

March 19, 2024

A meeting of the County Commissioners of Kent County was called to order at 6:00 p.m. with the following present: Ronald H. Fithian, President, Albert H. Nickerson, 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 Chris Drummond, Attorney, and his family.

Shelley L. Heller, County Administrator, was also present.

PUBLIC NOTICE

Code Home Rule 3-2024 Short Term Rentals was read into the record. AN ACT concerning Chapter 152 Taxation, Article III Hotel Rental Tax. For the purpose of ensuring equal treatment of all transient lodging including short-term rentals. By repealing Chapter 152 Taxation, Article III Hotel Rental Tax, and reenacting with amendments Chapter 152 Taxation, Article III Short-Term Rental Tax herein. A hearing will be held on March 26, 2024, at 10:00 a.m. in the Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland. The agenda for the meeting will be published online 24 hours in advance of the meeting at www.kentcounty.com/commissioners/meeting-agenda. Citizens are encouraged to participate in the public hearing process. If you require communication assistance, please contact the County Commissioners' Office at (410) 778-4600 and press 4 or visit Maryland Relay at www.mdrelay.org no later than noon on Friday, March 22, 2024. A complete copy of the proposed legislative bill is available in the Commissioners' Office, 400 High Street, Chestertown, MD, Monday through Friday, 8:30 a.m. to 4:30 p.m., and on the County's website at www.kentcounty.com/commissioners/draft-legislation.

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the following items:

1. Regular Session Minutes, March 12, 2024
2. Liquor Minutes, March 12, 2024

RECOGNITION

Jr. Wrestling Coaches Recognitions: Recognizing the dedication and hard work of volunteer wrestling coaches is a crucial aspect of fostering a strong and supportive athletic community. Jill Coleman, Director, Kent County Parks and Recreation (KCPR) offered the opening remarks. At KCPR, the staff understands the invaluable impact that these coaches have on athletes, not only in terms of their athletic skills but also their personal growth and development. Acknowledging and celebrating the efforts of the volunteer wrestling coaches not only shows staff gratitude, but also inspires others to give back to the community in meaningful ways. Their commitment and passion for the sport serve as a shining example of selflessness and dedication, and the staff are truly grateful for all that they do. The following volunteers earned a certificate of recognition: Hannah Beatlie, Arthur Kaehler, Jacob Kirwan, Michael Mench, Michael Menefee, Joseph Milburn, Samantha Reed, Keilani Rickard, Brian Schaffer,

Michael Shrom, Russel Smith, Dennis Staples, Christin Yiannakis, and Donald Yerkie. Several recipients were in attendance and received their certificate in person.

APPOINTMENT

SHREWSBURY CHURCH KENT COUNTY COALITION FOR THE HOMELESS:

Carol L. Niemand, Community Relations Liaison, gave an update on the current homelessness in Kent County and the lack of funding and housing available to assist with Kent County homeless. Discussion took place.

KENT COUNTY LOCAL MANAGEMENT BOARD

Rosemary Ramsey Granillo, Director of Kent County Local Management Board, advised The Children's Cabinet Interagency Fund allocates funding for Maryland's twenty-four (24) Local Management Boards each year through the Community Partnership Agreement. The FY2025 application is due Friday, March 22nd. The Governor's Office for Children requires the signature of the Certified Assurances and the Anti-Lobbying Certificate as part of the application through the Grants Management System. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the application for submission to the Governor's Office for Children.

OFFICE OF EMERGENCY SERVICES

Pete Landon, Director of the Office of Emergency Services requested the Board to approve the recommended candidate to fill the Police Accountability Board Consultant vacancy. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the contract between Kent County and Frank McGarvey for the Police Accountability Board Accountability Officer Consultant position.

ECONOMIC AND TOURISM DEVELOPMENT

Jamie Williams, Director of Economic and Tourism Development, requested the Board's approval to send a letter of support to the Maryland Department of Transportation's (MDOT) Funding Request FY2025 - Enhancing Eastern Shore Freight Rail Growth and Reliability Project. A one-page project description of a Congressionally Spending request from MDOT currently pending consideration by the office of Maryland Congressional District One Representative Andy Harris was available for review. The spending request, if funded, would support state-of-good repair improvements for the State-owned rail lines in Kent and Queen Anne's Counties on the Eastern Shore of Maryland to improve safety and provide economic benefit to the affected businesses, States, and Counties. MDOT is requesting support through letters to be submitted directly from stakeholders to the Office of Representative Harris. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the letter of support for the Maryland Department of Transportation's (MDOT) Funding Request FY2025 - Enhancing Eastern Shore Freight Rail Growth and Reliability Project.

Ms. Williams gave an overview of a program milestone. WKHS Student Public Radio is celebrating its 50th year on the air. WKHS will celebrate with a live community concert in May of 2024, WKHS TuneFest, a music concert, food trucks, station tours, and past WKHS alumni, both instructors and students dating back to 1974. From the department's marketing budget, the Commissioners are sponsoring the event which puts the County logo on all promotional materials and mentions a thank you to the Kent County Commissioners on air. WKHS is the only high school radio station on the FM dial in the state of Maryland (a unique opportunity for Kent County students). Of the 15,000 radio stations nationwide, there are only about 200 licensed to high schools and only about 50% of them have an academic pathway offering. Commissioner Fithian read into the record and presented the certificate of recognition to Chris Singleton, Station Manager, Ken Collins, Sponsorship Manager, Tom Porter, CTE Coordinator, and Dr. Karen Couch, Superintendent, and Dan Divilio Communication Specialist, Kent County Public Schools.

Ms. Williams requested a letter of support for the Maryland Heritage Areas Authority - Chesapeake County Scenic Byway Alliance. Gail Owings, Executive Director, Eastern Shore Heritage Inc./Stories of the Chesapeake Area as part of the Chesapeake Country All American Road scenic byway alliance requested a letter of support for a \$50,000.00 grant through the Tri-County Council for the Lower Eastern Shore. This will implement Phase I Priorities of the Interpretive Plan. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved a letter of support for the Maryland Heritage Areas Authority - Chesapeake County Scenic Byway Alliance grant application.

PUBLIC WORKS

Engineering: Dan Mattson, Director, Department of Public Works and Ned Horneffer, Director of Development, Third Pillar Solar, presented a potential lease for Worton Wastewater Lagoons for a floating solar panel installation. Third Pillar Solar has engaged County Public Works with interest in leasing the existing lagoons (4 total) at Worton Wastewater Treatment Plant for use as a solar panel installation. They intend to use all four (4) lagoons to install/own/operate all equipment. A decommissioning bond would be put in place. Power generated from solar would be sent into the electrical grid, not specifically for the Plant. The proposed lease would be for a 30-year term, at \$8,000.00 per Megawatt-hour generated, with a 2% price increase each year. Approximately 4 MWh is anticipated to be generated, therefore \$32,000.00 per year, with a 2% annual increase. Discussion took place.

COMMISSIONER COMMENT

Commissioner Fithian asked for staff to investigate ways to allow Kent County residents who are classified as handymen and not affiliated with commercial trash companies or construction companies to bring their trucks and trailers of items intended to be disposed of with an additional ticket purchase.

COUNTY ADMINISTRATOR

Shelley Heller, County Administrator advised the Board that Peter Sweetser requested a proclamation for Vietnam Veterans Day, March 29th to be presented at the Celebration festivities. This will be the third year in a row Kent County will observe National Vietnam War Veterans Day on March 29 in the downtown Memorial Park, Chestertown from 6:00 p.m. – 7:00 p.m. Commissioner Price read the proclamation into the record.

Charles Miller, Chair of Kent Soil and Water Conservation District requested recognition for 2023 Cooperator of the Year award recipients Ron and Loretta Gail Dierker of Blueberry Hill Farm, LLC. Commissioner Nickerson read the recognition into the record. Mr. Nickerson will present the recognition at the April 5th Annual Cooperator Dinner event.

COUNTY ADMINISTRATOR REPORT

Ms. Heller announced a letter of invitation was sent to each Municipality inviting the Mayor and Council Members to attend the April 9, 2024, Budget Work Session. The letter was signed by County Administrator, Shelley Heller, and placed in the mail on March 14, 2024. The letters were available for review.

HUMAN RESOURCES

Jim Miller, Director, Human Resources, requested approval to hire the recommended candidate to fill the Maintenance Worker I vacancy in the Public Works Department. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended candidate to fill the vacant Maintenance Worker I position in the Public Works Department pending successful completion of County pre-employment requirements.

PUBLIC COMMENT

The procedures for public comment were in effect. There were no comments offered.

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 March 12, 2024, is \$244,896.00. The FY2024 use of Fund Balance is \$128,255.00.

CLOSED SESSION

At 7:46 p.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, and carried unanimously to go into a closed session. 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; and (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans. Two subject matters were to be discussed.

Shelley L. Heller, County Administrator; Jim Miller, Director, Human Resources, Captain Haniffee, Interim Warden, Dan Mattson, Director, Department of Public Works, Lacey T. Cox, Deputy Clerk II, and Tonya Thomas, Deputy Clerk II were also in attendance.

MATTER NO. 1: PERSONNEL AND PUBLIC SAFETY

At 7:48 p.m. Jim Miller, Director, Human Resources (HR), and Captain Haniffee, Interim Warden, Kent County Detention Center (KCDC), joined the closed session to discuss the above-noted matter.

Topics to be discussed: To discuss current staffing levels and the safety of staff according to such levels.

Reasons for closing: Personnel safety matters related to staffing capacity should be private and confidential.

Mr. Miller gave a quick recap of the request to hire a recommended candidate to fill a vacant Correctional Officer position at the Kent County Detention Center (KCDC). Captain Haniffee supplied details and information regarding the staffing structure.

At 8:28 p.m. Captain Haniffee departed the closed session.

MATTER NO. 2: PERSONNEL

At 8:30 p.m. Dan Mattson, Director, Department of Public Works (DPW), joined the closed session to discuss the above-noted matter. All the other people in attendance remained.

Topics to be discussed: Capital projects and the management of such projects at staffing level.

Reasons for closing: Schedules and responsibilities of staff should be shielded and remain confidential.

Mr. Mattson stated that DPW has multiple water and wastewater projects going on and quite a few of them are extremely large projects. Mr. Mattson suggested hiring a consultant for a year to oversee the projects. Further discussion took place.

At 9:04 p.m., a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the closed session and reconvened in an open session.

OPEN SESSION

Commissioner Price summarized closed sessions Matter No. 1 and Matter No. 2 respectively. The Commissioners advised staff to proceed as discussed.

At 9:05 p.m., on a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, March 26, 2024, at 10:00 a.m.

Respectfully submitted,

Lacey T. Cox
Deputy Clerk II

Approved:

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

March 19, 2024

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

Shelley L. Heller, County Administrator, was also present.

CONSENT ITEM

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, March 12, 2024.

SPECIAL CLASS C LICENSES

Kent Soil and Water Conservation District (KSWCD) submitted a Special Class C (Per Diem) liquor license application for approval. The event is the district's annual dinner at Red Acres Farm at 25367 Lambs Meadow Road, Worton, MD on April 5, 2024, from 5:00 p.m. to 9:00 p.m. KSWCD plans to sell Beer, Wine, and Liquor during the event. Staff recommended approval.

Sultana Education Foundation (SEF) submitted six (6) Special Class C (Per Diem) liquor license applications. Each application submitted is for a First Friday event for the following months: April, May, June, August, September, and October. SEF plans to serve Beer and Wine during each monthly event except May and September where they would like to serve Beer, Wine, and Liquor for these two (2) months. Each application was provided for review. Staff recommended approval of all applications.

Dogwood Festival of Galena Inc. submitted a Special Class C (Per Diem) liquor license application for approval to sell Beer, Wine, and Liquor on May 11, 2024, from 11:00 a.m. to 10:00 p.m. during the annual Dogwood Festival held in Galena. Staff recommended approval.

The applications were reviewed. There were no objections to any of the applications.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class C (Per Diem) liquor license application for Kent Soil and Water Conservation District.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the six (6) Special Class C (Per Diem) liquor license applications for Sultana Education Foundation.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class C (Per Diem) liquor license application for Dogwood Festival of Galena, Inc.

At 9:05 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, March 26, 2024, at 10:00 a.m.

THE BOARD OF LICENSE COMMISSIONERS
OF KENT COUNTY, MARYLAND

Lacey T. Cox
Deputy Clerk II

Approved:

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