

KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road Dover DE 19901
Tuesday, October 25, 2022
Levy Court Chamber (Room 203)

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

Join the meeting via WebEx by going to:

<https://kentcountyde.webex.com/kentcountyde/j.php?MTID=mb5be1b37cbbf8809edf94daf921c9a4b>

or

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

Meeting number (access code): 2342 429 6539

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 22-13

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.

Committee Meeting Items from October 18th:

- *KEP Board Confirmation*
- *ARPA Consulting Services Contract Extension – Tetra Tech, Incorporated*

PRESENTATIONS:

1. **Resolution 3958, Native American Heritage Month - November**
 2. **Employee of the Month - November**
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PUBLIC HEARINGS

PETITIONS FOR CONDITIONAL USE APPROVAL:

Mr. Buckson:

1. **Application #:** C-22-03; **Applicant & Owner:** Blackburn Solar & Iskcon of Delaware, Inc; **Zoning District / Proposed Use:** AC (Agricultural Conservation) / Community Solar; **Area & Location / ID#:** 40.33 +/- acres (Project Area = 8.03 +/- acres) located on the south side of Irish Hill Rd. (Co. Rd. 31), on the west side of Clapham Rd. (Co. Rd. 27), 1,045 ft. south of Thorn St., south of Magnolia / SM-00-113.00-01-25.00-000

PUBLIC HEARINGS, continued

PETITIONS FOR CONDITIONAL USE APPROVAL, continued:

Mr. Sweeney:

1. **Application #:** C-22-04; **Applicant / Owner:** W. Evens Community Initiative, LLC / Muhammad Iqbal & Shazia Noor; **Zoning District / Proposed Use:** AR (Agricultural Residential) / Community Solar; **Area & Location / ID#:** 132.2 +/- acres (Project Area = 35.63 + acres) located on the south side of W. Evens Road (Co. Rd. 109), approx. 1,100' west of S. Railroad Ave, west of Viola / NM-00-119.00-02-48.00-000 & NM-18-119.16-01-14.03-000

PETITION TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mrs. Masten:

1. **Ordinance LC22-17**, 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-22-06; Applicant & Owner: Robert C. Barlow; Proposed Zoning District: BN (Neighborhood Business); Area & Location / ID#: 2.6 +/- acres located on the east side of S. Dupont Boulevard, approximately 1,434' north of Twin Willows Road and approximately 400' south of Ridgewood Drive, southeast of Smyrna / DC-00-028.00-02-44.00-000)

CLOSE PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

Mr. Angel:

1. Personnel Matter
2. *Action Item from October 18, 2022 Administration Committee Meeting re: DE Turf ARPA Grant Request*

Mr. Sweeney:

1. *Action Item from October 18, 2022 Community Services Committee Meeting re: KCVFA AmeriCorp Program – Funding Request*
2. **Resolution 3959** – A Resolution calling a Public Hearing upon a proposal to extend Kent County Sewage Disposal District No. 1 (Double Run Area – Lands of Paris Investments Inc.)
3. Introduction of **Resolution 3960** – KCSDD No. 1 (KCSDD1) Proposed Sewer Extension – Double Run Area – Lands of Paris Investments Inc. *for Public Hearing on Tuesday, November 15, 2022 at 7PM*

Mrs. Masten:

1. Introduction of **Ordinance LC22-21**, An Ordinance to amend Kent County Code, Vol. 1, Chapter 158 Moratoriums, as amended, by adding a new subsection relating to Acceptance of Conditional Use Site Plan Applications for Public Utility/Public Utility Uses – Wind Energy Systems *for Public Hearing on Tuesday, December 20, 2022 at 7:00 PM*

NEW BUSINESS, continued

Mr. Hall:

1. Action on Purchase of FY23 Budgeted Paramedic Vehicles

Mr. Buckson:

1. **Resolution 3961** – A Resolution calling a Public Hearing upon a proposal to dissolve select properties from the Kent County Sewage Disposal District No. 1 (Magnolia Area – Munyan & related properties)
2. Introduction of **Resolution 3962** – A Resolution upon a proposal to dissolve certain properties from Kent County Sewage Disposal District No. 1 pursuant to Section 4624, Chapter 46, Title 9 of the Delaware Code, as amended – Dissolution of Magnolia Area – Munyan & related properties *for Public Hearing on Tuesday, November 15, 2022 at 7PM*

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 November 1, 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: 10/18/22

Revised: 10/21/22

Posted by: L. Tanaka

Time: 10:25 AM

Take down: Upon Replacement or on 10/26/22

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.