

April 8, 2025

REGULAR SESSION

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 all the Midwest residents dealing with flooding and severe storms. Commissioner Fithian asked that we keep everyone 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 nine consent items as presented:

1. Regular Session Minutes, April 1, 2025
2. Liquor Minutes, April 1, 2025
3. Closed Session Minutes, April 1, 2025
4. Public Hearing Minutes, April 1, 2025
5. Pete Landon, Director of Office of Emergency Services, Datamark GIS Data Support Renewal and Subscription Renewal in the amount of \$81,151.65
6. Scott Boone, Director of Information Technology, Request to Approve Renewal of SIEM Solution Subscription, Licenses, and Maintenance and Support in the amount of \$29,801.62
7. Rock Hall Volunteer Fire Company, Multiple Gaming Device and Raffle Permit, June 6, 2025
8. Democratic Club of Kent County, Raffle Permit, April 15-May 15, 2025
9. Radcliffe Creek School, Raffle Permit, May 24, 2025

SPECIAL RECOGNITIONS

Proclamation Kent County Fair Housing Month – April 2025 - Commissioner Price read the proclamation into the record and presented it to Bill Mackey, Director of Planning, Housing, and Zoning.

Proclamation Kent County Severe Storms Week is April 7-13, 2025 - Commissioner Nickerson read the proclamation into the record, and Brian Pearsall, Emergency Planner at the Kent County Office of Emergency Services, accepted it.

STATE'S ATTORNEY'S OFFICE

Joanne McNamara, Grants Program Administrator, and G. Robert Mowell, Deputy and Assistant State's Attorney for the State's Attorney Office (SAO), requested approval to submit a grant application. In FY2024, the SAO received a grant to establish a recidivism reduction

program. The following year, although the program successfully helped many people, it was discontinued due to losing grant funds. With this application, the SAO seeks to regain funding to re-establish the program, focusing this round on pre-sentencing diversion to divert individuals away from detention and provide them with support that addresses underlying causes of criminal behavior. These include accessing behavioral health treatment, educational programs, job readiness, and placement support. Providing individuals with employment opportunities and stability will reduce the likelihood of re-arrest and repeat incarceration. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the submission of a grant application for the Kent County State's Attorney's Office to the Governor's Office of Crime Prevention and Policy for funding to restart a recidivism reduction program.

PUBLIC WORKS

Dan Mattson, Director of Public Works, has requested approval for the Kent County Fire Chief's Association to close Buckingham and Morgnec Public Landings on Saturday, April 26, 2025, and Sunday, April 27, 2025. This closure is necessary for a countywide water supply drill conducted by county fire companies. The Kent County Fire Chiefs' Association will host this drill. Plans call for the old Campbell Soup property as the dump site and the two landings as draft sites. The request for closure is due to the large number of fire apparatuses in the area during the event. The association has indicated that this drill will enhance firefighters' skills and benefit property owners by earning safety accreditation for their insurance. They have been advised to submit the required forms and a Certificate of Insurance. If approved, signs will be posted at the landings before the event, and the closures will be announced on the county website. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the request as presented and supported the Fire Chiefs Association with their drills.

Mr. Mattson gave an update on the following projects around the County:

Kent County Detention Center roof - The staff is waiting for formal quotes; however, two options were given. 1. A complete replacement of the leaking area was quoted at \$350,000.00. 2. To stop the drains from leaking, roof patching and lining are estimated at \$20,000.00 - \$25,000.00.

Bayside Landing - The lower walers and sheet piling will be completed on April 9th. The tieback and backfilling will be done later this week. Some slips will be available at the end of next week, and the project will be fully open on Friday, April 25th.

Office of Emergency Services Building -The permit change order quote was off by \$9,300.00. The Town of Chestertown building permit fee and connection fee are \$22,287.60. A discussion was held. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved staff to prepare a letter requesting the Mayor and Town Council reduce or waive the permit fees.

Millington - Proposed site of the Water and Wastewater Plant. Bramble has started construction of the entrance.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, advised that Todd Mohn, County Administrator for Queen Anne's County (QAC), requested a letter of support for the Eastern Shore Youth Crisis Center – Carter/Whitsitt Center. QAC is reapplying since the FY2025 grant was not included in the Federal Congressional Research Service (FED CR). Talbot and Queen Anne's counties' letters were available for review. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved a letter to be signed. The letter was addressed to The Honorable Andy Harris for the Maryland 2026 Community Project Funding.

FOR YOUR INFORMATION

Public Works – Water and Wastewater Division - The original purchase order for two actuators for Tolchester Water and Wastewater Treatment Plant (WWTP) was \$22,030.00. American Rescue Plan Act funds will be used in the amount of \$19,000.00, and the remainder will be paid from the division's budget. Parts cost less than quoted, which reduced the total to \$19,730.00. A third actuator, which was not in the original purchase order, has been installed for \$8,700.00. The new total for the project is \$28,430.00. The original purchase order has already gone through the correct approval paths, as required by the County's procurement policy and, being that it originally was under \$25,000.00, it does not need the Commissioners' approval, and the increase is not more than 50% of the original amount, staff advised the Commissioners of this change order as the total figure has now exceeded their approval threshold.

Mid Shore Behavioral Health - The Commissioners received a letter dated March 25, 2025, from Kathryn Dilley, Chief Executive Officer of Mid Shore Behavior Health (MSBH). The letter announced that Tamara Stofa has been appointed to the Board of Directors for MSBH. Ms. Stofa's term will run from November 1, 2025, to October 31, 2029. The correspondence was available for review.

PUBLIC COMMENT

The procedures for public comment were in effect. David Holman, John Massey, and Enos Bontrager, Kent County residents, expressed concerns about the Kent County Health Department, District and Circuit Court, and Police Departments and the number of liquor license establishments in close proximity to others. A dispensary store in Kent County was discussed.

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 April 1, 2025, is \$19,604.00. The FY2025 use of Fund Balance is \$680,572.00.

CLOSED SESSION

At 11:19 a.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; (3) To consider the acquisition of real property for a public purpose and matters directly related thereto; and (7) to consult with counsel to obtain legal advice. There were two (2) separate matters discussed.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Bill Mackey, Director and Robert Tracey, Associate Planner, Planning, Housing, and Zoning; Sondra M. Blackiston, Clerk/KATE Manager; and Lacey T. Cox, Deputy Clerk II, were also in attendance.

MATTER NO. 1 PERSONNEL

Topic to be discussed: Appointments and reappointments to a Board(s)/Committee(s).

Reason for closing: Discussion of members and terms are confidential and must be shielded.

Bill Mackey, Director, and Robert Tracey, Associate Planner, Planning, Housing, and Zoning (PHZ), presented the Commissioners with information for each board and certain members' terms of expiration for discussion. Outreach was undertaken. Mr. Mackey and Mr. Tracey sought advice and received suggestions from the Board.

Construction Trades Board and Agricultural Preservation Advisory Board: Staff made recommendations, and the Board discussed each candidate's qualifications.

Mr. Mackey and Mr. Tracey departed the closed session at 11:32 a.m. All other persons remained.

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

Topic to be discussed: The acquisition of real property and obtaining legal advice from the County Attorney concerning the acquisition of said property.

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.

At 11:33 a.m., Dan Mattson, Director of Public Works, joined the closed session. Documents were submitted for information. The Regional Wastewater Treatment Plant Site in

the Town of Millington, Intent to Purchase, was signed on April 1, 2025, by Commissioner Fithian and Russ Richardson, Authorized Member/Representative, Millington Crossing Associates 1, LLC. A copy of the appraisal for land acquisition was submitted. The Commissioners discussed an addendum to the Letter of Intent. Mr. Yeager offered legal advice concerning making changes to the proposed document. Further discussion occurred.

At 12:02 p.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson; the Commissioners unanimously adjourned the closed session and reconvened in open session.

OPEN SESSION

Commissioner Price reported that the Commissioners discussed two items with staff.

MATTER NO. 1 PERSONNEL

The Construction Trades Board and Agricultural Preservation Advisory Board, the Commissioners instructed staff to proceed as discussed.

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

Regarding the land acquisition discussion, on a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioner unanimously voted to allow President Fithian to sign the letter of intent with the addendum, as discussed.

At 12:04 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 15, 2025, at 6:00 p.m.

FY2026 BUDGET WORK SESSION HELD ON APRIL 8, 2025

A budget work session was held on April 8, 2025, at 1:00 p.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.

Dan Mattson, Director of Public Works; Mike Maker, Partner, NewGen Strategies and Solutions, were present to discuss the water and sewer rate and allocation fee study and preliminary study findings; Andy Hollis, President/CEO, and Henry Teets, Transit Supervisor, Delmarva Community Services, Inc. presented the agency's budget request; Pete Landon, Director, Office of Emergency Services discussed staffing needs. Ms. Merritt shared the general fund overview, and the Commissioners reviewed allocations. The budget work session ended at 3:26 p.m.

Regular Session Minutes
April 8, 2025
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Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

April 8, 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; Thomas N. Yeager, County Attorney; and Bonnie S. Pearsall, Inspector; Kent Alcohol and Tobacco Enforcement 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, April 1, 2025.

SPECIAL CLASS C

Ducks Unlimited has submitted a Special Class C (Per Diem) liquor license application for approval to sell beer only during a Sporting Clay Conservation Fundraiser. This event is scheduled for Friday, April 25, 2025, from 10:00 a.m. to 5:00 p.m. at Hopkins Hunting and Sporting Clays, 13003 Turners Creek Road, Kennedyville. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for Ducks Unlimited.

The Humane Society of Kent County Inc. has submitted a Special Class C (Per Diem) liquor license application to sell Beer, Wine, and Liquor during a Fundraiser event. The event is scheduled for May 2, 2025, from 5:00 p.m. to 10:00 p.m. in the shelter's parking lot at 10168 Worton Road, Chestertown. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for the Humane Society of Kent County Inc.

The public hearings for four (4) Alcoholic Beverage Liquor License applications commenced at 10:15 a.m.

PUBLIC HEARING PROTOCOL

Mr. Yeager reviewed the public hearing protocols. The rules for a public hearing were in effect. Mr. Yeager administered the Oath to Bonnie S. Pearsall, Inspector, Kent Alcohol and Tobacco Enforcement (KATE), Prateek Mohar (applicant for Shiv Kripa LLC, DBA It's Masala Time), Andrew Meehan, Esquire, MacLeod Law Group, LLC, representing, Octavio Alexander Roblero (applicant for El Rancho Mexican Cuisine), John Alfree (applicant for The Little Lemon Leaf Café, LLC DBA The Little Lemon Leaf Diner), and Paul Benkert (applicant for Sassafras), and anyone else wishing to testify.

Thomas N. Yeager stated the hearings were duly advertised, and he read each public notice into the record for the four (4) applications prior to their individual hearing and any testimony given. A hearing on each application was held 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 applications were heard.

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.

SHIV KRIPA LLC, DBA IT'S MASALA TIME; CLASS B, BEER, WINE, AND LIQUOR LICENSE WITH CATERER'S PRIVILEGE (CP)

Mr. Yeager stated that a legal review of the application for a Class B; Beer, Wine, and Liquor License with Caterer's Privilege (CP) had been completed. Inspector Pearsall informed the Commissioners that the applicants had met all the requirements for application approval. Prateek Mohar gave an overview of how the business will be operating. Staff recommended approval of the application without contingencies. No comments were offered in favor of or in opposition to the application. There being no objections, on a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously approved the Class B; Beer, Wine, and Liquor License with Caterer's Privilege for Shiv Kripa LLC, DBA It's Marsala Time.

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.

EL RANCHO MEXICAN CUISINE LLC; CLASS B, BEER, WINE, AND LIQUOR LICENSE WITH CATERER'S PRIVILEGE (CP)

Mr. Yeager stated that a legal review of the application for a Class B; Beer, Wine, and Liquor License with Caterer's Privilege (CP) had been completed. Inspector Pearsall informed the Commissioners that the applicants would need to provide a copy of a valid Central Registration number for approval of the application. Andrew Meehan, Esquire, MacLeod Law Group, LLC, representing Octavio Alexander Roblero, provided an overview of how the business will operate. Mr. Meehan also noted that they have submitted all required documentation to the Comptroller's Office and are waiting for a response. Staff recommended approval of the application with the contingency of providing a copy of a valid Central Registration number. No other comments were offered in favor of or in opposition to the application. There being no objections, on a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously approved the Class B; Beer, Wine, and Liquor License with Caterer's Privilege (CP) for El Rancho Mexican Cuisine LLC contingent upon receiving a copy of a valid Central Registration number from the Maryland Comptroller's Office.

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.

THE LEMON LEAF CAFÉ, LLC, DBA THE LITTLE LEMON LEAF DINER; CLASS B, BEER, WINE, AND LIQUOR LICENSE WITH CATERER'S PRIVILEGE (CP)

Mr. Yeager stated that a legal review of the application for a Class B; Beer, Wine, and Liquor License with Caterer's Privilege (CP) had been completed. Inspector Pearsall informed the Commissioners that the applicants would need to have one of the applicants or a designated person complete an Alcohol Awareness Training class (and receive certification) for approval of the application. John Alfree gave an overview of how the business will be operating. Staff recommended approval of the application with the contingency of an applicant or a designated person completing an Alcohol Awareness Training class. Anna Ruth Tubman testified that the Diner had one employee who had taken the Alcohol Awareness Training and received their certification. There are others scheduled to take the course as well. Inspector Pearsall stated that she would verify the certification and remove the contingency upon being verified. No other comments were offered in favor of or in opposition to the application. There being no objections, on a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously approved the Class B; Beer, Wine, and Liquor License with Caterer's Privilege (CP) for The Lemon Leaf Café, LLC, DBA The Little Lemon Leaf Diner contingent upon the applicant member being certified in Alcohol Awareness Training and that the certification once achieved will be inspected and approved by the Liquor Inspector.

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.

SASSAFRAS LLC; CLASS B, BEER, WINE, AND LIQUOR LICENSE

Mr. Yeager stated that a legal review of the application for a Class B; Beer, Wine, and Liquor License had been completed. Inspector Pearsall informed the Commissioners that the applicants had met all the requirements for application approval. Paul Benkert gave an overview of how the business will be operating. Staff recommended approval of the application without contingencies. No comments were offered in favor of or in opposition to the application. There being no objections, on a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously approved the Class B; Beer, Wine, and Liquor License for Sassafras LLC.

The Public Hearings closed at 10:30 a.m.

KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

Inspector Pearsall provided two license updates. On March 18, 2025, the Commissioners approved a Class A Beer, Wine, and Liquor License for Northpoint Marina, LLC, represented by Marshall Owings, Jaye Owings, and Casey Owings, with no contingencies. On April 1, 2025, the applicants paid the prorated fee, and Liquor License No. 4913 was issued. On January 28, 2025, the Commissioners approved a Class D Beer, Wine, and Liquor License for Rock Hall Brewing Company, LLC, represented by Valerie Ashmore, with one contingency. The contingency was met, and on April 2, 2025, the applicant paid the prorated fee, and Liquor License No. 4914 was issued. These

transactions will be recorded in the monthly report of retail license activity required by the Comptroller of Maryland, Field Enforcement Division.

The Commissioners discussed the necessity of sending a letter to the Office of the Comptroller concerning an ongoing issue with a licensed establishment. Inspector Pearsall shared experiences from other establishments that are also striving for compliance. A discussion followed. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Board unanimously agreed that staff should prepare a letter addressing issues that outline the efforts and ask for some immediate action to be taken; the Governor should receive a copy of the letter as well.

At 12:04 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 15, 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