

September 30, 2025

A meeting of the County Commissioners of Kent County was called to order at 10:00 a.m., with Ronald H. Fithian presiding, Albert H. Nickerson, and John F. Price. The meeting was convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to observe a moment of silence in remembrance of the unrest occurring worldwide.

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

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved all eleven consent items as listed.

1. Regular Session Minutes, September 23, 2025
2. Liquor Minutes, September 23, 2025
3. Closed Session Minutes, September 23, 2025
4. Information Technology – Request to Approve Network Utility Assessment Statement of Work with ePlus Technology for \$64,000.00
5. Planning, Housing, and Zoning – Washington College Center for Environment and Society Memorandum of Understanding for Geospatial Support Services for \$2,500.00
6. Dan Mattson, Director of Public Works – County Roads Division – FY2026 State Aid Program Data Sheet No. 29-000S (26) The total cost is \$81,562.50, including the County share of \$16,312.50
7. Public Works – County Roads Division – FY2026 Guardrails, Etc., Inc. in the amount of \$80,000.00
8. Public Works – Environmental Operations – Betterton Beach Boat Ramp Preliminary Engineering Report, Work Assignment No. 2 with Davis, Bowen & Friedel, Inc., for \$25,000.00
9. Public Works – Emergency Medical Services Building – Budget Update and Additional Work Request \$25,611.45 from Contingency Funds and a departmental funds transfer of \$29,187.23
10. Public Works – Sewer Allocation Request and Public Works Agreement, Signe L. Brousseau. The allocation Fee is \$11,800.00
11. Public Works – Water and Wastewater Division – Tolchester UV Disinfection System Upgrade Equipment Purchase with Trojan System UV for \$175,500.00 and a departmental funds transfer of \$500.00

SPECIAL RECOGNITION

Economic Development and Tourism - Economic Development Week, October 20-24, 2025: Jamie Williams, Director, and Katie Abbott, Economic Development Manager, of Economic and Tourism Development, highlighted the transformative impact of economic development on communities and individuals. Economic Development Week in Maryland will emphasize the importance of economic development for the State of Maryland. The week is designed to increase

understanding of economic development's contribution to the state's business climate, job retention and growth, the tax base, and the overall quality of life in Maryland. Events and activities hosted by various statewide economic development organizations will showcase the efforts and initiatives to enhance business retention, job growth, and the quality of life for Maryland residents.

Commissioner Nickerson read the proclamation into the record, which was presented to Ms. Williams and Ms. Abbott.

PUBLIC HEARING – CODE HOME RULE BILL NO. 8-2025 ADMINISTRATION OF GOVERNMENT

A public hearing was held on Code Home Rule Bill No. 8-2025, Administration of Government. Public information regarding the above-mentioned hearing and minutes is posted on the County's website at <https://www.kentcounty.com/government>.

APPOINTMENTS

TOWN OF MILLINGTON: Jo Manning, Town Administrator for the Town of Millington, and Mr. Mattson, gave an overview of the proposed Allocation Agreement between the Town of Millington and the County. The subject agreement has been prepared in coordination with the Town to clarify and memorialize the following:

1. Number of remaining allocations at the existing Plant;
2. The 'separate buckets' of Town allocations and County allocations, will be combined into a single pool of available allocations available to either Town or County projects;
3. There are certain projects that the Town and County intend to prioritize for the remaining allocations (Everton Warehouses, Senior Housing, Elementary School);
4. Formal 'reservations' of the allocations will be available for these projects, and executed via Public Works Agreement;
 - A. The concept of Equivalent Dwelling Unit (EDU) reservations has not previously been explored in Kent County
 - B. The specifics of the EDU reservation procedure/requirements have been coordinated with the project stakeholders and will be presented to Commissioners at a future meeting
5. The above-referenced projects will push Waste Water Treatment Plant (WWTP) over the 85% capacity threshold, allowing recapture of unused EDUs
6. A set of criteria for the use of remaining EDUs is established and agreed on by Town and County.

Mr. Mattson shared that limited available allocations will significantly limit the ability to develop plans until the new WWTP is built or additional EDUs are recaptured. However, the County and Town have identified the subject projects as the highest-priority developments within the Town, and thus, the best use of the remaining allocations. Discussion took place. Ms. Manning shared that the Town needs additional time for legal counsel to finalize the agreement. No action was taken.

CITIZEN PRESENTATION: Mike Waal, a resident of Kent County, opined by his review of State Aid Formula Wealth Data and Calculations for FY2026, etc. Mr. Waal also commented on a State Spending Series: School Construction report dated September 2025, published by Brooke E. Lierman, Comptroller of Maryland. Discussion took place. The Commissioners agreed to send a letter to Ms. Lierman, commending her on a job well done regarding the report, and invite her to a meeting or to schedule a meeting with her in Annapolis.

OFFICE OF FINANCE

Pat Merritt, Chief Finance Officer, gave an overview of the proposed Investment Policy. The State's Treasurer's Office just completed a multi-year and multiple legislative session process to update and modernize the State's Investment Policy. Per MD Code, Local Government, § 17-205: Local Governments must have an Investment Policy consistent with the guidelines adopted by the State. Based on the new State Investment Policy, the County will need to amend its policy to include a section requiring the Board of Education and the Board of Library Trustees to comply with the County's Investment Policy, as well as a statement prohibiting borrowing money for the express purpose of investing it. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted the Kent County Investment Policy by Resolution 2025-17, as presented.

DETENTION CENTER

Commissioner Fithian requested a meeting to discuss the Kent County Detention Center (KCDC). Dennis Hickman, Sheriff, Harry Kettner, Captain, Kent County Sheriff's Office (KCSO); Roland Sheppard, Director of Operations, KCDC; and Ms. Merritt were present for the discussion. Commissioner Fithian recapped the past discussions and findings regarding the proposal for a regional detention center and the future of KCDC. Discussion took place. On a motion by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously agreed that Kent County no longer consider the regional jail with Queen Anne's County. Further discussion continued on staffing levels and minimizing the number of incarcerated people held at KCDC using a transport model. Sheriff Hickman shared operational observations from another jurisdiction that is implementing a similar transport model.

HUMAN RESOURCES

Shelley Heller, County Administrator, publicly introduced Michael Sutton, the Director of Human Resources, and welcomed him to Kent County. Vauné Johnson, Human Resources Specialist, Human Resources, requested approval of a recommended candidate for the Local Management Board part-time Fiscal Compliance Specialist vacancy. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners approved a conditional offer of employment to the recommended candidate.

PUBLIC NOTICE

Code Home Rule Bill No. 7-2025 Chapter 42, Parks and Recreation Advisory Board
Adoption Notice: This legislative bill was adopted on September 16, 2025, without amendment, and will take effect on October 31, 2025.

PUBLIC COMMENT

The procedures for public comment were in place. Dan Divillo, Public Relations and Communication Specialist, Kent County Public Schools, reminded the Commissioners and the public of the repercussions of increasing the cost of construction when delaying the construction of a new school. Discussion took place regarding the conditions of the existing school structure.

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 September 23, 2025, is \$340,521.00.
The use of Fund Balance was \$13,953.00.

CLOSED SESSION

At 12:28 p.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, and carried unanimously to go into a closed session to discuss personnel matters. 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

Shelley L. Heller, County Administrator; Bill Mackey, Director, and Carla Gerber, Deputy Director, Planning, Housing, and Zoning; and Sondra M. Blackiston, Clerk/KATE Manager, were also in attendance.

MATTER NO. 1 PERSONNEL

Topic to be discussed: Qualifications and/or performance of candidates related to specific vacancies.

Reason for closing: The qualifications of certain individuals to fill personnel vacancies are confidential and should be protected.

Bill Mackey, Director, and Carla Gerber, Deputy Director of Planning, Housing, and Zoning, discussed upcoming term expirations and vacancies on various boards, commissions, and committees.

MATTER NO. 2: PERSONNEL

Topic to be discussed: Qualifications and/or performance of candidates related to specific vacancies.

Reason for closing: The qualifications of certain individuals to fill personnel vacancies are confidential and should be protected.

Mr. Mackey and Ms. Gerber discussed the need to fill a vacancy for legal counsel and recommendations were discussed.

At 12:42 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

Upon returning to the open session, Commissioner Price summarized both matters discussed during the closed session.

Matter No. 1 Personnel – The matter discussed required no action.

Matter No. 2 Personnel – On motion by Commissioner Price and seconded by Commissioner Nickerson the Commissioners unanimously agreed to appoint Levan-Ruff LLC to be the legal authority for the Special Appeals Board (Board of Appeals).

At 12:53 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 7, 2025, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

September 30, 2025

PUBLIC HEARING

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance, as well as Shelley L. Heller, County Administrator.

The public hearing was duly advertised and included as part of the record. The rules for a public hearing were in effect.

CODE HOME RULE BILL NO. 8-2025 ADMINISTRATION OF GOVERNMENT

On a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously agreed to open the public hearing to discuss Code Home Rule Bill 8-2025. The public hearing commenced at 10:11 a.m. to discuss Code Home Rule Bill No. 8-2025, Administration of Government, AN ACT to repeal and reenact with amendments Chapter 3 Administration of Government, of the Code of Public Local Laws of Kent County, Maryland. The purpose of this amendment to this chapter is to establish a Compensation Review Commission to undertake a comprehensive study of the rate of the current compensation for the County Commissioners and make recommendations regarding the amount of compensation in accordance with State and local laws.

Shelley L. Heller, County Administrator, provided a summary and further details of the legislation's intent. Ms. Heller stated that the public comment period would stay open until the close of business on Friday, October 3, 2025. Discussion took place.

PUBLIC COMMENTS / WRITTEN COMMENTS

During the public hearing, citizens were invited to sign the testimony log and offer comments on the proposed legislation. No comments were offered. 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 at 10:14 a.m. and return to regular session. The legislative bill is scheduled to be considered for a vote on Tuesday, October 7, 2025.

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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

September 30, 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, 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, September 23, 2025.

SPECIAL CLASS C LICENSES

The Dogwood Festival of Galena submitted a Special Class C (Per Diem) liquor license application to sell beer only during a Fall Festival event on October 11, 2025, from 4:00 p.m. to 10:00 p.m. at 105 Sycamore Lane, Galena. 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 Dogwood Festival of Galena.

The Tolchester Community Association, Inc. submitted a Special Class C (Per Diem) liquor license application to sell beer and wine during a Spaghetti Dinner for the Tolchester Residents on October 18, 2025, from 4:00 p.m. to 8:00 p.m. at the corner of Elm and Montgomery Avenues, Tolchester. 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 Tolchester Community Association, Inc.

At 12:53 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, October 7, 2025, 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