Transportation Infrastructure Investment Fund Council

Meeting Minutes

November 18, 2025
11:00 a.m.
Virtual via Zoom and In-Person (Delaware Room, DelDOT Admin. Bldg.)

Members Present:

Joe Westcott (CHAIR)
Representative Bill Bush
Senator Jack Walsh
Dr. Martin Nunlee
Mr. Bill Strickland

Guests:

Susanne Laws	Delaware Department of Transportation
Jeff Van Horn	Delaware Department of Transportation
George Lees	Delaware Department of Justice – DAG for DelDOT
Charles McLeod	Delaware Department of Transportation
Todd Reavis	Delaware Department of Transportation
Lorie Walker	Delaware Department of Transportation
Stephanie Foster	Delaware Department of Transportation
Shante Hastings	Delaware Department of Transportation
Meaghan Barna	Delaware Department of Transportation
Aimee String	Delaware Department of Transportation
Kristina Robinson	Delaware Division of Small Business
JJ Moore	Delaware Division of Small Business
Joanna Colson	Delaware Division of Small Business
Amanda Marlowe	City of Harrington
Dave Heatwole	Scaled Engineering
Linda Parkowski	Kent Economic Partnership
Zach Prebula	Kent Economic Partnership
Daniel Bond	ASPIRA Georgetown OZ Property Management LLC
Andrew Harton	Sussex County Economic Development
Maddie Macks	Henlopen Properties LLC
Jon Hoffman	Henlopen Properties LLC
Jeffrey Pearl	Henlopen Properties LLC
Jonathan Mayers	Chesapeake Realty Partners
Marc Cote	Rossi Group
Jordan Seemans	Harvey Hanna and Associates

Agenda Item # 1: Welcome and Introductions

Discussion: Mr. Westcott welcomed everyone. He led the roll call for the Council.

Quorum was confirmed.

Agenda Item # 2: **Approval of September 17, 2025, Meeting Minutes**

Discussion: Mr. Westcott acknowledged that the meeting materials had previously been distributed for the Council's review. A motion to approve September 17, 2025, meeting minutes was made by Rep. Bill Bush. The motion was seconded by Dr. Martin Nunlee.

Roll call vote was taken:
Mr. Westcott: For
Rep. Bush: For
Sen Jack Walsh: For
Dr. Nunlee: For
Mr. Strickland: For
The motion to approve the minutes carried.

Agenda Item #3: Status of Previous Approvals

Discussion: Ms. Laws acknowledged that to date, the Council has recommended over $60.6 million in grant awards, with a total of almost 12,500 jobs. The current amount available for awards is about $13.5 million. She reported that Round 2 M and E Properties LLC has decided to withdraw from the grant due to their inability to secure funding for their project. Once the withdrawal process is complete the $225,000.00 previously awarded will be returned to the TIIF fund. Ms. Laws also highlighted that Round 2 1313 Owner LLC, which is renovating the former Hercules building in Wilmington, has encountered some difficulties with the downturn in leasing, and an extension request is expected from that grantee by the next application deadline.

Ms. Laws has been in contact with the City of Wilmington for the Round 3 Light Action and Challenge Program projects and reported they have successfully retained a new engineering firm, so they are going to proceed with the East 7th Street Peninsula Project.

Ms. Laws reported that no updates were received from Round 7 McCormick and Associates of Middletown LLC, and since their grant expires in June 2026, she'll continue to pursue an update from the grantee for the next council meeting.

Ms. Laws reported that Round 8 KSIP I Picard LLC has received one reimbursement for the water line work, having been previously approved for progress payments, and they are nearing completion of all of their transportation improvements. She also reported that Round 8 PR-Stoltz Ventures LLC, which is also known as Blue Diamond, had their pre-construction for off-site intersection work on November 13, 2025, and are moving forward and making progress.

Ms. Laws reported that Round 9 Seaford Commercial 28 LLC, which is Nylon Capital Center, should be commencing with their utility work soon.

Ms. Laws also mentioned Round 13 Felton Drive-In LLC is done, and ready to submit for reimbursement. Round 13 FR First Park New Castle LLC is looking at delivering their first building by the end of March 2026. Round 13 REACH Riverside is working through their DelDOT intersection

approvals, and their work is ongoing as it is being done in phases.

Agenda Item #4: Review of Received Transportation Infrastructure Investment Fund Grant Applications, including Executive Session*, Public Comment and Council Vote

City of Harrington Industrial Park

Discussion: Ms. Laws provided a summary of the project which includes an Industrial Park spanning three separate parcels, one City-owned and two privately owned with existing businesses. City parcels are to be subdivided into lots for individual sale. Proposed City-maintained streets (Cluckey Drive and Engineer's Way) will connect the parcels. Final site plan approval is anticipated end of 2025, with site infrastructure work to begin spring 2026.Site is located within Levels 1 and 2 State Strategies Investment Areas.

Ms. Laws provided a summary of the TIIF Scope of Work: reconfigured existing site entrance on US 13 at Cluckey Drive to allow rights-in, rights out, lefts in, new right turn lane with bike lane, reconfigured existing full movement crossover to restrict lefts out, and left turn lane modifications at crossover; sidewalk along US 13 frontage with an upgraded transit stop; reconstructed/widened existing street (Cluckey Drive), culvert replacement; new 3,800 ft. long municipal street (Engineers Way) with turnaround; engineering design and construction inspection.

Ms. Laws stated that the public endorser for this project is Kevin R. Sipple, County Administrator, Kent County Levy Court.

Ms. Robinson provided an overview of the applicant's financial stability, noting that a compliance review by DSB found no significant labor law violations. The applicant is validly organized and in good standing and holds a valid business license. She also stated that the applicant currently employs 35 full-time employees and successful implementation of this project would create 27 new full-time jobs in year three and therefore increase state and local tax revenue by $281,000 annually. She also mentioned this applicant has applied for two site readiness grants in 2022 and 2025, both were approved.

Ms. Laws reviewed the performance measures. She stated in summary that the applicant is requesting $2,939,865.34.

Mr. Westcott opened the discussion to the Council members. He asked for clarification of the current jobs on the site.

Ms. Marlow confirmed that these were not construction jobs but jobs in the powder coating plant currently on privately owned parcels.

Sen. Jack Walsh asked about the current acreage available for future economic development, whether there's room for more expansion without any additional road improvements.

Mr. Heatwole answered by saying these lots can come in with site plans and build out and

create additional jobs. The city is going through the subdivision process before they can receive applications for individual site plans on those lots.

Ms. Marlow added that the parcel does not currently have access to a main road.

Mr. Westcott commented that this is similar to City of Milford Industrial Park that was previously approved.

Public Comments: Ms. Parkowski, Kent Economic Partnership, expressed her enthusiasm for this project, stating that she has been working on this project for many years, and it is a public/private partnership with the city. She also stated they have been modest on the job creation numbers, but they are modeling off the Duck Creek Project that brought in 4,000 jobs. She stated this site is one of the only industrial parks in Kent County.

Executive Session: None

Mr. Westcott asked for a motion to recommend an award to the City of Harrington Industrial Park in the amount of $2,939,865.34. Rep Bush made the motion, and Mr. Strickland seconded the motion.

Roll call vote was taken:
Mr. Westcott: For
Rep. Bush: For
Sen. Walsh: For
Mr. Strickland: For
Dr. Nunlee: For

The motion was approved to recommend award to the City of Harrington Industrial Park in the amount of $2,939,865.34.

ASPIRA Georgetown OZ Property Management, LLC:

Discussion: Ms. Laws provided a description of the project that includes renovation and rehab of historic former Isaacs & Sons Cold Storage Building to house a dual language public charter school for 400 students in grades K-5. Building to be leased by Las Americas ASPIRA Academy for 8 years, with anticipated purchase after 2034. Site is in a Level 1 State Strategies Investment Area and Town of Georgetown.

Ms. Laws provided a summary of the TIIF Scope of Work which includes pavement rehabilitation of existing Depot Street (Town-maintained), new curb and sidewalk along the entire frontage and on the other side of the rail crossing, two pedestrian crosswalks across Depot Street, and traffic calming. Limits of work depends on dedication of easements by the rail company to the Town of Georgetown. The scope also includes engineering design, construction inspection, design and construction contingencies.

Ms. Laws stated that the public endorser for the project is William E. West, Mayor, Town of

Georgetown.

Ms. Robinson provided an overview of the applicant's financial stability, noting that a compliance review by DSB found no significant labor law violations. The applicant is validly organized and in good standing and holds a valid business license. She also stated that successful implementation of this project would create 35 new full-time jobs in year three and therefore increase state and local tax revenue by $18.4 million.

Sen. Walsh asked for clarification of the 18.4 million in tax revenue.

Ms. Robinson responded because the types of jobs are governmental, that is how the amount of revenue being generated over 3 years was calculated.

Sen. Walsh voiced concern over this property being a leased property since we have made significant improvements in trying to get out of leased property to save taxpayers money. He stated he does not see any future economic expansion on this property; it looks like a one-time eight-year lease.

Mr. Bond responded to questions as the property owner/applicant. This property is in an Opportunity Zone, which provides some tax advantages to the owners if they remain invested in it for 10 years. ASPIRA is modeled after their two schools in Newark. This area has a large Latino population, multiple generations of Puerto Ricans primarily but in recent year more Latin American and Central Americans have come to this area. Purdue brings in workers from Latin America. This school will provide dual language learning and allow these students to maintain their cultural heritage. They will begin with kindergarten through grade five and in the future expand to middle and high schools. In the future the school will be sold to ASPIRA.

Mr. Westcott asked to understand the $18.4 million, and how 35 jobs over 3 years create this much tax revenue. He also asked if they've been awarded a charter for this location.

Ms. Robinson responded the $18.4 Million number was generated by the type of jobs they have and it comes under the governmental point which is why the numbers are so high. I think these numbers are based on being over a three-year period.

Mr. Bond responded that they do have the charter, and it has been granted by the Department of Education. They plan to start the first group of students in fall 2027 and by fall 2028 they plan to have up to 400 students.

Rep. Bush asked whether the jobs being created are state jobs, i.e., will the state be paying these salaries.

Mr. Bond responded that they will be paid by ASPIRA, however he did not have a representative from ASPIRA here today to confirm, but he did not think they would be state employees.

Rep. Bush asked if they would be part of the state's pension plan.

Mr. Bond responded that they would receive pensions but does not know if it is considered the state's plan or the charter school's plan.

Ms. Laws asked Ms. Robinson to rerun the IMPLAN calculation for clarification.

Mr. Bond confirmed that charter schools get paid similar to public schools, and the funds come from the state.

Dr. Nunlee voiced concerns about the economic development of this project and how it fits with the TIIF mission.

Public Comments: Mr. Harton, Director of Economic Development for Sussex County, highlighted the economic development benefits this project offers, outside of pure job creation. The site is in the Federal Opportunity Zone, an initiative for areas that need a kind of boost and more economic development funding. It is also downtown in Georgetown and in a Level 1 State Strategies Investment Area. From a pedestrian and traffic standpoint the project would add a walkability to the area. Another consideration is this is an old partially abandoned historic building located in an area where there is a small business operating currently, and renovating this building could also help with future development in the immediate area.

Dr. Nunlee questioned the railroad easement status.

Ms. Laws explained that to meet the requirements for TIIF the improvements must be in a public right-of-way or in an easement dedicated to public use. The applicant is working with the railroad to acquire easements for the Town. Once these have been acquired, those segments of road could be eligible for TIIF funding. Without these easements the amount of eligible funding would be much less.

Mr. Bond explained that ASPIRA is in conversation with Norfolk Southern and most of the land between the railroad and the building has already been leased to the Historic Georgetown Association and they have a 100-year lease. Also, the Historic Georgetown Association is very supportive of this project. And all indications are that they will receive the easement, it just needs to go through the approval process.

Dr. Nunlee voiced concerns that this project may be outside the TIIF mission.

Mr. Westcott closed the public comment and called for a motion to table this application until next Council meeting, subject to validation of the tax revenue numbers, more information on the project's economic development benefit and whether the TIIF code allows investment in a public charter school. Dr. Nunlee made the motion, and Mr. Strickland seconded the motion.

Roll call vote was taken:
Mr. Westcott: For
Rep. Bush: For
Sen. Walsh: For
Mr. Strickland: For

Dr. Nunlee: For

The motion carried, and the application was tabled subject to validation of the tax revenue numbers, more information on the project's economic development benefit and whether the TIIF code allows investment in a public charter school.

Mr. Lees suggested that the Council may seek to receive assistance from the Department of Justice in advance of the next meeting. He asked that to the extent he can make a request that he be given sufficient time in advance for the Council to receive legal guidance from the legal department on this application prior to the next meeting.

Generally Excluded Development Types (GEDTs)

Discussion: Ms. Laws reminded the Council that the next application was reviewed according to the Council's adopted Employment Standard Guidelines (ESG). She provided a summary of the ESG, which creates a path for the Council to consider funding GEDTs, including partial funding, based on public benefit factors. There are four criteria in addition to the other criteria required for standard applications: 1. How their particular jobs creation differs from other similar GEDTs; 2. How the GEDT will stimulate secondary growth near the project; 3. Environmental justice analysis of the impacts a GEDT will have on the surrounding area; and 4. The economic analysis report prepared by Division of Small Business (DSB) to assess economic benefit indicators associated with the GEDT.

Ms. Laws also stated that the transportation improvements under consideration for GEDTs are limited to improvements with direct public benefit, and that the Council allows DelDOT to have discretion in determining the TIIF Scope of Work.

Henlopen Properties LLC:

Discussion: Ms. Laws provided a description of the project which is a Generally Excluded Development Type. This project includes construction of a 42,200 square foot medical office building as part of a mixed-use development, "Mitchell's Corner," which features an existing medical office building, with proposed retail and residential components. The site is located within a Level 1 State Strategies Investment Area.

Ms. Laws provided a summary of the TIIF Scope of Work which is defined in the February 2022 Traffic Impact Study (TIS) for this project as interim improvements to decrease vehicle delays and provide for projected queuing lengths at the existing signalized Kings/Gills Neck intersection. Per the TIS, these improvements would be replaced as part of the future US 9, Kings Highway, Dartmouth Drive to Freeman Highway capital project. She stated the interim improvements include widening and restriping of Kings Highway to provide an extended right turn lane at Cape Henlopen High School, an additional through lane on Kings that drops to a right turn only at Clay Road, restriped westbound Gills Neck Road for a second dedicated left, lengthened shared through/right lane on Gills Neck, associated traffic signal modifications, and shared use path connections to Clay Road and Cape Henlopen High School.

Ms. Laws stated that the number of jobs being created is 35 in Year 3. [This was inaccurate and later corrected by the applicant and verified by Ms. Laws.]

Ms. Laws stated that the public endorser for the project is Senator Russ Huxtable, 6th District.

Ms. Laws brought attention to two points: the first is the timeline of the project and of the transportation improvements; and the second, which is something new that the Council hasn't previously considered, is a mixed-use development with a large residential component. She proceeded to outline the timeline which showed that the TIIF scope of work is constructed. The final inspection occurred on August 7, 2025, the primary punch list was issued on August 18, 2025, and the TIIF application was submitted on September 5, 2025. The punch list items were essentially completed around the end of October 2025.

Ms. Laws also stated that in considering alignment with the state's other economic development grants, the Site Readiness grant does not cover expenses incurred prior to the date of that Council's award of the grant.

Ms. Laws turned the meeting over to Mr. Westcott for discussion, public comment and vote on whether the Council wants to consider this application further.

Mr. Westcott questioned whether the TIIF funds should be used for completed work.

Sen. Walsh thought this could set a bad precedent, since this project is completed.

Mr. Strickland agreed.

Dr. Nunlee also agreed and mentioned that this could create an opportunity to have funds used for construction spending overruns.

Public Comments: Ms. Macks offered clarification on this application, stating that they have not received a Site Readiness grant. She went on to say that work is ongoing, because there hasn't been final acceptance of the work, including bond release, which then begins a warranty period as well. Ms. Macks requested consideration if there is going to be case law or a precedent set, and would like to see an appropriate milestone for acceptance.

Ms. Laws responded confirming that this applicant did not apply for or receive a Site Readiness grant. By mentioning Site Readiness, she was highlighting that program's general requirement.

Mr. Hoffman corrected the jobs numbers stating that the new jobs at the new medical office building are 64, for a total of 133, including the existing Cape Henlopen Medical Center which is also benefiting from the improvements. He further stated that the jobs created from this application, plus the unquantifiable jobs which include the traveling public that go to and from the ferry, and the City of Lewes, and the businesses on Kings Highway are all benefiting from these improvements. Mr. Hoffman stated he believes the work is still in progress, because there has not been final acceptance of the work. He asked for consideration that an appropriate milestone for acceptance should be established. Mr. Hoffman agreed that the issue of change order management should be considered.

Mr. Hoffman also noted that the building permit for the commercial building is being held up until the improvements are complete.

Ms. Laws commented that building permits are typically not issued prior to completion of DelDOT improvements.

Mr. Hoffman stated that he does not feel the project should be penalized for this as the improvements made so far are beneficial to the public and the economic development of the state.

Dr. Nunlee questioned why they waited so long to apply for the TIIF grant.

Ms. Macks responded that they should have applied for TIIF sooner but that they were unsure how a medical building would fit and not because of any additional unexpected funds or overages.

Executive Session: None

Mr. Westcott closed the public comment and called for a motion to consider applications for TIIF funding that have already reached substantial completion. Mr. Westcott made the motion, and Dr. Nunlee seconded the motion.

Ms. Laws suggested a clarification on what constitutes completed work versus substantially complete.

Mr. Westcott commented that the public is benefitting from the improvements today, and this implies complete.

Mr. Westcott stated that a No vote on this motion means the Council will not consider substantially completed projects.

Roll call vote was taken:
Mr. Westcott: No
Rep. Bush: No
Sen. Walsh: No
Dr. Nunlee: No
Mr. Strickland: No

The motion was rejected, therefore applications for TIIF funding that have already reached substantial completion will not be considered.

Agenda Item # 5: Public Comment

Mr. Jon Hoffman commented that his project has not reached substantial completion because he has not received any formal notice from DelDOT.

Agenda Item # 6. Future Meetings

Discussion: Ms. Laws stated that the next deadline for TIIF application submissions is Tuesday, January 20, 2026. The next Council meeting is scheduled for Wednesday, April 8, 2026 at 10:30 a.m.

Agenda Item # 7: Adjournment

Sen. Walsh moved to adjourn the meeting, and Dr. Nunlee seconded. The meeting was adjourned at 1:54 p.m.

Minutes Prepared by: Lorie Walker, DelDOT Economic Development Coordination
Minutes Reviewed by: Susanne K. Laws, P.E., DelDOT Economic Development Coordination

Approved by TIIF Council on May 20, 2026