

December 16, 2025

A meeting of the County Commissioners of Kent County was called to order at 6:00 p.m., with Ronald H. Fithian presiding, Albert H. Nickerson, and John F. Price. Commissioner Fithian asked everyone to observe a moment of silence in remembrance of the unrest across the country and to hope that things improve, especially over the holidays.

Shelley L. Heller, County Administrator, and G. Robert Mowell, County Attorney, were also present.

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved eight consent items as presented.

1. Regular Session Minutes, December 2, 2025
2. Liquor Minutes, December 2, 2025
3. Commission on Aging, Member Appointments – Carolyn Sorge, Catherine Boyer-Sterling, Kathy Staples, and Dr. William Trainor for a three-year term ending on December 31, 2028
4. G. Robert Mowell, Attorney – Certificate of Satisfaction for Helen G. Meeks
5. Jill Coleman, Director of Parks and Recreation – Parks and Recreation Advisory Board Appointments – Trish McGee for a term ending on December 31, 2028; Rick Myers, Jr., and Jane Welsh for a four-year term expiring on December 31, 2029
6. Carrie Klein, Deputy Director of Public Works – Johnson Control Proposal to replace three HVAC units:
 - a. Unit #27- 400 High Street (Human Resources) for \$11,525.00
 - b. Unit #19- 103 N. Cross Street (Land Records) for \$12,607.00
 - c. Unit #5 103 N Cross Street (Orphan's Court) for \$12,607.00
7. Dan Mattson, Director of Public Works, Water and Wastewater Division, - Purchasing Approval Augusta Actuation, LLC, Estimate No. 1960 for \$62,004.00 for Tolchester Wastewater Treatment Plant (WWTP) Actuator Replacement and Reallocation of Funds of \$297.68
8. Mr. Mattson – Water/Wastewater Apprenticeship Program Letter of Support to Shannon Walton of the National Rural Water Association (NRWA) for the Maryland Rural Water Association's (MRWA) submission for Technical Assistance and Training (TAT) Grant

SPECIAL RECOGNITIONS

Commissioner Price offered opening comments. On March 22, 2025, Chris Bigelow, a Pickleball player, experienced an emergency at the Kent County Family YMCA, and many community members and professionals rushed to help. Tonight, individuals will be honored for their efforts during this crisis.

University of Maryland Shore Regional Health Community CPR Save: Commissioner Price read the certificate into the record. Certificates of Recognition were presented to Serenity Kelly, Community Health Advocate, Sandra Wilson-Hypes, University of Maryland (UM) Health Educator, and Angela Lord, RN. Also in the audience was Danielle Wilson, MSN, RN, NE-BC, SVP Patient Care Services/Chief Nursing Officer of University of Maryland Medical System

(UMMS) Shore Regional Health; Zack Royston, FACHE, Vice President, Rural Health Care Transformation, Executive Director, UM Shore Medical Center at Chestertown; and Lara Wilson, Director, External Affairs & Community Liaison UM Shore Regional Health.

Kent County Family YMCA Community CPR Save: Ryan Beals, Rachel Carter, Dan Demers, Alex Lorenz, Bailey Maristch, and Erica Osterhout were also recognized. Commissioner Nickerson read the certificate into the record. Certificates of Recognition were presented to Mr. Beals, Ms. Carter, Mr. Lorenz, Ms. Maristch, and Ms. Osterhout. Mr. Demers was unable to receive his certificate in person.

Chris Bigelow thanked everyone for their help, which ultimately saved her life. The courage displayed by the people who saved her, as well as the strength and courage to utilize those skills, is truly special. She is very grateful to be here today.

G. ROBERT MOWELL, COUNTY ATTORNEY

Mr. Mowell reviewed the protocols for a legislative session, specifically the Introduction (First Read) of Code Home Rule Bill No. 9-2025, "Cannabis Processor in the Commercial District (C)." He summarized the intent of the proposed legislation.

LEGISLATIVE SESSION

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go into a legislative session.

Introduction of Code Home Rule Bill No. 9-2025: Cannabis Processor in the Commercial District (C). AN ACT to amend Chapter 222, Zoning, of the Code of Public Local Laws of Kent County, Maryland, also known as the Kent County Land Use Ordinance, in order to permit a land use in the C District by amending Article III, Uses, Section 2, Land Uses and Accessory Uses and Structures, #95 by adding "with the exception of cannabis processor as defined by the State of Maryland located on properties served by public water and sewer." A copy of a letter from Joe Hickman, Chairman of the Planning Commission (PC), addressed to President Fithian, was submitted for the Board's review. The PC provided a favorable recommendation for the proposed zoning text amendment. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the introduction of Code Home Rule Bill 9-2025 and directed that the Bill be scheduled for a public hearing.

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to adjourn the legislative session at 6:17 p.m.

APPOINTMENT

Dr. Mary McComas, Superintendent, and Kreigh Kirby, Interim Director of Finance, Kent County Public Schools (KCPS), were present to make a request. Dr. McComas announced that Mr. Kirby was recently promoted to Director of Finance. Dr. McComas and Mr. Kirby discussed the roof at the Worton Building, also referred to as Worton Elementary School, and requested approval

to proceed with the bidding process for the replacement. The cost is anticipated to be under \$2,000,000.00. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Board of Education (BOE) staff to proceed with the bidding process to obtain the financial information for the replacement of the Worton Elementary School roof. Shelley L. Heller, County Administrator, recommended that KCPS revisit the issue at a future Commissioners' meeting to allocate the funding once the cost is more precise.

Commissioner Fithian thanked everyone for their participation in the Interagency Commission (IAC) meeting held today at Kent County Middle School and extended special thanks to Mike Waal, a Kent County resident, for his invaluable assistance in gathering and analyzing information regarding the wealth formula and for submitting it to the IAC. This information was provided to Alex Donahue, the School Construction Executive Director.

Dr. McComas expressed her views on moving the BOE Central Offices back to the Worton building and returning the Rock Hall BOE facility to the County. Further discussions took place.

INFORMATION TECHNOLOGY

Scott Boone, Director, Information Technology, discussed amendments related to a master service agreement. On February 8, 2022, the County Commissioners signed a Master Service Agreement with Kent Fiber Optics. Kent Fiber Optics is requesting an amendment to the Agreement. Four additional service sites have been added to the agreement. A 3% price escalation has been incorporated, effective July 1, 2027, which corresponds with the expiration of the current agreement term; there is currently \$8,698.00 remaining in the FY2026 budget to cover the additional sites. The overall contract term has been revised to extend the contract through June 30, 2031, and an accompanying Assignment Agreement is included to formally allow Kent Fiber Optics to assign its interests to ThinkBig Networks. IQ Fiber DE, LLC ultimately owns both entities, and this assignment ensures proper alignment of ownership and contractual obligations. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Assignment and Assumption of Lease with ThinkBig Networks, LLC, and the Amended and Restated Master Service Agreement.

PLANNING, HOUSING, AND ZONING

Carla Gerber, Director, Planning, Housing, and Zoning (PHZ), presented the Preliminary Report for the CPCN Application of Shadding Reach Road, LLC, for the Board's consideration. Geo-Technology Associates, Inc., on behalf of Shadding Reach Road, LLC, in accordance with COMAR 20.79 pre-application consultation requirement, submitted to PHZ, materials for a proposed 4.5 MW utility-scale solar energy system that will occupy – including panels, fencing, and landscaping – 27.79 acres. The submitted materials include a concept site plan depicting the proposed solar array, perimeter fencing, and outlines of the landscape buffer; and a draft Environmental Review Document that summarizes consistencies with the Kent County Comprehensive Plan and the county-wide standards for utility-scale solar energy systems, as well as information on the cultural and natural features of the site and the surrounding area. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the letter as presented.

Joanne McNamara, Grants Program Administrator, presented the Opioid Restitution Fund (ORF) 2026 Grant Program Award Recommendations. In July 2025, the Commissioners passed a Resolution to establish a grant process for distributing the ORFs. The State of Maryland has approved Kent County's Local Abatement Plan (LAP), paving the way for Kent County to access its ORFs, which were allocated under the state-local subdivision agreement, and make distributions. Since then, the ORF Workgroup has created the inaugural ORF grant application process, posted it on Kent County's website, and disseminated it to various community partners. The application period closed at the end of November, and the ORF Workgroup convened to review and discuss the submitted applications. The ORF workgroup now shares its recommendations for funding awards with the Commissioners for consideration and approval: Kent County Health Department – A.F. Whitsitt Center \$34,500.00 for opioid treatment expansion; Minary's Dream Alliance \$32,040.00 for a school and community-based substance misuse prevention program; Open Doors Partners in Education \$9,500.00, empowering recovery through literacy; and Not My Child \$20,000.00 project restart and choose hope. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Opioid Restitution Fund awards as recommended.

Ms. McNamara requested approval of the submission for the FY2026 Residential Energy Equity Program. The Maryland Energy Administration (MEA) is offering grants for energy efficiency upgrades in low- and moderate-income single-family and multifamily homes. The program will cover the costs of necessary repairs and upgrades to reduce electricity bills. Although MEA has provided similar funding in past years, no organizations in Kent County have received support. Local nonprofits face challenges in managing grants and complying with requirements, while the County has struggled to identify residents in need. To fill this gap, Ms. McNamara plans to apply for funding and collaborate with housing nonprofits, such as Rebuilding Together Eastern Shore, to publicize the opportunity and help eligible residents access resources. At the same time, the County can support post-award grant management and compliance. Together, this is a viable option to partner so that Kent County residents are not bypassed in this funding opportunity for Maryland residents. The proposal seeks \$151,800.00 in funding, which will include \$132,000.00 in direct home energy efficiency repairs for Kent County dwellings and \$19,800.00 in administrative costs. Staff recommended approving the submission of the funding application. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the submission of the funding application, as submitted.

A follow-up discussion was held regarding the funding announcement made at the Commissioner meeting on December 2, 2025. Commissioner Price made a motion that staff collaborate with Ms. McNamara to identify individuals who helped Kent County secure the grant funds for the Millington Water and Wastewater Treatment Plant and send thank-you letters to show Kent County's appreciation. Commissioner Nickerson seconded the motion, and the Commissioners unanimously agreed.

In follow-up to an earlier discussion this evening, Commissioner Price made a motion, seconded by Commissioner Nickerson, and the Commissioners unanimously approved sending a letter to the IAC members regarding their appearance in Kent County, looking forward to hearing good things in the future.

HUMAN RESOURCES

Michael Sutton, Director of Human Resources, requested that the Kent Family Center Service Coordinator vacancy be filled. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved a conditional offer of employment to the recommended candidate.

Mr. Sutton requested that a vacancy for a Public Works Roads Department Motor Equipment Operator be filled. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved a conditional offer of employment to the recommended candidate.

PUBLIC WORKS

Commissioner Price thanked the Road Division for their hard work to maintain the roads during the inclement weather on Sunday. The crew went above and beyond by helping Kent County residents attend gatherings by ensuring roads were clear for travel.

Mr. Mattson requested approval to apply to the Maryland Department of Natural Resources (DNR) Program Open Space (POS) for funding. Kent County received approval in 2023 for \$241,000.00 in DNR Local Parks and Playgrounds Infrastructure (LPPI) funding to improve the Betterton Beach Boardwalk, including a new concrete boardwalk and park benches. After engineering costs of \$12,750.00, \$228,250.00 remain for the project. A quote from Taggart Brown & Associates, Inc. for the project totals \$255,047.38, with an additional estimated cost of \$30,000.00 for potential piling repairs. This brings the total project cost to \$285,047.38. DPW seeks approval to allocate approximately \$55,000.00 in unused LPPI funds from other projects to the Betterton Boardwalk, establishing a project budget of \$283,250.00. This amount will fully fund the base contract and could cover piling repairs without requiring a County cost share. Additionally, DPW requests POS funding for piling replacements, which requires a 10% county match. Should piling costs exceed \$28,202.62, funding will shift to the POS grant, requiring the County to match. A separate contract for piling replacement will maintain current unit pricing and avoid costly negotiations post-demolition. A final note is that the project contracts cannot be signed until the application to POS has been submitted. If approved, DPW anticipates submitting the contracts by the close of business on Friday, December 19, 2025. The department requests that the Delegation of Signature Authority for these contracts be granted to the County Administrator. This will provide comfort to PW in completing demolition work and allow for initial project tasks to proceed. Four separate motions were made, all made by Commissioner Price and seconded by Commissioner Nickerson. The Commissioners unanimously approved the following:

- 1) Submission of an application to the Maryland Department of Natural Resources Program Open Space for \$50,000.00 in funding allowances to repair and replace pilings underneath the Betterton Boardwalk, as required.
- 2) Reallocation of \$5,000.00 from County Contingency funds for the 10% match for Program Open Space funding toward the Betterton piling replacement project.
- 3) A request to the Department of Natural Resources to transfer the remaining unused LPPI funds of approximately \$55,000.00 to the Betterton Boardwalk project.

- 4) Signature authority for the related construction contracts to the County Administrator, to be executed after submission of the application to Program Open Space.

Project Updates: Mr. Mattson provided updates on the Kennedyville Village Development Project and the proposed Millington Water and Wastewater site.

COUNTY ADMINISTRATOR

On December 1, 2025, Ms. Heller received correspondence from Stephanie M. Loller, Firm Administrator of MacLeod Law Group, LLC. In the letter, a funding request was made to participate in an administrative appeal to the Maryland Department of the Environment (MDE). This appeal challenges the “Revised” Water Quality Certification (WQC) for the relicensing of Conowingo Dam, which was issued on October 2, 2025. The appeal was formally filed on November 14, 2025. MDE has requested to meet with the Commissioners regarding the WQC relicensing. Staff are currently working to schedule a meeting for a presentation for early January. Additionally, on December 9, 2025, a letter was received from Grenville B. Whitman, stating his opposition to taxpayer funds to support this effort. Commissioner Fithian offered some background information. A lengthy discussion ensued, including whether Kent County was a paid or non-paying member of the Clean Chesapeake Coalition. Kent County has not paid an annual fee (dues) to the Coalition since FY2021. Mr. Mowell provided legal advice. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved \$5,000.00 from the Contingency Fund to MacLeod Law, LLC for all the legal work performed on the County’s behalf regarding Conowingo Dam.

COUNTY ADMINISTRATOR REPORT

A public hearing was held on September 30, 2025, to discuss Code Home Rule Bill 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 the amendment to the chapter was to establish a Compensation Review Commission (CRC) to conduct a comprehensive study of the current compensation rates for County Commissioners and make recommendations regarding the amount of compensation in accordance with State and local laws. A CRC was established, and its first meeting was held on December 1, 2025. A second meeting was held on December 8, 2025. After much discussion, the Commission adopted Resolution 2025-1 Recommendation of the Kent County Compensation Review Commission. The Resolution was available for review. Mike Waal, a member of the CRC, gave an overview of the meeting's discussions and how the members concluded with the recommended salary increase. The Commissioners agreed that letters should be sent to CRC members/participants for their civic engagement.

LETTERS AND DOCUMENTS FOR SIGNATURE

A letter was requested to be sent to Mayor-Elect Meghan Efland, congratulating her on winning the mayoral election for the Town of Chestertown, and inviting her to attend a future Commissioners' meeting. The letter was submitted for signature.

PUBLIC NOTICE

A correspondence dated November 20, 2025, addressed to Ms. Heller, was received from Chris Mulhall, Senior Manager of Government Affairs for the Comcast Beltway Region. Starting December 20, 2025, prices for specific services and fees will increase, as provided in the notice.

FOR YOUR INFORMATION

Dr. Patrick Shanahan retired from his practice on December 11, 2025. Dr. Shanahan is a private person and did not want a big retirement celebration. The Commissioners signed a citation for his office staff, which was planned to be presented to him on December 17, 2025.

Notification of Application Received for State Permit and Opportunity for Hearing KE2025G003/01 - Zeist Farms, LLC, 8961 Earl Nicholson Road, Chestertown, MD 21620 has applied to appropriate, and use an annual average of 165,000 gallons of groundwater per day (GPD) and 1,000,000 GPD during the month of maximum use of crop irrigation. Water will be drawn from four new wells in the Columbia aquifer. The project is located at 24704 Chestertown Road, Chestertown, MD 21620. The full notice was available for review.

PUBLIC COMMENT

The procedures for public comment were in place. No comments were offered.

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 December 2, 2025, is \$286,386.00. The use of Fund Balance was \$94,826.00.

CLOSED SESSION

At 8:16 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)(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; (7) To consult with counsel to obtain legal advice; and (8) to consult with staff, consultants, or other individuals about pending or potential litigation.

Shelley L. Heller, County Administrator; G. Robert Mowell, County Attorney; Sondra M. Blackiston, Clerk/KATE Manager; and Lacey Townsend, Deputy Clerk, II, were also in attendance. Four matters are planned for discussion.

MATTER NO. 1: PERSONNEL

At 8:17 p.m., Michael Sutton, Director, Human Resources (HR), and Pat Merritt, Chief Finance Officer, Office of Finance, joined the closed session to discuss the matter noted below.

Topic to be discussed: A hiring recommendation.

Reason for closing: The discussion of the qualifications of specific individuals should be safeguarded.

Ms. Merritt shared personnel information. Discussion took place.

At 8:34 p.m., Mr. Sutton and Ms. Merritt departed the closed session. All the other people in attendance remained.

MATTER NO. 2: LITIGATION

At 8:35 p.m., Carla Gerber, Director, Planning, Housing, and Zoning, and Erika H. Hercher, Licensed Environmental Health/Director Environmental Health Programs, Kent County Health Department, joined the closed session to discuss the matter noted below.

Topic to be discussed: Filing a lawsuit for land use code violations.

Reason for closing: The details of potential litigation should be closed to the public because discussing legal strategy and potential claims in public would harm the government's position, revealing weaknesses, negotiating tactics, and sensitive details that could prejudice the case.

Mr. Mowell, Ms. Gerber, and Ms. Hercher discussed a potential litigation matter. Documentation was submitted. A discussion followed.

At 8:42 p.m., Ms. Gerber and Ms. Hercher departed the closed session. All the other people in attendance remained.

MATTER NO. 3: PERSONNEL

At 8:43 p.m., Dan Mattson, Director, Public Works, and Mr. Sutton joined the closed session to discuss the matter noted below.

Topic to be discussed: A personnel matter.

Reason for closing: The details of the personnel issues are not public to protect individual privacy and prevent harm to public administration.

Mr. Mattson and Mr. Sutton discussed a personnel matter. Documentation was reviewed. Discussion took place. Mr. Mowell provided legal advice.

At 9:00 p.m., Mr. Mattson departed the closed session. All the other people in attendance remained.

MATTER NO. 4: PERSONNEL AND LEGAL ADVICE

At 9:01 p.m., Dennis Hickman, Sheriff, Kent County Sheriff's Office, joined the closed session to discuss the matter noted below.

Topics to be discussed: A personnel matter, and legal advice concerning a legal issue.

Reasons for closing: The advice of counsel is privileged, and the details of personnel issues are not public to protect individual privacy and prevent harm to public administration.

Sheriff Hickman and Mr. Sutton initiated a personnel discussion. Further discussion followed. Mr. Mowell discussed the progress of a legal document.

At 9:35 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 all four different matters discussed in closed session.

Matter No. 1: Personnel - Personnel matter discussed, and no action was taken.

Matter No. 2: Litigation – Legal guidance was received, and staff will proceed as discussed.

Matter No. 3: Personnel – No action was taken; correspondence will be prepared and sent.

Matter No. 4: Personnel and Legal Advice - The Commissioners revisited the matter on December 2, 2025, discussing and voting on the Kent County Detention Center (KCDC) and the decision to revoke the resolution that assigned Sheriff Dennis Hickman to oversee KCDC. The matter was discussed, including personnel, the resolution, and legal advice. On a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously agreed to direct Human Resources to begin advertising for a warden at the Kent County Detention Center.

At 9:37 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, January 6, 2026, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

December 16, 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 G. Robert Mowell, 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, December 2, 2025.

SPECIAL CLASS C LICENSE

G. Robert Mowell, County Attorney, informed the Board that it had received a Special Class C (Per Diem) application, which needed consideration due to its timing. He respectfully requested that the Board address the matter by amending the agenda. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to amend the agenda to include an alcohol license request for an event that will be held on December 31, 2025, from 8:00 p.m. to 1:00 a.m. at Minary's Dream Alliance, 9155 American Legion Road, Chestertown, MD 21620.

Minary's Dream Alliance (MDA) has submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor for a New Year's Eve Gala/Celebration event as detailed above, with a rain date of January 10, 2026. The application was reviewed. No comments were received either in support of or in opposition to the application. 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 Minary's Dream Alliance.

At 9:37 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price; the Commissioners unanimously agreed to adjourn the meeting. The Board is scheduled to meet again on Tuesday, January 6, 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