

# DELAWARE INFRASTRUCTURE INVESTMENT COMMITTEE

July 24, 2013

## PUBLIC MEETING 11

### THOSE PRESENT:

Director Alan Levin, Chairman  
Secretary Shailen Bhatt  
Mr. Michael Ratchford  
Senator Robert Venables  
Representative Quinton Johnson  
Larry Lewis, DAG/DEDO Council  
Bernice Whaley, DEDO  
Courtney Stewart, Controller General Office  
Adam Damin, OMB  
Randall Chase, Associated Press

### ALSO PRESENT: Projects:

1. The Pilot School (“The Pilot School” or the “Applicant”) (Woodlawn Road Improvement Project); Public sponsor is New Castle County: The Applicant is requesting up to \$965,000 in funds which will be used for infrastructure needs for the Woodlawn Road Improvement Project (the Project).
2. Delaware Technical & Community College Georgetown (“Delaware Technical & Community College Georgetown or the “Applicant”) (Airframe & Power Plant Infrastructure Needs Project); Public sponsor is the Delaware River Bay Authority: The Applicant is requesting up to \$558,800 in funds which will be used for infrastructure needs for the Airframe & Power Plant Infrastructure Needs Project (the Project).
3. Lamboll Street LLC (“Lamboll Street LLC” or the “Applicant”) (Warrick and Merrimac Connector Road Project): Public sponsor is the Town of Middletown: The Applicant is requesting up the \$1,425,000 (reduced to \$1,100,000) in funds which will be used for infrastructure needs for the Warrick and Merrimac Connector Road Project (the Project).

**LOCATION:** Delaware Economic Development Office, 99 Kings Highway, Dover, Delaware 19901

**TIME:** 10:30 A.M.

**CALL TO ORDER:** The meeting was called to order at 10:30 A.M. by Director Levin, Chairperson, on Wednesday, July 24, 2013.

**OLD BUSINESS:**

Minutes of May 16, 2013 meeting were reviewed. Representative Johnson made a motion that the minutes of the May 16, 2013 Infrastructure Investment Committee (the “Committee”) meeting be approved as presented. Mr. Ratchford seconded which was then adopted by a unanimous vote.

**NEW BUSINESS:**

Chairman Levin introduced Larry Lewis, DEDO’s new Deputy Attorney General. Larry has replaced Cindi Collins, who relocated to Texas.

**The Pilot School (“The Pilot School” or the “Applicant”) (Woodlawn Road Improvement Project); Public sponsor is New Castle County:** The Applicant is requesting up to \$965,000 in funds which will be used for infrastructure needs for the Woodlawn Road Improvement Project (the Project).

The Pilot School - Markus Henry, New Castle County; Jerry Heisler, Pilot School; Kathy Craven, Pilot School; Andrew Hayes, Foresite Associates; Richard Gessner Jr, Pilot School/ Capitol One; Randall Chase

Chairman Levin, as Honorary Chair of Pilot School’s capitol campaign, was recused. He introduced the project explaining that the Pilot School has adjusted their presentation based on suggestions made by the Committee at May 16, 2013 meeting.

Mr. Henry, Economic Development Director for New Castle County, reiterated the county’s full support of the project and new facility. The enhancements will provide significant benefits to current residents, employers, the environment, and proposed future national monument site.

Mr. Heisler reiterated the project; Pilot School is acquiring a 50 acre site on Woodlawn Road, a connector road between Route 202 & Thompsons Bridge Road. Improvements include increasing energy transmission lines, replacing public sewer, extending water line, additional fire hydrants to benefit residents and school. They will also add a roundabout, which is not required but will help road dynamics by slowing traffic and ensuring safety at the 50ft elevation drop. Woodlawn Road is also the primary entrance to the proposed national park area. Extra land and a house had to be purchased to allow for sidewalk. The grant request was reduced based on appraisal of extra land and removal of road value as part of improvement. The roundabout is included in grant request as it is an addition not a requirement and considered a public benefit. Also, utility enhancements and land stabilization will benefit multiple users which are a public benefits and should fall under committee requirements.

Secretary Bhatt said he understood the transportation aspect of the project but asked how many jobs will be created. Mr. Heisler stated there will be 326 jobs during construction. The newly completed Pilot School will add five (5) permanent teaching jobs in addition to current staff. The new facility will have the capability to add 60,000 square feet in possibly 4-5 years after opening to add another 20-25 job. The programs offered attract professional educators specialized in their field, many with masters degrees.

Secretary Bhatt questioned the potential for more jobs. Mr. Heisler explained that the possible future addition may allow Pilot School to reach out beyond the current scope to develop more specialized programs, such as to mainstream children with cochlear implants.

Chairman Levin asked about the demand; how many applicants and how many turned away. Ms. Craven explained that there are approximately 160 students currently enrolled. The mission is to help children who have not thrived in traditional school environments, design a flexible educational program that will help them learn and return them to mainstream schools. Children attend an average of 3-5 years with 98% able to transfer and remain in traditional schools. Ms. Craven feels they are a service to community, not a competitor with other schools.

Secretary Bhatt asked the average ages of children and type of programs offered. Ms. Craven stated they serve children ages 5-14 years (grades K – 8). Programs are custom designed for children with learning problems/issues, not disabilities. Traditional schools may not offer enough repetition and the child quickly falls behind. Doing a little bit of a lot everyday helps us all remember. Even Music Therapy is important because a child with severe learning issues can learn a lesson put to music or rhythm. All teachers are professionals; 42 of 50 faculty members have advanced degrees. Pilot was recently approached by an ENT physician interested in options for children with cochlear implants other than sign language. Pilot currently has 2 students with significant hearing loss but are thriving because of Pilot's therapeutic abilities in auditory processing, memory, listening & spoken language abilities. Children with cochlear implants currently do not have a spoken language option in the state; the School for the Deaf is their only option. While signing is still appropriate, more families are becoming interested in this much needed service to children and Pilot wants to provide it.

Senator Venables asked if the future 60,000 square feet addition indicates a current waiting list. Ms. Craven stated that while they have the capability to expand in the future, there is currently a waiting list for older children in grades 6, 7, 8. The economic recession has caused schools to have enrollment issues, but Pilot is 1 of 5 independent schools in New Castle County where enrollment is holding well. The Kindergarten class has already filled and she is considering opening another class if there is a demand. Class sizes are small with 5-1 ratio. Pilot relies completely on fundraising and is tuition-driven, receiving no money from state or federal sources. Without help from the committee, Pilot is in danger of not moving forward.

Mr. Heisler reiterated that without the Pilot school, a child may be condemned to underperform for life. Pilot can bridge the gap, unleash the child's potential and return the child to normal mainstream life. Many former students go on to college to earn doctorates and PhD's.

Secretary Bhatt stated that he sees the value in the project for the children however; he questions the jobs vs. infrastructure and asked what the impact would be if not funded. Ms. Craven stated they would have to raise the money and those funds are very difficult to raise.

Representative Johnson asked if the roundabout would be removed from the plan. Mr. Heisler stated yes, it would be removed.

Mr. Ratchford asked for the cost directly related to roundabout vs. DeIDOT requirements. Mr. Heisler explained that they removed DeIDOT mandated costs from the original request, but costs of public infrastructure improvements remain in the request. He explained numbers as committee followed along in booklet.

Secretary Bhatt asked for the Average Daily Traffic on Woodlawn Road, how much additional traffic the school will add, and how the roundabout will calm traffic. Mr. Heisler stated the current ADT is about 2800. They were not able to estimate the anticipated additional traffic to be caused by the school's relocation to Woodlawn Road, but feel a current daily estimate is around 450. He also explained the 50 foot drop in section of roadway and safety concern is when traffic is accelerating up the hill at 50mph.

Mr. Hayes explained that once traffic reaches the top of the hill, there is a straight-away to Route 202 and the natural instinct is to accelerate. The roundabout will force traffic to slow down after accelerating up the hill. Mark Cote from DeIDOT was present to view the road and agreed to the traffic calming effect.

Chairman Levin asked who else benefits from sewer & power improvements. Mr. Heisler showed a diagram: three houses and possibly another house owned by a church may do septic elimination. There is a county pump station nearby. All will benefit from other utility improvements.

Mr. Ratchford asked if these improvements would have to be made with or without the roundabout. Mr. Hays stated that the roundabout impacts the degree of infrastructure, which will increase costs.

Chairman Levin asked if normally the sewer and power are part of the development regardless of the roundabout. Mr. Hayes stated yes, but they become more expensive with roundabout.

Secretary Bhatt asked how much the Applicant is contributing to infrastructure. Mr. Heisler stated they removed their contribution to the storm water basin, removed \$183,000 of DeIDOT mandated improvements, added \$66,000 of land impact and removed their percentage part of the new sewer line.

Secretary Bhatt summarized: the total grant request is \$847,000. Of that, \$288,000 is related to extra costs associated to the roundabout, but questioned what deductions the \$183,000 represented. Mr. Heisler showed section of road on diagram, without roundabout.

Secretary Bhatt asked what Applicant is paying in above \$850,000 for all. Mr. Heisler stated they are paying their prorated share of storm water management, for example they are paying 80% of storm water basins on their property. Mr. Hayes stated the construction numbers and spreadsheets are based on four (4) actual estimates.

Chairman Levin stated that these are costs associated with development of the property and would have to be done regardless of whether infrastructure funds were available or not. Mr. Hayes agreed that the storm water basins would need to be done regardless of development, but they calculated additional areas of runoff based on the roundabout and removed from the value of storm water management which is cost in grant request.

Secretary Bhatt stated that he could agree to the project as the section of road has been deemed an unsafe condition and DeIDOT engineers see the value. ADT is already 2800 and will potentially increase, traffic calming would be beneficial. Slight struggle with job development of five (5) fulltime educators, however 326 construction jobs plus social benefits for students could get him to the vote. Roundabout may or may not be necessary, but traffic calming is good effect. Still may get five jobs without the roundabout but when in doubt, roundabout!

Mr. Ratchford wrestled with the public purpose as well but when considered against the proposed national monument, enhanced education service to general community and state, job attraction and retention, student/family need; agreed it is a positive thing. Also suggested five full time jobs are a bit pricey but can appreciate the 326 construction jobs and potential for future jobs at the school. He stated this would be a rather expensive roundabout.

Senator Venables stated he could agree to the project. He feels it is a great program and would be for the betterment of our school system.

Ms. Craven went on to explain that Pilot was an isolated independent school long ago. Public schools are now beginning to see the extraordinary cost to keep the child, in the school system and after. Once that child falls behind, he may not graduate high school, won't attend college, unsuccessful in job market, his performance compromised for life. Appoquinimink, Brandywine, Christina and Capitol School Districts will start supporting their residents to attend Pilot School. She can see the school growing and the public good expanding more in future.

Secretary Bhatt asked if they receive any other support from the state. Ms. Craven answered they do not receive any money from the state.

Representative Johnson asked if they have IEP placements. Ms. Craven confirmed they do have IEP placements. Pilot is a therapeutic school approved by the State of DE, Middle State Accredited (outside body), and inspected by DOE every three years with an extensive review of their files.

Representative Johnson questioned that they would receive state some money with IEP placements. Ms. Craven confirmed that the state will pay tuition for only those specific children with IEP placements, but they receive no state or federal funds or grants. She also stated that it is

cheaper for the state to pay 1-2 years tuition at Pilot than it is to keep the child in traditional school. Providing constant resources for the child is draining on taxpayer dollars.

Representative Johnson added that he understands they receive no grant money and that if the student population did not attend Pilot, the state would be responsible to provide resources in the school system. He stated that although the state can make a placement, Pilot is predominantly a parent's choice. He agreed that Pilot is able to provide specialized programs such as for deaf and hard of hearing by piggy-backing off current services. The state is too small to produce specialized programs and may not have the population to fill.

Ms. Craven reiterated that Pilot school is a partner not a competitor. She wants to collaborate with the state and school districts.

Secretary Bhatt wanted to clarify that \$850,000 is not strictly for a roundabout as costs are explained in the application. He requested that a motion be made. Chairman Levin was recused.

**Motion Made By: Senator Venables**  
**Motion Seconded By: Mr. Ratchford**  
**Motion Approved.**

**MOTION: To Approve \$847,707 in funds which will be used for infrastructure needs for the Woodlawn Road Improvement Project.**

Chairman Levin went on record to say that his son attended Pilot School in 3<sup>rd</sup> grade as he could not read. His traditional school thought he would outgrow it. Pilot "turned the lights on for him" and put him on the right path. He is now a working adult, married with a child on the way. Chairman Levin attributes the success to Pilot School and Ms. Craven and the valuable work they do every day.

**Delaware Technical & Community College Georgetown ("Delaware Technical & Community College Georgetown or the "Applicant") (Airframe & Power Plant Infrastructure Needs Project); Public sponsor is the Delaware River Bay Authority:** The Applicant is requesting up to \$558,800 in funds which will be used for infrastructure needs for the Airframe & Power Plant Infrastructure Needs Project (the Project).

DelTech: Ileana Smith, Jerry McNesby

Chairman Levin explained the Applicant's original request was tabled at the May 16<sup>th</sup> meeting as personnel costs could not be funded. The new request now details capital and equipment costs.

Ms. Smith explained that the total funding request of \$558,800 remains the same. The college will now be paying personnel costs and they have shifted that amount of \$270,600 to capital costs in addition to the original equipment component of \$288,200.

Ms. Smith went on to explain that the funding will allow the college to expand and accelerate the Airframe and Power Plant (A&P) program. A complete A&P program has been planned since

2009; airframe maintenance program already in place and power plant on schedule to begin in the fall. Current class size is 24 students graduating every 24 months. As demand for jobs in this field grows, the college was asked to expand the class size to 48 students and accelerate the program to 18 months.

Chairman Levin stated that DEDO made the request to expand and accelerate the A&P program due to the immediate hiring needs of Dassault Falcon, Hawker Beechcraft, Summit Aviation and PATS in Georgetown. Delaware wants to become a hub, so there is a huge demand for A&P graduates. Having airframe without power plant puts us at a loss.

Secretary Bhatt asked what infrastructure improvements are being introduced to the property. Mr. McNesby explained enhancements to Sussex County airport including grading, space for training and a parking lot that will be there long into the future.

Secretary Bhatt questioned the equipment cost of \$288,200 and if it was allowable? Mr. Lewis, explained that equipment is generally not allowable, but there is an exception in guidelines that states, "Equipment is allowed when related directly to the funding activities. Such permissible equipment may include, but not limited to, piping, pumps, motors, converters, electrical devices, meters, gauges, and monitoring equipment." It is generally not allowed except when related to the actual infrastructure activity.

Senator Venables stated that the program wouldn't work with just an empty building. The equipment is needed to train the students.

Secretary Bhatt argued that there are no road or storm water improvements being introduced; all suggested improvements are on site and not technically a benefit to the public. He mentioned a previous application from a museum that the Committee denied as there would be no public benefit or jobs resulting from the funding. He said he could come to an agreement on the equipment exception. However he questioned; is the public benefit the need of the state to create and fill A&P jobs as opposed to actual infrastructure, as in roads to drive on?

Chairman Levin affirmed that the infrastructure is not solely for the benefit of Del Tech College; the improvements will remain after the course. The parking lot will service the entire airport, which is part of Georgetown airport. It is not a segregated facility so everyone will gain and benefits will reach beyond applicants. He also stated that while this is a bit different, it is fulfilling an infrastructure need and filling a job need. The only way to create these jobs is to provide this training and Del Tech in Georgetown is the only program to offer certification. To set up this program in another county would take 3-5 years and Ileana has been working on this for many years. It could be viewed as a stretch but, it is squarely within the intent of the guidelines.

Secretary Bhatt asked Chairman Levin if he felt the public benefit of training and jobs is compelling enough to grant funding. Chairman Levin affirmed without a doubt. A recent survey of all A&P users within the state indicated that each had an immediate need of at least five employees. Dassault Falcon has plans to expand their facilities at NCC airport and will add many more jobs at that time.

Secretary Bhatt asked how many construction jobs would be created. Ms. Smith stated the facility is already there, but the program will create four new faculty jobs. Secretary Bhatt stated that the Committee has done its best to make this fit the guidelines. He prefers funding actual infrastructure but can see the public benefit of these jobs future jobs.

Mr. Ratchford stated he can agree to the public benefit and capital costs, but does not think the equipment fits the guidelines.

Senator Venables asked Mr. Lewis to read the clause again to see if equipment is an allowable exception. Mr. Lewis reiterated that equipment is generally not allowable but the exception is whether the equipment is directly infrastructure related to the funded activities and such permissible equipment may include, but not limited to, piping, pumps, motors, converters, electrical devices, meters, gauges, and monitoring equipment. The key words being "Not limited to" so it can be more expansive.

Secretary Bhatt stated, in his opinion, equipment should be related to making the infrastructure go. Equipment on the list appears to make the school go. He questioned if the list of equipment fit the law as written.

Senator Venables stated, in his opinion, the equipment plays the same role as lights and heat. It is essential to the facility. One can't work without the other.

Mr. Lewis asked the Applicant how equipment on the list is directly related the infrastructure activity.

Representative Johnson stated the equipment does not necessarily tie to the infrastructure activity per say, except there are no classes without it. And if there are no classes, there are no future jobs in A&P. Maybe the question is: is Infrastructure the actual program?

Senator Venables stated he understood that the building was built new to accommodate this program. With the addition of the equipment, the A&P program will continue the flow of 48 high paying jobs every 24 months. Since starting a program in another county is not an option now, getting this program running at top speed would be a win all around.

Representative Johnson agreed stating he already sees the need in his area. Summit Aviation in Middletown is growing, but there are many out of state tags in the parking lot which shows that they have to hire talent elsewhere.

Chairman Levin stated that it sounds like this is up to our interpretation. Mr. Lewis stated that it is within the Committee's discretion. If the Committee interpreted the infrastructure activity as being expansion of the educational facility and training program, the equipment would fall under the guidelines. If the Committee takes a more narrow view, such as earthwork, asphalt, landscaping, the funding can be denied.

Secretary Bhatt stated he can agree to the \$270,600 capital costs, but it is a stretch on the \$288,200 equipment costs. He feels the intent of legislature was to create jobs and get people back to work. This may create a problem down the road.

Chairman Levin requested that a motion be made.

**Motion Made By: Senator Venables**  
**Motion Seconded By: Representative Johnson**  
**Motion Passed 4 to 1 Mr. Ratchford voted Not in Favor of \$288,200 equipment costs**

**Motion: to Approve Applicant's request of \$558,800 in funds to be used for Airframe & Power Plant Infrastructure Needs Project.**

**Lamboll Street LLC ("Lamboll Street LLC" or the "Applicant") (Warrick and Merrimac Connector Road Project): Public sponsor is the Town of Middletown:** The Applicant is requesting up the \$1,425,000 (reduced to \$1,100,000) in funds which will be used for infrastructure needs for the Warrick and Merrimac Connector Road Project (the Project).

Lamboll Street LLC: Eric Dunn, Lamboll; James Winfield, Lamboll; Ken Branner, Town of Middletown; Morris Deputy, Town of Middletown; Rick Woodin, Woodin Associates

Mr. Woodin explained the project as Commerce Drive Phase 1 as 800 feet of public street that includes Town of Middletown public water main and electric. The property owners have subdivided their properties to allow a wider than normal right of way which is intended to connect adjoining property owners in the future with Levels Road Extended to US Route 301 on/off ramps in the future. The original application request has decreased to \$1.1m after additional bidding, but includes street construction which is wider than normal to accommodate future traffic, pedestrian access, landscaping, storm water management, and public utilities. The utilities are being sized and extended to loop into additional properties for added fire protection, and enough sanitary sewer capacity to avoid additional pump stations.

Chairman Levin questioned how much of the improvements are being mandated by DelDOT or the State.

Mr. Woodin stated it was a joint collaboration between DelDOT and the Town of Middletown. The concept was to extend the road. It would typically be a 50 feet wide entrance road with added turn lanes, but in this case the right of way is 90 feet wide with added turn lanes and additional lane capacity for future growth. One comment was to take some traffic from the NW side of town up through the C&D Canal, through Route 15 to provide an alternate means to get to on/off ramps without using existing Route 301. The entire project will also fill in the 3<sup>rd</sup> ring in the job component. Westside is drawing more large employers but they need services when executives visit town, such as hotels, restaurants, entertainment. Middletown already offers adequate housing, good school district, and construction is set to begin on the \$15 million movie theatre. Also the revenue supported from the non-residential tax base is an extremely important component of the Appoquinimink school district. With the support of the Town, the owners

would like to see the land surrounding Commerce Drive in the Phase 1 corridor zoned commercial to be a retail hub from Bunker Hill Road to Levels Road Extended. Residential housing is planned to the north and south and more projects planned on the Route 15 corridor up to C&D Canal. Anticipated job creation for Phase 1 is 305 jobs.

Mayor Branner stated that Commerce Drive ties into the original concept of Westtown's development. It provides easy access without having to use Route 301. For future growth, the movie theatre is expected to generate 400K visitors in the first year. Of those 400K visitors, 75% are anticipated to dine or visit the area before/after the movie. Large employers are looking at what supports quality of life. The addition of Amazon and the upcoming movie theatre have sparked conversations with brokers and generated interests from other states.

Secretary Bhatt asked how request was reduced from \$1.4 million to \$1.1 million. The applicant stated they received better concepts, better plans and more competitive bidding. Secretary Bhatt also asked if the cost represents all road improvements including Merrimac Ave. The applicant explained that Merrimac Ave is already constructed and discussed its location in association to the Wal-Mart, between Bunker Hill Rd and Route 301. A schematic was also shown of the Phase 1 concept. Secretary Bhatt questioned if the project was the green portion of the schematic, as this is a spur. Applicants confirmed Phase 1 of Commerce Drive is the green portion, which excludes individual access points and conceptual extension-as other properties come one board. Secretary Bhatt asked if \$1.1 million is cost to open a parcel of land with no connectivity, yet.

Mr. Woodin confirmed there will be no connectivity yet. The right of way extends fully to western limits of the property. If conventionally developed, traffic would use existing signal at Merrimac, an entrance would be added and developed internally. The developer dedicated a 90'W x 1200'L strip of land and allocated an area for storm water runoff. Water distribution mains were extended and looped into other properties. Individual water main services the theatre, individual sewer lines servicing all other retail users and will be on the burden of developer. Essentially the developer cut a 100 foot wide path through his property, giving up 2.5-3 acres for the road to be built, and he will develop the property.

Secretary Bhatt asked for the cost of land per acre. Applicants estimated \$179,000 per acre; the parcel is 80 acres.

Secretary Bhatt asked how they would proceed if there was no infrastructure funding. Mr. Woodin answered that they would probably have to build a road to serve as just an entrance, which would cut the road in half in terms of size by removing turn lanes, medians, etc. and jobs would be delayed.

Property Owner also stated that they would be building less of a road than the master plan requires giving alternate access to Route 301. It seems wasteful to spend money on something that will have to be replaced later. He feels they should start right in the first place.

Secretary Bhatt questioned the public benefit vs. development cost and suggested DelDOT engineers review the site. Mr. Woodin stated that the developer has already paid \$15,000 to Westtown Transportation Improvement on the 40+ acres. The concept is to eventually link the

road to a possible Park & Ride, keeping traffic off existing 301, this would be a parallel connector road used as an arterial road to handle internal traffic from multiple properties and still be able to head north off of Route 301.

Secretary Bhatt stated explained that the benefit for us is also a benefit for the applicant. He requested further discussions with DelDOT engineers regarding public share vs. private share, taking into account what has already been put into the project. A recommendation will be made based on percentage of traffic to Route 301. Mayor Branner agreed, stating that is how the entire Route 301 concept has been handled.

Chairman Levin also agreed. He stated that Middletown has been a huge supporter of the Infrastructure Fund and the Strategic Fund, taking their town in the right direction for job growth. Chairman Levin then asked who will pay for the Orange section as outlined on the schematic. Mr. Woodin stated he could not say until the projects come forward.

Property Owner feels the Committee is trying to find a defensible way of allocation and benefit for not only this section, which is in essence a piece to a problem that will eventually go all the way to Route 301, and potentially use as the model to go forward.

Secretary Bhatt confirmed that DelDOT receives many developer requests for assistance and therefore is under much scrutiny. DelDOT must model the project to show traffic, public benefit, jobs already contributed, benefits of having the road instead of traffic on existing Route 301 through an already congested area. As today is the last meeting, he requested a few weeks for DelDOT model and analysis. If the Committee supports the amount suggested in the DelDOT model, he requested a motion be made.

Mayor Branner agreed to accept the amount suggested by the DelDOT model as this is the process used throughout the entire Westown project.

Property Owner stated they are under serious time constraints and would feel better knowing there is a proposed formula to be used so they can contemplate the right kind of road. Chairman Levin explained that the models and further analysis will be performed in consultation with all involved to reach an amicable solution.

Secretary Bhatt stated he will need to Motion to pend decision based on DelDOT review and funding not to exceed \$1.1 million based on analysis of traffic, private vs. public benefit and other criteria, and will be approving amount figured by DelDOT or percentage of developer contribution.

Property Owner requested the DelDOT analysis be based on the master plan and completion of the entire road, not just the spur/stub section. Secretary Bhatt and Chairman Levin both agreed analysis will be based on the eventual build, but the Committee is not supporting any future build.

Chairman Levin stated there is a Motion on the table to approve up to \$1.1 million for a portion of Commerce Drive predicated on what percentage DelDOT & Woodin Associates come to terms with from a public & private benefit.

**Motion Made By:** Secretary Bhatt  
**Motion Seconded By:** Mr. Ratchford  
**Motion** Approved.

**Motion: To approve an amount not to exceed \$1,100,000 in funds which will be used for infrastructure needs for the Warrick and Merrimac Connector Road Project, pending DelDOT analysis. As no future Infrastructure Investment Committee meetings are scheduled, this final decision will be made in consultation with all Committee members and the Applicant.**

Secretary Bhatt reiterated that the DelDOT analysis will be based on the current application. Applicants will have an opportunity to respond, however there will be no negotiations.

#### **FINAL COMMITTEE BUSINESS:**

Chairman Levin stated the funding for Infrastructure has been stripped out for Bond Bill. Funds left in the account are on reserve for approved projects that have not yet collected; PATS, Sports Complex-which is moving forward. There should be enough funds to cover today's projects. The Bond Bill committee decided no additional money will be added to the New Jobs Infrastructure funding, anything remaining after these projects will go back to the General Fund.

Representative Johnson confirmed stating the account will remain open and Committee will see if there is a need again in January. Funds left will remain until Bond.

Ms. Whaley suggested that there may also be additional remaining funds if any projects from the past two years come in below budget.

Senator Venables stated feedback on the Infrastructure Fund has been very positive. He feels they should be finding ways to encourage more funding. Many of these projects would have had difficulty going forward if not for this fund. It has been very valuable and has done great things.

Secretary Bhatt suggested an outcome report including statistics, job creation, and businesses open today because of the fund, etc.

Ms. Whaley suggested research other states' infrastructure; some include it as part of incentive packages to put it on their books in another way.

Senator Venables asked if Del Tech could have been handled through the Strategic Fund or another alternative.

Chairman Levin answered no; they would have had to find a way to fund the project.

Senator Venables felt there is a very good chance would not have happened.

Chairman Levin agreed that the fund is very valuable. The Committee did a great job and the fund did great things. There is sufficient funding to cover \$1.1 million, but don't think that will be outcome.

Secretary Bhatt stated that he had been contacted by two developers with large project in Dover and Middletown. He encouraged them to appear before the Infrastructure Committee quickly, but they did not. They may apply in the near future and there is no more Infrastructure Fund.

Secretary Venables and Ms. Whaley also mentioned inquires about large projects. A standard response is now being given that funds are no longer available and applications are not being accepted.

Senator Venables stated the fund was very valuable and there may be even more need next year as it is anticipated to be a rough year. We can't change the situation with DE employment if we don't create jobs.

Chairman Levin said he thinks the fact that we had the fund shows a need and willingness on the state's part to fund this. We may not be receiving more funds today, but we've opened the door. He also said it would be helpful if we knew of the Infrastructure need in January so we have reason to go back to funding.

Representative Johnson suggested all members to compile a list of outstanding and new requests for January.

Chairman Levin made a Motion to adjourn.

<b>Motion Made By:</b>	<b>Chairman Levin</b>
<b>Motion Seconded By:</b>	<b>Secretary Bhatt</b>
<b>Motion</b>	<b>Approved.</b>

Meeting adjourned 12:24pm

Minutes Taken By Cindy Rule