

KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road, Dover, DE 19901
Tuesday, February 22, 2011
Levy Court Chamber (Room 203)

6:00 P.M., Commissioners' Group Photo Session

COMBINED BUSINESS AND COMMITTEE MEETINGS AGENDA

6:30 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, February 8, 2011

OTHER BUSINESS

1. Move to go into Executive Session immediately for preliminary discussion on site acquisition for a publicly funded capital improvement pursuant to 29 Del.C. 10004(b)(2)

RECESS to Executive Session

EXECUTIVE SESSION

Immediately

Caucus Room

For preliminary discussion on site acquisition for a publicly funded capital improvement pursuant to 29 Del.C. 10004(b)(2)

RECONVENE to Business Meeting

NEW BUSINESS

Mr. Banta:

1. Levy Court Action on Land Acquisition
-

PRESENTATIONS

1. Tribute to Nelson Dodd of Kent County Crime Watch
2. Employee of the Month

INTRODUCTION

7:15 PM, PUBLIC HEARINGS

PROPOSAL TO EXTEND
KENT COUNTY SEWAGE DISPOSAL DISTRICT No. 1:

Mr. Buckson:

1. **Resolution 3189**, 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 (Meding & Son Seafood Properties)

PETITION TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mr. Buckson:

1. **Ordinance LC11-01**, 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.

(Synopsis: This Ordinance revises the Comprehensive Plan Map land use designation, and the Official Zoning Map for a portion of Tax Parcel MD-00-163.14-01-39.00/000 to permit commercial development.)

(Reference: Application #: CZ-11-01; Applicant/Owner: Acorn Holdings (DE), LLC; Engineer: Davis, Bowen & Friedel, Inc.; Present Comprehensive Plan Map Designation: Low Density Residential & Commercial; Proposed Comprehensive Plan Map Designation: Commercial; Present Zoning District: AR (Agricultural Residential) & BG (General Business); Proposed Zoning District: BG (General Business); Area and Location: 4.57 acres ± (area of petition 3.71 acres ±) located on the west side of Bay Road approximately 2,387 feet north of Tub Mill Pond Road, north of Milford; Kent County Property Identification Numbers: MD-00-163.14-01-39.00-000)

PETITION FOR CONDITIONAL USE APPROVAL:

Mr. Eaby:

1. **Application Number:** C-11-02; **Applicant:** First State Signs; **Owner:** Donald L. Spence; **Present Zoning District:** BG (General Business); **Present Use:** Legal non-conforming billboard; **Proposed Use:** Same with new replacement billboard; **Area and Location:** 0.277 acres ± located on the east side of South DuPont Highway, and the south side of Shamrock Avenue, east of Camden; **Kent County Property Identification Number:** NM-00-094.08-02-54.00-000

PUBLIC HEARINGS, continued

PETITION FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Buckson:

1. **Application Number/Title:** CS-11-01 Verizon-Locustville Cell Tower; **Applicant:** Cellco Partnership d/b/a Verizon Wireless; **Owner:** Joseph & Matilda Jackewicz; **Engineer:** CMC Engineering, Inc.; **Present Zoning District:** AC (Agricultural Conservation); **Present Use:** Agricultural; **Proposed Use:** Same with Telecommunications Tower; **Area and Location:** 195.00 acres ± located on the southeast side of Walnut Shade Road approximately 113 feet south of Briarbush Road, southeast of Camden; **Kent County Property Identification Number:** NM-00-104.00-01-04.00-000

CLOSE PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

Mr. Buckson:

1. Appointment to the Redistricting Commission

Mr. Eaby:

1. Appointment to the Redistricting Commission
2. Partial Refund to Fannie Mae

Mr. Howell:

1. Appointment to the Redistricting Commission

OTHER BUSINESS

1. Move to go into Executive Session immediately following the Committee Meetings on Tuesday, March 1, 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 to Committee Meetings

COMMITTEE MEETINGS

Immediately following the Business Meeting

Finance Committee

Mr. Eaby, Chairman

1. Sewer Fund Budget Review

Public Comments

Adjourn

Public Safety Committee

Mr. Pepper, Chairman

1. EMS – Single Medic First Responder Units

Public Comments

Adjourn

Administration Committee

Mr. Angel, Chairman

1. OPEB
2. Pension Actuarial Valuation
3. Pension IRS Determination Letter
4. DelRIP Pension Investment
5. Ordinance LC10-06, An Ordinance to amend Chapter 79 of the Kent County Code relating to Retiree Benefits to establish a Sliding Scale Benefit Cost Share – Mr. Buckson

Public 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: 2/15/11

Revised: 2/17/11

Posted by: L. Tanaka

Time: 11:45 AM

Take down: Upon Replacement or on 2/23/11

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.