

August 5, 2025

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 Kent County resident Norman Scott, who passed away, and to keep his family in our prayers.

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

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners, by unanimous vote, approved all five consent items as presented:

1. Regular Session Minutes, July 22, 2025
2. Liquor Minutes, July 22, 2025
3. Closed Session Minutes, July 22, 2025
4. Public Works - Roads Division – FY2026 Blacktop Projects Approval and Contract with David A Bramble, Inc. for \$340,625.00
5. Commissioners Office – Purchasing Approval CivicPlus Software Invoice #342530 for \$25,416.30

PUBLIC HEARINGS

Public Hearings were held in accordance with the following: Code Home Rule Bill No. 5-2025 Ethics, Chapter 29, Code Home Rule Bill No. 6-2025 Administration of Government, Chapter 3, and the Millington Water and Wastewater Treatment Plant Comprehensive Water and Sewerage Plan Amendment. Information regarding the abovementioned hearings and minutes is posted on the County's website at <https://www.kentcounty.com/government>.

COUNTY ATTORNEY

Mr. Yeager gave an overview of a proposed resolution. The public hearing occurred, and all comments have been considered. The Commissioners can consider adopting Resolution 2025-11. Carrie Klein, Deputy Director of Public Works, attended to answer any questions the Board may have had. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners approved the Adoption of Resolution 2025-11 Millington Water and Wastewater Treatment Plant Comprehensive Water and Sewerage Plan Amendment.

Mr. Yeager reviewed a second proposed resolution. The purpose of the resolution is for the County Commissioners of Kent County (the "County") to acknowledge and accept the planning, design, construction, equipping, and operation of Cell Number 5 and Cell Number 1 at the Mid-Shore II Regional Landfill in Caroline County, Maryland. This work is being done by the Maryland Environmental Service (the "Service"). The Service will issue revenue bonds with a maximum total of \$28,000,000.00 for these purposes and related activities under the existing Waste Disposal

Service Agreement (the “Service Agreement”) between the Service and the County. The County recognizes its ongoing responsibilities under the Service Agreement. The County authorizes the approval, signing, and delivery of any additional documents, certificates, or agreements related to the financing by the Service, including a continuing disclosure agreement. The bond is expected to close in either August or September 2025. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners approved the Adoption of Resolution 2025-10 Issuance By The Maryland Environmental Service of Its Revenue Bonds To Fund Costs of Cell Number 5 and Cell Number 1 Of The Mid-Shore II Regional Landfill And Related Costs and Matters Relating Thereto.

COUNTY ADMINISTRATOR

Forest Pest Management - On June 24, 2025, Commissioners approved participation in Fall and Winter 2025-2026 Spongy Moth Surveys. A letter advising Kent County's willingness to participate was mailed. A response letter from Craig Kuhn, Project Manager of Forest Pest Management, was received on July 18, 2025, requesting confirmation of participation at a minimum of \$1,800.00, which includes 100 surveys at \$18.00 each. The \$1,800.00 does not include additional funds that may be needed for aerial spraying. An estimate of the Spring 2026 spray acreage will be available at the end of this year. The letter was available for review. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the confirmation letter as presented.

Requests to Waive Interest Fees - The first requester claims the County entered a change of address into the system incorrectly. The Finance Office has provided documentation that states otherwise. The second request was hand-delivered by the property owner on July 30, 2025, noting that the error resulted from their financial institution. The Finance Office provided further information for the Board's review. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners denied the requests as presented because the County has no fault. Account Nos. 8234 and 9816 will receive a letter stating the Board's decision.

During the follow-up discussion from the Commissioners' meeting on July 22, 2025, Ms. Heller requested feedback and any details before finalizing a letter regarding the financial constraints of Blueprint funding. It was emphasized that the County cannot cover the costs of a new middle school under the current state-county cost-sharing arrangement. Pat Merritt, Chief Finance Officer of Finance, Dr. Mary McComas, Superintendent of Kent County Public Schools, and Trish McGee, President of the Board of Education, joined the Board to engage in a discussion relative to the proposed new Kent County Middle School (KCMS) and the Blueprint requirements. Ms. Merritt gave a detailed financial presentation that outlined annual savings and available resources to provide a responsible path forward that invests in the future of students and the community. The key points taken from the presentation were:

- Total cost of a new school, \$64,418,000.00, the County's share is \$30,278,000.00, States Cost \$26,140,000.00, Bond Bill \$8,000,000.00
- Debt Service – 5% for 30 years \$1,969,627.00
- Blueprint Challenge \$2,500,000.00 additional monies required for Blueprint in FY2027, and \$8,900,000.00 additional monies required between FY2026 -FY2030

- FY2026 the County has \$3,300,000.00 in new money FY2026
- A reduction in debt service of \$947,222.00 by FY2030
- Additional income tax revenue (3.2%-3.3%) earmarked for the Middle school (fully phased in FY2028)
- There is \$13,000,000.00 in undesignated fund balance earmarked for construction projects
- \$372,274.00 Property tax (1 cent rate increase)

Commissioner Price's suggestion:

- The potential to save up to \$1,000,000.00 if the County adopts the Regional Correctional Facility Model

Commissioner Price and Commissioner Nickerson both shared their suggestions and gave explanations for each. Dr. McComas is scheduled to meet with Rebecca Flora, State Secretary of Planning, and Delegate Jeffrey Ghrist, Chief of Staff, Jackson Leith, with hopes to secure funding from the State to offset the cost to the County. The proposed KCMS blueprints are getting close to being complete, and staff are hoping to put out for bids in October/November. Discussion ensued. Ms. Heller will draft a letter to the State Legislature advising the County's stance and budget on the proposed new Kent County Middle School and the Blueprint. Neighboring Counties will be sent a copy of the letter.

COUNTY ADMINISTRATOR'S REPORT

Lisa Mazingo, Director, Kent Family Center, requested a Letter of Commitment for the Maryland Family Network's FY2026 grant application. The County Commissioners of Kent County operate the Kent Family Center within the Patty Center - Family Support Program Network. The County Commissioners have operated a center as part of the Network, with funding distributed by Maryland Family Network (MFN), which has served as an intermediary since 2015. The deadline for submitting the letter was July 28, 2025. However, the August 5, 2025, meeting did not allow enough time to meet the letter's deadline. Ms. Heller signed the letter on July 25, 2025.

PUBLIC NOTICE

Adoption Notice: Code Home Rule Bill No. 4-2025 To Rescind and Replace the Land Use Ordinance and Zoning Map was adopted with amendments on July 15, 2025, and the provisions of this Act took effect on July 25, 2025.

Ms. Heller stated that the Commissioners' Meeting on August 19, 2025, has been changed from a night meeting to a day meeting that will commence at 10:00 a.m. The County's website was updated to reflect the change.

COMMISSIONERS' COMMENT

Commissioner Nickerson advised that two Public Works, Water, and Wastewater Division employees, Eric Thiessen, Operator, and Kim Middleton, Chief Operator, received recognition featured in the Maryland Current Magazine, published by the Maryland Rural Water Association.

Commissioner Price asked to discuss his suggestions pertaining to the Kent County Detention Center (KCDC) at the next meeting during a closed session. Suggestions included the possibilities of retirement incentives for the Kent County Detention Center employees who are eligible for retirement and responsibilities of employees that will remain employed to run intake, central booking/holding, transportation of incarcerated individuals to neighboring counties and court appearances, daily supervision of pre-trial release individuals, and supervision/monitoring of home detention individuals at a future meeting. Discussion regarding office space/buildings, the County leases/rents, and the potential savings was also requested to be added to the agenda for the next meeting.

PUBLIC COMMENT

The procedures for public comment were in place. Mike Waal and John Massey, Kent County residents, expressed their concerns about the proposed new Kent County Middle School, the Blueprint, Water, and Wastewater Plant facilities in Millington, and Ms. Merritt's presentation from earlier in the evening.

FOR YOUR INFORMATION

New Leaf Energy, Inc. sent a notification letter advising its intent to apply for a Certificate of Public Convenience and Necessity (CPCN) with Kent County for a solar array. The CPCN will be requested to allow for the development of a 3MW, 24-acre fenced ground-mounted solar farm facility located on Augustine Herman Highway, Kennedyville, MD 21645 (Parcel ID: 1502017601). The letter was available for review.

The Commissioners received a letter dated July 24, 2025, from Charlie Miller, Chair of the Board of Supervisors for the Kent Soil and Water Conservation District. In the letter, Mr. Miller, on behalf of the Board of Supervisors, employees, partners, and cooperating farmers and landowners, expressed gratitude to the Commissioners for their financial allocation for FY2026. The letter was available for review.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

The Commissioners received a copy of the final ARPA Spend Plan report.

CONTINGENCY FUND

The FY2026 Contingency Fund balance as of July 22, 2025, is \$340,521.00. The use of Fund Balance was \$13,953.00.

At 7:50 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, August 19, 2025, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

August 5, 2025

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, July 22, 2025.

SPECIAL CLASS C LICENSES

The Rock Hall Lions Club submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor on August 9, 2025, from 9:00 a.m. to 4:00 p.m., at Ferry Park Beach, Rock Hall, during the Pirates and Wenches weekend event. The application was provided for review. 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 the Rock Hall Lions Club.

The Animal Care Shelter for Kent County submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor on August 16, 2025, from 11:00 a.m. to 6:00 p.m., at the Animal Care Shelter for Kent County, 10168 Worton Road, Worton, during a Family Day Adoption event. The application was provided for review. 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 the Animal Care Shelter for Kent County.

St. John and Sacred Heart Church have submitted a Special Class C (Per Diem) liquor license application to sell Beer Only during their annual Bull Roast Dinner on August 17, 2025, from 1:00 p.m. to 5:00 p.m. at the Rock Hall Volunteer Fire Company. The Statement of Owner-Authorized Agent Signature Page was not signed in the proper place on the form. The applicant was made aware of this problem and agreed to get the Authorized Agent to sign the form in the appropriate place and return it as soon as possible. Instead of holding up the approval process, staff requested that the Commissioners approve the application contingent upon the correction. The application was provided for review. 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 St. John and Sacred Heart Church contingent upon receiving the Statement of Owner-Authorized Agent Signature Page properly signed.

The American Legion Auxiliary Unit 228 submitted a Special Class C (Per Diem) liquor license application to sell beer only on September 7, 2025, from 12:00 p.m. to 5:00 p.m., at the Rock Hall Bulkhead, during the annual Bike Fest event. The application was provided for review. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the

Liquor Minutes

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Commissioners unanimously approved the Special Class C (Per Diem) liquor license application for the American Legion Auxiliary Unit 228.

At 7:50 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, and the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, August 19, 2025, at 10:00 a.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

August 5, 2025

PUBLIC HEARINGS

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance, as were Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; and Carrie Klein, Deputy Director, Public Works.

Thomas N. Yeager, County Attorney, read each notice into the record. All three hearings were duly advertised, and the rules for a public hearing were in effect. Mr. Yeager stated that the public comment period for Code Home Rule Nos. 5-2025 and 6-2025 would remain open until the close of business on Friday, August 8, 2025.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go into several public hearings.

CODE HOME RULE BILL NO. 5-2025, ETHICS

The first of three public hearings commenced at 6:09 p.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 AN ACT to repeal and re-enact with amendments Chapter 29, Ethics of the Code of Public Local Laws of Kent County. Mr. Yeager provided a brief overview of the bill. Mr. Yeager added that the State required the County to change the Local Public Laws of Kent County to meet the State's requirements. Shelley L. Heller, County Administrator, provided some of the revisions made to the bill, which mirror the State's requirements. Mr. Yeager stated that the County received a letter from the State Ethics Commission dated January 16, 2025, approving the proposed ordinance. The letter was submitted as part of the public hearing record. Discussion took place.

PUBLIC COMMENTS / WRITTEN COMMENTS

Citizens were invited to sign the testimony log and comment during the public hearing. No comments were made, either spoken or written, before or during the hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing for Code Home Rule Bill No. 5-2025 Ethics and to leave the public comments period open until the close of business on Friday, August 8, 2025. The public hearing for Code Home Rule Bill No. 5-2025 Ethics was closed at 6:13 p.m.

On a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously agreed to proceed to the next public hearing.

CODE HOME RULE BILL NO. 6-2025, ADMINISTRATION OF GOVERNMENT

The second public hearing commenced at 6:13 p.m. A public hearing to discuss AN ACT to amend Chapter 3 Administration of Government, of the Code of Public Local Laws of Kent County, Maryland. FOR the purpose of increasing the compensation of the County Commissioners. BY repealing Chapter 3 Administration of Government, Article I, General Provisions §3-2 Terms and Compensation, and reenacting with amendments herein. Mr. Yeager provided a brief overview of the

proposed bill. Discussion took place.

PUBLIC COMMENTS / WRITTEN COMMENTS

Citizens were invited to sign the testimony log and comment during the public hearing. No comments were made, either spoken or written, before or during the hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing for Code Home Rule Bill No. 6-2025 Administration of Government and to leave the public comments period open until the close of business on Friday, August 8, 2025. The public hearing for Code Home Rule Bill No. 6-2025, Administration of Government, was closed at 6:16 p.m.

On a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously agreed to proceed to the next public hearing.

MILLINGTON WATER AND WASTEWATER TREATMENT PLANT COMPREHENSIVE WATER AND SEWERAGE PLAN AMENDMENT

The third public hearing commenced at 6:17 p.m. A public hearing to discuss, review, and receive comments on the proposed Millington Wastewater Treatment Plant Water and Sewerage Comprehensive Plan Amendment. The County has applied for State and Federal funding to design and construct a new County Wastewater Treatment Facility in Millington, replacing the existing facility. This project will provide capacity for existing and new development in Millington and the 301 economic development corridor. The County is proposing an amendment to the 2018 Comprehensive Water and Sewerage Plan to include the project as a condition of funding.

A draft proposal and documentation for an amendment to the Comprehensive Water and Sewer Plan were submitted to the Maryland Department of the Environment (MDE) for review and comment on March 25, 2025. Comments were received from MDE on May 27, 2025. The Department of Public Works submitted a response to the comments on June 23, 2025. MDE recommended proceeding with adopting a Resolution to amend the Plan and obtain formal approval from MDE. Carrie Klein, Deputy Director, Public Works, provided a detailed summary of the proposed Millington Wastewater Treatment Plant project. Ms. Klein further explained the plans for an intermunicipal service agreement with the Town of Millington, in which the County would provide service to the Town. Mr. Yeager asked Ms. Klein if the Town of Millington was aware of the project and agreed, and Ms. Klein confirmed the Town's approval.

PUBLIC COMMENTS / WRITTEN COMMENTS

Citizens were invited to sign the testimony log and comment during the public hearing. No comments were made, either spoken or written, before or during the hearing.

Public Hearing Minutes – Code Home Rule Bill No. 5-2025 and Code Home Rule Bill No. 6-2025, and
Millington Water and Wastewater Treatment Plant Water and Sewerage Comprehensive Plan Amendment
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On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing. The public hearing for the Millington Wastewater Treatment Plant Water and Sewerage Comprehensive Plan Amendment was closed at 6:23 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

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