

April 9, 2024

A meeting of the County Commissioners of Kent County was called to order at noon, with the following present: Ronald H. Fithian, President, and Albert H. Nickerson. The meeting convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain standing for a moment of silence for everyone around the world going through trying times and thank the good Lord for the weather we are about to receive.

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

PUBLIC NOTICES

The adoption notice for Code Home Rule 3-2024 Short-Term Rental Tax was read into the record. The legislation was adopted on April 2, 2024, without amendments; and the provisions of this Act shall take effect on July 1, 2024.

The legislative bodies of Caroline, Dorchester, Kent, Queen Anne's, and Talbot counties are scheduled for a joint meeting on April 18, 2024, at 6:00 p.m. The meeting will take place at Chesapeake College, Dorchester Administration Building, 100 College Circle, Wye Mills, MD 21679. The primary purpose of the meeting is to discuss budgetary matters related to Chesapeake College. In addition, each county will have the opportunity to bring up other matters for discussion. The meeting is open to the public. If you are interested in attending and observing the proceedings, please call 410-778-4600 and press 4 or email kentcounty@kentgov.org by noon on Friday, April 12, 2024, to receive further instructions on how to observe the public meeting.

CONSENT ITEMS

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

1. Regular Session Minutes, April 2, 2024
2. Liquor Minutes, April 2, 2024
3. Closed Session Minutes, April 2, 2024
4. Bits and Bridles 4-H Club, Raffle Only, June 8, 2024
5. Chestertown High School Alumni, Raffle Only, August 11, 2024

ECONOMIC AND TOURISM DEVELOPMENT

Jamie Williams, Director of Economic and Tourism Development announced the Startup Maryland kicked off the 2024 Upper Shore STRT1UP Roadshow at Washington College today.

Ms. Williams requested a letter of support for the reallocation of Rural Maryland Economic Development Funds (RMEDF) for the Millington Senior Village project. In November 2023 the Commissioners directed staff to investigate the possibility of reallocating the

funds from the Worton Water & Sewer Extension project from the RMEDF to the Millington Senior Village Project. On March 8, 2024, staff received approval from Commerce to reallocate the funding as requested. On March 25, 2024, the County received confirmation from the Department of Housing and Community Development's Secretary Jake Day advising the project would be supported through their programs and committed additional State and Federal resources for the project. On March 28, 2024, Susan O'Neill, Executive Director, Upper Shore Regional Council signed the reallocation approval letter. On April 1, 2024, Ms. O'Neill, Frank Hodgetts, Home Partnership Inc., and Ms. Williams met virtually to discuss the next steps at which time Ms. O'Neill indicated a formal letter from Kent County approving the reallocation of funding was required. Discussion took place. This letter memorializes the full Board's position and support for the reallocation of funds.

Ms. Williams requested a letter of support for a Department of Housing and Community Development (DHCD) Neighborhood BusinessWorks Loan Application. Staff have been working with the Washington Square property owners and the business owner on the relocation and expansion of the existing coffee shop to 18 Washington Square, Unit #4 in Chestertown Maryland. Play It Again Chestertown, LLC applied for funding under the Neighborhood BusinessWorks Program, through the Maryland DHCD. The business is proposing to move to a new location that offers more food preparation areas and storage space. The new space is in the County's uptown area in a busy shopping center, which offers much more exposure to the broader community. As set forth herein, based on increased space for food preparation, storage, and customers; higher prices; extended hours; a location with greater exposure to the wider community; an inviting space and virtually unlimited parking, the Restaurant's sales are projected to increase by 50% in the first year. Discussion took place. On a motion made by Commissioner Nickerson, and seconded by Commissioner Fithian, the Commissioners, by a majority vote, approved and signed the Letter of Support for the Play It Again Chestertown, LLC, Department of Housing and Community Development Neighborhood BusinessWorks Loan application.

Ms. Williams requested approval to allocate the second tranche of \$50,000.00 from the Local Assistance and Tribal Consistency Fund (LATCF) to the Millington Wastewater Treatment Facility Expansion Project. In 2022, it was discovered Kent County was entitled to \$50,000.00 in both FY2022 and FY2023, through the LATCF, federal funding under the American Rescue Plan. On April 4, 2023, the County Commissioners allocated the first tranche of \$50,000.00 to the Millington Wastewater Treatment Facility Expansion Project. On March 8, 2024, the finance department staff advised Kent County had received the second tranche of \$50,000.00. Staff recommended the second tranche also be allocated to Millington Wastewater Treatment Facility Expansion Project. This project was selected based on the potential economic impact along the 301 corridors, one of the County's two designated growth areas. The funding is available until all monies are expended or returned to the Treasury. Discussion took place. On a motion made by Commissioner Nickerson, and seconded by Commissioner Fithian, the Commissioners, by a majority vote, approved the allocation of the second tranche of \$50,000.00 from the Local Assistance and Tribal Consistency Fund (LATCF) to the Millington Wastewater Treatment Facility Expansion Project.

APPOINTMENT

Kent County Health Department: Bill Webb, Health Officer, and Erika Hercher, Director, of the Environmental Health Program (EHP), Kent County Health Department (KCHD), gave an overview of the request to increase KCHD's current fee schedules for the EHP. The fees have not been updated in over sixteen (16) years and have not kept pace with operating expenses. To ensure that the proposed increases are comparable, neighboring counties were surveyed. In situations where KCHD's proposed fee is higher than other jurisdictions, this typically reflects a low-volume service that entails significant effort to complete. An Environmental Health Fee schedule and a Building Permit fee schedule were provided for review. Commissioner Fithian tabled this request until Commissioner Price returned and could review the request and provide input.

Mr. Webb also announced the EHP is offering a paid Summer Internship for college students over the age of 18 interested in pursuing licensure as an Environmental Health Specialist.

PUBLIC WORKS

Dan Mattson, Director of Public Works, Building Maintenance Department requested a transfer of benefits funds to the operating budget to cover the unexpected costs of fixing the elevator at the Public Works Complex on Morgnec Road. The elevator recently broke down due to a failed CV500 valve. Due to the age of the valve, and unavailability of direct replacement, it was determined to be 'obsolete' by Delaware Elevator (who is under contract for elevator maintenance) and therefore not covered by the current maintenance contract. The total cost of the elevator repair was \$15,646.00. To fund this unanticipated cost, funds were transferred from several operating budgets. One line specifically was vehicle repair and maintenance (R&M) for the Environmental Operations Division (EOD). A total of \$9,000.00 was transferred from that line to expeditiously fund the elevator repair, however, use of the \$9,000.00 is anticipated to be needed. This request is being made to transfer available funds from the benefits line to refund the EOD vehicle R&M budget. An additional \$2,000.00 was included in the request, which will be used to fund new mulch for the County Courthouse, Government Building, and Community Center this Spring. After a review of the status of the Roads Division benefits line and consideration for anticipated expenditures from this line, staff projects that more than the requested \$11,000.00 will be unspent at the end of FY2024, therefore this transfer would not impact any employee benefits. The money is available in this line due to the turnover of several positions in FY2024. Discussion took place. On a motion made by Commissioner Nickerson and seconded by Commissioner Fithian, the Commissioners, by a majority vote, approved the transfer of \$11,000.00 from the Roads Division benefit budget to the Environmental Operations and Building Maintenance Division operating budget.

Mr. Mattson informed the Commissioners the Granary structure was demolished at Turner's Creek. The Roads Division will stabilize the area, fill the hole with stone, and level the parking lot.

OFFICE OF EMERGENCY SERVICES

Pete Landon, Director of the Office of Emergency Services (OES), requested approval to utilize State Homeland Security Grant funding to purchase one Motorola APX portable and two APX mobile radios along with support equipment and software. Mr. Landon stated that Brad Russum, Communications Chief, is present and available for discussion if needed. OES Communications will be adding \$512.21 of budgeted funds to purchase the equipment and software for a total of \$36,624.21. There is \$36,112.00 remaining in the State Homeland Security Grant Program (SHSGP) to purchase radio equipment designated to increase interoperability. Discussion took place. On a motion made by Commissioner Nickerson, and seconded by Commissioner Fithian, the Commissioners, by a majority vote, approved the use of State Homeland Security Grant and minimal budgeted OES communications funding to purchase Motorola APX portable and mobile radios along with support equipment as well as software.

Mr. Landon requested acceptance of the Motorola Solutions recurring service agreement effective August 1, 2024, continuing until July 31, 2027, for Computer Aided Dispatch (CAD) server maintenance and upgrades as stated in quote #2510807 for \$144,820.83. The cost is \$48,772.83 for FY2025, \$48,024.00 for FY2026 and \$48,034.00 for FY2027. This is an annual recurring service agreement between the County Commissioners of Kent County and Motorola Solutions. The agreement provides 9-1-1 dispatch center computer-aided dispatch (CAD) server maintenance, and upgrades. The term of this quote is from August 1, 2024, through July 31, 2027. Discussion took place. On a motion made by Commissioner Nickerson, and seconded by Commissioner Fithian, the Commissioners, by a majority vote, accepted the Motorola Solutions recurring service agreement as presented.

COMMISSIONER FITHIAN

Commissioner Fithian stated the Board received a request for an endorsement letter for Philip Cicconi to be included in the Maryland Senior Citizens Hall of Fame Nomination submittal. On a motion made by Commissioner Nickerson, and seconded by Commissioner Fithian, the Commissioners, by a majority vote, approved signing the letter as transcribed.

PUBLIC COMMENT

The procedures for public comment were in effect. Comments were not offered by the public.

FOR YOUR INFORMATION

Lucie Hughes, Director of Communications, Choptank Health Partners sent an email on April 3, 2024, Immediate Release: Announcing a partnership with the Kent County Public Library to expand access to behavioral health. The correspondence was available for review as well as a photo advertising the telehealth tablets that will be available.

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 April 2, 2024, is \$181,772.00. The FY2024 use of Fund Balance is \$128,225.00.

At 12:33 p.m. on a motion made by Commissioner Nickerson and seconded by Commissioner Fithian, the Commissioners, by a majority vote, approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, April 16, 2024, at 6:00 p.m.

FY2025 BUDGET WORK SESSION HELD

A budget work session was held today at 1:00 p.m. and commenced. Ronald H. Fithian, and Albert H. Nickerson. Also in attendance were Shelley L. Heller, County Administrator, and Pat Merritt, Chief Finance Officer, Office of Finance.

The following representatives were in attendance: Robert Baldwin, Director, and Charlie Miller, Chair and District Supervisor, Kent Soil and Water Conservation District; John Schratwieser, Director, Kent Cultural Alliance. Each representative presented their respective budget request for FY2025.

Letters dated March 14, 2024, invited the legislative body of each municipality to join today's work session to discuss each need. The following representatives were present: Harry Marcy, Council Member, Town of Betterton; David Foster, Mayor, and Tim O'Brien, Council Member, Town of Chestertown; John Carroll, Mayor, Town of Galena; Jo Manning, Town Manager, and Michelle Holland, Council Member, Town of Millington. Each representative offered comments regarding their respective town's wants and needs. In addition, The Town of Chestertown requested to discuss a tax differential/tax rebate for FY2025, and documents were submitted.

Pat Merritt, Chief Finance Officer, Office of Finance, summarized the general fund overview, capital requests, the five-year capital plan, and allocations. The budget work session ended at 3:05 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

April 9, 2024

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

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

CONSENT ITEM

On a motion made by Commissioner Nickerson and seconded by Commissioner Fithian, the Commissioners, by a majority, approved Consent Item #2 - Liquor Minutes, April 2, 2024.

KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

License Update: Sondra M. Blackiston, Clerk/KATE Manager provided an update regarding Galena Mini Mart. During the March 12, 2024 meeting, the Commissioners approved an application requesting an upgrade to the liquor license for Galena Mini Mart, License No. 4778. The request was to upgrade from a Class A, Beer and Wine license to a Class A, Beer, Wine, and Liquor license. On April 1, 2024, Runit Dusia paid the pro-rated amount for one month of the upgraded liquor license. Mr. Dusia is still required to renew the liquor license for the upcoming year and pay the full amount due for an annual renewal.

The above-noted transaction will be recorded in the monthly report of retail license activity required by the Comptroller of Maryland, Field Enforcement Division.

At 12:36 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Fithian, the Commissioners, by a majority, approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, April 16, 2024, at 6:00 p.m.

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