



**Kent County Levy Court Workshop
Meeting Notice and Agenda
555 Bay Road , Dover, DE 19901
Caucus - Room 230
Tuesday, February 17, 2026**

Levy Court Workshop - February 17, 2026 (REVISED) on Fri, February 13th at 4:30PM as noted below.

6:00 PM, WORKSHOP

Location: Caucus Room

The public is welcome to attend in person, via WebEx, or by phone.

to join via WebEx go to: [https://kentcountyde.webex.com/kentcountyde/j.php?](https://kentcountyde.webex.com/kentcountyde/j.php?MTID=mb5be1b37cbbf8809edf94daf921c9a4b)

[MTID=mb5be1b37cbbf8809edf94daf921c9a4b](https://kentcountyde.webex.com/kentcountyde/j.php?MTID=mb5be1b37cbbf8809edf94daf921c9a4b)

or by phone: 1-408-418-9388; Meeting number (access code): 2342 429 6539; Meeting password: #

CALL TO ORDER

DETERMINATION OF QUORUM

WORKSHOP ITEMS:

Proposed Revisions to Sewer Advisory Board Bylaws

~~Sole Source Procurement—Bioworks OXIWORKS Diffusers~~

***This item has been rescheduled to the March 3, 2026 Workshop.*

Employee Reinstatement Process

Policy 30 Community Projects Assistance Grant Request –
South Bowers Volunteer Fire Company Side-by-Side UTV

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN

Posting Info:

Posted: 2/10/2026

Revised: 2/13/2026

Posted by: LTanaka

Time: 4:30 PM

Take down: Upon Replacement or on 2/18/26

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.

INTRODUCED BY: Mr. Paul Hertz
DATE INTRODUCED: _____
SAB REVIEW: January 8, 2025
PUBLIC HEARING DATE: _____
PUBLIC HEARING TIME: 7:00 p.m.
ADOPTION DATE: _____
EFFECTIVE DATE: Upon Adoption

ORDINANCE LC25-05

BYLAWS OF THE REGIONAL SEWER ADVISORY BOARD

AN ORDINANCE TO AMEND THE CODE OF KENT COUNTY, CHAPTER 84, AS DETAILED BELOW.

THE LEVY COURT OF KENT COUNTY, DELAWARE, HEREBY ORDAINS:

Section 1. The Code of Kent County, Chapter 84, Articles I through XIII is hereby repealed and replaced with the attached document.

Section 2. This Ordinance is adopted pursuant to the powers conferred upon the Levy Court of Kent County, Delaware, in the Delaware Code, Title 9, Section 4110.

Section 3. This ordinance shall become effective upon adoption.

Section 4. If any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect; and to this end, the provisions of this Ordinance are hereby declared to be severable.

**ADOPTED BY THE LEVY COURT
OF KENT COUNTY, DELAWARE**

PRESIDENT, KENT COUNTY LEVY COURT
THIS ____ DAY OF, _____ 2025

ATTEST: _____
CLERK OF THE PEACE

Synopsis:

Chapter 84 of the Code of Kent County contains the Bylaws of the Kent County Regional Sewer Advisory Board as executed on May 28, 1996. The proposed ordinance revises the bylaws to match current practices. The Sewer Advisory Board approved the Bylaw revisions on January 8, 2025. Levy Court procedures require adoption of an ordinance to repeal Chapter 84 of the Kent County Code and adopt the revisions. The revisions include changes to the articles on authority, purpose (duties of the Board), membership, compensation, election of officers, meetings, budget advisory committee, order of business, and amendments. Article VIII Meetings, Section 6. Budget Process contains new language regarding the Sewer Fund Budget presentation schedule. A change to Article XIII Amendments reduces the Board notification to seven days for amendment of the bylaws.

**BY-LAWS
OF THE
REGIONAL SEWER ADVISORY BOARD**

**ARTICLE I
NAME OF ORGANIZATION**

The name of this organization shall be the Regional Sewer Advisory Board of Kent County, Delaware (sometimes hereinafter referred to as “the Sewer Advisory Board” or “the Board”).

**ARTICLE II
AUTHORITY**

The authority of the Board is advisory, as established by the Levy Court of Kent County during its meeting of May 15, 1973, as amended at its meetings of November 20, 1973, September 3, 1974, ~~[and] May 9, 1989,~~ **and TBD date of Levy Court Meeting.**

**ARTICLE III
PURPOSE**

Section 1. The purpose of the Board is to advise the Levy Court of Kent County, Delaware on providing orderly and desirable operation and development of the Kent County Regional Sewer Systems. The Levy Court may by motion refer matters to the Board for its review and recommendation related to the Board’s functions and duties.

Section 2. In this respect the Board is responsible for, but not limited to, ~~[the tasks of reviewing, monitoring, and]~~ advising the Levy Court of Kent County on the items below or any other matters concerning the Kent County Regional Sewer Systems.

~~[a. Establishing of Priorities]~~

a. ~~[b.]~~ Establishment of ~~[New]~~ Sanitary Districts, (Creation, Extension and/or Dissolution)

~~[c. Obtaining and Contracting for]~~ **Recommendations for** Feasibility studies ~~[of]~~ for expansion and improvement of the system.

~~[d. Construction Contracts (bids)]~~

b. ~~[e.]~~ Establishment of User Contracts (Contract User Agreements)

1) **Industrial** ~~[Commercial]~~

2) **Municipal** ~~[Sub-division]~~

3) **Other** ~~[Housing Developments]~~

~~[f. Public Hearings/Referendums]~~

c. ~~[g.]~~ Review of Rules, Regulations, Procedures, and Policies

~~[h. Compatibility to the Regional Comprehensive Land Use Plan]~~

~~[i. Federal and State Environmental Requirements]~~

~~[j. Abandonment]~~

d. ~~[k. Fiscal Management (Budget)]~~ Review of the Proposed Annual Sewer Fund Budgets

~~[1] — Methods of Financing (Title 9, Chapter. 46 DE Code)]~~

~~[2] — Operational and Maintenance Costs]~~

~~[3] — Records, Accounts, Recap sheets and Audits]~~

~~[4] — Income and Expenditures]~~

~~[5] — Schedule of Rates]~~

~~[6] — Rate of Adjustments]~~

e. Review of Rates

f. Review of Fee Schedules

ARTICLE IV

MEMBERSHIP

Section 1. Members. There shall be thirteen (13) voting members of the Board (1 voting member from each of the seven (7) Levy Court Districts, plus 1 voting member and 1 alternate voting member from each **Contract User** municipality, **1 voting member and 1 alternate voting member** from DAFB, and **1 non-voting member and 1 alternate non-voting member** from DNREC). The members and alternates shall be individuals and shall represent the following organizations and geographic areas in Kent County:

7 Voting members - Levy Court Districts **(paid)** ~~[(pay)]~~

1 Voting member and alternate voting member - City of Dover

1 Voting member and alternate voting member - City of Harrington

1 Voting member and alternate voting member - City of Milford

1 Voting member and alternate voting member - Town of Smyrna

1 Voting member and alternate voting member - Camden-Wyoming Sewer & Water Authority **(CWSWA)**

1 Voting member and alternate voting member - DAFB Wing Commander

1 **Non-v**~~[V]~~oting member and alternate **non**-voting member - DNREC

(a) The term of each **Levy Court District** appointee shall run until a successor is determined.

(b) Each Levy Court District appointee shall be a resident of the concerned district.

(c) The Kent County **Public Works Director or designee** ~~[Engineer]~~ shall serve as a non-voting member and provide staff to the Board.

Section 2. Termination of Membership. Any member of the Board may terminate his/her membership at any time by notifying, in writing, the Chairperson of the Board **and the Public Works Director or designee**. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chairperson. Any member of the Board who fails to attend 75% of regular and special meetings of the Board in any 12 month period, without an excuse acceptable to the Chairperson, shall be deemed to have resigned and the vacancies shall be filled as herein provided by original appointment.

The unexcused absence of a member for three (3) consecutive regular meetings shall be deemed to constitute his/her resignation as a member. The Chairperson shall report the absence to the Levy Court. Membership revocation of any member may be recommended to the Levy Court at any time, for cause by a majority of the members, acting at a regular meeting, such termination to be effective upon approval of the Levy Court.

Section 3. Powers and Voting Rights. Each member of the Board shall be entitled to cast one vote. The Chairperson votes on all business of the Board.

ARTICLE V

COMPENSATION

Section 1. The Kent County government shall provide compensation ~~[in the amount of \$40.00 per meeting, not to exceed twelve (12) payments per year (or a total of \$480.00 annually),]~~ **according to the budget ordinance for the current fiscal year, for any regular or special meetings,** to members appointed by Commissioners to represent the **seven (7) [7]** Levy Court Districts, exempting staff and representatives of the Town of Smyrna, the City of Dover, **the City of Harrington,** the City of Milford, the Camden-Wyoming Sewer & Water Authority, DAFB and DNREC. ~~[Checks will be issued on the last pay day of each quarter of the year.]~~ No out-of-pocket expenses or mileage will be reimbursed. Board members must be present at meetings **(in person or via internet)** to receive compensation. **Payment will be made by direct deposit on the pay day following each quarter of the year.**

Section 2. An annual ~~[organizational]~~ dinner meeting may be held with dinner paid for by the Kent County government ~~[(not to exceed dinner amount as specified in policy P-13A)]~~ **in accordance with County Policy** for all members and staff who regularly attend meetings of the Board.

Section 3. - Any member of the Budget Advisory Committee who is not a representative of the Town of Smyrna, the City of Dover, the City of Harrington, the City of Milford, the CWS&WA, DAFB, or DNREC shall be entitled to compensation for attendance at meetings of the Budget Advisory Committee in the same manner and amount as the seven (7) Levy Court District members of the Sewer Advisory Board.

ARTICLE VI

ELECTION OF OFFICERS

Section 1. ~~[At its annual organization meeting in January,]~~ **At its December meeting** unless rescheduled ~~[by majority vote],~~ the Board shall elect a Chairperson and a Vice Chairperson **by majority vote. Each officer** ~~[each of which]~~ shall serve until the next ~~[organizational meeting]~~ **regularly scheduled election** or until his/her successor shall be elected. In the event, a Chairperson or Vice Chairperson is replaced on the Board in between ~~[organizational meetings]~~ annual elections, a special election shall be held.

Section 2. Chairperson and Vice Chairperson shall take office upon completion of the voting. Nominations for Chairperson and Vice Chairperson shall be made from the floor and elections shall follow immediately thereafter.

Section 3. The candidate receiving a majority vote shall be declared elected.

ARTICLE VII

DUTIES OF OFFICERS

Section 1. The Chairperson shall preside at all meetings and hearings of the Board, shall appoint all Committees of the Board (except as otherwise provided herein), and shall perform all of the duties normally conferred by parliamentary usage of such office as well as those duties specified by these By-Laws.

Section 2. The Chairperson shall be a voting member of the Board. He or she shall have the privilege of discussing all matters before the Board and of voting thereon.

ARTICLE VIII MEETINGS

Section 1. Regular Meetings. Regular meetings of the Board are held at the Kent County Administration Building, 555 Bay Road, Dover, DE 19901 on the first Wednesday of each month **or as scheduled.**

Section 2. Special Meetings. Special meetings of the Board may be called at any time by the Chairperson or by a majority of members subject to regulations of the Delaware Freedom of Information Act (29 Del. C. §10001 et. seq.).

Section 3. Notice of Meetings. Notice of each regular or special meeting shall comply with the requirements of the Delaware Freedom of Information Act (29 Del. C. §10001 et. seq.). **Public notice of all meetings shall be posted on the County webpage and available at the Kent County Administrative Complex Building, 555 Bay Road, Dover, DE.** ~~[Such notice shall be in writing, such notice shall be signed by the Chairperson of the Board (or County Engineer if so designated by the Chairperson), and [unless]~~ **Unless** otherwise required by law, a copy thereof shall be served personally, ~~[or by first class mail]~~ **by email, or other means** upon each member not less than seven (7) days nor more than 30 days before the meeting. Such notice shall include the agenda if available and the time and place of the meeting. ~~Additionally, the meeting notice shall be posted on three (3) bulletin boards in the Kent County Administration Building.]~~

Section 4. Quorum. At all **regular or special meetings** of the Board, the presence in person of seven (7) members shall be necessary and sufficient for a quorum. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, adjourn the meeting from time to time, until a quorum shall be present. Passage of any motion shall require seven (7) affirmative votes.

Section 5. Organization. At each meeting of the Board, the chairperson, or in his/her absence the Vice Chairperson, or in the absence of both such officers, a person chosen by the members present, as long as the members present constitute a quorum, shall act as Chairperson and preside at the meeting. ~~[The Secretary, or in his/her absence any person whom the Chairperson may appoint as Secretary, shall act as Secretary at such meeting and keep the minutes thereof.]~~ **The Department of Public Works shall provide staff to act as secretary at such meetings and keep the minutes thereof.**

Section 6. Budget Process. ~~[At least thirty (30) days prior to the first regular business meeting after January 1 of each year,]~~ **The schedule for Budget review shall be presented and discussed with the Sewer Advisory Board on or before January 1 of each year. Ten (10) calendar days prior to the Budget Advisory Committee's meeting,** staff shall provide to members of the Board copies of the proposed annual budget of the Kent County Sewer Fund ~~[and proposed annual impact fee allocation rates]~~ for the next ensuing fiscal year **by email or other means**. The Budget Advisory Committee of the Board, established and appointed pursuant to Article IX, shall then commence a review of said proposed annual budget and said proposed annual impact fee allocation rates.

After reviewing said proposed annual budget ~~and said proposed annual impact fee allocation rates,~~ the Budget Advisory Committee may submit "comments" to the Board, provided that any such comments shall require ~~[four]~~ **a majority of** affirmative votes of the Committee **members present.** ~~[, and/or the Budget Advisory Committee may submit "recommendations" to the Board for an increase or decrease~~

~~in the total amount of any cost center in said proposed annual budget, provided that any such recommendations shall require five affirmative votes of the Committee].~~

Following the Budget Advisory Committee's review of said proposed annual budget ~~and said proposed annual impact fee allocation rates~~, the Sewer Advisory Board shall meet and review of said budget commence a review of same. After reviewing said proposed annual budget and said proposed annual impact fee allocation rates, the Board may submit ~~"comments"~~ **" recommendations"** to the Levy Court, provided that any such comments shall require seven-affirmative votes of the Board. ~~[, and/or the Board may submit "recommendations" to the Levy Court for an increase or decrease in the total amount of any cost center in said proposed annual budget, provided that any such recommendations shall require eight affirmative votes of the Board].~~

The foregoing voting requirements shall apply only to reviews of the proposed annual budget of the Kent County Sewer Fund and reviews of annual impact fee allocation rates by the Budget Advisory Committee and the Sewer Advisory Board, respectively.

ARTICLE IX

BUDGET ADVISORY COMMITTEE

Section 1. The Budget Advisory Committee of the Sewer Advisory Board is hereby established to assist and advise the Board on all fiscal or budgetary issues presented to or considered by the Board, including but not limited to reviews of the proposed annual budget of the Kent County Sewer Fund and reviews of annual impact fee allocation rates.

Section 2. There shall be **eight (8)** ~~[seven]~~ voting members on the Budget Advisory Committee, all of whom shall be members of the Sewer Advisory Board. The membership of the Budget Advisory Committee shall be determined as follows:

The **five** ~~[four]~~ members of the Sewer Advisory Board representing the Town of Smyrna, the City of Dover, **the City of Harrington**, the City of Milford, and the Camden-Wyoming Sewer & Water Authority shall all be members of the Budget Advisory Committee. The Chairperson of the Sewer Advisory Board shall also be a member of the Budget Advisory Committee, and he/she shall appoint, as his/her discretion, two additional members of the Budget Advisory Committee; provided, however, that if the Chairperson of the Sewer Advisory Board is also a representative of the Town of Smyrna, the City of Dover, **the City of Harrington**, the City of Milford, or the Camden-Wyoming Sewer & Water Authority, then he/shall appoint, at his/her discretion, three additional members of the Budget Advisory Committee, so that in any and all events, the Budget Advisory Committee shall at all times be comprised of seven voting members. Each member of the Budget Advisory Committee shall be entitled to cast one vote upon any business brought before the Committee. **The membership of the Budget Advisory Committee shall be determined at the December meeting of the Sewer Advisory Board unless otherwise rescheduled by the Chairperson.**

The Chairperson of the Sewer Advisory Board shall also be the Chairperson of the Budget Advisory Committee. If the Chairperson of the Budget Advisory Committee is absent for any particular meeting of the Committee, then the Committee members present shall elect a member to preside over the meeting of the Committee.

The **Public Works Director or designee** ~~[Kent County Engineer]~~ shall serve as staff to the Budget Advisory Committee.

~~[Section 3—Any member of the Budget Advisory Committee who is not a representative of the Town of Smyrna, the City of Dover, the City of Milford, the CWS&WA, DAFB, or DNREC shall be entitled to compensation for attendance at meetings of the Budget Advisory Committee in the same manner and amount as the 7 Levy Court District members of the Sewer Advisory Board under Article V above.]~~

Section 3.[4]. Meetings of the Budget Advisory Committee shall be scheduled by the Chairperson of the Committee **in coordination with the Public Works Director or designee**. There is no prescribed schedule of meetings. Notice of and conduct of meetings shall comply with the By-Laws of the Sewer Advisory Board and the Delaware Freedom of Information Act (29 Del. C. §10001 et. seq.).

Five ~~[Four]~~ members of the Budget Advisory Committee shall constitute a quorum of the Committee. Unless otherwise specified herein, a simple majority vote shall be required to pass any motion before the Committee.

Section 4. [5.] The Budget Advisory Committee shall abide by the same Rules of Order as govern the business of the Sewer Advisory Board under Article XII of these By-Laws,

ARTICLE X – ORDER OF BUSINESS

The order of business at regular meetings of the Board shall be:

- Call to Order
- Roll Call and Determination of Quorum
- Adoption of Agenda
- Approval of Previous Minutes** ~~[Minutes of the previous meeting and action thereon.]~~
- Report of Officers, Committees and Staff
- Old Business
- New Business
- Comments**
- Adjournment

ARTICLE XI ASSISTANCE FROM AND COOPERATION WITH OTHER AGENCIES

The Board shall make use of the expert advice and information which may be furnished by appropriate State, Federal, or other officials, departments, or agencies.

ARTICLE XII RULES OF ORDER

Except as otherwise provided by these By-Laws; the parliamentary rules of order set forth in the most recent edition of Mason's Manual of Legislative Procedures shall govern the proceedings of the Board.

ARTICLE XIII
AMENDMENTS

Any of these By-Laws may be amended, replaced, or modified, and new **Bylaws** ~~[By-Laws]~~ may be adopted, by the affirmative vote of **nine (9)** members of the Board, at any meeting of the Board, subject to the approval of the Kent County Levy Court. Written notice of any proposed changes to these **Bylaws** ~~[By-Laws]~~ shall be given to each member of the Board at least **seven (7)** ~~[14]~~ days prior to any meeting at which such proposed changes are to be considered.

IN WITNESS WHEREOF, the foregoing By-Laws of the Regional Sewer Advisory Board of Kent County, Delaware are hereby adopted and approved by each of the parties whose hands and seals are set forth below.

Edward Welch, Chairperson
Regional Sewer Advisory Board
Date:

Attest: _____
Diana T. Golt, PE, County Engineer
Date:

Joanne Masten, President
Kent County Levy Court
Date:

Attest: _____
Brenda Wooten, Clerk of the Peace,
Date:

**BY-LAWS
OF THE
REGIONAL SEWER ADVISORY BOARD**

**ARTICLE I
NAME OF ORGANIZATION**

The name of this organization shall be the Regional Sewer Advisory Board of Kent County, Delaware (sometimes hereinafter referred to as “the Sewer Advisory Board” or “the Board”).

**ARTICLE II
AUTHORITY**

The authority of the Board is advisory, as established by the Levy Court of Kent County during its meeting of May 15, 1973, as amended at its meetings of November 20, 1973, September 3, 1974, May 9, 1989, **and TBD date of Levy Court Meeting.**

**ARTICLE III
PURPOSE**

Section 1. The purpose of the Board is to advise the Levy Court of Kent County, Delaware on providing orderly and desirable operation and development of the Kent County Regional Sewer Systems. The Levy Court may by motion refer matters to the Board for its review and recommendation related to the Board’s functions and duties.

Section 2. In this respect the Board is responsible for, but not limited to, advising the Levy Court of Kent County on the items below or any other matters concerning the Kent County Regional Sewer Systems.

- a. Establishment of Sanitary Districts, (Creation, Extension and/or Dissolution)
Recommendations for Feasibility studies for expansion and improvement of the system.
- b. Establishment of User Contracts (Contract User Agreements)
 - 1) Industrial
 - 2) Municipal
 - 3) Other
- c. Review of Rules, Regulations, Procedures, and Policies
- d. Review of the Proposed Annual Sewer Fund Budgets
- e. Review of Rates
- f. Review of Fee Schedules

**ARTICLE IV
MEMBERSHIP**

Section 1. Members. There shall be thirteen (13) voting members of the Board (1 voting member from each of the seven (7) Levy Court Districts, plus 1 voting member and 1 alternate voting member from each Contract User municipality, 1 voting member and 1 alternate voting member from DAFB, and 1 non-voting member and 1 alternate non-voting member from DNREC). The members and alternates shall be individuals and shall represent the following organizations and geographic areas in Kent County:

- 7 Voting members - Levy Court Districts paid
- 1 Voting member and alternate voting member - City of Dover
- 1 Voting member and alternate voting member - City of Harrington
- 1 Voting member and alternate voting member - City of Milford
- 1 Voting member and alternate voting member - Town of Smyrna

1 Voting member and alternate voting member - Camden-Wyoming Sewer & Water Authority (CWSWA)
1 Voting member and alternate voting member - DAFB Wing Commander
1 Non-voting member and alternate non-voting member - DNREC

(a) The term of each Levy Court District appointee shall run until a successor is determined.

(b) Each Levy Court District appointee shall be a resident of the concerned district.

(c) The Kent County Public Works Director or designee shall serve as a non-voting member and provide staff to the Board.

Section 2. Termination of Membership. Any member of the Board may terminate his/her membership at any time by notifying, in writing, the Chairperson of the Board and the Public Works Director or designee. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chairperson. Any member of the Board who fails to attend 75% of regular and special meetings of the Board in any 12 month period, without an excuse acceptable to the Chairperson, shall be deemed to have resigned and the vacancies shall be filled as herein provided by original appointment.

The unexcused absence of a member for three (3) consecutive regular meetings shall be deemed to constitute his/her resignation as a member. The Chairperson shall report the absence to the Levy Court. Membership revocation of any member may be recommended to the Levy Court at any time, for cause by a majority of the members, acting at a regular meeting, such termination to be effective upon approval of the Levy Court.

Section 3. Powers and Voting Rights. Each member of the Board shall be entitled to cast one vote. The Chairperson votes on all business of the Board.

ARTICLE V **COMPENSATION**

Section 1. The Kent County government shall provide compensation according to the budget ordinance for the current fiscal year, for any regular or special meetings, to members appointed by Commissioners to represent the seven (7) Levy Court Districts, exempting staff and representatives of the Town of Smyrna, the City of Dover, the City of Harrington, the City of Milford, the Camden-Wyoming Sewer & Water Authority, DAFB and DNREC. No out-of-pocket expenses or mileage will be reimbursed. Board members must be present at meetings to receive compensation. Payment will be made by direct deposit on the pay day following each quarter of the year.

Section 2. An annual dinner meeting may be held with dinner paid for by the Kent County government in accordance with County Policy for all members and staff who regularly attend meetings of the Board.

Section 3. - Any member of the Budget Advisory Committee who is not a representative of the Town of Smyrna, the City of Dover, the City of Harrington, the City of Milford, the CWS&WA, DAFB, or DNREC shall be entitled to compensation for attendance at meetings of the Budget Advisory Committee in the same manner and amount as the seven (7) Levy Court District members of the Sewer Advisory Board.

ARTICLE VI **ELECTION OF OFFICERS**

Section 1. At its December meeting unless rescheduled, the Board shall elect a Chairperson and a Vice Chairperson by majority vote. Each officer shall serve until the next regularly scheduled election or until

his/her successor shall be elected. In the event, a Chairperson or Vice Chairperson is replaced on the Board in between annual elections, a special election shall be held.

Section 2. Chairperson and Vice Chairperson shall take office upon completion of the voting. Nominations for Chairperson and Vice Chairperson shall be made from the floor and elections shall follow immediately thereafter.

Section 3. The candidate receiving a majority vote shall be declared elected.

ARTICLE VII

DUTIES OF OFFICERS

Section 1. The Chairperson shall preside at all meetings and hearings of the Board, shall appoint all Committees of the Board (except as otherwise provided herein), and shall perform all of the duties normally conferred by parliamentary usage of such office as well as those duties specified by these By-Laws.

Section 2. The Chairperson shall be a voting member of the Board. He or she shall have the privilege of discussing all matters before the Board and of voting thereon.

ARTICLE VIII

MEETINGS

Section 1. Regular Meetings. Regular meetings of the Board are held at the Kent County Administration Building, 555 Bay Road, Dover, DE 19901 on the first Wednesday of each month or as scheduled.

Section 2. Special Meetings. Special meetings of the Board may be called at any time by the Chairperson or by a majority of members subject to regulations of the Delaware Freedom of Information Act (29 Del. C. §10001 et. seq.).

Section 3. Notice of Meetings. Notice of each regular or special meeting shall comply with the requirements of the Delaware Freedom of Information Act (29 Del. C. §10001 et. seq.). Public notice of all meetings shall be posted on the County webpage and available at the Kent County Administrative Complex Building, 555 Bay Road, Dover, DE. Unless otherwise required by law, a copy thereof shall be served personally, by email, or other means upon each member not less than seven (7) days nor more than 30 more days before the meeting. Such notice shall include the agenda if available and the time and place of the meeting.

Section 4. Quorum. At all regular or special meetings of the Board, the presence in person of seven (7) members shall be necessary and sufficient for a quorum. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, adjourn the meeting from time to time, until a quorum shall be present. Passage of any motion shall require seven (7) affirmative votes.

Section 5. Organization. At each meeting of the Board, the chairperson, or in his/her absence the Vice Chairperson, or in the absence of both such officers, a person chosen by the members present, as long as the members present constitute a quorum, shall act as Chairperson and preside at the meeting. The Department of Public Works shall provide staff to act as secretary at such meetings and keep the minutes thereof.

Section 6. Budget Process. The schedule for Budget review shall be presented and discussed with the Sewer Advisory Board on or before January 1 of each year. Ten (10) calendar days prior to the Budget Advisory Committee's meeting, staff shall provide to members of the Board copies of the proposed annual budget of the Kent County Sewer Fund for the next ensuing fiscal year by email or other means. The

Budget Advisory Committee of the Board, established and appointed pursuant to Article IX, shall then commence a review of said proposed annual budget and said proposed annual impact fee allocation rates.

After reviewing said proposed annual budget, the Budget Advisory Committee may submit “comments” to the Board, provided that any such comments shall require a majority of affirmative votes of the Committee members present.

Following the Budget Advisory Committee’s review of said proposed annual budget, the Sewer Advisory Board shall meet and review of said budget commence a review of same. After reviewing said proposed annual budget and said proposed annual impact fee allocation rates, the Board may submit “recommendations” to the Levy Court, provided that any such comments shall require seven-affirmative votes of the Board.

The foregoing voting requirements shall apply only to reviews of the proposed annual budget of the Kent County Sewer Fund and reviews of annual impact fee allocation rates by the Budget Advisory Committee and the Sewer Advisory Board, respectively.

ARTICLE IX

BUDGET ADVISORY COMMITTEE

Section 1. The Budget Advisory Committee of the Sewer Advisory Board is hereby established to assist and advise the Board on all fiscal or budgetary issues presented to or considered by the Board, including but not limited to reviews of the proposed annual budget of the Kent County Sewer Fund and reviews of annual impact fee allocation rates.

Section 2. There shall be eight (8) voting members on the Budget Advisory Committee, all of whom shall be members of the Sewer Advisory Board. The membership of the Budget Advisory Committee shall be determined as follows:

The five members of the Sewer Advisory Board representing the Town of Smyrna, the City of Dover, the City of Harrington, the City of Milford, and the Camden-Wyoming Sewer & Water Authority shall all be members of the Budget Advisory Committee. The Chairperson of the Sewer Advisory Board shall also be a member of the Budget Advisory Committee, and he/she shall appoint, as his/her discretion, two additional members of the Budget Advisory Committee; provided, however, that if the Chairperson of the Sewer Advisory Board is also a representative of the Town of Smyrna, the City of Dover, the City of Harrington, the City of Milford, or the Camden-Wyoming Sewer & Water Authority, then he/she shall appoint, at his/her discretion, three additional members of the Budget Advisory Committee, so that in any and all events, the Budget Advisory Committee shall at all times be comprised of seven voting members. Each member of the Budget Advisory Committee shall be entitled to cast one vote upon any business brought before the Committee. The membership of the Budget Advisory Committee shall be determined at the December meeting of the Sewer Advisory Board unless otherwise rescheduled by the Chairperson.

The Chairperson of the Sewer Advisory Board shall also be the Chairperson of the Budget Advisory Committee. If the Chairperson of the Budget Advisory Committee is absent for any particular meeting of the Committee, then the Committee members present shall elect a member to preside over the meeting of the Committee.

The Public Works Director or designee shall serve as staff to the Budget Advisory Committee.

Section 3. Meetings of the Budget Advisory Committee shall be scheduled by the Chairperson of the Committee in coordination with the Public Works Director or designee. There is no prescribed schedule of meetings. Notice of and conduct of meetings shall comply with the By-Laws of the Sewer Advisory Board and the Delaware Freedom of Information Act (29 Del. C. §10001 et. seq.).

Four members of the Budget Advisory Committee shall constitute a quorum of the Committee. Unless otherwise specified herein, a simple majority vote shall be required to pass any motion before the Committee.

Section 4. The Budget Advisory Committee shall abide by the same Rules of Order as govern the business of the Sewer Advisory Board under Article XII of these By-Laws,

ARTICLE X – ORDER OF BUSINESS

The order of business at regular meetings of the Board shall be:

- Call to Order
- Roll Call and Determination of Quorum
- Adoption of Agenda
- Approval of Previous Minutes
- Report of Officers, Committees and Staff
- Old Business
- New Business
- Comments
- Adjournment

ARTICLE XI ASSISTANCE FROM AND COOPERATION WITH OTHER AGENCIES

The Board shall make use of the expert advice and information which may be furnished by appropriate State, Federal, or other officials, departments, or agencies.

ARTICLE XII RULES OF ORDER

Except as otherwise provided by these By-Laws; the parliamentary rules of order set forth in the most recent edition of Mason's Manual of Legislative Procedures shall govern the proceedings of the Board.

ARTICLE XIII AMENDMENTS

Any of these By-Laws may be amended, replaced, or modified, and new By-Laws may be adopted, by the affirmative vote of seven (7) members of the Board, at any meeting of the Board, subject to the approval of the Kent County Levy Court. Written notice of any proposed changes to these By-Laws shall be given to each member of the Board at least seven (7) days prior to any meeting at which such proposed changes are to be considered.

IN WITNESS WHEREOF, the foregoing By-Laws of the Regional Sewer Advisory Board of Kent County, Delaware are hereby adopted and approved by each of the parties whose hands and seals are set forth below.

Edward Welch, Chairperson
Regional Sewer Advisory Board
Date:

Attest: _____
Diana T. Golt, PE, County Engineer
Date:

Joanne Masten, President
Kent County Levy Court
Date:

Attest: _____
Brenda Wooten, Clerk of the Peace
Date:



Kent County
Department of Public Works

MEMORANDUM

DATE: February 24, 2026

TO: Levy Court Commissioners

VIA: Kevin Sipple, County Administrator

FROM: Sam Bautista, P.E., Public Works Director 

RE: **ORDINANCE LC25-05 - REPEAL CHAPTER 84 OF THE KENT COUNTY CODE AND ADOPT REVISIONS – KENT COUNTY REGIONAL SEWER ADVISORY BOARD BYLAWS**

The current Bylaws of the Kent County Regional Sewer Advisory Board were executed on May 28, 1996. (See copy attached.) Beginning in 2016, revisions have been suggested to bring the bylaws in line with current practices. The following is a historical timeline resulting in revisions to the bylaws:

- Revisions were discussed by former Public Works Director Andrew Jakubowitch in 2016 but were not finalized. Although changes were discussed at the SAB meetings of August 3, 2016, October 5, 2016, and December 7, 2016, no motion was indicated in the SAB minutes.
- At the SAB meeting of March 1, 2023, staff proposed substantial changes to the Bylaws again. Revisions pertained to User Contracts, membership and communication as to membership, timing of election of officers, duties of the board, etc. DNREC's voting status was proposed to change from a voting to a non-voting member for the City of Harrington to be added as a voting member. *(Note: The City of Harrington became a Contract user in 2009.)*
- In sum, the draft now includes changes to the following articles: authority, purpose (duties of the Board), membership, compensation, election of officers, meetings, budget advisory committee, order of business, and amendments. Article VIII Meetings, Section 6, Budget Process contains a new revision regarding the Sewer Fund Budget presentation schedule. A change to Article XIII Amendments reduces the Board notification to seven days for amendment of the bylaws.
- The Sewer Advisory Board approved the Bylaw revisions on January 8, 2025.

The County Attorney has reviewed all documents. Staff recommends Levy Court to adopt Ordinance LC25-05 to repeal Chapter 84 of the Kent County Code and adopt the revisions. The revised bylaws are effective on the date of adoption.



DIRECTOR OF ADMINISTRATION

February 3, 2026

TO: Levy Court Commissioners

Via: Kevin Sipple, County Administrator

FROM: Joel Gartner, Director of Administration

RE: Employee Reinstatement Process

Kent County Levy Court approved Ordinance § 68-17 Resignation and reemployment on January 13, 2026 with an effective date of 1 July 2026. The ordinance states:

A. An employee may resign by filing a letter of resignation with the Human Resources Director and their department head. To resign in good standing, an employee should give advance notice of at least two calendar weeks. Failure to provide the requested notice may result in denial of reemployment.

B. An employee resigning in good standing may be rehired or reinstated without advertisement or examination to any position in the same class if there is need for their services within two years after the date of resignation. Such employees will still be required to submit to a background check and drug and alcohol screening as part of their reemployment.

The current reinstatement process includes the following:

- Adjusts the employee's hire date to reflect service time that is not included for pension calculation purposes.
- Offers the employee the option to buy back their pension service if they were reimbursed for their pension contributions due to non-vesting.
- Allows the employee to retain their original vacation accrual rates and longevity pay if they return to active service within the two-year reinstatement period.



DIRECTOR OF ADMINISTRATION

- Returning vested employees retain their original pension service and will accrue time at the new rates as authorized by ordinance for their cumulative years of service.

NOTE: Any employee who returns to employment after the two-year reinstatement period is considered a new hire. If the employee was previously vested, we will adjust their hire date for pension calculation purposes to ensure all eligible years of service are included.



OFFICE OF THE COUNTY ADMINISTRATOR

TO: Levy Court Commissioners

FROM: Kevin R. Sipple, County Administrator

DATE: February 10, 2026

SUBJECT: Policy 30 Community Projects Assistance Grant Request – South Bowers Volunteer Fire Company Utility Terrain Vehicle (UTV)

Attached is correspondence from the South Bowers Volunteer Fire Company respectfully requesting legislative funding assistance to support the purchase of a side-by-side Utility Terrain Vehicle (UTV) to enhance fire and emergency medical service operations.

South Bowers Volunteer Fire Company provides critical fire protection, emergency medical response, and public safety services to the residents of its fire district and surrounding mutual aid areas. The requested side-by-side UTV would serve as a vital operational resource, allowing responders to safely and efficiently access locations that traditional fire apparatus and ambulances cannot reach. These include wooded and marsh areas, off-road terrain, narrow access points, large-scale community events, and emergency incidents requiring rapid deployment of personnel and equipment.

The addition of this vehicle would significantly improve response capabilities during search and rescue operations, brush fires, medical emergencies, and special events where patient access or transport may be limited. The UTV would also enhance firefighter and EMT safety by reducing response times and minimizing the physical strain associated with carrying equipment or patients over difficult terrain.

As a volunteer organization, South Bowers Volunteer Fire Company relies heavily on fundraising, grants, and legislative support to obtain essential equipment. Funding assistance for this request would directly support the company's mission to protect life and property while ensuring its members have the tools necessary to perform their duties safely and effectively.

Should Levy Court wish to approve this request, the following motion is offered for consideration:

MOTION:

I move to award a Community Projects Assistance Grant (Policy 30) in an amount of **\$3,000.00** to support the purchase of a side-by-side Utility Terrain Vehicle (UTV) for the South Bowers Volunteer Fire Company. Funds shall be applied toward the acquisition

and outfitting of the unit to enhance fire and emergency medical response capabilities within the South Bowers Fire District and surrounding mutual aid areas.

Please let me know if you have any questions or require additional information.