

October 29, 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 was convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain silent for Charles “Chuck” Cheney and Sondra Blackiston’s mother, both of whom passed away. Commissioner Fithian asked that we keep both families in our prayers.

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

CONSENT ITEMS

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

1. Regular Session Minutes, October 22, 2024
2. Liquor Minutes, October 22, 2024
3. Public Hearing Minutes, October 22, 2024
4. Closed Session Minutes, October 22, 2024
5. Silver Heel Foundation, LLC, Raffle Only, December 16, 2024
6. Pete Landon, Director of Emergency Services – 2024 State Homeland Security Grant Program for \$95,334.94
7. Pete Landon, Director of Emergency Services – 2024 Emergency Management Performance Grant for \$60,767.84

PROCLAMATIONS

National Long-Term Care Residents’ Rights Month October 2024: Ms. Carolyn Sorge requested a Proclamation for the National Long-Term Care Residents' Rights Month for October 2024. Commissioner Nickerson read the proclamation into the record and presented the certificate to Ms. Sorge.

KENT COUNTY PUBLIC SCHOOLS

Dr. Mary McComas, Superintendent, and Alleesa Stewart, Director of Finance, Kent County Public Schools, requested approval of two budget adjustment amendments. There is an Unrestricted Funds Budget Adjustment #4 for FY2024 and an Unrestricted Funds Budget Adjustment #1 for FY2025. A memo and Excel spreadsheet were presented to the Board for review. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2024 Unrestricted Funds Budget Adjustment #4 and the FY2025 Unrestricted Funds Budget Adjustment #1 as presented.

Dr. McComas and Kreigh Kirby, Accountant, gave an overview of the Kent County Board of Education Project Memorandum of Understanding and requested approval of the design services of the Kent County Middle School Facility. The document was presented for

review. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Project Memorandum of Understanding for the Kent County Middle School Facility.

Dr. McComas and Mr. Kirby gave an overview and requested the approval of the FY2026 Capital Improvement Plan (CIP). The document was presented for review. The submittal outlined the first request for funding for the construction services of the Kent County Middle School Project in FY2026. The CIP also outlines any other upcoming capital projects in the pipeline. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2026 Capital Improvement Plan for the Kent County Middle School Project

OFFICE OF EMERGENCY SERVICES

Pete Landon, Director of Emergency Medical Services (EMS), requested approval of the 2024 Kent County Emergency Services Intercept and Billing Procedures Agreement. Kent EMS is an emergency medical service provider within the County's governmental infrastructure and has a prehospital Advanced Life Support (ALS) designation from the Region IV EMS Council of the State of Maryland. Kent EMS delivers emergency medical services to the citizens of Kent County through Kent EMS' staff of paramedics and emergency medical technicians. The Community Volunteer Fire Company, Galena Volunteer Fire Company, Kennedyville Volunteer Fire Company, Betterton Volunteer Fire Company, Chestertown Volunteer Fire Company, Rock Hall Volunteer Fire Company, and Kent and Queen Anne's Rescue Squad are private, non-profit, volunteer prehospital emergency medical services providers. They have requested the County provide ongoing funding sources to contribute to the enhancement and delivery of EMS services to the citizens of Kent County. It is in the public's interest that EMS providers in Kent County cooperate to the greatest extent possible to provide prompt, effective, and professional emergency medical services. The 2024 Kent County Emergency Services Intercept and Billing Procedures Agreement reestablishes the Kent EMS cooperative agreement to process billing for EMS services throughout Kent County. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved and signed the 2024 Kent County Emergency Services Intercept and Billing Procedures Agreement.

ECONOMIC AND TOURISM DEVELOPMENT

Jamie Williams, Director of Economic and Tourism Development, requested approval to acknowledge and recognize Operation Green Light and show support for veterans. The National Association of Counties (NACo) and the National Association of County Veterans Service Officers (NACVSO) invite the nation's 3,069 counties, parishes, and boroughs to join Operation Green Light and show support for veterans by lighting our buildings in green from November 4-11, 2024. By shining a green light, county governments and our residents will let veterans know they are seen, appreciated, and supported. Commissioner Price read the proclamation into the record and presented Mr. Al Quatman, a Kent County Veteran and resident, with the proclamation.

Ms. Williams presented the FY2025 Destination Marketing Organization Grant for approval. The Maryland Tourism Development Board (MTDB) is committed to supporting tourism marketing and development efforts conducted by local jurisdictions, which provide a return on investment to Kent County and the State of Maryland. The Maryland Tourism Development Board (MTDB) is committed to supporting tourism marketing and development efforts conducted by local jurisdictions and providing a return on investment to Maryland. The MTDB approved the FY2025 Destination Marketing Organization (DMO) Grant Program as part of the Maryland Office of Tourism Development (OTD) annual Marketing and Development Plan. Based on Kent County's performance, the MTDB awarded Kent County a grant for \$27,698.00. Funding assistance is to be expended per this agreement. The MTDB FY2025 Destination Marketing Organization Grant Guidelines were provided. The grant agreement does not commit the County to any spending threshold or specific marketing vehicle. The goal is to utilize the total grant award to market Kent County to visitors in conjunction with county funds committed. Failure to comply with the deadline may result in ineligibility for future grant funds. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved and signed the Destination Marketing Organization Grant Agreement.

Ms. Williams gave an overview of the FY2023 economic impact of Tourism in Maryland. Each year as part of the Maryland Office of Tourism Development, Destination Marketing Organization (DMO) Grant Agreement approved by the County Commissioners, Exhibit A - DMO Grant Guidelines states that each DMO must participate in the Tourism Impact Report for the State of Maryland and Maryland's DMOs. The annual cost for participation is eligible for reimbursement through the grant. Tourism brings new dollars into our economy, which has more weight than recirculating dollars. Studies show that those dollars will then be spent again at least three to seven times by local community members.

LOCAL MANAGEMENT BOARD

Rosemary Ramsey Granillo, Director of Kent County Local Management Board (KCLMB), requested approval of the grant proposal for Engineering Neighborhoods, Organizations, Unions, Governments, and Households (ENOUGH) LMB Capacity Building funds. The Governor's Office for Children received the approved \$15,000,000.00 tied to the passage of the ENOUGH Act to use place-based strategies to end child poverty in Maryland. Some census tracts are eligible for a \$10,000,000.00 pot of funds, and the other \$5,000,000.00 is being allocated to Local Management Boards to support the approach and build local capacity among partners and organizations. Kent County will receive \$104,000.00 (2% of \$5,000,000.00) to implement strategies between January 1, 2025, and June 30, 2025, with the option to request a no-cost extension until September 30, 2025. The proposal seeks to leverage these funds to strengthen and ground the investments around Washington College's 800 High St. property and the Garnet and Middle School Community concentration of poverty work with resident needs and priorities in Uptown Chestertown. Staff must strategically braid these dollars with other initiatives locally and regionally. Further discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners

unanimously approved the ENOUGH grant proposal for Capacity Building Funds for the Kent County Local Management Board.

Ms. Ramsey-Granillo requested approval of the Kent County Local Management Board contract with Everyday Canvassing. KCLMB released a Request for Proposal (RFP) toward the end of FY2024 to begin community engagement work that will inform and support the ENOUGH Act approaches and models implemented by the State of Maryland. KCLMB received two bids for the RFP and selected the lower bid and the vendor with direct canvassing experience, Everyday Canvassing. Everyday Canvassing gathers community input by hiring and training residents as canvassers, knocking on doors, interviewing residents, and organizing the data for further analysis and engagement processes. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved and signed the Kent County Local Management Board's contract with Everyday Canvassing.

Ms. Ramsey-Granillo requested approval of the Minary's Dream Academy Afterschool Program Contract. KCLMB is renewing the contract with Minary's Dream Alliance for the second time. The Minary's Dream Academy is an afterschool program at Kent County Middle School that works to support students and improve school attendance. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2025 Contract with Minary's Dream Alliance to implement the Afterschool Academy at Kent County Middle School.

PARKS AND RECREATION

Marva Kumpf, Deputy Director, Parks and Recreation, requested approval to apply for an environmental education funding opportunity for Kent County's summer camp participants. The Department of Parks and Recreation respectfully requests to apply for grant funding in the amount of \$22,000.00 to educate our summer camp participants (ages 3.5-14 years) about organic gardening methods, sustainable farming practices, and promoting a healthier environment. In addition, and through a partnership with the Eastern Shore Food Lab (ESFL), camp participants will learn how these methods contribute to healthier eating using a Farm-to-table approach. If granted, the funds will be used to cover the Farm to Table program, environmental curriculum supplies, and transportation costs for the camp participants to attend weekly community gardening sessions at Turner's Creek. Throughout the year, the community garden is managed by Volunteer Wayne Gilchrest and the Department of Parks and Recreation's Program Coordinators. This program emphasizes responsible, sustainable agriculture and ties the lessons to the Chesapeake Bay watershed stewardship. The Maryland Department of Natural Resources Chesapeake and Coastal Service provides the funding. It is made available through two funding sources: The Chesapeake Bay Implementation Grant (CBIG), funded by the U.S. Environmental Protection Agency, and the Aquatic Resources Education (ARE) program, funded by the U.S. Fish and Wildlife Service. The County's In-Kind Match will be \$22,653.00. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved staff to apply for the environmental education funding opportunity for Kent County's summer camp participants.

PLANNING, HOUSING, AND ZONING

Rob Tracey, Associate Planner, Planning, Housing, and Zoning, requested approval to schedule a public hearing to review and approve an agricultural preservation district application. The Agricultural Preservation Advisory Board and the Planning Commission have recently reviewed an application to establish an agricultural preservation district. The application exceeded the minimum requirements and was recommended for approval. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved scheduling a public hearing to review and approve the agricultural preservation district application.

FINANCE

Patricia Merritt, Chief Finance Officer, Office of Finance, presented the FY2024 Amended Budget for approval. Every year, before finalizing the annual financial statements, we request formal approval of the Amended Budget. The amended budget includes all the annual adjustments made for contingency requests, fund balance requests, reclassifications, etc. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2024 Amended Budget.

PUBLIC WORKS

Sewer Rate & Allocation Study Update: An update from NewGen Strategies on the initial findings of their Water & Wastewater Rate and Allocation Fee requirements was presented. Michael Maker, Partner, and Nick Short, Senior Consultant, NewGen Strategies & Solutions, gave an overview of the rate/allocation fee calculation process and different approaches for this determination. New Gen representatives requested input from the Commissioners about long-term subsidy amounts, potential rate increase schedules, desired cash reserves, etc. No final determinations were made at this meeting; the purpose of the presentation was to provide a progress update and seek input on critical parameters.

Road Division- Road Speed Limit Changes: Dan Mattson, Director of Public Works, requested speed limit changes to Lovers Lane (Rock Hall), Rosedale Cannery, Royal Swan Road, Turners Point Road, and Reeses Corner Road. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the road speed limit modifications as presented. Changes are as follows:

- Lovers Lane (Rock Hall): Staff recommended creating a 25mph zone from the intersection at Rt. 20 to 21887 Lovers Lane, posting 50mph signage from 21887 Lovers Lane to Tolchester Rd, and adding the recommended speed of 35 mph at the sharp bend.
- Rosedale Cannery: Is currently 50mph, and staff recommended reducing speed to 40mph for the entire roadway
- Royal Swan Road: There is no speed limit signage

- Turners Point Road: Is currently 30 mph, and staff recommended reducing the speed to 25 mph
- Reeses Corner Road: No speed signage is posted (50mph by default). Staff recommended posting 50mph signage and adding the recommended speed of 35 mph to bends

Water and Wastewater- Sewer Allocation Request: Patrick McLaughlin has requested an additional 0.5 sewer allocation at the property located at 9220 N. Bayview Ave, in the Tolchester Service area, on Tax Map 35C, Parcel 881. An allocation is available at this location. The Allocation fee is \$5,900.00. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved an additional 0.5 Sewer Allocation at 9220 N. Bayview Ave, in the Tolchester Service area.

New EMS Station - Potential Change Order: Public Works has evaluated potential 'aesthetic upgrades' to the proposed EMS Station per the Commissioner's direction. The recommended aesthetic upgrade has been identified as a Portico entrance. This item was not presented to the Chestertown Planning Commission during the meeting on October 23rd. However, it is anticipated to be received positively by the Board if approved by the Commissioners. The current plan proposed only a concrete pad at the main personnel entrance to the building. This proposed change order would include an 8' tall by 12' wide brick portico at the location to add aesthetic value to the building. The drawing and cost basis for the portico were provided for reference. It was noted the drawing calls out 'stone' as the material for the portico. While this is a potential option for the finishing, brick is recommended, as feedback from the Town Planning Commission on other projects strongly favored a brick finish over stone as it is more consistent with town history and surrounding architecture. There is no cost difference between stone and brick finish. It is also noted that while the Town Planning Commission granted Preliminary Site Plan approval, it did so with the requirement that additional landscaping be installed between the building and Flatland Road to provide a visual screening/buffer. The landscaping cost is not currently known as it is under design. The budgeted amount for this project was \$650,000.00. The original contract value is \$628,800.00; the proposed change order is \$9,980.00; and the potential new contract value is \$638,780.00. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Change Order for Design & Construction of the EMS Facility & Storage Building Contract in the amount of \$9,980.00 for the new portico entrance.

PUBLIC COMMENT

The procedures for public comment were in effect. Mike Waal, a Kent County resident, offered comments regarding the speed limit changes presented by Mr. Mattson.

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 October 22, 2024, is \$308,865.00. The FY2025 use of Fund Balance is \$105,307.00.

CLOSED SESSION

At 12:06 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) (7) To consult with counsel to obtain legal advice; and (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. Two matters were discussed.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Pat Merritt, Chief Finance Officer, and Ashley Albia, Treasury Accountant, Office of Finance; Jennifer White, Human Resources Business Partner, Human Resources; and Lacey T. Cox, Deputy Clerk II, were also in attendance. There was a brief recess; the Closed Session commenced at 12:12 p.m.

MATTER NO. 1: LEGAL ADVICE

Topics discussed: The public utility tax for local business.

Reasons for closing: The advice of the counsel is confidential, and specific details should be shielded.

Shelley L. Heller, County Administrator, advised ThinkBig requested the County consider a Payment in Lieu of Tax (PILOT). Thomas N. Yeager, County Attorney, provided further information for the Commissioners to consider. Discussion took place.

Ms. Merritt and Ms. Albia departed the closed session at 12:29 p.m. All other persons remained. Jennifer White, Human Resources Business Partner, Human Resources, joined the closed session at 12:31 p.m.

MATTER NO. 2: LEGAL ADVICE AND PENDING OR POTENTIAL LITIGATION

Topics to be discussed: The qualifications, compensation, job responsibilities for a vacant position, and a specific individual's job performance.

Reasons for closing: The details, qualifications, and compensation of certain applicants being considered for a vacant position and employment evaluations should be shielded for privacy.

Jennifer White, Human Resources Business Partner (HR), joined the closed session to discuss a new leadership position created for the Kent County Detention Center (KCDC), which resulted in a vacancy. Discussion took place. Documents related were submitted for the Board's information.

At 1:28 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 staff not having statutory authority to proceed with the request, and staff will send a letter to the local business indicating the same. In Matter No. 2, the Board discussed a personnel issue. The Commissioners instructed the County Attorney to provide legal research, and he will report back to the Commissioners at a future meeting.

At 1:29 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 Wednesday, October 6, 2024, at 6:00 p.m.

Respectfully submitted,

Lacey T. Cox
Deputy Clerk II

Approved:

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

October 29, 2024

PUBLIC HEARING

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance, as well as Shelley L. Heller, County Administrator, Thomas N. Yeager, County Attorney, and Pete Landon, Director, Office of Emergency Services.

Thomas N. Yeager, County Attorney, read the notice into the record. The rules for a public hearing were in effect.

CODE HOME RULE BILL NO. 8-2024 EMERGENCY SERVICES AND FIRE COMPANIES

The public hearing commenced at 10:18 a.m. in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, MD. A public hearing to discuss Code Home Rule Bill No. 8-2024, Emergency Services and Fire Companies, AN ACT concerning Chapter 33 Emergency Services and Fire Companies, Section 33-1 Emergency Services Board Appropriations and 33-2 Vehicles. For the purpose of decreasing time constraints for volunteer fire and EMS companies to achieve compliance with standards and revisions to be consistent with the Maryland Annotated Code Transportation Article. By repealing Chapter 33 Emergency Services and Fire Companies, Section 33-1 Emergency Services Board Appropriations, and 33-2 Vehicles and reenacting with amendments to Chapter 33 Emergency Services and Fire Companies.

Pete Landon, Director, Office of Emergency Services, provided a summary and further details of the legislation's intent. Discussion took place. Mr. Yeager also noted for the record that the written comment period will remain open until the close of business on November 1, 2024.

PUBLIC COMMENTS

During the public hearing, citizens were invited to sign the testimony log and offer comments on the proposed legislation. No comments were offered.

WRITTEN COMMENTS

No written comments were received at the time of the public hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing regarding Code Home Rule Bill 8-2024 at 10:25 a.m. The legislative bill is scheduled to be considered for a vote on Tuesday, November 19, 2024.

Respectfully submitted,

Lacey T. Cox
Deputy Clerk II

Approved:

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

October 29, 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.

PUBLIC NOTICE

Commissioner Fithian read a public notice into the record. Notice an application has been made by Bilal Mustafa, President, and Hassan Mahmood, Vice President, representing M&M Rock Hall, LLC, for a Class A, Beer, Wine, and Liquor License on the premises known as Rock Hall One Stop Shop, 21340 Rock Hall Avenue, Rock Hall, MD 21661, which shall authorize the holder thereof to sell Beer, Wine, and Liquor at retail, 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 November 19, 2024, at 6:00 p.m. At that time, any exceptions to the application will be heard.

CONSENT ITEM

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, October 22, 2024.

At 1:29 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price; the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Wednesday, November 6, 2024, at 6:00 p.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