

**MINUTES OF THE KENT COUNTY LEVY COURT  
BUSINESS MEETING  
KENT COUNTY ADMINISTRATIVE COMPLEX  
555 BAY ROAD, DOVER, DE  
LEVY COURT CHAMBER, ROOM 203  
TUESDAY, JUNE 25, 2019**

**Call to Order**

The Business Meeting of the Kent County Levy Court was called to order at 7:00 p.m. by President Banta.

**Invocation and Pledge of Allegiance**

The Invocation was led by Mr. Hall; the Pledge of Allegiance was led by Mr. Angel.

**Moment of Silence for our Troops**

A moment of silence was observed for our Troops and led by Mr. Sweeney.

**Roll Call and Determination of Quorum**

Allan F. Angel	Commissioner
Eric L. Buckson	Commissioner
Jeffrey W. Hall	Commissioner
Glen M. Howell	Commissioner - Absent
Terry L. Pepper	Vice President - Absent
George W. Sweeney, Sr.	Commissioner
P. Brooks Banta	President

There are five (5) Commissioners present; two (2) absent at Roll Call.

### **Adoption of Agenda**

**M-19-131** **Motion** to approve the Agenda as presented was made by Mr. Sweeney; seconded by Mr. Angel; carried by Roll Call vote five (5) yeas; two (2) absent.

#### **Consent Agenda 19-6**

Item(s) on the Consent Agenda 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 of this/these item(s) unless a Commissioner so requests, in which event the item(s) shall be removed from the Consent Agenda and considered separately under New Business.

- **Approve Levy Court Business Meeting Minutes of Tuesday, June 11, 2019**
- **Items from the June 18, 2019 Committee Meetings:**
  - City of Milford – Revised Contract User Agreement
  - Renewal of Harrington Lease for Paramedics
  - New World Systems Software Contract Renewal

**M-19-132** **Motion** to approve Consent Agenda 19-6 made by Mr. Sweeney; seconded by Mr. Angel; carried by Roll Call vote five (5) yeas; two (2) absent.

### **PRESENTATIONS**

Mr. Sweeney read the following into the record:

Kaidin is an 11 year old Caesar Rodney Elementary School student who charged into a leadership/lifesaving role when the bus in which he was riding came to a sudden stop on February 8, 2019. The operator of the vehicle slammed on the brakes when she felt dizzy and feared passing out. Following the sudden stop, the driver who was barely coherent, complained of “extreme dizziness” but offered little else as her condition prevented her from communicating. Kaidin very calmly dialed 911 and then contacted his mother on Face Time who instructed Kaidin to contact the Delaware State Police. Emergency Services quickly arrived. In reflecting on the event, Kaidin felt that it was important to keep the “kids” calm and encouraged the driver to remain in her seat so she would not experience more dizziness. Kaidin and his younger brother Maurice, led students off the bus after activating the rear door emergency escape handle. Maurice instructed the students to find help while Kaidin rendered continued care to the driver by obtaining water and a cloth for her head as she appeared hot and perhaps feverish.

Kaidin and his family were invited to join the Commissioners, the County Administrator and Chief Colin Faulkner, Director of Public Safety at the front of the dais for presentation of the Life Saving Award Medal. Kaidin’s mother was given the honor of pinning the medal on prior to everyone expressing their congratulations and heartfelt appreciation for his calm and quick actions in this situation.

President Banta wished to take a moment to share how proud he was of the Kent County Paramedics and the job they have done especially through Firefly. As well he wanted to pass on a compliment he received from Fred A. Bass about a recent event at a local McDonald's restaurant. The Kent County Paramedics were called and they responded "in a split second" and were kind, courteous and professional. Hats off to our Paramedics, outstanding job!

## **PUBLIC HEARINGS**

Sarah Keifer stated these Public Hearings are being conducted for the purpose of giving the citizens of the County the opportunity to present testimony on the application and ordinances that are before the Levy Court.

Everyone will have a chance to speak. All statements are to be made from the podium at the front of the room. For the record, please give your name and address. Copies of any written statements or exhibits used during the hearing should be presented to for identification and inclusion in the record.

For each application before the Levy Court:

1. The President of Levy Court will introduce the application;
2. The Levy Court will then receive testimony from those in favor;
3. Testimony will then be received from those who may be opposed.
4. After everyone has had an opportunity to speak, the hearing on the application will be closed and the Levy Court will then take what action it deems appropriate.

Levy Court's decision will be based upon public hearing testimony given at this meeting and a recommendation submitted to the Levy Court by the Regional Planning Commission. I would ask that the recommendation be included, by reference, in the permanent record of the meeting established by the Clerk of the Peace.

The Public Notice of the Hearing was published in the June 7, 2018 edition of the Delaware State News.

## **STORMWATER MAINTENANCE DISTRICT**

### **Mr. Buckson:**

1. **Resolution 3743**, A Resolution to extend the Kent County Stormwater Maintenance District pursuant to Chapter 52, Title 9 of the Delaware Code and Section 90.4.E(10), Chapter 187 of the Kent County Code-SWM-15-05 Country Lake

Ms. Keifer: The first item before the Levy Court tonight is Resolution 3743 creating the Country Lake Stormwater Maintenance District. The petition was signed by 73% of the lot owners. The signatures have been verified. All repairs have been completed and the O&M Plan has been finalized. The annual fee adopted for FY20 is \$28 per parcel and billing will commence in this subdivision with the August 2019 tax bill. The application meets all of the ordinance criteria for joining the District and Staff recommends approval; I'm happy to answer any questions you might have.

### **Public Hearing Open on Resolution 3743**

#### **IN FAVOR**

(Two (2) gentlemen from the audience raised their hands in support of Resolution 3743.)

#### **IN OPPOSITION** – None

### **Public Hearing Closed on Resolution 3743**

**M-19-133** Mr. Buckson: It's my pleasure to make a **Motion** to approve Resolution 3743 for Country Lake Stormwater Maintenance District in honor of Mr. Ben Koontz whose legacy continues to live on in the communities that choose to join this district. So along with no public opposition and full support of the community, Staff approval my motion is to approve; seconded by Mr. Sweeney.

Roll Call

Mr. Angel: Yes, reasons stated and the two gentlemen in the center that had their hands up in approval.

Mr. Buckson: Yes, reasons stated.

Mr. Hall: Yes, for reasons stated.

Mr. Howell: Absent

Mr. Pepper: Absent

Mr. Sweeney: Yes, for all reasons stated.

Mr. Banta: Yes, for all reasons stated.

Roll Call reveals five (5) yeas; two (2) absent. Resolution 3743 has been approved.

**PETITIONS TO AMEND COMPREHENSIVE PLAN MAP  
AND ZONING MAP**

**Mr. Buckson:**

1. **Ordinance LC19-03**, 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. (Ref: Application: CZ-19-03; Applicant/Owner: Bradley, Roger/Vansant, Levin E. & Nancy D.; Proposed Zoning District: BG (General Business); Area & Location/ID: 2.688+ acres known as 12793 South DuPont Highway, located on the east side of South DuPont Highway, approx. 530 feet north of Killens Pond Road, south of Felton/SM-00-139.00-01-49.00-000)

Ms. Keifer: Ordinance LC19-03 is an Ordinance to rezone a property from AC (Agricultural Conservation) and designated for Low Density Residential to BG (General Business) designated as Highway Commercial. The site is just over 2.6 acres on the east side of South DuPont Highway just north of Killens Pond Road, south of Felton. The Regional Planning Commission heard testimony on the application at their June 6<sup>th</sup> hearing; at their June 13<sup>th</sup> business meeting they voted to recommend denial of the rezoning request citing that it was not in keeping with the surrounding area and does not comport with the 2018 Comprehensive Plan. So again this comes with a recommendation for denial; I'm happy to answer any questions you might have.

Mr. Buckson: Mr. President, I'm going to ask one simple question. Mr. Pepper, Ms. Keifer given the denial through the RPC and with five Commissioners present for tonight's vote what would be the requirement for an approval?

Mr. W. Pepper: Four votes.

Mr. Buckson: Thank you.

**Public Hearing Open on Ordinance LC19-03**

**IN FAVOR**

**Roger Bradley**, 7689 Lindale Road, Greenwood Road, Greenwood, DE: We were in favor of the project. In the area in question there's several commercial sites in the area. And the main reason that we wanted to have this property rezoned as such was due to the potential project that we would have on the property to put a multi-unit dwelling on this site as far as like a duplex, a quad-plex. That is something that we would have to have that zoning changed for

that parcel. We couldn't keep it underneath the current zoning plan due to the requirements underneath Agricultural Residential versus the BG.

**IN OPPOSITION** – None

**Public Hearing Closed on Ordinance LC19-03**

Mr. Buckson: I'm going to be in favor of approval, I'm going to explain to you why. My concern when asking you for the vote number is because I don't want the applicant to be harmed tonight by a limited number of Commissioners. So a 4 to 1 threshold is what we're looking for obviously. When I at re-zonings I look at a couple of key factors. The property owner wants this done. Is there some interest in the area? Has there already been some re-zonings that have been done? If you're familiar with this area I would like you to picture the businesses that exist right here, right now and imagine those businesses not there. Ask yourself if they fit. I would argue they do. I would argue if they fit and they make sense, I'm struggling with why this one would not. It connects to already rezoned properties would be one reasons why I would approve it, it has available infrastructure, it's right on the highway, it does have an entrance. That shows support to me. There was public support in the RPC meetings. I know their rezoning does not guarantee a particular use but in fact if it is affordable housing and we sit up here and run amok at affordable housing, well here you go. And its' right next door to affordable housing that already exists. I would surmise with a couple of more the Comprehensive Plan is a valuable tool to resource but it's just that. Our rules enable us to make decisions that are different than what's reflected currently in the Plan. So this would be an example of a time when I would suggest that you do that. So I think in summary those are the options, that's why I think this supports a rezoning; property rights, infrastructure available, affordable housing, it's connected to other...it has a direct connectivity to other places that have already been rezoned, the Comprehensive Plan is a guide not an exact science and that's it. So my **Motion** is to approve; seconded by Mr. Angel.

**M-19-134**

Roll Call

Mr. Angel: Yes, reasons stated by Commissioner Buckson as well as, according to the documents I have in front of me it's a Level 3 Investment issue. It's going to have to generate 200 trips per day or the Department of Transportation does not require Traffic Impact Study where it would generate 500 trips so my answers yes.

Mr. Buckson: It's yes and to clarify the reasons for the length of the explanation it's because the RPC recommended something...well recommended the opposite so I wanted to clearly explain where I am. So, my motion, is y

Mr. Hall: I vote no. I read through the RPC recommendations and Staff recommendations and I don't see anything in there that I disagree with.

Mr. Howell: Absent

Mr. Pepper: Absent

Mr. Sweeney: In looking in this area there's a lot of agriculture there but its' right next to Chesapeake Supply and then the opposite corner is a truck stop so I don't see where this is going to cause any additional issues. My vote's yes.

Mr. Banta: Based on the comments of Mr. Buckson who most certainly had a lot validity, comments of Mr. Angel and certainly the comments by Mr. Sweeney, I vote yes.

Roll Call reveals four (4) yeas; one (1) nay; two (2) absent. Ordinance LC19-03 has been approved.

2. **Ordinance LC19-06**, 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. (Ref: Application: CZ-19-04; Applicant/Owner: Spicher, Preston/WDK Property, LLC.; Proposed Zoning District: BG (General Business); Area & Location/ID: 1.1+ acres known as 803 Strauss Avenue, located on the north side of Strauss Avenue, approx. 2,145 ft. east of East Street, east of Marydel/WD-00-081.00-02-32.01-000)

Ms. Keifer: Ordinance LC19-06 is another application to revise the Zoning Map and the Comprehensive Plan Land Use Map. The site is just over an acre on the north side of Strauss Avenue, east of East Street, east of Marydel. The site is currently zoned IG (General Industrial and the proposal is to rezone it to BG (General Business). The Regional Planning Commission took testimony at their June 6<sup>th</sup> hearing; at their June 13<sup>th</sup> business meeting they voted unanimously to recommend approval citing that BG designation would have less of an impact potentially than IG and that the limited size of the parcel will limit the scope of any future development. So again this comes with a recommendation for approval; I'm happy to answer any questions you might have.

Mr. Sweeney: So Ms. Keifer the...if we're...we're not downgrading we're upgrading the parcel from IG to BG, does IG not cover everything that would have been in a BG zone anyway?

Ms. Keifer: That's correct.

Mr. Sweeney: So why would the designation...why would the zoning have to change?

Ms. Keifer: It does not.

Mr. Sweeney: Oh, it does not.

Ms. Keifer: It does not do that.

Mr. Sweeney: Okay, so if it was zoned for IG there are uses in BG that would not be permitted in an IG zone?

Ms. Keifer: Correct. And in this case it's being used as a gunsmith right now and he would like to add a small retail component to it. IG is very limiting with respect to retail. And there times you can argue BG is actually more intensive than IG...

Mr. Sweeney: Only because of traffic and...

Ms. Keifer: Exactly. But given the relatively small size there does not seem to be a negative there.

Mr. Sweeney: Okay, thank you.

### **Public Hearing Open on Ordinance LC19-06**

#### **IN FAVOR**

**Preston Spicher**, 595 Taraila Road, Marydel, DE: First I'd like to thank you all for your time and consideration on this matter. If this passes it would be a great help to my potential business. For the record I am not conducting business there yet and this rezoning would further that greatly. Without retail sales it's pretty tough to be a gunsmith. The service end is great and all but I can't even sell scopes to people for instance. The components that have to do with my business I could not sell to people so Business General would grant me that. But I would say that moving into Business General would keep like an asphalt plant or something more intensive, louder with lots of smog fumes, whatnot from being there. So I don't have a whole lot to say but I did want to make myself available for any kind of questions anybody might have.

Mr. Sweeney: Is yours the red building?

Mr. Spicher: Yes.

Mr. Sweeney: Thanks.

#### **IN OPPOSITION** – None

### **Public Hearing Closed on Ordinance LC19-06**



**M-19-135** Mr. Buckson: I make a **Motion** that we approve LC19-06 based on public testimony, Staff and RPC recommendations to include the note referenced in your packet, no public opposition; seconded by Mr. Sweeney.

Roll Call

Mr. Angel: Yes, reasons stated by Commissioner Buckson and Staff recommendations for approval.

Mr. Buckson: Yes, reasons stated.

Mr. Hall: Yes, based on RPC and Staff recommendations.

Mr. Howell: Absent

Mr. Pepper: Absent

Mr. Sweeney: Yes, for all reasons stated.

Mr. Banta: For all reasons stated, I vote yes.

Roll Call reveals five (5) yeas; two (2) absent. LC19-06 has been approved.

### KENT COUNTY ORDINANCES

**Mr. Buckson:**

1. **Ordinance LC19-07 Excellent Recharge Areas** - 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 development standards within Excellent Recharge Areas.

Ms. Keifer: Ordinance LC19-07 enacts regulations related to Excellent Recharge Areas. Effectively what the Ordinance says is in identified Excellent Recharge Areas impervious covers limited to 20% regardless of zoning district unless the areas treated according to Best Management Practices or Green Design is used. It also allows for redevelopment for existing sites allowing those sites that are already more than 20% impervious cover in the Excellent Recharge Areas to effectively continue to exceed the limit provided they find a way to reduce by 5%. And the standards apply to major subdivisions and land development plans, so administrative applications would not be subject to it, sort of minor subdivisions and such. This was developed as we discussed in the committee meeting in concert with DNREC as well as the Home Builders Association. The Planning Commission heard testimony at their June 6<sup>th</sup> hearing and at the June 13<sup>th</sup> business meeting voted unanimously to recommend approval of it siting that the Ordinance indeed protects a critical resource and indeed complies with a

condition of approval of our Comprehensive Plan. So again this comes with a recommendation for approval; I'm happy to answer any questions you might have.

Mr. Sweeney: You have an email from me concerning impervious cover of a residential lot. How does this affect that?

Ms. Keifer: It wouldn't.

Mr. Sweeney: It wouldn't affect it.

Ms. Keifer: No. Anything that is currently existing, it would not. Its' major subdivision plans, major land development plans would be impacted.

Mr. Sweeney: Okay so the 20%, you still have the authority to modify that 20% for this with an administrative variance approval?

Ms. Keifer: This is actually an amendment to 187, it's our Land Development Code.

Mr. Sweeney: Right.

Ms. Keifer: So that would not necessarily apply.

Mr. Sweeney: Okay, thanks.

Mr. Buckson: It's a big deal because a few years back this was a real touchy subject, correct Ms. Keifer? And so it's taken us quite a while to get here. I think one of the important factors for me when talking to Ms. Keifer about this early on was let's get the folks that are going to be in opposition involved and let's work together to come up with a plan that will pass the test. And Ms. Keifer did a nice job of working with those individuals to get that done. I think we have in front of us tonight that document, DNREC Home Builders, it matters; you have to communicate with them. So there's a lot of protectionisms involved in it. One letter and I know Mr. Hallock's going to speak probably also. The question I for you first would be, current setback for a non-impervious area, is there a number that you can reference? Because there... A request was made for 200 foot.

Ms. Keifer: There are parking setbacks and such which is roughly 10 feet, at most 25 feet. But I'm not quite certain how setbacks would apply given that it's the impervious cover in total that's limited for Excellent Recharge Areas. And if you want to exceed that total there are a number of design choices you need to make.

**Public Hearing Open on Ordinance LC19-07****IN FAVOR**

**Ed Hallock**, 547 East Fourth Street, Frederica, DE: I want to thank the Commissioners for putting this forward. I live in Bakers Choice in Little Heaven and we're going through some employment zone workshops and whatnot and there is an area of Excellent Recharge there. I'm also now a retired...I've been retired for 2 ½ years but in my previous life I ran the office of Drinking Water in the Division of Public Health for 25 years so protection of sources of drinking water is very dear to me. This is an important \*INAUDIBLE\* and I applaud you for taking this step by fully supporting this effort. I do have a couple of comments, maybe questions. On the Section 1, page 1 in the purpose of intent it's noted that the Recharge Areas are the sources of public drinking water I would also note they are sources of all drinking water in Delaware, private and public, there are no surface water sources in Kent County and Sussex County, it's all drinking water. And I have a private well so I'm familiar with that. On page 2 in Section 1, spelling out SWAPP is used for the first time; I believe that's the Source Water Assessment Protection Program, just spell out that acronym. I think it's usually common, you do most of them, you have it, this one maybe slipped by. Under Environmentally Assessment Reports on page 4 it notes on item 6 ground-water monitoring plan may be required. I would like to see some specified time, like a minimum of two years of a ground water monitoring plan to go through a couple years to get some stats based on weather events, if it's a dry year or what you go through a couple of years you get a lot better data to make sure that there is no impact. On page 5 under definition of hazardous waste, the sentence lines 5 and 6 in that sentence in the end of that first sentence it's a little bit muffled, it seems like it's hard to understand. That may be...I don't know if it's possible to tweak that before the final or if you do routine amendments to clarify regulations...the next time you take a look at it. The definition of hazardous waste I believe it was, yeah, that definition, there's a line there that just doesn't seem to read quite correct. I had a hard time figuring out...I think I know what the intent of it is but the way it's worded there might be a couple of words slipped in there that maybe not or could be adjusted. As a person who wrote a lot of regulations I can understand over my years how those little things can slip up.

Mr. Buckson: Ms. Keifer, are we getting a lot of this language from a State agency?

Ms. Keifer: Yes.

Mr. Hallock: Yeah and I didn't have...I didn't really go and look up their definitions, so it might have been you know we might need to talk to them to correct their language as well. I'd be happy to do that. I worked for DNREC for many, many years all the years with the Division of Public Health. Under

the...do you have definitions for Underground Storage Tanks which also are copied from DNREC's and that has minimum sizes that they regulate? I'm concerned too that there could be sizes of underground storage tanks that are below what they regulate but if they are used for gasoline, oil or something it doesn't take...you know a gallon of oil can contaminate thousands of gallons of drinking water. I don't know if elsewhere within your Ordinances that there's a way to control for that, to try to cover for that so that you don't get these little small tanks that could potentially have a major impact on ground water. And lastly in section F under Nonconforming Uses, in the first sentence there's a statement unless they pose a direct hazard to the County's waters upon advise from the Delaware Division of Public Health, I worked at...as I said over at the Office of Drinking Water, Division of Public Health would be the one to help assess that but we wouldn't...that office generally did not make those determinations. They worked closely with DNREC's Air and Waste Management and Division of Water Resources and they worked together. And I know elsewhere in that section you mentioned DNREC and their divisions within DNREC so I think that may be covered but I just wanted to clarify the Division of Public Health would not make the determination they would work with DNREC. We'd identify the chemicals, Public Health would do a toxological review, DNREC would help determine the potential impact on the source waters. So once again I want to thank you for your time and again I fully support this effort to protect the precious ground water resources here in Kent County.

Mr. Banta: Appreciate your being here just response to one comment regard the UST. The County has been very forward thinking in that whole process and worked very closely with the Department of Natural Resources to make sure that there's no proliferation of any kind of items from any underground storage tanks \*INAUDIBLE\* when they're removed we're very clear on the amount of backfill that has to be put before anything is allowed to take place. We've done our homework on that and the rest of it too. We appreciate your comments.

Mr. Hallock: Thank you very much.

**IN OPPOSITION** - None

**Public Hearing Closed on Ordinance LC19-07**

**M-19-136** Mr. Buckson: I **Move** that Levy Court approve Ordinance LC19-07 establishing standards within Excellent Recharge Areas. It's based on exhibit A and exhibit B listed in your packet; seconded by Mr. Sweeney.

Roll Call

Mr. Angel: Yes, no opposition.

Mr. Buckson: Yes, based on my comments.

Mr. Hall: Yes, for reasons stated.

Mr. Howell: Absent

Mr. Pepper: Absent

Mr. Sweeney: Yes, for all reasons stated.

Mr. Banta: For the reasons stated by Commissioner Buckson I vote yes.

Roll Call reveals five (5) yeas; two (2) absent. Ordinance LC19-07 has been approved.

2. **Ordinance LC19-12**, An Ordinance to repeal and replace Kent County Code, Chapter 128, Table 128-III-1 Main System Capital Improvement Fee Rate Schedule and 128-IV-1 District Expansion Fee Rate Schedule with a new Table 128-III-1 Main System Capital Improvement Fee Rate Schedule and a new Table-IV-1 District Expansion Fee Rate Schedule

**Public Hearing Open on Ordinance LC19-12**

**IN FAVOR** – None

**IN OPPOSITION** – None

**Public Hearing Closed on Ordinance LC19-12**

**M-19-137**

Mr. Buckson: I make a **Motion** that we approve Ordinance LC19-12, an Ordinance to repeal and replace the Kent County Code Chapter 128 and others referenced in your packet and I'll allow Commissioner Sweeney to expound on the positive effects this will have over the next 20 years. Unless you want me to handle that? Just in general what we're doing now, we're reconfiguring the rates, the percentage I would say to better reflect the cost and be a benefit to the constituents. That's where we are; seconded by Mr. Sweeney.

Roll Call

Mr. Angel: Yes, reasons stated by Commissioner Buckson and because it reduces the fee from 5.5 per year to 3.5 per year. Yes.

Mr. Buckson: Yes, and I thank Public Works for their assistance with this.

Mr. Hall: Yes, for reasons stated.

Mr. Howell: Absent

Mr. Pepper: Absent

Mr. Sweeney: Yes, for all reasons stated.

Mr. Banta: Yes.

Roll Call reveals five (5) yeas; two (2) absent. Ordinance LC19-12 has been approved.

**Mr. Sweeney:**

1. **Ordinance LC19-13**, An Ordinance amending The Code of Kent County, State of Delaware, Volume I, Chapter 128 (Fees), Part 2 (Fee Schedule), Article XI (Fees Enumerated), Section 128-48 (Department of Community Services), Subsection D.(5). by deleting text shown with a Strike-through Line and inserting in lieu thereof the Underlined text.

Gentlemen, we've had this discussion. This is the fee schedule changes for drop in use of our gymnasium. I think we all know what it is, there's not any public here for Mr. Rigby to discuss what this is so I'm ready to make a motion.

### **Public Hearing Open on Ordinance LC19-13**

**IN FAVOR** - None

**IN OPPOSITION** - None

### **Public Hearing Closed on Ordinance LC19-13**

**M-19-138**

Mr. Sweeney: Because our fee structure for the gymnasium was ordained that's why we're making an Ordinance change. I **Move** to approve Ordinance LC19-13 and Ordinance amending the Code of Kent County, State of Delaware, Volume I, Chapter 128 (Fees), Part 2 (Fee Schedule), Article XI (Fees Enumerated), Section 128-48 (Department of Community Services), Subsection D by deleting text shown with a Strike-through Line and inserting in lieu thereof the Underlined text which modifies the fee from \$10 to \$20; seconded by Mr. Buckson.

Roll Call

Mr. Angel: Yes, reasons stated.

Mr. Buckson: Yes, reasons stated.

Mr. Hall: Yes, reasons stated.

Mr. Howell: Absent

Mr. Pepper: Absent

Mr. Sweeney: Yes, reasons stated.

Mr. Yes, for the reasons stated.

Roll Call reveals five (5) yeas; two (2) absent. Ordinance LC19-13 has been approved.

## **CLOSE PUBLIC HEARINGS**

**OLD BUSINESS** – None

## **NEW BUSINESS**

### **Mr. Sweeney:**

1. Introduction of **Resolution 3748**, A Resolution to extend the Kent County Stormwater Maintenance District pursuant to Chapter 52, Title 9 of the Delaware Code and Section 90.4.E (10), Chapter 187 of the Kent County Code – SWM-16-07 Wynn Wood Sections 1& 2 for Public Hearing on Tuesday, July 23, 2019 at 7:00 p.m.

### **Mr. Buckson:**

1. Introduction of **Resolution 3749** A Resolution to extend the Kent County Stormwater Maintenance District pursuant to Chapter 52, Title 9 of the Delaware Code and Section 90.4.E (10), Chapter 187 of the Kent County Code – SWM-15-11 Riverview Estates for Public Hearing on Tuesday, July 23, 2019 at 7:00 p.m.

**OTHER BUSINESS** - None

## **INFORMATION ITEMS**

Mr. Petit de Mange: Can I just remind the Commissioners and more importantly the public that after this month we go on our summer holiday schedule and we will not meet again until the 9<sup>th</sup> of July. So next week is a holiday week, we'll have that gap; we'll not meet the 18<sup>th</sup> I believe because of the NACo Conference. We will meet again the following week in July, is that correct Lorri, which is the 25<sup>th</sup>. So we have two meeting dates in July, the 9<sup>th</sup> and 25<sup>th</sup>, then we move into August and we'll review those meeting dates at a later time. Thank you.

**PUBLIC COMMENTS** - None

**COMMISSIONER COMMENTS** – None

**M-19-139** **Motion** to Adjourn was made by Mr. Sweeney; seconded by Mr. Angel; carried by Roll Call vote five (5) yeas; two (2) absent. **7:49 p.m.**

A handwritten signature in cursive script that reads "Trish Brown". The signature is written in black ink and is positioned above a solid horizontal line.

**Trish Brown**  
**Deputy Clerk of the Peace**