



NEW CASTLE COUNTY COUNCIL BOARDS AND COMMITTEES SUBCOMMITTEE MEETING

Chair: Dee Durham, Second District

September 19, 2023
2:30 PM

VIRTUAL ZOOM WEBINAR MEETING** &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801

AGENDA

A. Meeting Call to Order

B. Approval of Minutes

C. Boards & Commissions Interview

CONSENTING TO THE APPOINTMENT OF CORA CASTLE TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT Introduced by: Mr. Hollins

D. Boards & Commissions Re-appointments

CONSENTING TO THE REAPPOINTMENT OF CHARLES H. TOLIVER, IV, ESQUIRE, TO THE NEW CASTLE COUNTY ETHICS COMMISSION Introduced by: Mr. Hollins

CONSENTING TO THE REAPPOINTMENT OF LEE JARMON TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Mr. Street

E. Other

F. Public Comment

G. Adjournment

AGENDA POSTED: 9/12/23

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 Del. C. Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is : <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccde.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.

RESOLUTION NO. 23-

**CONSENTING TO THE APPOINTMENT OF CORA CASTLE TO THE
NEW CASTLE COUNTY BOARD OF ADJUSTMENT**

WHEREAS, the New Castle County Board of Adjustment (“Board”) consists of 7 members who are required to be residents of New Castle County, who have knowledge of, and experience in, the problems of urban and rural development, and who, at the time of appointment, are not permitted to be candidates or candidates-elect for, or incumbents of, elective public office pursuant to 9 *Del. C.* §§1311-1314 and *New Castle County Code* §40.30.320); and

WHEREAS, the County Executive, with the advice and consent of the County Council, appoints 6 members for terms of 4 years. Further, the County Executive, with the advice and consent of the County Council, appoints 1 member who is the chairperson and who serves at the pleasure of the County Executive; and

WHEREAS, the Board is empowered to hear and decide appeals in zoning matters, applications for special exceptions or special permits, and, in specific cases, variance requests from any zoning ordinance, code or regulation that will not be contrary to the public interest; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the appointment of Cora Castle to the Board; and

WHEREAS, Ms. Castle serves as AVP/Senior Voice Engineer for Barclaycard US and brings a wealth of knowledge to the Board through educational and professional experience with technology and policy development.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the appointment of Cora Castle to the New Castle County Board of Adjustment for a term to begin upon adoption of this Resolution and to expire on September 26, 2027.

Adopted by the County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernable fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 23-

**CONSENTING TO THE REAPPOINTMENT OF CHARLES H. TOLIVER, IV, ESQUIRE,
TO THE NEW CASTLE COUNTY ETHICS COMMISSION**

WHEREAS, pursuant to *New Castle County Code* Sections 2.04.101 and 2.04.102, the Ethics Commission is vested with the responsibility of ensuring that all County business is conducted ethically and responsibly, the Ethics Commission may compile statements on financial interests, investigate claims, issue findings, hold hearings, make recommendations, and prepare reports regarding ethical concerns within the County; and

WHEREAS, *New Castle County Code* Section 2.04.101 provides that the Ethics Commission shall consist of seven (7) members, of which County Council, with the advice and consent of the County Executive, shall appoint four (4) members, and the County Executive, with the advice and consent of County Council, shall appoint three (3) members, each of whom shall serve for a term of three (3) years; and

WHEREAS, this appointment fulfills the requirement in *New Castle County Code* Section 2.04.101.A that no more than two members appointed by an entity shall be of the same political party and that the appointee may not be employed by New Castle County, hold or campaign for any County office or hold office in any political party, among other criteria; and

WHEREAS, the first 3-year term of Commissioner Toliver expired on January 29, 2020, and due to shifting priorities brought on by the County's COVID 19 response, and pursuant to *New Castle County Code* Section 2.04.101.C, Commissioner Toliver's permissible six-month holdover expired on July 29, 2020; and

WHEREAS, since January 2017, Commissioner Toliver has served as a respected member of the Commission bringing valuable experience and knowledge to the complex matters that come before the New Castle County Ethics Commission; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the third appointment of Commissioner Toliver to the Ethics Commission.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the appointment of Charles H. Toliver, IV, Esquire, as member of the New Castle County Ethics Commission for a term to begin immediately upon adoption of this Resolution, and to expire on September 26, 2026.

Adopted by the County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernable fiscal impact upon the adoption of this legislation.

Introduced by: Mr. Street
Date of Introduction: September 26, 2023

RESOLUTION NO. 23-

**CONSENTING TO THE REAPPOINTMENT OF LEE JARMON TO THE
NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD**

WHEREAS, pursuant to *New Castle County Code* Section 2.05.306, the Open Space Advisory Board is vested with a responsibility to advise the Department of Land Use and Department of Public Works on implementing best practices in preserving open space within New Castle County; and

WHEREAS, the Open Space Advisory Board shall consist of five (5) members appointed by the County Executive with the advice and consent of County Council who, except for the one (1) member designated by the Secretary of DNREC, shall be residents of New Castle County, shall consist of two (2) “professional” members with at least five years of professional expertise in land conservation programs, parks acquisition/management, knowledge in the fields of open space or historic resource protection/management, and/or environmental protection, and two (2) “citizen at large” members with professional or volunteer background in land conservation; and

WHEREAS, the Open Space Advisory Board shall further consist of four (4) members, all of whom shall be residents of New Castle County who are appointed by County Council with the advice and consent of the County Executive, comprised of one (1) “citizen at large” member with either a professional or volunteer background in land conservation, one (1) member with expertise in the restoration/remediation/conversion of brownfields/greyfields into greenfields or expertise with urban park creation/development, one (1) member from an underserved or an “environmental justice” community, and one (1) Youth member who has a proven interest and involvement in conservation; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Lee Jarmon, who is serving as a citizen at large pursuant to *New Castle County Code* Section 2.05.306 (A)(3); and

WHEREAS, Mr. Jarmon serves as the President of the Overview Gardens and Garfield Park Civic Associations, is the President of Friends of the Route 9 Library and Innovation Center, Inc., and has served with the Police Athletic League, Rose Hill Community Center, NAACP, 913 Alliance and Bethel AME Church.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Lee Jarmon to the New Castle County Open Space Advisory Board for a term to begin immediately upon adoption of this Resolution, with such term to expire on September 26, 2027.

Adopted by the County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.