

September 24, 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; Albert H. Nickerson; and John F. Price. The meeting convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain silent for everyone affected by the unrest around this great land and keep everyone in our prayers.

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

PUBLIC NOTICE

Commissioner Fithian read the adoption notice for Code Home Rule 7-2024 Self-Storage Centers In The Industrial District into the record. The legislation was adopted on September 17, 2024, without amendments, and provisions of this Act shall take effect on September 27, 2024.

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved all nine items as presented:

1. Regular Session Minutes, September 17, 2024
2. Liquor Minutes, September 17, 2024
3. Closed Session Minutes, September 17, 2024
4. Kent County Jr Wrestling, Raffle Only, October 5, 2024
5. Main Street Rock Hall, Raffle Only, October 25-26, 2024
6. Jamie Williams, Director, Economic and Tourism Development – Main Street Rock Hall, T-Mobile Hometown Grant Support Letter
7. Scott Boone, Director, Information Technology.
 - a. Memorandum of Understanding (MOU) with the Town of Millington for Remote Desktop Support and Hardware Support
 - b. MOU with Circuit Court for One Ethernet Port on the County’s Optical Network Terminal (“ONT”)
 - c. MOU with the Register of Wills of Kent County for One Dark Fiber Strand as part of the County’s Fiber Optic Network
 - d. MOU with the Chamber of Commerce for One Ethernet Port on the County’s Optical Network Terminal (“ONT”)
 - e. MOU with Town of Galena Remote Desktop Support and Hardware Support
8. Dan Mattson, Director, Public Works Department for the Water and Wastewater Division – Allocation Agreement for Water and Sewer Allocation for Richard J. and Linda M. O’Connor, for \$16,200.00
9. Mr. Mattson – Sewer Allocation Request – Green Lane, Rock Hall – Tax Map 51 Parcel 550.

PROCLAMATIONS

Constitution Week -September 17-23, 2024: September 17, 2024, marks the two hundred and thirty-seventh anniversary of drafting the Constitution of the United States of America by the Constitutional Convention. Commissioner Nickerson read the proclamation into the record. The proclamation was requested by Susan Pritchett, Daughters of the American Revolution and Chairman of Constitution Week.

Cybersecurity Awareness Month – October 2024: Scott Boone, Director of Information Technology (IT) provided an overview of Cybersecurity Awareness Month. Cybersecurity Awareness Month was established twenty years ago by The President of the United States and U.S. Congress as a dedicated month for the public and private sectors to work together to raise awareness about the importance of cybersecurity. The theme for Cybersecurity Awareness Month 2024 is “Secure Our World.” Launched in 2023, Secure Our World empowers everyone to understand how to protect yourself, your family, and your business from online threats. Commissioner Fithian read the proclamation into the record, which Mr. Boone accepted.

RECOGNITION

Pete Landon, Director, and Brian Pearsall, Emergency Planner, of the Office of Emergency Services (OES), shared their experiences working with Tyler Arnold, GIS Specialist, Planning, Housing, and Zoning (PHZ), on the Office of Emergency Management Geographic Information System (GIS) Mapping Project. GIS mapping involves using GIS technology to create, manage, and analyze spatial data. GIS integrates hardware, software, and data to capture, manage, and display geographically referenced information. The core components of GIS mapping include Data Layers, Spatial Analysis, Data Visualization, and Database Management. Mr. Arnold showed his professionalism, diligence, and dedication in helping the Office of Emergency Services by creating GIS-sourced maps, allowing emergency management in Kent County to prepare, respond, and recover from emergencies more efficiently. Mr. Arnold created several highly detailed maps of Kent County consisting of each municipality, automated external defibrillator (AED), and fire call box placements, as well as created incredibly accurate maps depicting flood-prone areas within the County, including possible storm surge probabilities for these vulnerable areas. Mr. Arnold’s ability to visualize the geography, not only of our municipalities but also of the County, in its entirety, certainly contributes to an effective response to disasters by the OES. The PHZ team attended the appreciation in support of Mr. Arnold’s efforts. Commissioner Price read the Certificate of Appreciation into the record, which Mr. Arnold accepted.

APPOINTMENTS

Maryland Department of Commerce: Carl Anderton, Jr., Director of Rural Economic Strategy, introduced himself to the Board. Governor Wes Moore recently appointed Mr. Anderton, and he hopes to establish personal relationships with every rural county across Maryland.

Maryland Association of Counties (MACo): Johnny Olszewski, 2024 MACo President and Baltimore County Executive, and Michael Sanderson, Executive Director, gave an update on the 2024 State legislative and budgets and events that included Affordable Housing, Solar Citing, State Implementation of Adult Cannabis Use, Federal Funding Shortfall, and Kirwan (Blueprint). MACo submitted summary sheets reviewing the year's efforts.

PARKS AND RECREATION

Jill Coleman, Director of Parks and Recreation (PR), discussed a proposal for certain discounted rates. During the August 2024 Parks and Recreation Advisory Board (PRAB) meeting, the Board approved the proposed discounted rates for community organizations, employees, and non-profit organizations. Upon assessing current rentals to non-profits, employees, and community organizations, it is evident that the annual revenue from these entities is around \$2,000.00. On multiple occasions, staff receives repeated requests from organizations for discounted rates, which prompts the need to establish a transparent and equitable discount structure that upholds fairness for all parties involved within the County. Providing discounted rates to public service agencies, employees, and nonprofit organizations offers mutual benefits for the Community Center and the community. This initiative fosters stronger community relations by demonstrating a commitment to supporting local organizations and causes, enhancing the County's reputation. Potential collaborations with public service agencies, employers, and nonprofits can emerge by extending discounts and paving the way for joint projects, events, and business opportunities for PR. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the proposed discounted rates as presented by the director of Parks and Recreation

HUMAN RESOURCES

Jim Miller, Director, and Rachel Morlock, Administrative Specialist I of Human Resources (HR), requested approval to hire a recommended candidate for a vacancy in the Kent Family Center. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the part-time Family Advocate position as presented by Human Resources.

Commissioner Price explained that some employees had contacted him regarding post-employment benefits. Commissioner Price asked for HR staff to review a policy in the Employee Handbook Section 3: Benefits, # 3A Special Consideration, any active employee who has met or will meet the requisite years of credible service near-term, and report back to the Board with how many employees are currently close to meeting the requisite.

PUBLIC WORKS

Galena Water and Wastewater Agreement Renewal: Mr. Mattson explained that the item concerns the renewal of the existing agreement between Kent County and the Town of Galena to operate and manage water and wastewater systems. The contract language remains mostly unchanged, with the addition of item #7 on Exhibit B's 'General Management' section to define

the responsibility of technology. The most significant revision is an updated monthly fee of \$7,872.00, reflecting a 16% increase to cover County costs accurately. Exhibit D has been revised to reflect daily equipment usage rates instead of hourly. The Town of Galena has agreed to all revisions and executed the contract. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Supervisory Agreement Renewal with the Town of Galena Water and Wastewater Treatment Facilities.

Courthouse Lobby Alteration – Contract Award: Mr. Mattson discussed a renovation project at the Courthouse. The Request for Proposal (RFP) was requested on August 6, 2024. There were four (4) bidders, with two (2) closely aligned near \$60,000.00 and two (2) closely aligned near \$120,000.00. The lowest bidder, Bloomes Contracting, Inc., was contacted regarding a wide range of bids and confirmed their confidence in scoping and estimating the project. Bloomes Contracting, Inc. has been vetted and has completed projects of similar scope and size. It appears they are fully capable of completing this project under the submitted bid. The total project budget is \$61,237.00. A contracted amount of \$16,008.00 was allocated for architectural design, bidding, contract administration, and inspection services, leaving \$45,229.00 available in the current budget. The low bid is \$59,200.00; therefore, an additional \$13,971.00 is required to fund this contract. At the December 19, 2023, Commissioners' Meeting, it was determined that additional funds needed would be paid for out of available American Rescue Plan Act (ARPA) funding. The scope of work includes renovating and expanding the lobby into an adjacent room, formerly used as an office. New flooring and ceiling systems will be installed throughout the expanded lobby area. Existing lighting and 'arches' will be demolished and replaced by new lighting. Contract 25BMCHLA0125 was submitted with this request. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the contract as presented, for a total of \$59,200.00 and an allocation of \$13,971.00 from American Rescue Plan Act (ARPA) funding.

Commissioner Price asked staff if the new Emergency Medical Services building project is still on schedule for October. Mr. Mattson stated the work is still on the projected schedule, and trees will be removed this week.

Harris Murphy, Judge of the Circuit Court, joined Mr. Mattson to discuss a recent flooding incident and repairs in the Courthouse basement. Mr. Mattson stated that staff will meet with the contractor and insurance representative this week to discuss what the insurance company will cover. The Board had no objections to an air quality test, regardless of whether the testing is covered under the County's current claim.

COUNTY ADMINISTRATOR

Shelley Heller, County Administrator, advised that an announcement from the Public Service Commission had been received. A public hearing has been scheduled for October 3, 2024, regarding the proposal to build a 5.0 MW solar facility in Kent County. TPE MD KE51, LLC has applied for a Certificate of Public Convenience and Necessity (CPCN) to construct the solar plant on a 40-acre portion of a 199-acre property at 10066 Peacock Corner Road in

Millington. The virtual hearing will occur on Thursday, October 3, 2024, at 7:00 p.m. before Chief Public Utility Law Judge Chuck McLean. Local residents and other interested public members are invited to participate and comment.

To participate in the virtual hearing, please sign up in advance to speak by sending an email referencing Case No. 9742 to psc.pulj@gmail.com by noon on October 2, 2024. Participants will receive an email with the link to join the virtual platform. A hearing recording will be available on the Public Utility Law Judge Division's YouTube channel (MD PSC PULJs).

Written comments can be submitted electronically through the Commission's online portal at <https://www.psc.state.md.us/make-a-public-comment/> or by mail. If sending comments by mail, they should be addressed to Jamie Bergin, Chief Clerk, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202 (only one copy is required). All comments should reference Case No. 9742. The application is also available for public review at the Kent County Department of Planning and Zoning, 400 High Street in Chestertown, and at the Town of Millington Town Office, 402 Cypress Street in Millington.

The Commissioners discussed what tax revenue is generated by solar farms.

LETTER FOR SIGNATURE

Carolyn Sorge, Chair of the Commission on Aging (COA), has accepted the role of Commissioner Liaison for the COA board. The Board signed an appointment letter memorializing this designation.

PUBLIC COMMENT

The procedures for public comment were in effect. Kent County residents Mike Waal and John Massey offered comments. There was a discussion regarding farming on County property, solar, and the Blueprint Wealth formula.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

The Commissioners were provided with a copy of the ARPA Spend Plan outlining the approved expenditures to date for informational purposes.

CONTINGENCY FUND

The FY2025 Contingency balance as of September 17, 2024, is \$323,850.00. The FY2025 use of Fund Balance is \$101,347.00.

CLOSED SESSION

At 11:46 a.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 (8) to consult with staff, consultants, or other individuals about pending or potential litigation. Two matters will be discussed.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Bill Mackey, Director, Planning, Housing, and Zoning; Sondra M. Blackiston, Clerk/KATE Manager; and Lacey T. Cox, Deputy Clerk II, were also in attendance.

MATTER NO. 1 PERSONNEL

Topic to be discussed: Appointments and possible reappointments to a Board/Committee.

Reason for closing: Discussion of members and terms are confidential and must be shielded.

Bill Mackey, Director of Department Planning, Housing, and Zoning (DPHZ), informed the Commissioners about the Board and Commission members whose terms were expiring. He provided a comprehensive list of upcoming expirations and sought advice from the Board on how to proceed. The Board discussed potential applicants, diversity, and the current composition of the boards and commissions. Thomas N. Yeager clarified information in response to the Board's questions.

MATTER NO. 2: PERSONNEL AND PENDING OR POTENTIAL LITIGATION

Topic to be discussed: Personnel matters and consulting with staff concerning a pending or potential litigation matter.

Reasons for closing: Personnel information is confidential and should be safeguarded, and advice from staff concerning pending or potential litigation should be kept private to the public and is meant to shield specific details.

On September 17, 2024, the Commissioners requested an update on a specific pending or potential litigation matter. Mr. Yeager offered an update. The Board requested an explanation of the next steps involved in the process.

At 12:24 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 both closed-session discussions. In Matter No. 1, the board discussed having staff proceed with outreach for appointments for several current boards. In Matter No. 2, the Board discussed potential litigation; no action was needed.

At 12:25 p.m., on a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, October 1, 2024, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

September 24, 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, and Thomas N. Yeager, County Attorney, were 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, September 17, 2024.

SPECIAL CLASS C LICENSES

Sultana Education Foundation (SEF) submitted a Special Class C (Per Diem) liquor license application to sell beer and wine during a Fundraiser/Festival Community Event. The event is scheduled for October 5, 2024, from 3:00 p.m. to 7:00 p.m. at Lawrence Wetlands Preserve (owned by SEF).

SEF also submitted a Special Class C (Per Diem) liquor license application to sell beer and wine during a Fundraiser/Festival Community Event. The event is scheduled for November 1, 2, 3, 2024, from 12:00 p.m. to 4:00 p.m. each day at Chestertown Marina.

Each application was reviewed, and no objections were raised before the Board voted on each application. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved two Special Class C (Per Diem) liquor license applications for Sultana Education Foundation to serve beer and wine on October 5, 2024, and November 1, 2, and 3, 2024.

At 12:25 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, October 1, 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