

April 1, 2025

FY2026 BUDGET WORK SESSION HELD ON APRIL 1, 2025

A budget work session was held on April 2, 2024, at 10:12 a.m., with the following present: Commissioner Ronald H. Fithian, Commissioner John F. Price, and Commissioner Albert H. Nickerson. Also in attendance were Shelley L. Heller, County Administrator, and Pat Merritt, Chief Finance Officer, Office of Finance.

Pat Merritt, Chief Finance Officer, Office of Finance, shared the general fund overview and presented the department's budget. Bryan DiGregory, State's Attorney, State's Attorney Office; Harris Murphy, Administrative Judge, Circuit Court; Dennis Hickman, Sheriff, Harry Kettner, Captain, Kent County Sheriff's Office; Lisa Mazingo, Director, Kent Family Center; Roland Sheppard, Director of Operations, and Monaca Stickland, Administrative Assistant, Kent County Detention Center; Pete Landon, Director, Office of Emergency Services; Daniel Mattson, Director, Daniel Bitter, Division Chief, County Roads, Jill Coleman, Director, Parks and Recreation and Carrie Klein, Deputy Director, Public Works; Scott Boone, Director, and April Bitter, Project Manager, Information Technology; Bill Mackey, Director, Planning, Housing, and Zoning; Jamie Williams, Director, Economic and Tourism Development; Rosemary Ramsey Granillo, Director, Kent County Local Management Board; Jim Miller, Director, Human Resources; and Sondra Blackiston, Clerk/KATE Manager, Commissioners' Office were in attendance. Each agency, department, or division presented its respective FY2026 budget. The Commissioners took a lunch break at midday, and the budget work session ended at 2:36 p.m.

REGULAR SESSION

A meeting of the County Commissioners of Kent County was called to order at 6:00 p.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 in memory of Joyce Julia Ann Hynson. Please keep her daughter, Shelley Clothier, and her family in our thoughts and prayers.

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

PUBLIC NOTICE

Code Home Rule 2-2025 Community Reinvestment and Repair Commission and Special Revenue Fund - Commissioner Fithian read a notice into the record. AN ACT to add Chapter 15 Community Reinvestment and Repair Commission and to amend Chapter 152 Taxation by adding Article XII Community Reinvestment and Repair Special Revenue Fund § 152-43. For the purpose of establishing Kent County's Local Management Board as the Community Reinvestment and Repair Commission to oversee the use of funds pursuant to the State of Maryland Cannabis Reform Act of 2023; providing the duties of the Community Reinvestment and Repair Commission; defining the permitted uses of the funding; and establishing a special revenue fund.

A hearing will be held on April 15, 2025, at 6:00 p.m. in the Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland. The agenda for the meeting will be published online 24 hours in advance of the meeting at <https://www.kentcounty.com/government>. Citizens are encouraged to participate in the public hearing process. If you require communication assistance, please contact the County Commissioner's Office at (410) 778-4600 and press 4 or visit Maryland Relay at www.mdrelay.org no later than noon on Friday, April 11, 2025.

A complete copy of the proposed legislative bill is available in the Commissioner's Office, 400 High Street, Chestertown, MD, Monday through Friday, 8:30 a.m. to 4:30 p.m., and on the County's website at <https://www.kentcounty.com/government>.

CONSENT ITEMS

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

1. Regular Session Minutes, March 18, 2025
2. Liquor Minutes, March 18, 2025
3. Closed Session Minutes, March 18, 2025
4. Rocky Mountain Elk Foundation, Combined Multiple Gaming Devices/Raffle, April 12, 2025
5. Women's League of Washington College, Combined Multiple Gaming Devices May 13, 2025
6. 2025 Annual Housing Bond Allocation – Maryland Department of Housing and Community Development
7. Chesapeake Bank and Trust Release Letters of Credit Nos. 154, Stormwater Management and 155, Sediment and Erosion Control – James and Erin Gillespie 7637 Quaker Neck Road, Chestertown, MD 21620

PUBLIC HEARING – CODE HOME RULE BILL NO. 1-2025, ASSISTED LIVING FACILITIES IN THE CRITICAL AREA RESIDENTIAL (CAR) AND COMMUNITY RESIDENTIAL (CR)

A public hearing was held on Code Home Rule Bill No. 1-2025, Assisted Living Facilities in the Critical Area Residential (CAR) and Community Residential (CR). Public information regarding the above-mentioned hearing and minutes are posted on the County's website at <https://www.kentcounty.com/government>

KENT COUNTY 4-H

Beth Hill, 4-H Educator, presented the 2024 4-H Highlights and expressed gratitude to the Board for attending the achievement banquet. Some key highlights included the enrollment of 136 4-H members in six community clubs, the appointment of trained volunteers, and the receipt of \$32,245.00 in grants, donations, memorials, and solicited funds. The Moore family was recognized for their commitment and dedication to the Kent 4-H Program.

4-H collaborated with Kent Cultural Alliance's first artist, Alyssa Dennis, as part of the residency program. All three resident artists were featured at the Kent County Fair. Kent County residents and 4-H members, including Delegate David Daniels, also reached the Grand National Waterfowl Hunt in Cambridge, MD. The Maryland State Dairy Judging "B" Team qualified for the North American International Livestock Expo, and the 4-H Shotgun Team competed at the National 4-H Shooting Invitational in Grand Island, Nebraska.

For more information, please contact Beth Hill, Principal Agent Associate for 4-H Youth Development at the University of Maryland Extension, Kent County, at 410-778-1661.

PUBLIC WORKS

Dan Mattson, Director of Public Works, requested approval of the proposed change order for the Emergency Medical Services (EMS) Facility. The project budget was established in May 2024 at a total of \$651,088.00. By the time the Request for Proposal (RFP) was issued, the State Fire Marshal had provided a preliminary review and indicated areas of the building would require sprinklers. This unexpected development led to a low bid of \$628,800.00, which was submitted by Industrial Engineering Corporation and subsequently awarded the contract. For context, the second-lowest bid, excluding all additional items referenced, was \$839,415.00. Since then, the Commissioners have approved an initial Change Order (CO) for \$9,879.40 to add an entrance portico to the building. Months later, Chestertown Permitting and Water/Sewer Fees were assessed, totaling \$22,287.60. A formal review of the project recently determined that the entire building would require fire suppression sprinklers, resulting in a substantial additional cost of \$44,961.00.

The department has also coordinated with the general contractor to obtain costs for various site work elements initially excluded from their contract. The current contract covers the building footprint plus 10 feet in all directions, while the remaining site work was proposed to be managed by County staff and/or through separate contracts.

The proposed CO includes the current overage, the costs for the sprinklers, and various site work items for the Commissioners' consideration. If all items are approved, the total cost increase for the project would amount to \$271,967.00, raising the total project value to \$900,767.00. This total includes the previously approved portico and the Chestertown permitting and water/sewer connection fees. The total value of the proposed CO is \$239,800.00. Some costs are linked to efforts originally envisioned by the County Roads and Water/Wastewater Division, which remains a possibility but may not be the recommended approach. Further discussions will take place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners approved the reallocation of \$135,670.00 from Fund Balance to be moved to Contingency for the Kent County EMS Facility Capital project budget. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the change order to the Kent County EMS Facility Construction Contract in the amount of \$230,500.00 to fund the additional items as discussed.

HUMAN RESOURCES

Jim Miller, Director of Human Resources, requested approval to fill a position at the Kent Family Center. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved extending a conditional offer of employment to the recommended candidate for the Service Coordinator Vacancy.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, made two announcements.

Clarification: The Code Home Rule 2-2025 hearing is scheduled for April 15, 2025, at 6:00 p.m.

Meeting Announcement: The County Commissioners will meet with Chesapeake College in the Dorchester Board Room on April 17, 2025, at 6:00 p.m. to discuss budgetary matters.

COUNTY ADMINISTRATOR REPORT

A letter was circulated for each county's President to sign regarding opposition to Senate Bill 0931/House Bill 1036 Public Utilities – Generating Stations – Generation and Siting (Renewal Energy Certainty Act). Commissioner Price and Commissioner Nickerson did not object to this request. However, it was changed to an expedited letter from each jurisdiction to be signed by all its members and sent to the entire Eastern Shore Delegation. The letter was signed and sent on March 26, 2025. A copy of Caroline County's letter was available for review.

Connie Ranney, the Director of the Rock Hall Yacht Club Sailing School, requested a letter of support for an application to Preservation Maryland to consider FY2025 Heritage Funds. The deadline for submission is Friday, March 28, 2025. The Board expressed no objections to the request. Ms. Heller expedited this request and signed the letter on behalf of the Board on March 27, 2025.

WILDLIFE FISHERIES AND KENT COUNTY WATERMEN

Robert Newberry, Chairman of the Wildlife Fisheries, and Dan Dierker, Vice President of the Kent County Watermen, requested assistance from the Public Works Roads Division to transport oyster shells from the Sharptown Landfill in Rock Hall to the bulkhead in Rock Hall. This will enable a local waterman to load the shells onto a boat for offloading in the Eastern Bay. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved President Fithian to coordinate with Dan Mattson, Director of the Public Works Roads Division, to remove the pile of shells from the Sharptown Landfill to be utilized and planted in the Bay in conjunction with what boat will be used.

OFFICE OF EMERGENCY SERVICES

Pete Landon, Director, Office of Emergency Services (OES), recapped a discussion during today's budget work session. Mr. Landon requested contingency funding to support a project to refresh the OES Dispatch/9-1-1 Center. Discussion took place. On a motion made by

Commissioner Price and seconded by Commissioner Nickerson, the Commissioners approved the reallocation of \$45,000.00 from Fund Balance to FY2025 Contingency Fund. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously appropriated \$45,00.00 to take care of the 9-1-1 renovations brought to the Commissioners' attention.

PUBLIC COMMENT

The procedures for public comment were in effect. Dr. Mary Boswell-McComas, Superintendent, Kent County Public Schools, provided an update for the Commissioners.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

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

CONTINGENCY FUND

The FY2025 Contingency balance as of March 18, 2025, is \$114,464.00. The FY2025 use of Fund Balance is \$499,902.00.

CLOSED SESSION

At 7:17 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.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Jim Miller, Director, Human Resources Department; Dennis Hickman, Sheriff, Kent County Sheriff's Office; Roland Sheppard, Director of Operations, Kent County Detention Center; Sondra M. Blackiston, Clerk, and Lacey T. Cox, Deputy Clerk II, were also in attendance.

MATTER NO. 1: PERSONNEL

Topics to be discussed: A matter concerning a specific applicant.

Reasons for closing: A potential employee's experiences should be shielded for privacy.

Roland Sheppard, the Director of Operations at Kent County Detention Center (KCDC), and Dennis Hickman, the Sheriff of the Kent County Sheriff's Office (KCSO), discussed a personnel request with the Commissioners.

At 7:52 p.m., Commissioner Price made a motion, which Commissioner Nickerson seconded. The Commissioners unanimously adjourned the closed session and reconvened in open session.

OPEN SESSION

MATTER NO. 1 PERSONNEL: Commissioner Price stated that the Board discussed the rehiring of an applicant in a closed session. On a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously agreed to instruct staff to proceed with a conditional offer of employment.

At 7:53 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, April 8, 2025, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

April 1, 2025

PUBLIC HEARING

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 Rob Tracey, Associate Planner, Planning, Housing, and Zoning.

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

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to open the public hearing for Code Home Rule Bill No. 1-2025.

CODE HOME RULE BILL NO. 1-2025, ASSISTED LIVING FACILITIES IN THE CRITICAL AREA RESIDENTIAL (CAR) AND COMMUNITY RESIDENTIAL (CR)

The public hearing commenced at 6:10 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 Code Home Rule Bill No. 1-2025, Assisted Living Facilities in the Critical Area Residential (CAR) and Community Residential (CR), 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 add a new land use and to permit said new land use in certain districts as a special exception: (1) by adding "5.75. Assisted living facilities with nine to sixteen beds provided" to Article V. District Regulations, Section 3. Critical Area Residential, §5.3 Special Exceptions; (2) by adding "4.75. Assisted living facilities with nine to sixteen beds" to Article V. District Regulations, Section 3. Community Residential, §6.3 Special Exceptions; (3) by adding "3.5. Assisted living facilities with nine to sixteen beds" to Article VII. Special Exceptions, Section 6. Procedures; (4) by adding specific conditions for said new land use "6.75. Assisted living facilities with nine to sixteen beds" to Article VII. Special Exceptions, Section 7. Special Exceptions; (5) by including one non-codified provision; and (6) by providing for an effective date related to the required Critical Area Commission review and approval of the zoning text, per Md. Code Ann., Natural Resources § 8-1809, as the same may be amended from time to time.

Rob Tracey, Associate Planner, Planning, Housing, and Zoning, provided a summary and further details of the legislation's intent. A copy of a letter dated February 6, 2025, from Joe Hickman, Chairman of the Planning Commission, with a favorable recommendation to the Commissioners, was provided. Discussion took place. Mr. Yeager also noted that the written comment period will remain open until the close of business on April 4, 2025.

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 for Code Home Rule Bill 1-2025 at 6:13 p.m. and for the record to remain open until the close of business on Friday, April 4, 2025. The legislative bill is scheduled to be considered for a vote on Tuesday, April 15, 2025.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to resume the open session.

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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

April 1, 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.

PUBLIC NOTICES

Four businesses have applied for alcoholic beverage licenses. Commissioner Fithian announced the public notices for the record:

- Notice an application has been made by Members Prateek Mohar and Vedika Chandu Patel, representing Shiv Kripa LLC, for a Class B, Beer, Wine, and Liquor License with Caterer's Privilege (CP) on the premises known as It's Masala Time, 3 Washington Square, Chestertown, MD 21620, which shall authorize the holder thereof to keep for sale and to sell Beer, Wine, and Liquor at the place therein described, for on-premises consumption, or elsewhere.
- Notice an application has been made by Octavio Alexander Roblero, Member, representing El Rancho Mexican Cuisine LLC for a Class B, Beer, Wine, and Liquor License with Caterer's Privilege (CP) on the premises known as El Rancho Mexican Cuisine, 18 Washington Avenue – Units ten (10) and eleven (11), Chestertown, MD 21620, which shall authorize the holder thereof to keep for sale and to sell Beer, Wine, and Liquor at the place therein described, for on-premises consumption, or elsewhere.
- Notice an application has been made by Members William Pedersen and John Alfree, representing The Lemon Leaf Café, LLC, for a Class B, Beer, Wine, and Liquor License with Caterer's Privilege (CP) on the premises known as The Little Lemon Leaf Diner, 21356 Rock Hall Avenue, Rock Hall, MD 21661, which shall authorize the holder thereof to keep for sale and to sell Beer, Wine, and Liquor at the place therein described, for on-premises consumption, or elsewhere.
- Notice an application has been made by Members Paul Benkert and Caroline Benkert, representing Sassafras LLC, for a Class B, Beer, Wine, and Liquor License on the premises known as Sassafras, 12 Ericsson Avenue, Betterton, MD 21610, which shall authorize the holder thereof to keep for sale and to sell Beer, Wine, and Liquor at the place therein described, for on-premises consumption, or elsewhere.

Hearings will be held on each application in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr. Government Center, 400 High Street, Chestertown, MD, on April 8, 2025, at 10:00 a.m., at which 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, March 18, 2025.

SPECIAL CLASS C

The Sultana Education Foundation has submitted multiple Special Class C (Per Diem) liquor license applications for approval. They are requesting approval to sell Beer and Wine during an Open House/Membership/Fundraiser event on the following dates: April 4th, June 6th, September 5th, and October 3rd, 2025, from 5:00 p.m. to 7:00 p.m. at 200 S. Cross Street, Chestertown. They are also requesting approval to sell Beer, Wine, and Liquor during an Open House/Membership/Fundraiser event on the following dates: May 2nd and August 1, 2025, from 5:00 p.m. to 7:00 p.m. at 200 S. Cross Street, Chestertown. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved six Special Class (Per Diem) liquor license applications submitted for the Sultana Education Foundation.

At 7:53 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, April 8, 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