

February 13, 2024

A meeting of the County Commissioners of Kent County was called to order at 10:00 a.m. with the following present: Ronald H. Fithian, President, and John F. Price. The meeting convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain standing for a moment of silence for the families of Mr. Harry White and Ms. Mary Beth Evans who passed away this week.

Shelley L. Heller, County Administrator, and Thomas N. Yeager, County Attorney, were also present.

## **PUBLIC NOTICES**

Code Home Rule Bill 6-2023 Adaptive Reuse of Existing Structures in AZD, Located on Parcels Under 20 Acres: Commissioner Fithian read the notice into the record. This Legislation was adopted on February 6, 2024, without amendments; and the provisions of this Act shall take effect on February 16, 2024.

Code Home Rule Bill 2-2024 To Rescind and Replace Land Use Ordinance in Its Entirety: Commissioner Fithian read the notice into the record. The notice was duly advertised on February 8 and February 15, 2024, and the public hearing is scheduled for February 27, 2024, at 10:00 a.m.

## **CONSENT ITEMS**

On a motion by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by majority vote approved the following items:

1. Regular Session Minutes, February 6, 2024
2. Liquor Minutes, February 6, 2024
3. Public Hearing Minutes, February 6, 2024
4. Closed Session Minutes, February 6, 2024
5. Betterton Still Pond Lions Club, Multiple Gaming Devices, March 9, 2024

## **APPOINTMENTS**

Shrewsbury Parish Church: This item was not discussed. Ms. Carol Niemand was not in attendance.

Commission on Aging: Muriel Cole, Vice-Chair, Carol Sorge, Chair, Lea Hunley, Member of the Commission on Aging (COA) gave an overview of the COA Annual Report for 2023. The yearly highlights were included in the presentation. Also in attendance were Andy Hollis, Executive Director, Susan Higgs, Senior Care Case Manager, of Upper Shore Aging, Inc., and Rosie Marie Curlett, Director of the Amy Lynn Ferris Adult Activity Center. The HomePorts 2024 health expo event is scheduled for October 19, 2024.

## **OFFICE OF FINANCE**

Pat Merritt, Chief Finance Officer, Office of Finance, and Jamie Williams, Director, Economic and Tourism Development (ETD) presented a request to purchase short-term rental software. On October 31st, the Commissioners approved funding for a short-term rental software package not to exceed \$24,000.00. Since then, a Scope of Work was developed and sent to the participating vendors who then submitted proposals and price quotes. Four vendors participated in the process. Two vendors (Granicus and Air DNA) were not considered because their products did not meet the minimum requirements of the scope of work that would be performed. The other two vendors submitted the following quotes for 5-year contracts: GovOs \$131,773.00 and, Deckard \$117,500.00. On January 31<sup>st</sup>, a meeting was held to select a vendor. It was the consensus of the group to proceed with the procurement of the GovOS software despite its higher cost (approx. \$2,850.00 per year) because the Deckard software could not provide the reporting required. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by a majority vote approved the procurement of the GovOS software for a term of 5 years, to sign the attached contract, and to fund \$23,848.00 out-of-fund balance for FY2024.

Ms. Merritt presented an overview of the six-month Financial Statements for FY2024. Ms. Merritt explained the General Fund Statement of Revenues and Expenditures as of December 31, 2023, and identified any major variances. Discussion took place regarding State of Maryland budget cuts for Chesapeake College and the Kent County budget process scheduled to start the first week of April.

### **HUMAN RESOURCES**

Jim Miller, Director, and Vauné Johnson, Administrative Assistant, of Human Resources on behalf of the Detention Center, requested approval to fill the vacant Correctional Officer position. Discussion took place. No action was taken, Commissioner Price tabled the request until the February 27th meeting to discuss it with all Commissioners.

Mr. Miller and Ms. Johnson, on behalf of Dan Mattson, Director of Public Works, requested approval of a conditional employment offer to the recommended candidate to fill the Motor Equipment Operator I (MEO I). Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by a majority approved a conditional offer of employment to the recommended candidate to fill one of the MEO vacancies in the County Roads Division.

### **COUNTY ADMINISTRATOR**

House Bill 778 Natural Resources – Sunday Hunting – Migratory Game Birds: A discussion of a legislation bill regarding wildlife management. Shelley Heller, County Administrator, speaking on behalf of Commissioner Nickerson, talked about whether the Board should consider a letter to oppose the legislation. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by a majority vote approved to author a letter similar to the opposition letter the Board sent last year for Senate Bill 327, in total opposition to House Bill 778.

Ms. Heller gave an overview of Greenwill Consulting Group, LLC's services thus far. A contract amendment from Greenwill Consulting Group, LLC, that will permit services to be rendered by the end of FY2024 was presented. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by a majority vote approved to sign the four-month contract with Greenwill Consulting Group, LLC, Amendment 1, and to use \$10,000.00 from the fund balance to pay the four-month service charge for FY2024.

Ms. Heller presented a letter of support to the Maryland Heritage Areas Authority (MHAA) on behalf of Ms. Williams. The letter was in support of Main Street Rock Hall's 2025 grant application for the Captain Lambert Wickes Heritage Corner Project. The project proposes to use the underutilized space in the northeast corner of Main and Sharp Streets, which is currently occupied by Cricket's Pet Supplies. The property owners are supportive of this project. There was a discussion on the matter. On a motion made by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by a majority vote approved and signed the letter of support as requested by Main Street Rock Hall for the Maryland Heritage Areas Authority Grant Application Captain Lambert Wickes Heritage Corner Project.

### **COMMISSIONERS COMMENTS**

Commissioner Fithian requested Ms. Williams to send a representative from the department to attend a meeting at the Community Center in Easton on Saturday, February 17th at 1:00 p.m. The purpose of the meeting is to discuss the State of Maryland's plans to regulate Charter Boat Businesses in the future. This regulation could have a negative impact on businesses and tourism across the County.

Commissioner Price inquired about the status of the appointments for the Property Tax and Assessment Board. Ms. Blackiston informed the Board that a new member has been appointed to the board, meeting the quorum requirements. Consequently, hearings will be scheduled soon by the Assessment Office. Additionally, the Kent County resident who had previously expressed concerns has been duly informed.

Commissioner Fithian asked if the Orphans Court Judge vacancy was filled. Staff advised there has been no correspondence received to date.

Commissioner Fithian requested an update regarding the proposed cell tower at the Agriculture Center in Tolchester (Nike Base). Ms. Heller advised the property deed containing property restrictions was sent to the contractor and awaiting a response. Commissioner Fithian suggested staff reach out to an elected official regarding the restrictions within the deed.

Commissioner Price requested staff to research the 2018 Memorandum of Understanding (MOU's) with the local Fire Departments and EMS providers/volunteer organizations regarding billing. Commissioner Price asked that staff look into updating the MOUs to permit the proper billing process to ensure the County receives revenue that will be put back into those organizations.

Commissioner Price asked Ms. Heller to work with Pete Landon, Director of the Office of Emergency Services to start the actuarial process for Law Enforcement Officers' Pension System (LEOPS) for paramedics. Commissioner Price also asked Human Resources to inspire Emergency Medical Technicians (EMTs) to become paramedics.

### **PUBLIC COMMENT**

The procedures for public comment were in effect. Testimony was offered by Mike Waal, a Kent County resident. Mr. Waal requested public access to Greenwill Consulting Group, LLC records. Commissioner Fithian stated access would be granted if there was no confidential information within the reports. Margie Conlin, a resident of Crestview advised issues with meadows and gardens located in the Crestview neighborhood. Ms. Conlin was advised that her complaint was a Health and Hygiene matter and to contact the Kent County Health Department. Commissioner Price advised Ms. Conlin to return to the Board if the issue is not resolved.

### **FOR YOUR INFORMATION**

A correspondence was received February 8, 2024, from Ramona Vickers, a Kent County resident. The letter praised the men and women of the Kent and Queen Anne's Rescue Squad and asked the Commissioners to review the salary of the employees.

### **AMERICAN RESCUE PLAN ACT (ARPA) FUNDS**

A copy of the ARPA Spend Plan outlining the approved expenditures to date was provided to the Commissioners for informational purposes.

### **CONTINGENCY FUND**

The FY2024 Contingency balance as of February 6, 2024, is \$252,564.00. The FY2024 use of Fund Balance is \$118,377.00.

### **CLOSED SESSION**

At 11:30 a.m., a motion was made by Commissioner Price, seconded by Commissioner Fithian, by a majority vote, the Commissioners voted to go into a closed session to discuss a personnel matter. The meeting was closed under the Annotated Code of Maryland, General Provisions Article § 3-305 (b)(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Jim Miller, Director, Human Resources; Sondra M. Blackiston, Clerk/KATE Manager and Lacey T. Cox, Deputy Clerk II, were also in attendance.

## **PERSONNEL**

Topic to be discussed: A personnel matter that involves a specific employee.

Reason for closing: The details of the personnel matter are to be shielded to maintain privacy.

Shelley L. Heller, the County Administrator, recounted the personnel discussion held on January 30, 2024, and a related notice was received on February 6, 2024. Thomas N. Yeager, County Attorney, moved the process forward. Mr. Yeager made recommendations and sought the Board's feedback on the matter. Discussion was held.

Mr. Yeager also offered personnel updates on two ongoing personnel matters. No new information was discussed.

At 12:01 p.m., a motion made by Commissioner Price, seconded by Commissioner Fithian, the Commissioners by majority vote adjourned the closed session and reconvened in an open session.

## **OPEN SESSION**

Commissioner Price summarized that a personnel matter was discussed in a closed session. Commissioner Price made a motion to direct staff to schedule a hearing to address a personnel matter and to also adjourn the meeting. The motion was seconded by Commissioner Fithian and passed by a majority vote.

At 12:02 p.m., on a motion by Commissioner Fithian and seconded by Commissioner Price, the Commissioners by majority vote approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, February 27, 2024, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston  
Clerk

Approved:

Ronald H. Fithian, President  
The County Commissioners  
of Kent County, Maryland

February 13, 2024

The Board of License Commissioners met today with the following present: Ronald H. Fithian, presiding, and John F. Price.

Shelley L. Heller, County Administrator, and Thomas N. Yeager, County Attorney were also present.

### **PUBLIC NOTICE**

Commissioner Fithian read a public notice into the record. Notice an application has been made by Rumit H. Dusia, President/Treasurer, representing Huriom Petroleum Corporation, Inc., to upgrade from a Class A, Beer and Wine License to a Class A, Beer, Wine, and Liquor License on the premises known as Galena Mini Mart, 101 North Main Street, Galena, MD 21635, which shall authorize the holder thereof to keep for sale and to sell Beer, Wine, and Liquor at the place therein described, for off-premises consumption. A hearing on the application will be held in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr. Government Center, 400 High Street, Chestertown, MD on March 12, 2024, at 10:00 a.m. at which time any exceptions to the application will be heard.

### **CONSENT ITEM**

On a motion made by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by majority vote approved Consent Item #2 - Liquor Minutes, February 6, 2024.

### **SPECIAL CLASS C**

Betterton Still Pond Lions Club has applied for a Beer and Wine only Special Class C (Per Diem) liquor license for a fundraising event to be held on March 9, 2024, from 5:30 p.m. to 10:30 p.m. at Betterton Volunteer Fire Company, using their Fire Hall. Staff recommended approval.

Betterton Volunteer Fire Company has applied for a Beer, Wine, and Liquor Special Class C (Multiple Event) liquor license for a twelve-event per year license. A list of their yearly events was not provided. Staff recommended approval.

The applications were reviewed. There being no objections, on a motion by Commissioner Price and seconded by Commissioner Fithian, the Commissioners by majority vote approved the Special Class C (Per Diem) liquor license applications for the Betterton Still Pond Lions Club and Betterton Volunteer Fire Company, contingent on receiving a list of events for the calendar year.

At 12:02 p.m., a motion was made by Commissioner Price, seconded by Commissioner Fithian, the Commissioners by a majority vote approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, February 27, 2024, at 10:00 a.m.

Liquor Minutes  
February 13, 2024  
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THE BOARD OF LICENSE COMMISSIONERS  
OF KENT COUNTY, MARYLAND

Sondra M. Blackiston  
Clerk/KATE Manager

Approved:

Ronald H. Fithian, President  
The County Commissioners  
of Kent County, Maryland