

KENT COUNTY WATER AUTHORITY
SPECIAL BOARD MEETING MINUTES

January 28, 2010

The Board of Directors of the Kent County Water Authority held a special meeting in the Joseph D. Richard Board Room at the office of the Authority on January 28, 2010.

Chairman, Robert B. Boyer opened the meeting at 3:30 p.m. Board Members, Mr. Gallucci and Mr. Masterson, were present together with the General Manager, Timothy J. Brown, Legal Counsel, Joseph J. McGair and other interested parties. Board Member Inman and Board Member Giorgio were excused due to pressing business. Mr. Brunero led the group in the pledge of allegiance.

Proposed CVS, John Brunero

The General Manager stated that in accordance with Kent County Water Authority Policy for Temporary High Service Management, no new commitments for connection can be considered for applications outside the confines of the existing service area.

He said that the Rules and Regulations, Paragraphs 2.2.11 and 2.2.12 mandate the acceptable service area and the need to meet the acceptable service area for low pressure or high service gradient connection are contained in Paragraph 3.21 and Paragraph 3.18.3 in the Kent County Water Authority Rules and Regulations which require full extension of the main to the entire frontage of lot and to be looped. He continued that Paragraph 2.2.18 mandates a requirement for proper operation and that public safety and health are to be determined by the General Manager with Board concurrence.

The General Manager informed the Board that the 16 inch main can be extended but not looped based on location since there is no planned extension and looping the 16 inch main on itself to Division Road will be ineffective in moving water. He stated that the low service gradient can service the site but would require removal of 3 to 4 feet of grade material, however, it would not be possible pursuant to the Engineer due to ground water conditions. He continued that the current CIP for the Kent County Water Authority does not have any planned extension to Middle Road or further south from the current location at the corner of Division Road and Route 2 to the high service. He stated that the extension of the 16-inch main to this property along the frontage would create a detrimental dead end main and water quality and public health could be compromised. He stated that ownership of parcel to Division Road, Option No. 2 as proposed by the owner would prevent a future problem if parcels were sold

separately and allows for a direct connection to the 16 inch stub service on Division Road. He recommended to the board that in order to prevent improper operation of the system and potential public health concerns that the connection from the 16 inch stub through property owned by site owner is preferred and that is the only high service connection that can be allowed at this time. The Board concurred under Paragraph 2.2.18 that the General Manager must specifically ensure proper operation of the system as determined by his position as General Manager as the situation does not allow service from either gradient except by the proposed connection from the 16 inch existing main stubbed at the corner of Division and Route 2.

It was moved by Board Member Masterson and seconded by Board Member Gallucci to conditionally approve the request for water supply service to the above commercial site using Option 2 as discussed infra with the following conditions in lieu of a moratorium:

1. The Kent County Water Authority (KCWA) is not a guarantor of water supply for this or any other approval and KCWA can only supply water reasonably available to it and therefore any applicant/customer of KCWA understands that any third party commitments made by an applicant/customer are subject to the reasonable availability of water supply and limits of the existing infrastructure to support service.

2. A deficient condition associated with accelerated commercial and residential development exists in the area serviced by the KCWA. The KCWA is in the process of planning for additional water supply and therefore delays or diminution in service may occur if the water supply is unavailable or unable to produce water sufficient to service the customers of KCWA.

3. Ventures, commitments or agreements are at the applicant's sole risk if supply or existing infrastructure is found to be insufficient to support service. The applicant may afford the Authority with system improvements to facilitate adequate service.

4. The applicant shall file a formal application with the necessary design drawings, flow calculations, including computer hydraulic modeling to fully evaluate this project supply availability and the potential impact on the existing public water supply system. The applicant/customer understands that any undetected error in any calculation or drawing or an increase or change in demand as proposed, which materially affects the ability to supply water to the project, will be the responsibility of the applicant/customer and not the KCWA.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. If irrigation systems are installed, they must be supplied by a private well. Xeriscape landscaping technique and/or proper planting bed (high water holding capacity) soil preparation shall be employed throughout the project.

And it was unanimously,

VOTED: To conditionally approve the request for water supply service to the above commercial site using Option 2 as discussed infra with the following conditions in lieu of a moratorium:

1. The Kent County Water Authority (KCWA) is not a guarantor of water supply for this or any other approval and KCWA can only supply water reasonably available to it and therefore any applicant/customer of KCWA understands that any third party commitments made by an applicant/customer are subject to the reasonable availability of water supply and limits of the existing infrastructure to support service.

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planting bed (high water holding capacity) soil preparation shall be employed throughout the project.

Board Member Masterson made a Motion to adjourn, seconded by Board Member Gallucci and it was unanimously,

VOTED: To adjourn the meeting at 3:50 p.m.

Secretary Pro Tempore