BOX 175

Milton De 19968
(CITY) (STATE) (ZIP)

PHONE: 302-381-2465 EMAIL: ajones@sussexcountyde.gov

CONTACT PERSON: Amy Argo-Jones

TITLE: Fundraising for trip

ADDRESS: 25686 Deep Branch Rd

Milton De 19968
(CITY) (STATE) (ZIP)

PHONE: 302-684-4210 EMAIL: ajones@sussexcountyde.gov

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? _____

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? 5%

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

11

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. To help the 9/10 All Stars from Milton, De defray costs for their trip to Rhode Island as they won the rights to represent Delaware .



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION

NAME: Nanticoke River Arts Council

PROJECT NAME: General operating expenses

FEDERAL TAX ID: 74-3259770

NON-PROFIT: YES NO

ADDRESS: 324 High Street

Seaford
(CITY)

Delaware
(STATE)

19973
(ZIP)

PHONE: 302-628-2787(arts) EMAIL: nrac107@yahoo.com

CONTACT PERSON: Christina Darby

TITLE: President

ADDRESS: 4408 Woodland Church Road

Seaford
(CITY)

Delaware
(STATE)

19973
(ZIP)

PHONE: 302-629-4321 EMAIL: chrisdarby@att.net

TOTAL FUNDING REQUEST:

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

YES NO

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

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

YES NO

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

1350

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.

The Nanticoke River Arts Council operates Gallery 107 located in downtown Scaford, which is the only art gallery in the area providing a venue for local artists to show their work, for adults to participate in art classes in a wide variety of mediums, for children to experience and learn the joy of artistic creative pursuits, and a place for people to enjoy art. Sussex County Council has supported us in previous years with funds to help offset basic operating costs. This money allows us to continue our mission to bring cultural experience and education to western Sussex County and encourages interest in the downtown area for residents and tourists. We remain active in our community, not only with gallery special events but also participating in all downtown events, such as Live for Chocolate, Riverfest, and First Saturday.

We are proud of our gallery, proud of our town, and proud of our contribution to our community. We ask that you again show the Council's support in whatever funding amount you consider fair.

Following is a list of the gallery's basic yearly expenses.

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing, telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Rent	-\$14,400
Utilities	-\$1,500
Internet	-\$900
Security services	-\$550
Telephone	-\$550
Advertisng	-\$2000
Insurance	-\$700
Miscellaneous including office supplies	-\$2,200
TOTAL EXPENDITURES	0
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	0

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Nanticoke River Arts Council 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.

Christina Darby

Applicant/Authorized Official

8-1-2016

DATE

To Be Introduced 08/09/16

**Council District No. 3 – Deaver
Tax I.D. No. 234-21.00-138.00 (Part of)
911 Address: None Available**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRICAL SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 4.0 ACRES, MORE OR LESS

WHEREAS, on the 21st day of June 2016, a conditional use application, denominated Conditional Use No. 2057 was filed on behalf of Delaware Electric Cooperative, Inc.; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2057 be _____; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2057 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying south of Zoar Road (Route 48) 3,300 feet east of Gravel Hill Road (Route 30) and 2,000 feet west of Lawson Road (Road 296) and being more particularly described as follows:

BEGINNING at a capped pin on the southerly right-of-way of Zoar Road (Route 48), a corner for these subject lands and lands of T. P. One, LLC; thence North 76°20'07" East 374.92 feet along the southerly right-of-way of Zoar Road to a capped pin; thence South 04°37'09" West 453.72 feet along lands of T. P. One, LLC to a capped pin; thence South 66°38'25" West 403.10 feet along lands of T. P. One, LLC to a capped pin; thence North

04°37'09" East 523.21 feet along lands of T. P. One, LLC to the point and place of beginning, said parcel containing 4.00 acres, more or less.

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

TO BE INTRODUCED

To Be Introduced 08/09/16

**Council District No. 3 – Deaver
Tax I.D. No. 335-8.00-25.00
911 Address: 16773 Old Orchard Road, Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY (DUPLEX) DWELLING STRUCTURES (24 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 9.33 ACRES, MORE OR LESS

WHEREAS, on the 14th day of July 2016, a conditional use application, denominated Conditional Use No. 2058 was filed on behalf of Old Orchard Ventures, LLC, c/o Barry Baker; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the _____ of _____ 2016, said Planning and Zoning Commission recommended that Conditional Use No. 2058 be _____; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2058 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying northeast of Road 269A (Old Orchard Road) approximately 1,115 feet southeast of Road 266 (New Road) and being more particularly described as follows:

BEGINNING at an iron pipe on the northeasterly right-of-way of Road 269-A, a corner for these subject lands and Lot 24 of The Orchard Subdivision; thence north 48°54'33" east 1035.00 feet along The Orchard Subdivision to an iron rod; thence south 59°37'42" east 386.47 feet along lands, now or formerly, of Bruce C. and Karen J. Hefke to an iron pipe; thence south 48°55'27" west 1184.41 feet along lands, now or formerly, of John M. Brittingham and Danielle Park Subdivision to an iron pipe on the northeasterly right-of-way of Road 269-A; thence north 36°56'38" west 367.06 feet along the northeasterly right-of-way of Road 269-A to the point and place of beginning and containing 9.33 acres, more or less, per survey prepared by Becker Morgan Group.

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

TO BE INTRODUCED

To Be Introduced 08/09/16

**Council District No. 3 – Deaver
Tax I.D. No. 334-12.00-25.00
911 Address: None Available**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BEAUTY SALON TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 24,205 SQUARE FEET, MORE OR LESS

WHEREAS, on the 19th day of July 2016, a conditional use application, denominated Conditional Use No. 2059 was filed on behalf of Julie Norwood; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and on the _____ of _____ 2016, said Planning and Zoning Commission recommended that Conditional Use No. 2059 be _____; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2059 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying at the northwest corner of John J. Williams Highway (Route 24) and Retz Lane (a private road) and being more particularly described in Plot Book 8, Page 162, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 24,205 square feet and being referenced as Lot 13 and Lot 14 in Country Village Subdivision.

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

To Be Introduced 08/09/16

**Council District No. 5 - Arlett
Tax Map I.D. No. 532-6.00-87.02
911 Address: 11244 Whitesville Road, Laurel**

ORDINANCE NO. ____

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 LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 6.24 ACRES, MORE OR LESS

WHEREAS, on the 25th day of July 2016, a zoning application, denominated Change of Zone No. 1809 was filed on behalf of MOCA Properties, LLC / Solid Image; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1809 be _____; and

WHEREAS, on the ____ day of _____ 2016, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Little Creek Hundred, Sussex County, Delaware, and lying east of Sussex Highway (U.S. Route 13) 650 feet south of Whitesville Road (Route 64) and being more particularly described in Plot Book 82, Page 16, in the Office of Recorder of Deeds in and for Sussex County, said parcel containing 6.24 acres, more or less.

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