

**KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA**  
**Kent County Administrative Complex**  
**555 Bay Road, Dover, DE 19901**  
**Tuesday, May 25, 2010**  
**Levy Court Chamber (Room 203)**

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**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**

**Consent Agenda 10-10**

*Items on the agenda were discussed in committee. They are considered routine and non-controversial and will be acted upon by a single roll call vote of the Levy Court. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item shall be removed from the Consent Agenda and considered separately.*

*Items from May 18, 2010 Committee Meetings:*

- Regional Sports Complex Feasibility Study
- Wastewater Treatment Facility Aeration Blower Preventative Maintenance Agreement
- Wastewater Treatment Facility Passive Solar Project Contract A, Conventional Builders Change Orders 1 and 3
- Wastewater Treatment Facility UV Disinfection System Project, Johnston Construction Company Change Orders 1 and 2
- Library Courier Service

**Approval of Regular Business Meeting Minutes of Tuesday, May 11, 2010**

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**PRESENTATIONS**

1. Tribute for Corporal David B. Pulling, 1956-1987
2. Employee of the Month
3. **Resolution 3122**, Retirement of John Willson
4. **Resolution 3120**, 12th Annual Safe Summer Day

**INTRODUCTIONS**

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**7:15 P.M., PUBLIC HEARINGS**

**PETITION TO AMEND ZONING MAP:**

**PETITION TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:**

**Mr. Banta:**

1. **Ordinance:** LC10-11, 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  
**(Application:** CZ-10-03; **Applicant:** Hill Management Co, Inc.; **Owner:** Brodie Holdings, LLC; **Present Comprehensive Plan Map Designation:** Commercial & Low Density Residential; **Proposed Comprehensive Plan Map Designation:** Commercial; **Present**

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**Zoning District:** AC (Agricultural Conservation) & BG (General Business); **Proposed Zoning District:** BG (General Business); **Area and Location:** 2.99 acres ± (area of petition 1.16 acres ±) located on the east side of US Rt. 13 approximately 223 feet south of Co. Rd. 84, southeast of Smyrna; **Kent County Property Identification Numbers:** DC-00-028.00-02-54.01-000 & DC-00-028.00-02-54.05-000

## PETITION FOR CONDITIONAL USE APPROVAL:

### Mr. Angel:

1. **Application Number:** C-10-03; **Applicant:** Christel E. Henderson; **Owners:** Dean P. Hay & Christel E. Henderson; **Present Zoning District:** RMH (Residential Manufactured Home); **Present Use:** Residential; **Proposed Use:** Same with Home Day Care; **Area and Location:** 0.25 acres ± located on the northwest side of Rustic Lane, approximately 475 feet northeast of North Wayne Avenue, northwest of Dover; **Kent County Property Identification Number:** ED-00-057.02-02-30.00-000

### Mr. Ennis:

1. **Resolution 3092**, 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 (Kitts Hummock Area – Additional Properties)

## CLOSE PUBLIC HEARINGS

## OLD BUSINESS

### Mr. Ennis:

1. **Resolution 3093**, A resolution confirming Resolution 2514 adopted by Kent County on March 8, 2005 which approved an extension to the Kent County Sewer Disposal District No. 1 to provide wastewater disposal services to the Kitts Hummock Area

## NEW BUSINESS

### Mr. Sweeney:

1. **Resolution 3121**, Support for Senate Bill 252 re: Zoning Legislation

### Mr. Angel:

1. *Action Item from May 18<sup>th</sup> Administration Committee Meeting:* Job Description Review:
  - a) Electrician's Helper
  - b) Clerk
  - c) License Specialist

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- d) Tax Clerk I
- e) Tax Clerk II
- f) Tax Clerk III
- g) Cashier
- h) Monition Program Adminsitrator
- i) Electrician I

## Mr. Eaby:

1. *Introduction of Sewer District Assessment Roll Resolutions for public hearing at 7:15 p.m. on June 15, 2010:*
  - a) Resolution 3095 - Bakers Choice Sewer District Assessment Roll
  - b) Resolution 3096 - Bowers Sewer District Assessment Roll
  - c) Resolution 3097 - Burtonwood Village Sewer District Assessment Roll
  - d) Resolution 3098 - Capitol Park Sewer District Assessment Roll
  - e) Resolution 3099 - Carlisle Village Sewer District Assessment Roll
  - f) Resolution 3100 - Cheswold Sewer District Assessment Roll
  - g) Resolution 3101 - Colony West Sewer District Assessment Roll
  - h) Resolution 3102 - Dover Air Force Base Sewer District Assessment Roll
  - i) Resolution 3103 - Dykes Branch Sewer District Assessment Roll
  - j) Resolution 3104 - Felton Sewer District Assessment Roll
  - k) Resolution 3105 - Frederica Sewer District Assessment Roll
  - l) Resolution 3106 - Garrisons Lake I Sewer District Assessment Roll
  - m) Resolution 3107 - Garrisons Lake II Sewer District Assessment Roll
  - n) Resolution 3108 - Garrisons Lake IV Sewer District Assessment Roll
  - o) Resolution 3109 - Garrisons Lake V Sewer District Assessment Roll
  - p) Resolution 3110 - Generals Greene Sewer District Assessment Roll
  - q) Resolution 3111 – Hartly Sewer District Assessment Roll
  - r) Resolution 3112 - Isaacs Sewer District Assessment Roll
  - s) Resolution 3113 - Kenton Sewer District Assessment Roll
  - t) Resolution 3114 - Little Creek Sewer District Assessment Roll
  - u) Resolution 3115 - Little Heaven Sewer District Assessment Roll
  - v) Resolution 3116 - Magnolia Sewer District Assessment Roll
  - w) Resolution 3117 – North Magnolia Sewer District Assessment Roll
  - x) Resolution 3118 - Northeast (NESSD) Sewer District Assessment Roll
  - y) Resolution 3119 - Smyrna-Clayton Sewer District Assessment Roll
  - z) Resolution 3123 - South Central Sewer District Assessment Roll
  - aa) Resolution 3124 - Tidbury Sewer District Assessment Roll
2. *Introduction of 2 Recovery Zone Facility Bond Financing Allocation Ordinances for public hearing on June 15, 2010 at 7:15 PM:*
  - a) **Ordinance LC10-19**, An ordinance authorizing the issuance of Kent County, Delaware Recovery Zone Facility Bonds in an amount not to exceed \$4,400,000 for the benefit of Harrington Plaza, LLC to finance the construction of a Walgreens Pharmacy and retail store
  - b) **Ordinance LC10-20**, An Ordinance Authorizing the issuance of Kent County, Delaware Recovery Zone Facility Bonds in an amount not to exceed \$7,500,000 for the benefit of Reed Investments And Deewit, LLC to finance certain costs related to the redevelopment of the Dover Mart

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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 have Executive Session immediately following the Committee Meetings on Tuesday, June 8, 2010, 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

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### **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:** 5/18/10

**Revised:** 5/20/10

**Posted by:** L. Tanaka

**Time:** 12:46 PM

**Take down:** Upon Replacement or on 5/26/10

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.