

KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA

Kent County Administrative Complex

555 Bay Road, Dover, DE 19901

Tuesday, December 14, 2010

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

Consent Agenda

The items on the agenda were discussed in Committee on Tuesday, December 7, 2010. They are considered routine and/or non-controversial and will be acted upon by a single roll call vote of the Levy Court. There will be no separate discussion these items unless a Commissioner so requests, in which event the item shall be removed from the Consent Agenda and considered separately.

Items from December 7th Committee Meetings:

- PV Solar Long Term Power Generation Monitoring Agreement with Satcon Technologies Corp.
- Contract User Agreement with Delaware Solid Waste Authority – Leachate Disposal
- Wastewater Treatment Facility Passive Solar Project – Change Order No. 4 – Conventional Builders
- 2011-2014 Garbage Collection Services Contract – Contract Bid Award and Yard Waste Ballot Results
- UV Disinfection System Project Change Order NO. 3 – Severn Trent Services and Work Order NO. 1 for K.L. Vincent
- Proposed Kent County Levy Court Policy Amendment P10-07 amending §4-2. Closing of County government offices
- 2010 (Traditional) Volume Cap Reassignment

Approval of Regular Business Meeting Minutes of November 23, 2010

PRESENTATIONS

INTRODUCTION

PUBLIC HEARINGS - None

OLD BUSINESS

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NEW BUSINESS

Mr. Angel:

1. **Resolution 3182**, Special Pension Award to Kathryn B. Gooden

Mr. Eaby:

1. **Re-Introduce Ordinance LC10-24:** An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, Article XXI, Conditional Uses, §205-266 Billboards on divided highways to revise the conditions of approval to permit the Levy Court to approve a lesser separation distance between existing nonconforming off-premise signs.

(Synopsis: This ordinance revises the conditions of approval for billboards on divided highways to permit the Levy Court to approve a lesser separation distance between existing nonconforming off-premise signs.)

2. **Re-Introduce Ordinance LC10-26:** An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, Article XVI, Nonconforming Uses, §205-217 Nonconforming buildings, structures, and uses to permit the reconstruction of existing nonconforming billboards.

(Synopsis: This ordinance permits the reconstruction of existing nonconforming billboards to their current dimensions and sign area.)

Mr. Buckson:

1. Introduction of **Ordinance LC10-34**, Accessory Structure Setbacks; An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, Article IV, General Provisions, §205-23, Yards, building, projections and setbacks; §205-24 Accessory structures and uses; Article V, AC-Agricultural Conservation District, §205-53, Accessory structures/uses, Items D and E; Article VI, AR-Agricultural Residential District, §205-69, Accessory structures/uses, Items D and E; Article VII, RS1-Single-Family Residential District, §205-85, Accessory structures/uses, Items D and E; Article VIII, RS5-Medium Density Residential District, §205-100, Accessory structures/uses, Items D and E; Article IX, RM-Multifamily Residential District, §205-115, Accessory structures/uses, Items D and E; and Article X, RMH-Residential Manufactured Home District, §205-130, Accessory structures/uses, Items D and E to revise the setback provisions for accessory residential structures and open unenclosed porches patios and decks.
2. Introduction of **Ordinance LC10-35**, Large Family Child Care Homes; An Ordinance to amend Kent County Code, Vol. II, Chapter 205, Zoning, Article II, Definitions, §205-6; Article V, AC – Agricultural Conservation District §205-48, Conditional uses; Article VI, AR – Agricultural Residential District, §205-64, Conditional Uses; Article VII, RS1 – Single-Family Residential District, §205-80, Conditional uses; Article VIII, RS5 – Medium

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Density Residential District, §205-95, Conditional uses; Article IX, RM – Multifamily Residential District, §205-110, Conditional uses; Article X, RMH – Residential Manufactured Home District §205-125, Conditional uses; and Article XXVIA, Supplementary Regulations to add a definition of Large Family Day Care Home; permit Large Family Day Care Homes as conditional uses within all residential zoning districts; and establish an administrative process for their review.

3. Introduction of **Ordinance LC10-36**, Wellhead Protection Buffers; An Ordinance to amend Kent County Code, Vol. II, Chapter 187 Subdivision and Land Development, effective June 10, 2003, as amended, Article XI, Design Requirements and Standards to add a new section establishing buffer requirements for public water supply wells.

Mr. Ennis:

1. KCSDD No. 1 – Hartly Sewer Area Project Contract A – Change Order No. 4 (Teal Construction)

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)

INFORMATION ITEMS

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN to Committee Meeting

COMMITTEE MEETINGS

Immediately following the Business Meeting
Levy Court Chamber (Room 203)

CALL TO ORDER

DETERMINATION OF QUORUM

Administration Committee

Mr. Angel, Chairman

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1. Stormwater Maintenance District Program Concept Overview and Discussion

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: 12/7/10

Revised: 12/8/10

Posted by: L. Tanaka

Time: 4:15 PM

Take down: Upon Replacement or on 12/15/10

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.