

January 13, 2026

A meeting of the County Commissioners of Kent County was called to order at 10:02 a.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 around the world. Everyone could use a little help to stay safe.

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

CONSENT ITEMS

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

1. Regular Session Minutes, January 6, 2026
2. Liquor Minutes, January 6, 2026
3. Dan Mattson, Director of Public Works – Request to Reallocate Departmental Funds in the amount of \$5,559.10
4. Dan Mattson, Director of Public Works, Water and Wastewater Division – Award Contract No. 26WWCOYN1130 to George S. Coyne Chemical Co., Inc., for Chemical Supply and Delivery Services
5. Jamie Williams, Director of Economic and Tourism Development (ETD) – Charles and Margaret Sommers Notice of Termination of Lease for Unit 4, Crestview Square at 903 Washington Avenue, and Discontinuation of hotDesks Management by ETD
6. Olde Kent Quilters Guild, Raffle Only, January 20 - November 17, 2026

PUBLIC HEARING – CODE HOME RULE BILL NO. 9-2025 CANNABIS PROCESSOR IN THE COMMERCIAL DISTRICT (C)

A public hearing was held on Code Home Rule Bill No. 9-2025 Cannabis Processor in the Commercial District (C). Public information regarding the above-mentioned hearing and minutes is posted on the County's website at <https://www.kentcounty.com/government>.

COMMISSIONERS COMMENTS

Commissioner Price received an inquiry and personally experienced door-to-door solicitation. Commissioner Price asked Carla Gerber, Director of Planning, Housing, and Zoning, if the County charged fees for solicitors and, if not, what category it would fall under. Ms. Gerber stated that the Clerk of Court's office handles business licenses. G. Robert Mowell, County Attorney, stated that the state requires a peddler's license. If a solicitor does not have a license, this would be considered a misdemeanor, and a potential fine of \$100.00 may be imposed via a criminal citation.

OFFICE OF EMERGENCY SERVICES

Pete Landon, Director of the Office of Emergency Services (OES), reported that the County entered into a recurring agreement with Dr. David Zamara, MD, on September 18, 2024, which provides for annual payments totaling \$14,400.00. It was recently discovered that the payment for

the period of January 1 through June 30, 2025 (FY2025), was not processed. Although a payment of \$7,200.00 was made in February 2025 for the prior period, the remaining funds reverted to the budget at the close of FY2025. As FY2025 has concluded and been audited, Mr. Landon requested contingency funds to cover the unprocessed payment. The funding was budgeted but not expended, and the request is to compensate the Kent County Medical Director in accordance with the terms of the agreement. Discussion took place. On a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the allocation of \$7,200.00 from the Contingency Funds as outlined.

MICHAEL SUTTON, DIRECTOR, HUMAN RESOURCES

Mr. Sutton explained a personnel request to promote a current OES employee from 9-1-1 Specialist to 9-1-1 Specialist II, based on the completion of all requirements for the position. Memoranda were submitted by Mr. Landon and the Human Resources team, which concurred with the recommendation. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the promotion for the recommended candidate.

Funding Discussion: Commissioner Price requested the Board's approval to donate \$500.00 to the Rock Hall Volunteer Fire Company in gratitude for hosting the County's Employee Appreciation Dinner on January 17th. Although the Rock Hall Volunteer Fire Company graciously waived its event fee for the County, Commissioner Price expressed that it was appropriate to compensate the organization for its services in recognition of its volunteer members. Commissioner Nickerson seconded the motion, and the Commissioners unanimously approved the \$500.00 donation from the current Human Resources budget, with the understanding that the funds would be available for the Commissioners to present at the dinner.

DAN MATTSON, DIRECTOR OF PUBLIC WORKS

Water and Wastewater Division: Mr. Mattson discussed the Fairlee Water Treatment Plant (WTP) project. Bids were advertised to drill a new well to replace Well #2 at the Fairlee Water Treatment Plant; only one bid was received. The department recommends awarding the contract to Somerset Well Drilling Co., Inc. in the amount of \$468,170.00, which is significantly below the approved project budget of \$835,500.00. McCrone, along with its subcontractor, Earth Data, Inc., will provide construction management services. Replacement of Well #2 is critical to ensure redundancy in the water supply, as the facility currently has only one operational well. Discussion took place. On a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously agreed to award a contract to Somerset Well Drilling Company, Inc., for the Fairlee Water Treatment Plant replacement well.

Georgetown / Galena Sewer Collection Service Area Compliance: A second matter connected to the division was discussed by Mr. Mattson and G. Robert Mowell, County Attorney. On July 31, 2024, property owners within the Galena Sewer Collection Area were reminded of the requirement to connect to the public sewer system, which was installed in 2019, with a connection deadline of August 2020. To date, 27.5 Equivalent Dwelling Units (EDUs) remain unconnected. A follow-up letter, to be signed by Mr. Mowell, will be sent to the remaining noncompliant property owners, requiring a response within 15 days to arrange for connection. This action is necessary to

meet compliance obligations associated with Maryland Department of the Environment (MDE) funding. Mr. Mattson and Mr. Mowell intend to finalize and distribute the letter unless otherwise directed, to ensure compliance with MDE requirements. Discussion took place.

SHELLEY L. HELLER, COUNTY ADMINISTRATOR

Ms. Heller reported that Ellen LaFrankie, Acting Executive Director of the Upper Shore Workforce Investment Board (USWIB), submitted a notice of resignation from Liza Goetz, effective immediately, creating a private sector vacancy that needs Kent County representation. Ms. Goetz's current term was scheduled to conclude on May 31, 2027; therefore, her departure results in an unexpired term. To fill this vacancy, the USWIB recommends candidate Kelley Davis. Supporting documentation, including the candidate's background and résumé summary, was submitted. On motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the appointment of the recommended candidate. The Commissioners signed the appointment letter for Ms. Davis and a letter of thanks to Ms. Goetz for her service.

Commissioner Fithian asked if the issue noted in the weekly report regarding the Attorney General was provided to the Kent County Detention Center (KCDC) staff. Ms. Heller stated that Dennis Hickman, Sheriff of the Kent County Sheriff's Office, received the notice and will confirm whether the information was given to Roland Sheppard, Director of Operations of the KCDC.

LETTERS OR DOCUMENTS FOR SIGNATURE

On December 16, 2025, the Commissioners agreed to have a letter prepared thanking Alex Donahue, Executive Director of the Interagency Commission on School Construction (IAC), for his visit to Kent County to discuss the Kent County Middle School Project. The letter was signed by the Board.

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 January 6, 2026, is \$276,386.00. The use of Fund Balance was \$94,826.00.

PUBLIC COMMENT

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

CLOSED SESSION

G. Robert Mowell, County Attorney, read a statement regarding the proposed agenda item of a closed session, including the topics and reasons for the session. At 10:58 a.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, 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 (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; (7) to consult with counsel to obtain legal advice, respectively. There are two matters to be discussed.

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.

MATTER NO. 1: PERSONNEL

Topic to be discussed: Recommendations for Planning, Housing, and Zoning-related boards and commissions, including the Board of Appeals, Agricultural Advisory Commission, Agricultural Preservation Advisory Board, Historic Preservation Commission, and Construction Trades Board.

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

At 10:59 a.m., Carla Gerber, Director of Planning, Housing, and Zoning, joined the closed session. Ms. Gerber shared personnel information and staff recommendations. Discussion took place.

At 11:05 a.m., Ms. Gerber departed the closed session. All the other people in attendance remained.

MATTER NO. 2: CONSIDER THE ACQUISITION OF REAL PROPERTY AND LEGAL ADVICE

Topic to be discussed: Property transactions related to the Millington Wastewater Treatment Plant.

Reason for closing: Legal advice from the County Attorney is private to the public and is meant to shield specific details concerning the acquisition of real property and negotiations related thereto, and information provided by staff regarding the matter should be shielded because it relates to the acquisition of real property.

At 11:05 a.m., Dan Mattson, Director of Public Works, joined the closed session to discuss a proposed land acquisition. This matter was last discussed in closed session on October 28, 2025. This update summarizes the status of property transactions related to the Millington Wastewater Treatment (WWTP) Project. Documentation was provided. A lengthy discussion occurred. Mr. Mowell offered legal advice. Mr. Mattson discussed the proposed next steps with Mr. Mowell.

At 11:42 a.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 Nickerson summarized the matters discussed in closed session.

Matter No. 1: Personnel – The Commissioners discussed board/member positions. On a motion by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously agreed to move forward with the members as discussed.

Matter No. 2: Consider the Acquisition of Real Property and Legal Advice – The Commissioners also discussed land acquisition negotiations. No action was taken; therefore, there was nothing to report.

At 11:43 a.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 27, 2026, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

January 13, 2026

PUBLIC HEARING

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

G. Robert Mowell, County Attorney, read the protocols for a public hearing and the public hearing notice into the record. The public hearing was duly advertised and included. The rules for a public hearing were in effect.

CODE HOME RULE BILL NO. 9-2025 CANNABIS PROCESSOR IN THE COMMERCIAL DISTRICT (C)

On a motion by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously agreed to open the public hearing to discuss Code Home Rule Bill 9-2025. The public hearing commenced at 10:06 a.m. to discuss 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 Unified Development 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.”

Carla Gerber, Director, Planning, Housing, and Zoning, provided a summary and further details on the legislation's intent. Mr. Mowell stated that the public comment period would stay open until the close of business on Friday, January 16, 2026. Discussion took place.

PUBLIC COMMENTS

Citizens were invited to sign the testimony log and comment during the public hearing. Lance M. Young, Associate, MacLeod Law Group, LLC, Attorney Representative of Pneuma Solventless, LLC, provided a brief background of the operations of his client's business. Ryan Wesson and Deborah Whipple, applicants, provided testimony on behalf of Pneuma Solventless, LLC. Mr. Wesson provided a handout to the Commissioners that offered further information regarding the business. Commissioner Price inquired whether there was a way to amend the bill to address the concern of odors that may emanate from the business and potentially affect neighbors in the surrounding area. Mr. Mowell provided information that addressed Commissioner Price's concern. The Commissioners engaged in a general discussion and provided individual comments.

WRITTEN COMMENTS

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

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On a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously agreed to close the public hearing at 10:31 a.m. and return to regular session. The legislative bill is scheduled to be considered for a vote on Tuesday, February 3, 2026.

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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

January 13, 2026

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, G. Robert Mowell, County Attorney, and Bonnie S. Pearsall, Inspector, Kent Alcohol and Tobacco Enforcement, were also present.

CONSENT ITEM

On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, January 6, 2026.

BONNIE PEARSALL, INSPECTOR, KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

Inspector Pearsall conducted inspections for the FY2026 Second Quarter. Her report is as follows:

Alcohol Establishments: Inspector Pearsall conducted routine inspections of sixty-seven (67) out of sixty-eight (68) alcohol establishments. Inspector Pearsall was unable to inspect one establishment because it was operating on seasonal hours (it was closed). Waterman's Crab House was issued a verbal warning for an underage person serving alcohol behind the bar. Inspector Pearsall received information regarding an allegation that Betty's Bar was overserving patrons. Inspector Pearsall issued a thirty-day notice to Betty's Bar for overserving patrons. Regarding LTO, also referred to as The Retriever, there were also allegations received concerning serving alcohol to underage persons (college students) with fake identification. Inspector Pearsall issued a notice for serving underage persons.

Tobacco Establishments: Compliance checks were conducted at all thirty tobacco establishments in November and December 2025. On November 9, 2025, one establishment, 7-Eleven, sold a tobacco product to an Authorized Underage Person (AUP). As a result, the clerk at this establishment received a fine of \$300.00.

On December 11, 2025, a follow-up check was performed at the 7-Eleven using another AUP, and once again, the establishment sold a tobacco product. The clerk received an additional fine of \$300.00. Inspector Pearsall stated the establishment will be referred to the Alcohol, Tobacco, and Cannabis Commission (ATCC) for further review.

The KATE team continues to seek responsible 18- to 20½-year-olds for compliance checks with tobacco retailers, as well as responsible 21- to 27-year-olds to serve as "Mystery Shoppers" who will use caution or thank-you cards to check alcohol establishments for compliance, ensuring they ask for proper identification from their patrons.

At 11:43 a.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 27, 2026, 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