

KENT COUNTY LEVY COURT COMBINED MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road Dover DE 19901
Tuesday, December 21, 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

Approval of Levy Court Business Meeting Minutes of Tuesday, November 23, 2021

PRESENTATION:

1. Employee of the Year
2. Employee of the Month for January
3. Resolution 3907 – Retirement of Elizabeth Perry

INTRODUCTIONS

PUBLIC HEARINGS

PETITION TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mr. Howell:

1. **Ordinance LC21-22**, 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-21-08; Applicant & Owner: Chick's c/o Sam Chick & Frank & Linda L. Chick, Trustees; Proposed Zoning District: BG (General Business); Area & Location / ID#: 13.4+/- acres (Area of Petition 6.5 +/- acres) located on the east side of S. Dupont Hwy (DE. Rt. 13), 0.19 miles south of the intersection of Messicks Rd. (Co. Rd. 429), and S. DuPont Hwy, south of Harrington / MN-00-180.00-02-20.01-000)

PUBLIC HEARINGS, continued

PETITION FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mrs. Masten:

1. **Application # / Name:** CS-21-09 / FPS Cedar Creek Solar; **Applicant / Owner:** FPS Cedar Creek Solar LLC / The Piney Cedar Trust c/o Dr. Richard Peoples & James C. Jr. & Cheryl A. Knotts; **Zoning District / Proposed Use:** AC (Agricultural Conservation) / Solar Facility / Public Utility; **Area & Location / ID#:** Combined total of 528.66+/- acres on the north side of Lighthouse Rd. (CR 82), and the north side of Woodland Beach Rd (CR 9), east of the Town of Smyrna/ DC-00-003.00-01-14.00-000, DC-00-003.00-01-16.00 & DC-00-003.00-01-28.00-000

CLOSE PUBLIC HEARINGS

RECESS TO COMMITTEE MEETING

COMMITTEE MEETING

ADMINISTRATION COMMITTEE

Mr. Angel, Chair

1. ARPA Consultant RFP Results and Staff Recommendations
2. Update on ARPA Small Business and Tourism Industry Grant Programs

PUBLIC COMMENTS

ADJOURN

RECONVENE BUSINESS MEETING

OLD BUSINESS

Mr. Sweeney:

1. Action Item TABLED on July 27, 2021. Public Hearing closed. Consider action after LIFTING from table: **Ordinance LC21-10**, 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-21-03; Applicant & Owner: MKJ Properties; Proposed Zoning District: BN (Neighborhood Business); Area & Location / ID#: 9.52 +/- acres located on the north side of Irish Hill Road and on the west side of Peachtree Run, east of Viola / NM-00-111.00-02-46.00-000)

NEW BUSINESS

Mr. Sweeney:

1. *Action Item from December 14th Community Services Committee Meeting:* Lewis Farm – Prospective Lease

Mr. Angel:

1. *Potential Action from Administration Committee Meeting:* ARPA Consultant RFP Results and Staff Recommendations

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 January 4, 2022 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: 12/14/21

Revised: 12/21/21

Posted by: L. Tanaka

Time: 11:36 AM

Take down: Upon Replacement or on 12/22/21

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.