

**MINUTES OF THE KENT COUNTY LEVY COURT
COMBINED MEETING
KENT COUNTY ADMINISTRATIVE COMPLEX
555 BAY ROAD, DOVER, DE
LEVY COURT CHAMBER, ROOM 203
TUESDAY, AUGUST 21, 2018**

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 and the Pledge of Allegiance was led by Mr. Angel.

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
James E. Hosfelt, Jr.	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.

Adoption of Agenda

M-18-152 **Motion** to approve the Agenda as presented made by Mr. Angel; seconded by Mr. Sweeney; carried by Roll Call vote six (6) yeas; one (1) absent.

PRESENTATIONS

Resolution 3708 – Declaring September 9 – September 22, 2018 as “Drug Addiction Awareness Weeks” During National Recovery Month in Kent County Delaware

Lorrie Tanaka read the following into the record:

Whereas, one person dies every 19 minutes from a drug overdose in the United States; 85 million people are impacted in some way by substance abuse from family members, friends, care givers and employers; and,

Whereas, 90 percent of addictions get their start in the teenage years and, in an average day 4,365 teens used an illicit drug for the first time; and;

Whereas, Delaware, like the rest of the United States, is in the midst of an opioid overdose epidemic; and since 2009, more people in Delaware have died from a drug overdose than from a motor vehicle injury; and,

Whereas, The Herren Project-Project Purple Initiative, is a non-profit foundation established by former NBA basketball player Chris Herren, assists individuals and families struggling with addiction; and,

Whereas, The Herren Project-Project Purple Initiative empowers youth to stand up and make a difference by going Purple giving students motivation and support as they embrace a message that they do not need drugs and alcohol to meet life’s challenges; that they are perfect the way they are.

Therefore be it resolved, that the Kent County Levy Court will participate in Project Purple with the City of Dover and other Delaware local governments the week of September 9 through September 15, 2018 and will continue through September 22 to mark National Recovery Month.

M-18-153 Motion to approve Resolution 3708 was made by Mr. Hosfelt; seconded by Mr. Sweeney; carried by Roll Call vote six (6) yeas; one (1) absent.

Mr. Hosfelt: For about a year now I believe, I’ve been involved with an incredible group of people, stakeholders from all over the City and the County and we’re involved in the Kent County Goes Purple and some other initiatives. Our mission is to try and stamp out the opioid epidemic and the addiction problem that we have here in Kent County. Again we have stakeholders from different venues and, if I could would those involved in Project Purple could you just stand up please so that the Commissioners can see who is here and who’s involved? Mr. President if I could, I’d just like to introduce Pastor Carol Harris. Pastor Harris, if you would come forward to the podium, just say a few words and let everybody know all the things that I’ve forgotten and didn’t mention please.

Pastor Harris: Good evening and thank you for your time. I am Pastor Carol Harris, I'm actually the coordinator for the Vines Community Project and we are the coalition that's responsible in Kent County for the Project Purple initiative coming to our County. As Commissioner Hosfelt just said, it's been about a year now of a lot of hard work trying to stamp out things and get things planned out and mapped out. I won't bore you tonight with numbers, because to be honest with you, one of our citizens dying from this epidemic is too many. But I will tell you that it has touched and affected each and every one of us. Our service agencies, agencies that are serving us for addictions, our children's service agencies, our hospitals, our churches, none of us have been left untouched by the epidemic. So I am really, really proud tonight that Kent County has made this commitment. I'm really, really grateful to Commissioner Hosfelt. He's been an amazing supporter to Councilman Anderson. They've been just really so...putting the momentum behind each and every one of our initiatives. So I think as we start Going Purple we can see some changes in our community, we'll see our citizens start to get better...and across the nation because Project Purple is a national initiative so it's not isolated to us. And we are also Purple in Sussex County, so we are more than half way there as a State. So we have Sussex County that is Purple and now we have Kent County that is Purple so let's keep our fingers crossed for New Castle County, and maybe Delaware can be the first State nationwide that will be totally Purple. Thank you for your time.

Mr. Banta: We appreciate you being here. If you'll stand by for a second I'll have Mr. Hosfelt bring this Resolution down to you and you can present this at the appropriate time for the rest of your people.

Mr. Hosfelt joined Pastor Harris at the front for the presentation and photos.

Mr. Banta: We certainly appreciate your time and appreciate all the volunteers that have come out with you tonight. So thanks again for all you're doing for Kent County and for Delaware, we appreciate that.

Resolution 3721, Retirement of Michael T. Weyant

The following was read into the record by Ms. Tanaka:

Whereas, the retirement of **Michael T. Weyant**, an employee of Kent County, State of Delaware, from his duties as Building Codes Inspector II, Department of Planning Services, Inspection and Enforcement Division, presents a suitable opportunity for expressing the esteem in which we hold **Michael T. Weyant**, as a good and faithful public servant.

Therefore, be it resolved that the County of Kent express its' warmest appreciation and thanks to **Michael T. Weyant** for the able and loyal manner in which he performed his public duties.

Be it further resolved that this resolution be his evidence of a right to the pension provided by the Kent County Employees' Retirement Program; and that this Resolution be and hereby is incorporated into the official minutes of the August 21, 2018 meeting of the Kent County Levy Court.

M-18-154 A **Motion** to approve Resolution 3721, the Retirement of Michael T. Weyant was made by Mr. Sweeney; seconded by Mr. Pepper; carried by Roll Call vote six (6) yeas; one (1) absent.

Mr. Banta led everyone in a chorus of Happy Birthday to Mike before having him join the Commissioners and County Administrator at the front for congratulatory remarks and photos.

Mr. Banta: So Mike in order to receive this ***INAUDIBLE*** ...approve it as we stand here. I think it'd be important for you to share with us the 25-30 years of service that you have with the County. How many years is it? 33? So why don't we talk about that for a while before we give this to you.

Mr. Weyant: The crew in the back two rows they're used to this every single day, but I've got a few stories I can tell and they'll be short. The first one is my first day; it was a final step that I finally went to go to work with the County government. I show up to the County building over to the O'Brien Building, sat there and here comes S. Michael Thompson. He greeted me, he showed me the vast officer that we had of three (3) desks and proceeded to tell me to go on down to personnel and to do the briefing there. I returned, showed me my desk again and I said, we have to have a discussion. He says, what's that? I said every employer I have worked for, at least the last three (3) and in case you didn't know it today is my birthday. So I started my employment, I'm ending my employment on my birthday. So he says what can I do? I said well normally my employers let me have the day off. ***INAUDIBLE*** expression on his face and nothing was said and he walked off to his office. ***INAUDIBLE*** The other thing is what I hold very dear is the crew in the back. They make it worth it to come here every single day and I appreciate their help beyond belief. And I'll tell you this, there are three (3) things and the first one is this, I hold the one thing that is most dear to me is this; my first job here with the County was to work with the Block Grant Program. In working for that program I had three (3) things that happened to me. First one was I had to write up these...work write-ups on people's homes, low to moderate income. It really scared me to go talk to these people. Here I was getting a job for \$13,200.00...I make a little bit more than that now...and for the program that I was administering or helping to administer a person or a family of one (1) made \$12,800, so that was kind of difficult to go talk to some of these people. But there was one (1) home that stuck out in my mind. There was one (1) situation that stuck out in my mind. And one (1) of the funniest experiences happened with that job. The first one was my first write-up. I thought I am going to be scrutinized beyond belief as far as this write-up was concerned.

INAUDIBLE But I went down and I interviewed these people and I think it was a lady somewhere around 80 years old and her son and he had two (2) children. They were living in a home without a bathroom, no hot water. For those that know the stud walls were off the sill plates, the roof was leaking. Every single window in the place either had to be propped open or couldn't be opened so there was very little ventilation. There was not an indoor bathroom and not to bore you with all the stuff that was wrong with that home, we got it done. And I know the program has grown from there. Then I'm going to have to refer to my notes because I know you guys didn't want to hear the three (3) pages that I have. The other one was, and a few of you have already heard this story, is I walked into this home, I think it was about the 2nd or 3rd year because I was in that department for about three (3) years and I met this...I knocked on this door trying to do an interview to try and see if that person was qualified. When I knocked on the door all I heard was, come in. This female voice from the back of the house trusted me to come in, didn't know me from Adam. I explained who I was and we did the interview and we walked through the house and did the inspection. This lady, she was 97 years old and the thing that I can honestly say is very dear to my heart, I was able or the program was able to provide her with a working bathroom. She did not have a water heater. Another State agency came and wrapped an existing water heater that was broken. I was appalled by it. And she had a disabled son from the Vietnam War. That house got fixed.

INAUDIBLE Then I had a situation down in Harrington. Got a phone call one day, this was one of the hardest applications I had because of the very low education the individual had. And she was screaming on the phone, could not understand her hardly at all and I said, Mrs. Smith...Jones, I can't remember; I know where the house is today, I said, how can I help you? She says you have to get down here right away. I said, what's wrong? She says, these men that you've hired to do the work on my home are dealing with drugs. I said I find that very difficult to ***INAUDIBLE***, I'll be right down. So I go down and I come into the house, she showed me what she thought was everything and I said, where are you talking about? And she showed me her bureau. I looked over at her bureau and I wanted to laugh very hard. One of the employees had knocked over her talcum powder. She thought it was crack cocaine. But yes that's what I hold very dear in my heart, is my first job here with the County. I do very much enjoy and I hope I've made a positive impact as far as the homes in Kent County and also my present position as far as ***INAUDIBLE*** from everything from the very quality places that we go to with high grass, junk vehicles, so on and so forth. You know what I'm talking about. Everything that you don't want in your back yard, front yard or side yard we go and try to take care of it. This is how we go. We have to use a little bit of verbal judo and it helps. But without these Commissioners support I don't think the job could get done. Is there a place for a little bit of improvement, always. I made my suggestions at my exit interview, hopefully they're followed and we can improve from there.

Mr. Banta: That deserves an applause. A few of us will make some brief comment but I will tell you in the 22 years that I've known you and worked with

you personally through that time you have truly been a dedicated County employee. You come to work on time, you've done your job, you do it with dignity and pride and it's what the County is all about. God bless you on your retirement, and I hope we will see you again sometime.

Mr. Pepper: Congratulations. I really do hate to see you go; you've been a fixture here. Not too long ago someone retired and I told them, you know, you're one of the top five (5) people that when I tell them of my involvement with the County they ask me does so and so still work there. Well, you're one of those top five (5) people that people ask me if you still work here. Now I'm going to have to tell them no. It's sort of bittersweet. I'm really happy that you've made a 33 year career here and I'm happy that you're going to go onto something else. I don't care what it is, but as long as it is something that you enjoy. I'm sure you've got a lot of things planned, just make sure you do every one of them. Keep him busy, I'm sure there's a big list. But anyhow, congratulations, best of luck, take care of yourself, take care of the family.

Mr. Angel: One thing I will say when I first met you is you don't hold back. You always told what you believed which I always took with a grain of salt because you always gave me what I needed to hear. It wasn't what I wanted to hear but you always told the truth and it was honest. With that being said, also people always, when a Commissioner comes and asks questions they usually soften... I will say you never softened anything, I wanted to hear it straight from you and you always gave it to me. And I will appreciate that from you and remember that from the day you retire, when I see you on the street or at the Veteran's Home visiting your dad. I will miss having those discussions. We didn't always agree but we always came around with a good discussion. I'm going to miss that. Best of luck to you.

Mr. Hosfelt: Sir, thank you for everything you've done for Kent County. Obviously Kent County's a much better place because of the work that you have done. So again, we appreciate everything that you have done. Good luck.

Mr. Sweeney: So Mike, the last Weyant leaves Kent County. And just like the one that left before you you've left a legacy that will live here for many years, not only your work effort but the way you've implemented, helped implement changes in Planning. So please give your dad our best and for you, good luck, congratulations, and you'll be missed.

Mr. Howell: Did you say you're going to stay around here or are you going to...? Good, okay. Alright, well appreciate your 33 years and I'm glad it was a good, good time for you. The County's going to miss you, you made quite a contribution. But, you know it's time for you to go on a different path so we do wish you the best. Thanks a lot.

Mr. Petit de Mange: Michael, we go back a long ways. You started before me at the County but we did work together for a little period in the 80s and I left and went to work for the City. Then one day, I don't know what year it was you showed up at the counter and asked for me and I go out there, you still collect milk bottles by any chance? So 100 years ago my family was in the dairy and agriculture and Mike shows up at the City Hall and he has this antique milk bottle. And he says, hey I was at a sale and I found this milk bottle and it has your name on it. And he did...he gave it to me and I still have that, I kept that; it's a treasure. And it's got the old cardboard cap with our last name printed on that and everything. So I always remember that as a gesture of a good friend and I really appreciate that. Because I didn't really know that stuff existed and you gave me that. I really enjoy that. We worked together again in 2000 and I had an opportunity to work with you in Planning for a while and you've always been as has been said a faithful and dedicated employee, out here every day. I don't think you ever missed a whole lot of time here at the County building in those 33 years, always dependable and willing to do whatever was asked of you. So on behalf of all your employees here I would like to extend a hand of congratulations, wish you all the best in your retirement. You deserve it Mike.

Mr. Banta invited the Code Enforcement team to join Mike at the front for the presentation, encouraging them not to be bashful. He further stated Mike's wife was equally deserving of recognition for all the time and effort she had put into the marriage for keeping it together during some of the tumultuous times while he worked for Levy Court.

Shannon Morris shared memories and offered his congratulations to Mike prior to Mr. Petit De Mange presenting him with a keepsake gift on behalf of Levy Court and its employees.

Employee of the Month – September 2018

Lorrie Tanaka read the following into the record:

Kent County Department Heads have selected THOMAS R. GATES from the Department of Public Works as the September 2018 Employee of the Month. Tom started with Kent County in August 2009 and serves as a Wastewater Plant Operator IV in the Division of Wastewater Facilities. His primary duties include monitoring the wastewater treatment process and flow to achieve optimal functionality and maintain compliance with environmental and NPDES discharge permit regulations; recognizing and correcting operational issues; performing preventative/routine maintenance; and supervising and training less experienced plant operators. Tom is a dedicated professional who earns high praise for his vast knowledge of pumps and valves in addition to his superior understanding of wastewater treatment processes and his outstanding mentoring skills. On countless occasions, Tom's experience has helped him identify potential treatment issues and take proactive corrective action before permit limits were exceeded.

According to his Public Works Director Diana Golt, "Tom is one of the most dedicated plant operators working at the Kent County Regional Resource Recovery Facility. His can-do attitude is an effective training technique for new operators and the overall operational achievements at the wastewater plant. His experience and dedication are great assets that benefit the County every day."

Congratulations Tom on a job well done, and he resides in Commissioner Howell's and Commissioner Pepper's districts.

The Employee of the Month certificate was then read into the record followed by Mr. Banta inviting Mr. Gates to join the Commissioners and County Administrator at the front.

Mr. Banta: Nine (9) years, you've done an outstanding job. I guess you are well respected by the other staff as well as the Director so on behalf of Levy Court, it's an honor to present you with the Employee of the Month for September 2018.

Mr. Howell: Good job, good reputation. I'm glad you're with us.

Mr. Hosfelt: Sir, thank you for everything you do. You work down at the Wastewater Treatment Facility; you are one of our unsung heroes so we do appreciate it. Thank you.

Mr. Angel: Thank you very much for what you do down there because in the years past it wasn't always as good as it was...as it is now. And with you being there I'm sure you made it better. Thank you, sir.

Mr. Pepper: You know, I've heard the President say many times if it wasn't for the Wastewater Treatment Plant there would be no Kent County and that's true. Because if you think of everything that is dependent upon the treatment plant, especially all of our businesses that support all of the people that live here, and all of the people that live here that are in the sewer districts. So it takes people like you that are dedicated to keep that going. I appreciate it, thank you.

Mr. Sweeney: Tom, it's a nice honor to be recognized by your peers and your supervisor as Employee of the Month. Congratulations, you guys do a great job down there. I've been down there a few times and seen it with my own eyes. Keep going, keep it up and just make out the \$500.00 check to Tom Gates, is that okay?

Mr. Petit de Mange: Tom, I've known you a little longer than nine (9) years, we go back a ways. We used to play ice hockey against each other and then ***INAUDIBLE*** for a little while. They said a lot about your great reputation...you didn't have the same reputation on the ice. It wasn't as stellar as you heard right now. And they edited out the line I put in about the average skater with weak slap shot but anyway... Seriously Tom, you've made a fantastic

impact here at the County, heard nothing but great things about your work, your work ethic and keeping things running down there at the plant. I don't know if you're still playing or not, but if not, I hope you are at least still enjoying the game as a coach or cheerleader or something like that. Congratulations. It's always been a pleasure to work with you.

Diana Golt: I guess one of the things I'd like to say about Tom is that Tom's not afraid to tell me about things that are going on and makes sure he's telling me straight. So I appreciate that very much. I appreciate all of the things you do for us and I want you to keep up the good work.

Mr. Gates: I'd just like to say that it's been a great nine (9) years with the County. I look forward to many more productive years and I'm honored and grateful for the Employee of the Month. Thank you, Diana and everyone that was a part of it.

The presentation was made to Mr. Gates and photos were taken.

PUBLIC HEARINGS - None

Recess to Committee Meetings – 7:39 p.m.

Reconvene Business Meeting – 7:59

OLD BUSINESS

M-18-155 Mr. Pepper: I Move to go into Executive Session 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. Sweeney; carried by Roll Call vote six (6) yeas; one (1) absent.

Adjourn to Execute Session – 07:59 p.m.

Reconvene Business Meeting – 08:17 p.m.

OLD BUSINESS - None

NEW BUSINESS

Mr. Pepper:

1. Potential Property Acquisition

M-18-156 I Move to approve the Agreement of Sale for property located at 2490 Forrest Avenue in Kent County Delaware to include the Fourth Amendment to said agreement and to authorize the Levy Court President to execute any and all

documents associated therewith on behalf of Levy Court; seconded by Mr. Hosfelt; carried by Roll Call vote six (6) yeas; one (1) absent.

Mr. Angel:

1. Town of Farmington – Community Projects Contribution Fund Grant Request – Proposed Farmington Town Park

M-18-157 In accordance with the provisions of Kent County Policy 30, I **Move** to approve a Community Projects Contribution Fund Grant in the amount of \$7,500 to The Town of Farmington, Delaware for the limited purpose of providing capital project funding for the completion of a planned municipal park to be known as "Farmington Park" to include installation of sidewalks, park benches, a pavilion, perimeter fencing, welcome sign, bulletin board and flagpole with said grant funds to be disbursed promptly after the issuance of a Building Permit, with the grant funding to be drawn from the Community Projects Contributions Fund (Policy 30); seconded by Mr. Pepper and Mr. Angel; carried by Roll Call vote six (6) yeas; one (1) absent.

2. Kent County Aero Park - Monster Racing Building – Toys for Tots Short Term Lease

M-18-158 I **Move** to approve a Short Term Lease Agreement between Kent County Levy Court and the Marine Corps Reserve (Central Delaware Detachment " #768 Marine Corps League)for the Lease of the Kent County owned property and building located at 26 Starlifter Avenue located in the Kent County AeroPark in Dover, Delaware, to the Marine Corps Reserve (Central Delaware Detachment #768 Marine Corps League) for use as a base of operation for the Marine Corps Reserve 2018 Toys for Tots Charitable Gift Campaign and Program for the Total Rent Amount of \$1.00 with a Lease Termination Date to be established as January 15, 2019, and I further move to authorize the President of Levy Court to execute the said Lease Agreement on behalf of Kent County Levy Court; seconded by Mr. Sweeney; carried by Roll Call vote six (6) yeas; one (1) absent.

Mr. Hosfelt:

1. Community Event Promotional Grant Application Review – Town of Frederica – Frederica Day

M-18-159 I **Move** to approve the Community Event Promotional Grant Application dated August 15, 2018 submitted by the Frederica Senior Center in the amount of \$500.00 for advertising, marketing and promotions of the upcoming Frederica Day Event planned for Saturday, September 29, 2018; seconded by Mr. Pepper; carried by Roll Call vote six (6) yeas; one (1) absent.

2. **Introduction of Resolution 3713**, FY19 Delaware Transit Corporation Reimbursable Transportation Budget for Public Hearing on Tuesday, September 11, 2018 at 7 p.m.

Mr. Pepper:

1. **Introduction of Ordinance LC18-09 Site Plan Exemptions.** An Ordinance to amend Kent County Code, Vol. II, Chapter 187, Subdivision and Land Development, as amended by amending §187-44 Exemptions by adding an exemption for minor expansions of existing development for Public Hearing on Tuesday, September 25, 2018 at 7 p.m.

INFORMATION ITEMS - None

PUBLIC COMMENTS - None

COMMISSIONER COMMENTS

Mr. Hosfelt: I'd just like to make mention I've been out campaigning, knocking on a lot of doors and a lot of... A lot has been made about the Planning and Inspections Department and I don't know going forward... I know we'll, here in the next month or so start talking about budget but I definitely see the need where we can...I don't know if it's a temporary position during the summer months when grass is high but the need for additional help within the Planning and Inspections Department, inspections, inspectors keep on top of that work for us. Those are the complaints I continuously get from the residents when I knock on doors. So, maybe something to consider going forward.

Mr. Banta: We certainly can do that. As you know that's contracted out, we don't cut that grass we contract it out. I'm sure Mr. Petit de Mange can arrange to see what kind of funds might be available to do that. Thank you very much. Appreciate that.

M-18-160 **Motion** to adjourn by Mr. Sweeney; seconded by Mr. Angel; carried by Roll Call vote six (6) yeas; one (1) absent. **8:24 p.m.**



Brenda Wootten
Kent County Clerk of the Peace