

**MINUTES OF THE KENT COUNTY LEVY COURT
REGULAR BUSINESS MEETING
KENT COUNTY ADMINISTRATIVE COMPLEX
555 BAY ROAD, DOVER, DE
LEVY COURT CHAMBER, ROOM 203
Tuesday, February 23, 2010**

Call to Order

The Regular Business meeting of the Kent County Levy Court was called to order at 7:00 P.M. by President Banta.

Invocation & Pledge of Allegiance

The Invocation was led by Mr. Sweeney and the Pledge of Allegiance was led by Mr. Eaby.

Moment of Silence for our Troops

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

Roll Call and Determination of Quorum

Allan F. Angel	Vice President
P. Brooks Banta	President
Harold K. Brode	Commissioner
Eric L. Buckson	Commissioner - Absent
Brad S. Eaby	Commissioner
Richard E. Ennis	Commissioner - Absent
George W. Sweeney, Sr.	Commissioner

There are five (5) Commissioners present, two (2) absent (Buckson, Ennis).

Additions/Deletions to Agenda

Ordinance LC10-02 will be deleted from the Agenda because of the absence of Mr. Buckson, states Pres. Banta.

Adoption of the Agenda

M-033-10 Motion was made by Mr. Angel, seconded by Mr. Sweeney and carried by Roll Call vote 5 yeas, 2 absent (Buckson, Ennis) to adopt the Agenda as amended.

Consent Agenda 10-04

Items on the agenda were discussed in committee. They are considered routine and non-controversial and will be acted upon by a single roll call vote of the Levy Court. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item shall be removed from the Consent Agenda and considered separately.

Items from February 16, 2010 Committee Meetings

- Little Heaven SR1 Force main Relocation Project Aquilar Easement Acquisitions
- Wastewater Treatment Facility Renewable Solar Energy Projects: Natural Gas Burner Purchase Amended

M-034-10 Motion was made by Mr. Brode, seconded by Mr. Eaby and carried by Roll Call vote 5 yeas, 2 absent (Buckson, Ennis) to approve Consent Agenda 10-04 as presented.

PRESENTATIONS

1. Employee of the Month for March 2010

Employee of the Month for March 2010 is Terri E. Misiewicz from the Dept. of Finance. This Memo was read into the minutes by Ms. Tanaka. Terri, an Acct. Spec. III, has worked for the County since August 2004. Her duties include bookkeeping tasks, verifying compliance with County procurement rules, accounting for petty cash balances, maintaining cash disbursement and receipt journals and ledgers and supervising the work of other Acct. Spec. as well as training new staff on the accounts payable process. Terri is praised by her supervisors as a detailed oriented employee that has maintained a congenial and trusting working relationship with the numerous procurement personnel in the various County departments. Congratulations, Terri. She resides in Commissioner Brode's and Ennis' districts.

INTRODUCTIONS

In the absence of Chief Faulkner, Mr. Kujala introduced three new employees in the Dept. of Public Safety.

Kelsey N. Gallo was hired as a Dispatcher I on February 8, 2010. Kelsey graduated from high school at 16 and earned an associates degree in Production Agriculture and one in Criminal Justice in a two year period. She previously worked for tractor Supply and was a farm hand for Emil Gallo and Sons. Kelsey resides in Commissioner Buckson's and Ennis' districts.

Cameron A. Maas, Jr. was hired as a Dispatcher I on February 8, 2010. He graduated from Polytech with a technical diploma in aviation. In 2004 he joined the Little Creek VFC and earned the EMT-B Certification. He previously worked for Hart to Heart Ambulance Service providing basic life support for transports and worked briefly for Kent County imaging documents on a temporary basis. In 2008 he received a Kent County Levy Court Tribute for Kitts Hummock resident rescue efforts during a coastal storm. Cameron resides in Commissioner Angel's and Ennis' districts.

Harold E. Neal, II (Ebbie) was hired as a Paramedic II on January 25, 2010. He graduated from Chesapeake College in 2000 and joined the Cheswold VFC in April 2002. He was previously a Paramedic with Sussex County and a temporary Kent County employee helping out during special events. Harold resides in Commissioner Banta's and Ennis' districts.

Mr. Medlarz introduced James E. Brogdon. James was hired as Plant Operator I, Wastewater Facilities on January 25, 2010. He has a FAA certificate from Quaker City School of Aeronautics and recently retired from the USAF Reserves with over thirty years of aircraft maintenance service. James resides in Commissioner Angel's and Ennis' districts.

FOLLOWING ITEM WAS DELETED.

7:15 P.M., PUBLIC HEARINGS

Mr. Buckson:

1. **Ordinance LC10-02;** Building Permit Fee Surcharge (APFO Compliance and Nonresidential Construction); An Ordinance to amend Kent County Code, Vol. I, Chapter 105 Subdivision Building construction, as amended, Article III Building Permit Fee Surcharge, § 105-6. Surcharge established; applicability to reduce amount of the education surcharge for nonresidential construction and eliminate the

surcharge for residential construction for which a mitigation payment has been made pursuant to the Adequate Public Facilities Ordinance (schools)
 (Synopsis: This ordinance revises the building permit fee surcharge for education to reduce the surcharge amount for nonresidential construction and eliminate the surcharge for residential construction for which a mitigation payment has been made pursuant to the County's Adequate Public Facilities – Schools regulations)

CLOSE PUBLIC HEARINGS

OLD BUSINESS

None

NEW BUSINESS

Mr. Buckson:

1. **Introduction of Ordinance LC10-05**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVIII (changes and amendments) effective December 01, 2000, as amended (ref: CZ-10-02, Lakeland Park, Inc., Andrew Strine) for public hearing on April 27, 2010 at 7:15 PM

This Ordinance was read into the record by Mr. Sweeney and is scheduled for Public Hearing on April 27, 2010 at 7:15 P.M.

Mr. Sweeney:

1. **Resolution 3071**, A Resolution calling a public hearing upon a proposal to extend Kent County Sewage Disposal District No. 1 (Kesselring Properties/Boy Scouts Complex - Isaacs Area)

M-035-10 Mr. Sweeney read the Resolution into the record and then **moved** to accept and approve the Resolution for Public Hearing on March 9, 2010 at 7:15 P.M.; seconded by Mr. Brode; carried by Roll Call vote 5 yeas, 2 absent (Buckson, Ennis).

2. **Introduction of Resolution 3072**, A proposal to extend Kent County Sewage Disposal District No. 1 (Kesselring Properties/Boy Scouts Complex - Isaacs Area) for public hearing on March 9, 2010 at 7:15 PM

This was read into the record, introduction only, by Mr. Sweeney and is to be heard on March 9, 2010 at 7:15 P.M.

Mr. Angel:

1. **Introduction of Resolution 3073**, A Resolution establishing Moores Meadows Garbage Collection District No. 67 for public hearing March 9, 2010 at 7:15 PM

Resolution 3073 was read into the record by Mr. Angel and is slated for Public Hearing on March 9, 2010 at 7:15 P.M.

OTHER BUSINESS

Need a motion for Item #2, states Mr. Banta.

2. Vote to have Executive Session following the Committee Meetings on Tuesday, March 2, 2010 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);

M-036-10 Mr. Eaby **moved** to go into Executive Session immediately following the meeting 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. Angel for Executive Session immediately following the meeting on Tuesday, March 2, 2010; carried by Roll Call vote 5 yeas, 2 absent (Buckson, Ennis).

INFORMATION ITEMS

None

PUBLIC COMMENTS

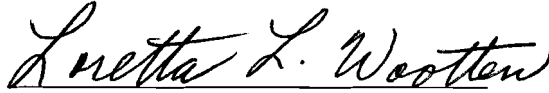
None

COMMISSIONERS' COMMENTS

None

ADJOURN

M-037-10 **Motion** was made by Mr. Angel, seconded by Mr. Sweeney and carried by Roll Call vote 5 yeas, 2 absent (Buckson, Ennis) to adjourn the meeting. **7:19 P.M.**



Loretta L. Wootten
Kent County Clerk of the Peace

29 Del.C. §10004(e)(2). The Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the meeting.