

KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA

Kent County Administrative Complex

555 Bay Road, Dover, DE 19901

Tuesday, May 24, 2011

Levy Court Chamber (Room 203)

7:00 P.M., BUSINESS MEETING

Call to Order

Invocation

Pledge of Allegiance

Moment of Silence for our Troops

Roll Call and Determination of Quorum

Adoption of Agenda

Approval of Regular Business Meeting Minutes of Tuesday, April 26, 2011

Approval of Regular Business Meeting Minutes of Tuesday, May 10, 2011

PRESENTATIONS

1. Tribute to Major General Vavala
2. Employee of the Month

INTRODUCTION

PUBLIC HEARINGS

Mr. Buckson:

1. **Ordinance LC11-04**, Electronic Zoning Map; An Ordinance to amend the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Districts and District Maps, Section 205-8 Establishment; attestation; location by replacing the existing hand drawn Official Zoning Map with an identical GIS based Official Zoning Map
(*Synopsis: This ordinance replaces the existing hand drawn Official Zoning Map with an Official Zoning Map generated using the County's Geographic Information System. The existing zoning classifications and district boundaries are not proposed to change.*)
2. **LC11-06**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVIII (changes and amendments) effective December 01, 2000, as amended
(*Reference: CZ-11-02 D & A Burton, LLC (Applicant: Acorn Holdings (DE), LLC; Owner: D & A Burton; Engineer: Davis, Bowen & Friedel, Inc.): Request Comprehensive Plan Map Amendment from Low Density Residential to Commercial and Zoning Map Amendment from AC (Agricultural Conservation) to BG (General Business). Located inside the Growth Zone Overlay District.*)

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PETITION FOR CONDITIONAL USE APPROVAL:

Mr. Sweeney:

1. **Application Number:** C-11-05; **Applicant/Owner:** Margie Dirlam; **Present Zoning District:** AR (Agricultural Residential); **Present Use:** Residential; **Proposed Use:** Same with Home Occupation – Massage Therapy; **Area and Location:** 0.279 acres ± located on the westerly side of Jones Street, approximately 205 feet northwest of Barney Jenkins Road, south of Woodside; **Kent County Property Identification Number:** NM-00-111.03-01-12.00-000

PETITION FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Buckson:

1. **Application Number/Name:** CS-11-03/Verizon-Six Forks Cell Tower; **Plan Type:** Telecommunications Tower; **Applicant:** Cellco Partnership d/b/a Verizon Wireless; **Owner:** Richard McCloskey, Sr. & Wanda H. McCloskey, Trustees; **Present Zoning District:** AR (Agricultural Residential); **Present Use:** Agricultural; **Proposed Use:** Same with Telecommunications Tower; **Area and Location:** 141.42 acres ± located on the south side of Williamsville Road, approximately 256 feet west of Hunting Quarter Road, east of Farmington; **Kent County Property Identification Numbers:** MN-00-188.00-01-66.00-000

**CONTINUE PUBLIC HEARING ON A RESOLUTION TO ESTABLISH A
GARBAGE COLLECTION DISTRICT**

Mr. Banta:

1. Lift **Resolution 3200** from TABLE (*Resolution was tabled on May 10, 2011 and Public Hearing left open*)
2. **Resolution 3200**, A Resolution Establishing Northridge Garbage Collection District No. 10

Mr. Eaby:

SEWER ASSESSMENT ROLL RESOLUTIONS

- a. Resolution 3205 - Bakers Choice Sewer District Assessment Roll
- b. Resolution 3206 - Bowers Sewer District Assessment Roll
- c. Resolution 3207 - Burtonwood Village Sewer District Assessment Roll
- d. Resolution 3208 - Capitol Park Sewer District Assessment Roll
- e. Resolution 3209 - Carlisle Village Sewer District Assessment Roll
- f. Resolution 3210 - Cheswold Sewer District Assessment Roll
- g. Resolution 3211 - Colony West Sewer District Assessment Roll
- h. Resolution 3212 - Dover Air Force Base Sewer District Assessment Roll
- i. Resolution 3213 - Dykes Branch Sewer District Assessment Roll
- j. Resolution 3214 - Felton Sewer District Assessment Roll
- k. Resolution 3215 - Frederica Sewer District Assessment Roll

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- l. Resolution 3216 - Garrisons Lake I Sewer District Assessment Roll
- m. Resolution 3217 - Garrisons Lake II Sewer District Assessment Roll
- n. Resolution 3218 - Garrisons Lake IV Sewer District Assessment Roll
- o. Resolution 3219 - Garrisons Lake V Sewer District Assessment Roll
- p. Resolution 3220 - Generals Greene Sewer District Assessment Roll
- q. Resolution 3221 - Hartly Sewer District Assessment Roll
- r. Resolution 3222 - Isaacs Sewer District Assessment Roll
- s. Resolution 3223 - Kenton Sewer District Assessment Roll
- t. Resolution 3224 - Kitts Hummock Sewer District Assessment Roll
- u. Resolution 3225 - Little Creek Sewer District Assessment Roll
- v. Resolution 3226 - Little Heaven Sewer District Assessment Roll
- w. Resolution 3227 - Magnolia Sewer District Assessment Roll
- x. Resolution 3228 - North Magnolia Sewer District Assessment Roll
- y. Resolution 3229 - Northeast (NESSD) Sewer District Assessment Roll
- z. Resolution 3230 - Smyrna-Clayton Sewer District Assessment Roll
- aa. Resolution 3231 - South Central Sewer District Assessment Roll
- bb. Resolution 3232 - Tidbury Sewer District Assessment Roll

CLOSE PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

Mr. Eaby:

1. Commands to the Director of Finance to collect Sewer Assessment Rolls (these are official notices to the Director of Finance to collect the taxes. Ref: Resolutions 3205 to 3232)

Mr. Howell:

1. **Resolution 3235**, A Resolution calling a public hearing upon a proposal to extend Kent County Sewage No. 1 (East Dover Area Properties)
2. Introduction of **Resolution 3236**, A resolution upon a proposal to extend Kent County Sewage Disposal District No. 1 pursuant to Section 4606, Chapter 46, Title 9 of the Delaware Code, as amended (East Dover Area Properties) *for public hearing on Tuesday, June 14, 2011 at 7PM*
3. **Resolution 3237**, A Resolution calling a public hearing upon a proposal to extend Kent County Sewage No. 1 (Milford Neck Road Area Properties)
4. Introduction of **Resolution 3238**, A resolution upon a proposal to extend Kent County Sewage Disposal District No. 1 pursuant to Section 4606, Chapter 46, Title 9 of the Delaware Code, as amended (Milford Neck Road Area Properties) *for public hearing on Tuesday, June 14, 2011 at 7PM*

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OTHER BUSINESS

1. Move to go into Executive Session immediately following the meeting for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del.C. 10004(b)(2), (4), and (9)
2. Move to go into Executive Session immediately following the Committee Meetings on Tuesday, June 7, 2011 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)

INFORMATION ITEMS

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN

EXECUTIVE SESSION

Immediately following the Business Meeting
Caucus Room

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), & (9)

Posted: 5/17/11

Revised:

Posted by: L. Tanaka

Time: 2:30PM

Take down: Upon Replacement or on 5/25/11

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.