

Kent County Levy Court Business Meeting Notice and Agenda
Kent County Administrative Complex
555 Bay Road, Dover, DE
Levy Court Chamber, Room 203
Tuesday, May 23, 2023

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

Approval of Levy Court Business Meeting Minutes of Tuesday, April 25, 2023

PRESENTATIONS:

1. **Resolution 3994**, Retirement of Gale E. Maas
 2. **Employee of the Month for June 2023**
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PUBLIC HEARINGS

PETITIONS FOR CONDITIONAL USE APPROVAL:

Mr. Scott:

1. **Application #:** C-23-04; **Applicant & Owner:** Juan Carlos Contreras & Guadalupe Castro-Carmona; **Zoning District / Proposed Use:** AR (Agricultural Residential) / Homebased Contractor; **Area & Location / ID#:** 1.0+/- acre on the north side of Tanglewood Dr., approx. 400' west of Big Stone Beach Rd., being lot 10 of the Tanglewood subdivision, north of Milford / MD-00-163.00-03-09.00-000

PUBLIC HEARINGS, continued

PETITIONS FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Hertz:

1. **Application # / Name:** CS-23-02 Chick's Warehouse & Distribution Center; **Applicant / Owner:** Sam Chick / Frank & Linda Chick, Trustees; **Zoning District / Proposed Use:** BG (General Business) / Warehouse; **Area & Location / ID#:** 13.26 +/- acres located on the east side of S. Dupont Hwy (DE. Rt. 13), 0.19 miles south of the intersection of Corn Crib Rd. (Co. Rd. 433), and S. DuPont Hwy, south of Harrington / MN-00-180.00-02-20.01-000

PETITIONS TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

Mr. Angel:

1. **Ordinance LC23-07**, 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-23-04; **1Applicant & Owner:** Starheart Properties, LLC; **Proposed Zoning District:** BG (General Business) / Highway Commercial; **Area & Location / ID#:** 2.969+/- acres located on the northeastern side of Horsepond Road, approx. 1,061' southeast of Lafferty Lane, adjacent to the City of Dover / ED-00-078.00-01-28.00-000)

ORDINANCE RE: KENT COUNTY GENERAL OBLIGATION BOND

Mr. Hertz:

1. **Ordinance LC23-11**, An Ordinance Authorizing the Issuance of a Kent County General Obligation Bond in an amount not to exceed \$722,856 for the Whispering Pines MHP Septic Elimination Project - Phase II and authorizing all necessary actions in connection therewith

ORDINANCE RE: KENT COUNTY GENERAL OBLIGATION DEBT

Mr. Hertz:

1. **Ordinance LC23-12**, An Ordinance authorizing the Issuance of up to \$3,000,000 General Obligation Debt for Kent County for the Air Blower Optimization and Plant-Wide Generator Phases of the Wastewater Treatment Facility Capacity Expansion and Nutrient Removal Project, and certain other Wastewater Treatment Plant Upgrades and authorizing all necessary actions in connection therewith

CLOSE PUBLIC HEARINGS

OLD BUSINESS

Mr. Hertz:

1. *Tabled May 9, 2023. Lifting motion needed prior to discussion/action:* Biosolids Capacity Expansion Project – Belt Dryer System BCR/SEVAR AG agreement amendment

Mrs. Masten:

1. *Tabled May 9, 2023. Lifting motion needed prior to discussion/action:* Building Inspection and Plan Review RFP

NEW BUSINESS

Mr. Scott:

1. West Kent Co. Paramedic Substation Bldg., Change Order No. 4

Mr. Hall:

1. Introduction of **Resolution 3995**, 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 “Forty Nine Pines” for *Public Hearing on Tuesday, June 27, 2023 at 7:00 PM*

INTRODUCTIONS of the following Ordinances pertaining to the creation of Library Tax Districts. Public Hearing will be on Tuesday, June 13, 2023 at 7:00 PM:

1. **Ordinance LC23-13**, An Ordinance creating the Duck Creek Library Tax District
2. **Ordinance LC23-14**, An Ordinance creating the Lake Forest Library Tax District
3. **Ordinance LC23-15**, An Ordinance creating the Caesar Rodney Library Tax District
4. **Ordinance LC23-16**, An Ordinance creating the Capital Library Tax District

INTRODUCTIONS of the following Resolutions and Ordinances pertaining to the Fiscal Year 2024 Budget for public hearing on June 13, 2023 at 7:00 PM:

1. **Resolution 3981** – FY24 Property Tax Rate
2. **Resolution 3982** – FY24 Old Mill Acres Suburban Park District Tax Rate
3. **Resolution 3983** – FY24 Royal Grant Suburban Park District Tax Rate
4. **Resolution 3984** – FY24 Eagles Nest Suburban Park District Tax Rate
5. **Resolution 3985** – FY24 Kent County Disposal District No. 1 User Rates
6. **Resolution 3987** - FY24 Milford Library District Tax Rate
7. **Resolution 3996** – FY24 Duck Creek Library District Tax Rate
8. **Resolution 3997** – FY24 Lake Forest Library District Tax Rate
9. **Resolution 3998** – FY24 Caesar Rodney Library District Tax Rate
10. **Resolution 3999** – FY24 Capital Library District Tax Rate
11. **Ordinance LC23-10**, An Ordinance adopting the budgets of Kent County, Delaware for the fiscal year beginning July 1, 2023
12. **Resolution 3988** - Command to the Director of Finance to collect Sewer Delinquent Accounts by District as of March 31, 2023

NEW BUSINESS, continued

Mr. Hall:

1. Appeal Escrow

Mrs. Masten:

1. Appointment to Kent Economic Partnership (KEP)

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 June 6, 2023, 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
if needed

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: 5/16/23

Revised: 5/23/23

Posted by: L. Tanaka

Time: 1:00PM

Take down: Upon Replacement or on 5/24/23

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.