

KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road Dover DE 19901
Tuesday, November 23, 2021
Levy Court Chamber (Room 203)

Commissioners will meet in the Levy Court Chamber. The public is welcome to attend in person or via WebEx.

Join the meeting via WebEx by going to:

<https://kentcountyde.webex.com/kentcountyde/j.php?MTID=m251cb5838465b32d7568366ea3869fe0>

or

By phone, by calling 1-408-418-9388

Meeting number (access code): 173 700 7551

Meeting password: #

7:00 P.M. BUSINESS MEETING

Call to Order

Invocation

Pledge of Allegiance

Moment of Silence for our Troops and First Responders

Roll Call and Determination of Quorum

Adoption of Agenda

Consent Agenda 21-12

Items 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 these items unless a Commissioner so requests, in which event the items shall be removed from the Consent Agenda and considered separately under New Business.

- **Approval of the following Levy Court Meeting Minutes:** 10/12/21 Business Meeting; 10/19/21 Special Business Meeting; 10/26/21 Business Meeting; 11/2/21 Special Business Meeting; and 11/9/21 Business Meeting
- **Committee Meeting Items from November 16th:**
 - Influent Screens Award

PRESENTATION:

1. Employee of the Month for December

INTRODUCTIONS

PUBLIC HEARINGS

PETITIONS FOR CONDITIONAL USE APPROVAL:

Mr. Buckson:

1. **Application:** C-21-06; **Applicant & Owner:** Dale & Kaylynn Lepore; **Zoning District / Proposed Use:** AC (Agricultural Conservation) / Accessory Apartment; **Area & Location / ID#:** 0.29 +/- acres on the south side of the intersection of Spring Dale Lane and Kenmount Lane, west of Frederica / SM-00-140.02-02-38.00-000

PUBLIC HEARINGS, continued

PETITIONS FOR CONDITIONAL USE APPROVAL, continued

Mrs. Masten:

1. **Application:** C-21-07; **Applicant & Owner:** Training Tails / Thomas G. Moore Sr.; **Zoning District / Proposed Use:** AR (Agricultural Residential) / Dog Training & Daycare; **Area & Location / ID#:** 3.5 +/- acres located on the east side of Hopewell Drive, approx. 1,767 ft. south of Underwoods Corner Road, and approx. 2,729' north of Chance Road, west of Kenton / KH-00-043.00-02-13.00-000

PETITIONS FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Buckson:

1. **Application / Name:** CS-05-18(REV) / Yoder Recreational Facility; **Applicant / Owner:** Coviello Farm, LLC; **Zoning District / Proposed Use:** AR (Agricultural Residential) / Campground / Commercial Recreation Facility; **Area & Location / ID#:** 134.31 +/- acres: on the west side of Hunting Quarter Rd. (CR 429), and the west side of Deep Grass Ln (CR 384), east of the Town of Farmington / MN-00-195.00-01-04.02-000

Mr. Angel:

1. **Application / Name:** CS-21-07 Pro-Cut Tree Services; **Applicant / Owner:** Pro-Cut Tree Services / Calvary Church of the Nazarene; **Zoning District / Proposed Use:** AC (Agricultural Conservation) / Landscaping and Horticultural Services; **Area & Location / ID#:** Combined 14.46 ± acres located on the south side of N. Little Creek Road, approximately 445 ft. east of Fox Road, and approximately 2,467 ft. west of Long Point Road, south of Dover / ED-00-078.00-01-01.01-000 & ED-00-078.00-01-01.05-000

Mr. Howell:

1. **Application # / Name:** CS-21-08 Sunrise Land Delaware, LLC; **Applicant / Owner:** Dan Baugher / Sunrise Land Delaware, LLC; **Zoning District / Proposed Use:** AR (Agricultural Residential) / Solar Farm; **Area & Location / ID#:** 25 +/- acres on the northeast side of the intersection of Slaughter Station Rd. (Co. Rd. 182) and Hourglass Rd. (Co. Rd. 103), south of the Town of Hartly / WD-00-072.00-02-06.01-000

PUBLIC HEARINGS, continued

PETITIONS TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mr. Howell:

1. **Ordinance LC21-18**, 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-21-07; Applicant & Owner: John Schatzschneider / Schatz-Messick Enterprises, LLC; Proposed Zoning District: BG (General Business); Area & Location / ID#: 1.58 +/- acres located on the west side of the intersection of S Dupont Hwy (DE. Rt. 13) and Delaware Ave (Co. Rd. 81), 160 ft. west of the intersection of Jackson Ditch Rd. (Co. Rd. 430) and S. DuPont Hwy, north of Harrington / MN-00-171.00-01-41.00-000)

AMENDMENT TO KENT COUNTY CODE CHAPTER 68 RE: HOLIDAYS

Mr. Angel:

1. **Ordinance LC21-20**, An Ordinance to amend Chapter 68 of the Kent County Code relating to Holidays

CLOSE PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

Mr. Angel:

1. Actuary Services Agreement
2. Appointment to the Kent County Pension Review Committee
3. Community Redevelopment/Reinvestment Funds

Mr. Buckson:

1. *Action item from November 16 Planning Services Committee Meeting re: Magnolia TID*

Mrs. Masten:

1. Introduction of **Ordinance LC21-23**, An Ordinance to amend Kent County Code, Vol. II, General Legislation, Chapter 191, Taxation, to include a new Article IX, Real Property Tax Credit For Disabled Veterans, §191-69 Through §191-73, To Establish A Real Property Value-Based Tax Credit For Totally Disabled Veterans Who are Residents of Kent County and Who Meet Eligibility Criteria Under The State Of Delaware Disabled Veterans' School Tax Credit Pursuant To 14 DEL. C. 1917 *for Public Hearing on Tuesday, December 14, 2021 at 7:00 PM*

OTHER BUSINESS

1. Move to go into Executive Session immediately following the Business 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 of December 7, 2021 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: 11/16/21

Revised: 11/19/21

Posted by: L. Tanaka

Time: 10:37 AM

Take down: Upon Replacement or on 11/24/21

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.