

**MINUTES OF THE KENT COUNTY LEVY COURT  
COMBINED BUSINESS MEETING  
KENT COUNTY ADMINISTRATIVE COMPLEX  
555 BAY ROAD, DOVER, DE  
LEVY COURT CHAMBER, ROOM 203  
TUESDAY, MAY 7, 2019**

**Call to Order**

The Business Meeting of the Kent County Levy Court was called to order at 7:00 p.m. by President Banta.

**Invocation and Pledge of Allegiance**

The Invocation was led by Mr. Howell; the Pledge of Allegiance was led by Mr. Hall.

**Moment of Silence for our Troops**

A moment of silence was observed for our Troops and led by Mr. Sweeney.

**Roll Call and Determination of Quorum**

Allan F. Angel	Commissioner
Eric L. Buckson	Commissioner - Absent
Jeffrey W. Hall	Commissioner
Glen M. Howell	Commissioner
Terry L. Pepper	Vice President
George W. Sweeney, Sr.	Commissioner
P. Brooks Banta	President

There are six (6) Commissioners present; one (1) absent at Roll Call.

Mr. Banta advised Agenda was amended as follows: The Administration Committee would be moved to first under Committee meetings and the vote on that would be moved to May 14<sup>th</sup>.

### **Adoption of Agenda**

**M-19-074** **Motion** to approve the Agenda as amended made by Mr. Sweeney; seconded by Mr. Angel; carried by Roll Call vote six (6) yeas; one (1) absent.

### **PRESENTATIONS**

#### **Resolution 3746, Kent County Business Week**

Ms. Tanaka read the following into the record:

Whereas, the success of a business invariably depends upon its representation in the community it serves, and the reputation is nearly always the result of a strong company leader; and

Whereas, the Central Delaware Chamber of Commerce engages in activities to assist the business community and each year nominates business persons/companies as examples of the quality of the businesses in Central Delaware; and

Whereas, this year the Central Delaware Chamber of Commerce has nominated the following individuals/companies as outstanding business persons/companies:

#### Small Business of the Year

Harvest Ridge Winery  
Parkview RV Center  
Shore United Bank

#### Large Employer of the Year

Delaware State Housing Authority  
Johnny Janosik, Inc.  
Modern Maturity Center, Inc.

#### Young Professional of the Year

Kelly Hurd  
Ashlee Walker  
Jessica Yocum

Now, therefore, be it resolved that Kent County, Delaware does hereby proclaim the week of May 5 - May 11, 2019 as KENT COUNTY BUSINESS WEEK.

Be it further resolved that this Resolution be adopted this 7<sup>h</sup> day of May, 2019, and is hereby incorporated into the official minutes of the Kent County Levy Court.

**M-19-075** **Motion** was made by Mr. Sweeney; seconded by Mr. Pepper and Mr. Howell to approve Resolution 3476; carried by Roll Call vote six (6) yeas; one (1) absent.

Presentation of the Resolution would be made at a later date to the aforementioned businesses and individuals.

**RECESS TO COMMITTEE MEETINGS - 7:06 p.m.**

\*Mr. Angel left during the meetings\*

**RECONVENE BUSINESS MEETING – 7:44 p.m.**

**OLD BUSINESS – None**

**NEW BUSINESS**

**Potential Action Items from Committee Meetings:**

**Mr. Howell:**

1. 13 (US 13) Forcemain Rehabilitation Project – Engineering Services Amendment #3 – KCI Technologies & Material Procurement Bid Award – Ferguson Waterworks

**M-19-076** I **Move** to authorize Amendment #3 to the US13 Forcemain Rehabilitation Project Engineering Services Contract with KCI Technologies, Inc. for additional design services and construction phase services increasing the contract value to an amount not to exceed an amount of \$532,998.00. Interim funding is Working Capital Reserve with final funding through DNREC Delaware Water Pollution Control Revolving Fund Loan or USDA Loan, **and**

Move to authorize the President of Levy Court to sign Contract Amendment #3 with KCI Technologies, Inc. **and**

Move to award the material procurement contract for pipe and fittings to Ferguson Waterworks, Inc. in the amount of \$1,224,902.00 for the US13 Forcemain Rehabilitation Project utilizing DNREC SRF loan funding, and contingent upon DNREC concurrence, **and**

Authorize the President of Levy Court to execute the associated Contract Documents for material procurement and all DNREC Loan Closing Documents; seconded by Mr. Pepper; carried by Roll Call vote five (5) yeas; two (2) absent.

2. Pumper Truck Purchase – Bid Award

**M-19-077** I **Move** to award the bid for the purchase of one (1) 2020 Western Star 4700SB pumper truck to Bayshore Ford Truck Sales in the amount of \$150,000.00 using sewer operating revenue encumbered from the FY2018 Sewer Fund Budget and

additional funds in the amount of \$18,658.00 from the FY2019 Sewer Fund Budget, and

Move to authorize issuance of the purchase order for the vehicle purchase as specified above; seconded by Mr. Pepper; carried by Roll Call vote five (5) yeas; two (2) absent.

3. General Labor and Equipment Contract Change Order #8 – Asset Construction Contract Amount Increase

**M-19-078** I **Move** to authorize the President of Levy Court to sign Change Order No. 8 for the FY15/18 General Labor and Equipment Contract with Asset Construction, LLC and increase the contract amount by \$238,000 utilizing Capital Emergency Repair Fund; seconded by Mr. Sweeney; carried by Roll Call vote five (5) yeas; two (2) absent.

**Mr. Sweeney:**

1. Memorandums of Agreement RE: Little Heaven and South Frederica Master Plans

**M-19-079** **Move** to approve the Memorandums of Agreement for the Little Heaven Master Planning Area and the South Fred Master Planning Area and authorize the President of Levy Court to execute said documents; seconded by Mr. Pepper; carried by Roll Call vote five (5) yeas; two (2) absent.

**Mr. Hall:**

1. Introduction of **Ordinance LC19-08**, An ordinance authorizing the issuance of a Kent County General Obligation Bond in an amount not to exceed \$2,423,100 for the U.S. Route 13 Forcemain Rehabilitation Project and authorizing all necessary actions in connection therewith for public hearing on Tuesday, May 21, 2019 at 7:00 p.m.
2. Introduction of **Ordinance LC19-09**, An Ordinance authorizing the issuance of up to \$3,582,000 General Obligation Debt for Kent County for the U.S. Route 13 Forcemain Rehabilitation Project and to authorize all necessary actions in connection therewith for public hearing on Tuesday, May 21, 2019 at 7:00 p.m.

## **INFORMATION ITEMS**

Mr. Sweeney: Just wanted to remind the Commissioners the library has announced their Arts in the Park schedule every Wednesday night from May the 22<sup>nd</sup> through August the 7<sup>th</sup>, 6:30 on the Brecknock stage. A lot of great bands, a lot of people show up to these events; be welcome to see you guys there. It's free.

One of our local bands, Mike Hines and the Look will be there on one of these Wednesday nights.

Mr. Pepper: Is that on the website?

Mr. Sweeney: Yes, under the Libraries. Mr. Pepper, you also received an email from Michele Lapinski with all that information.

Mr. Pepper: I was just making sure it was on the website for the general public.

#### **OTHER BUSINESS**

**Mr. Pepper:**

**M-19-080** Move to go into Executive Session immediately following the Committee Meetings of May 14, 2019 for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del. C. 10004(b) (2), (4), and (9); seconded by Mr. Hall; carried by Roll Call vote reveals five (5) yeas; two (2) absent.

**PUBLIC COMMENTS** – None

**COMMISSIONER COMMENTS** - None

**M-19-081** **Motion** to adjourn was made by Mr. Sweeney; seconded by Mr. Howell; carried by Roll Call vote five (5) yeas; two (2) absent. 7:54 **p.m.**



**Trish Brown**  
**Kent County Deputy Clerk of the Peace**