

May 6, 2025

FY2026 BUDGET WORK SESSION HELD ON APRIL 29, 2025

A budget work session was held on April 29, 2025, at 10:00 a.m., with the following present: Commissioner John F. Price and Commissioner Albert H. Nickerson.

Shelley L. Heller, County Administrator; Pat Merritt, Chief Finance Officer of the Office of Finance; and Dan Mattson, Director of Public Works, were also present at the work session. John Schratwieser, Director of the Kent Cultural Alliance; Kent County Health Department, Health Officer Bill Webb, and Administrator Emily McCoy; and Richard Keaveney, Executive Director of the Animal Care Shelter, each presented their budget requests. Ms. Merritt reviewed the budget for FY2026, highlighting the changes made since the previous work session. Commissioners Price and Nickerson concluded the work session at 11:42 a.m.

FY2026 BUDGET WORK SESSION HELD ON MAY 6, 2025

A budget work session was held on May 6, 2025, at 3:00 p.m., with the following present: Commissioner Ronald H. Fithian, Commissioner John F. Price, and Commissioner Albert H. Nickerson. Ms. Heller and Ms. Merritt were also in attendance.

Robert Bell, Executive Director, Rachel Durso, President of the Board of Library Trustees of Kent County Public Library; Dr. Mary Boswell-McComas, Superintendent of Kent County Public Schools, and Alleesa Stewart, Director of Finance, presented their respective budget requests. Pete Landon, Director, Office of Emergency Services, Jim Miller, Director, Human Resources, and Mr. Mattson were present to answer questions about their budget requests. Ms. Merritt reviewed a summary of the previous budget work session, and the Board took measures to balance the budget. The budget work session ended at 5:26 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 for fallen United States Navy Petty Officer First Class Dakota Brown Collison and his family. Officer Collison's procession home to Kent County occurred today.

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

SPECIAL RECOGNITIONS

Employee of the Year Award: The Commissioners dedicate a week annually to honor the corrections profession and recognize the Employee of the Year at the Kent County Detention Center (KCDC). Sergeant Charles Dobson, Jr., was awarded the Employee of the Year title this year. Commissioner Price read Sgt. Dobson's certificate of recognition into the record, and Sgt. Dobson graciously accepted the award.

Proclamation: May 4 – 10, 2025, is Correctional Employees' Week: Every year, the Commissioners dedicate a week to honor Correctional Officers. Sheriff Dennis Hickman from the Sheriff's Office delivered opening remarks, emphasizing the vital role of the corrections profession and expressing gratitude for the staff's dedication, courage, and the countless hours they invest in improving the community. Commissioner Nickerson also read the proclamation into the record, which Sheriff Hickman, Captain Steve Wallace, and Sgt Dobson accepted on behalf of KCDC.

PUBLIC NOTICE

Commissioner Fithian read the adoption notice for Code Home Rule 1-2025 Assisted Living Facilities in the Critical Area Residential (CAR) and Community Residential (CR). This legislation was adopted on April 15, 2025, without amendments, and its provisions will take effect on April 25, 2025. The bill, in its entirety, is on file at the Commissioners' Office, 400 High Street, Chestertown, Maryland, Monday through Friday, 8:30 a.m. to 4:30 p.m., and on the County's website at www.kentcounty.com

CONSENT ITEMS

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

1. Regular Session Minutes, April 22, 2025
2. Liquor Minutes, April 22, 2025
3. Closed Session Minutes, April 22, 2025
4. Jill Coleman, Director, Parks and Recreation, Budget Transfer of \$1,236.00 for Water Filtration/Bottle Refilling System
5. Bill Mackey, Director, Planning, Housing, and Zoning - Resolution 2025-03 A Resolution To Designate The Grants Program Administrator As The County's Representative Related To The "Representative-Update-Data (Rus)" Security Role On Behalf Of The County Commissioners Of Kent County
6. Mr. Mackey, Internal Budget Transfer of \$8,000.00 for Temporary Services
7. Jamie Williams, Director, Economic and Tourism Development Department - Economic and Tourism Development Commission Member Appointment – Bob Jacob
8. Dan Mattson, Director, Water and Wastewater Division, Water and Sewer Allocation Request and Public Works Agreement (PWA), Dean Home Improvement, LLC, in the amount of \$16,200.00
9. Mr. Mattson, Water and Sewer Allocation Request and PWA Kent Attainable Housing, Inc., in the amount of \$16,200.00
10. Chestertown Volunteer Fire Company, Raffle Only, May 7- June 16, 2025
11. HomePorts, Inc., Combined Gaming Devices - Raffle, May 7- September 13, 2025
12. Father George S. Bradford Council No. 11248, Knights of Columbus, Raffle Only, May 24 - October 11, 2025

LEGISLATIVE SESSION

At 6:33 p.m., on a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go into legislative session.

Legislative Protocol: Thomas N. Yeager, County Attorney, reviewed the protocol for a legislative session. Code Home Rule No. 2-2025 was submitted for a third reading and can be considered for a vote. Code Home Rule Bill No. 4-2025 has been submitted for introduction. Mr. Yeager summarized each bill's purpose. Shelley L. Heller and Carla Gerber, Deputy Director of Planning, Housing, and Zoning, were available to review the proposed legislative bills and address any questions the Board had.

3rd Read and Vote – Code Home Rule Bill No. 2-2025 Community Reinvestment and Repair Commission and Special Revenue Fund

Ms. Heller detailed Code Home Rule Bill No. 2-2025. 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. No written comments were received during the comment period. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted Code Home Rule Bill No. 2-2025, Community Reinvestment and Repair Commission and Special Revenue Fund. The bill passed without amendments.

Introduction of Code Home Rule Bill No. 4-2025 To Rescind and Replace the Land Use Ordinance and Zoning Map - Introduction

Ms. Gerber detailed Code Home Rule No. 4-2025. AN ACT to (1) rescind and replace Chapter 222, "Zoning," of the Public Local Laws of Kent County, Maryland, in its entirety, renaming Chapter 222 as the *Unified Development Ordinance*, also known as the Kent County Land Use Ordinance to incorporate changes recommended by the Critical Area Commission, per Md. Code Ann., Natural Resources § 8-1809, and making other corrections and revisions as set forth herein; (2) rescind and replace the Kent County, Maryland Official Zoning Map, in its entirety, to incorporate changes recommended by the Critical Area Commission, per Md. Code Ann., Natural Resources § 8-1809, and implementing one requested revision as set forth herein; and (3) including non-codified provisions to address corrections and certain adopted maps indirectly related to the Unified Development Ordinance and Zoning Map. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the introduction of Code Home Rule Bill No. 4-2025 and for the bill to 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 6:34 p.m. and resume the regular session.

TOWN OF CHESTERTOWN

Larry DiRe, the Town Manager of Chestertown, provided an update on the public restroom project proposed at 309 Cannon Street. The project, envisioned over a year ago, was recently

redesigned due to cost and funding availability. The Town of Chestertown allocated American Rescue Plan Act (ARPA) funds of \$150,000.00. The Commissioners allocated \$80,000.00 to this project in FY2025. Mr. DiRe explained that the County's funding commitment will be reduced by \$50,000.00. The new amount is \$30,000.00; however, coordination of expenses crossing over fiscal years is needed. Ms. Heller will coordinate with the Office of Finance.

Commissioner Price inquired about the status of a letter sent to the Town requesting a waiver of permit fees for the new Office of Emergency Services Building. Mr. DiRe stated that no decision had been made.

COUNTY ADMINISTRATOR

Ms. Heller explained that Jeannie Haddaway-Riccio, Principal of R&R Solutions, is working with Tolchester Marina on a grant application for a shoreline erosion project. The marina is experiencing drastic shoreline loss due to tides, storms, and the wake from the large ships moving through the channel. The marina intends to apply for a Small Watershed Grant through the National Fish and Wildlife Foundation (NFWF) and is seeking a letter of support for their grant application. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to provide the support letter as drafted. The Board signed a letter to Jeff Trandahl, Executive Director/Chief Executive Officer, NFWF.

Ms. Heller explained that Annie Richards, Chester Riverkeeper, ShoreRivers, requested a letter of support for a grant proposal to the NFWF for the Langford Watershed Alliance project. ShoreRivers previously requested a letter of support for the project through the Whole Watershed Act. The project does not require matching funds or a pledge from the Commissioners. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to approve the support letter as drafted. The Board signed a letter to Jake Reilly, Director, Chesapeake Bay Programs, NFWF.

COUNTY ADMINISTRATOR REPORT

Maryland Environmental Services (MES): The Commissioners were provided with a courtesy copy of a letter dated April 15, 2025, from Timothy Ford, Managing Director, Environmental Operations, MES, to Clay Stamp, Manager, Talbot County Government, concerning a proposed \$15.00 per ton surcharge on sewage sludge mid FY2026.

Washington College (WAC): Jennifer Hizer, Assistant Director for Government Grants and Sponsored Programs, Office of College Advancement, WAC, requested a letter of support for the College's continued efforts to obtain funding for the Innovation Plant. The Board has previously provided letters of support for this project. Due to a deadline, the letter needed to be expedited. Ms. Heller signed a letter on behalf of the Board on April 24, 2025.

COMMISSIONERS COMMENTS

Commissioner Nickerson commented on the weekend's Park and Recreation grounds events. The hard work of many County staff is noticeable and appreciated. Each commissioner

received positive feedback from the community and visitors; however, Commissioner Nickerson enthusiastically shared his observations as he witnessed the volume of activities firsthand.

PUBLIC COMMENT

The procedures for public comment were in place, but no comments were made.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

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

CONTINGENCY FUND

The FY2025 Contingency Fund balance as of April 22, 2025, is \$4,209.00. The FY2025 use of Fund Balance is \$680,572.00.

CLOSED SESSION

At 6:54 p.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, and carried unanimously to go into a closed session to discuss a personnel matter. 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; and Sondra M. Blackiston, Clerk/KATE Manager, were also in attendance.

MATTER NO. 1 PERSONNEL

Topic to be discussed: A matter concerning a specific employee

Reason for closing: The details of a specific employee should be shielded for privacy.

Shelley L. Heller, County Administrator, and Jim Miller, Director of Human Resources, presented a written request received from an employee. A lengthy discussion followed.

At 7:39 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

Regular Session Minutes

May 6, 2025

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Upon reconvening in open session, Commissioner Price reported that in closed session, the Commissioners had a lengthy discussion regarding the potential benefits for one employee, and no action was taken.

At 7:40 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, May 13, 2025, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

May 6, 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 22, 2025.

SPECIAL CLASS C

The Chestertown Tea Party Festival, Inc. has submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor during the Annual History Festival. The event is scheduled for May 23, 2025, from 5:00 p.m. to 9:00 p.m. at Wilmer Park, Chestertown. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for the Chestertown Tea Party Festival, Inc.

The Chestertown Tea Party Festival, Inc. has submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor during the Annual History Festival. The event is scheduled for May 24, 2025, from 10:00 a.m. to 4:00 p.m. between High Street & Cross Street, Chestertown. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for the Chestertown Tea Party Festival, Inc.

The Chestertown Tea Party Festival, Inc. has submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor during the Annual History Festival. The event is scheduled for May 25, 2025, from 12:00 p.m. to 4:00 p.m. at Wilmer Park, Chestertown. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for the Chestertown Tea Party Festival, Inc.

Radcliffe Creek School has submitted a Special Class C (Per Diem) liquor license application to sell beer only during the Chestertown Tea Party (Distance Classic Race and Run for Radcliffe). The event is scheduled for May 24, 2025, from 8:30 a.m. to 11:30 a.m. at Wilmer Park, Chestertown. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for Radcliffe Creek School.

ShoreRivers has submitted a Special Class C (Per Diem) liquor license application to sell beer, wine, and liquor during a Fundraising Gala. The event is scheduled for June 28, 2025, from 6:00 p.m. to 10:00 p.m. at Wilmer Park, Chestertown. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the Special Class (Per Diem) liquor license application for ShoreRivers.

No one spoke in favor of or in opposition to any of the applications.

PUBLIC HEARING PROTOCOL

Thomas N. Yeager, County Attorney, read the public notice into the record. Notice, an application has been made by Members Susan F. McKeown and Richard S. Fleming, representing Main Wine, LLC, for a Class D, Beer, Wine, and Liquor License on the premises known as Main Wine, 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. A hearing on the application will be held in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr. Government Center, 400 High Street, Chestertown, MD, on May 6, 2025, at 6:00 p.m., at which time any exceptions to the application will be heard. The hearing was duly advertised.

Mr. Yeager administered the Oath to Bonnie S. Pearsall, Inspector, Kent Alcohol and Tobacco Enforcement (KATE), Susan F. McKeown, Member, Main Wine, LLC, and anyone wishing to testify.

MAIN WINE, LLC, CLASS D, BEER, WINE, AND LIQUOR LICENSE

The hearing commenced at 6:18 p.m. Mr. Yeager stated that a legal review of the application for the Class D, Beer, Wine, and Liquor License had been completed. Inspector Pearsall informed the Commissioners that the applicants had met all the requirements for application approval, and a prehearing inspection was completed. Ms. McKeown testified about how the establishment would run and operate. 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 D, Beer, Wine, and Liquor License for Main Wine, LLC. The public hearing concluded at 6:21 p.m.

ADMINISTRATIVE HEARING

An administrative hearing commenced at 6:22 p.m. and continued the hearings held on December 3, 2024, January 9, 2025, and March 4, 2025. Mr. Yeager outlined the protocol for the hearing and called upon Inspector Pearsall and Carolyn Jones, President/Treasurer of Coleman's Tavern, to provide an update regarding Coleman's Tavern's failure to obtain its 2024 trader's/business license.

Ms. Jones submitted Articles of Revival on May 1, 2025, to the Comptroller's Office with an estimated review date of May 15, 2025. The Comptroller's Office has released the hold placed on the establishment as of May 1, 2025. Ms. Jones will probably not be able to obtain a valid trader's/business license until the Articles of Revival have been approved. To further complicate matters, this issue has crossed over a licensing period; therefore, the 2025-2026 license has not been issued as part of the renewal process. Inspector Pearsall cited the provisions of the Maryland Alcoholic Beverages and Cannabis Code Annotated Section 4-405 and issued a letter on May 1, 2025, stating that the license's expiration date has been postponed for twenty (20) days.

Regarding Coleman's renewal application, the Board approved the renewal of the license subject to meeting certain contingencies. Mr. Yeager explained that no action is needed by the Board this evening. With the Articles of Reinstatement accepted, Ms. Jones can apply for her business license and make it current. Ms. Jones expects to have this completed by May 15, 2025. The Administrative Hearing ended at 6:30 p.m.

KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

FY2025 Third Quarter Report: Inspector Pearsall conducted routine inspections of forty-eight (48) out of fifty-eight (58) alcohol establishments. Inspector Pearsall could not conduct inspections of ten (10) establishments, three (3) of which were closed for the season, and the others because she could not contact members who would allow her to do so. No violations were observed at any of the establishments during these inspections. Inspector Pearsall conducted the first round of Mystery Shopper inspections for restaurants using of-age cadets to ensure they were asking for proper identification for anyone who appeared to be thirty (30) years of age or younger. The KATE team continues to look for responsible 18 to 20 ½-year-olds for compliance checks on tobacco retailers, as well as responsible 21 to 27-year-olds to be "Mystery Shoppers" who will use caution or thank you cards to check alcohol establishments for compliance, making sure they are asking for proper identification from their patrons.

At 7:40 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, May 13, 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