

August 25, 2026

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 a former employee, Andy Cox, who worked at the Detention Center, who is having some serious issues and would like to keep him and his family in our prayers.

Shelley L. Heller, County Administrator; G. Robert Mowell, County Attorney; Roni L. Thomas, Deputy Clerk II; and Rose Osborn, Engagement Specialist, were also present.

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved all four consent items as presented:

1. Regular Session Minutes, August 18, 2026
2. Dan Mattson, Director, Environmental Operations Division
-Bikefest at Bayside Landing Park
3. Scott Boone, Director, Information Technology
-SHI International Contract, Microsoft Licensing Program Renewal
4. Maryland Wildlife & Heritage Association, Raffle Only, August 28, 2026

APPOINTMENT

Clifford P. Coppersmith, President, and Milton E. Nagel, Vice President of Administrative Services, Chesapeake College-Chesapeake College Economic Development Center HVAC and Lighting Replacement Project: Milton E. Nagel, Vice President of Administrative Services, was present to request on behalf of Clifford P. Coppersmith, President, and Chesapeake College. Mr. Nagel had two requests. The first was that the Commissioners sign a letter of intent to assure the Maryland Higher Education Commission that the county intends to provide the local share of funds to design and construct the Chesapeake College Economic Development Center HVAC and Lighting Replacement Project. The EDC HVAC and Lighting Replacement Project requires immediate attention. The HVAC units are 32 years old, and the existing duct lining has deteriorated and delaminated, resulting in fiberglass particles being introduced into occupied spaces. Due to these conditions, 21 college employees have been temporarily relocated, and approximately 7,500 gross square feet of the building have been closed and are currently unoccupied. Additional information regarding the project is provided in the attached Emergency Capital Procurement document. Kent County would be responsible for \$73,954 in FY28. The second request was that the Commissioners approve the FY27 Budget Amendment as presented. There are no additional dollars requested. Chesapeake College has identified budget areas that can be reduced to reallocate resources and fund an additional 2% salary increase for staff and administration. The revised budget includes a 3.5% increase for all college faculty, staff, and administrators. Some discussion took place. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the letter of intent for the Chesapeake College Economic

Development Center HVAC and Lighting Replacement project as presented. A second motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2027 Budget Amendment for Chesapeake College as presented.

Dr. Mary McComas, Superintendent, Kent County Public Schools -Kent County Public School Salary Attestation FY2027: Dr. Mary McComas, Superintendent, Kent County Public Schools, has requested that the July 1, 2026, salary attestation form be signed by the County Commissioners. Both parties (Kent County Public Schools and the Board of County Commissioners) must sign the document to attest to the Department of Education Accountability & Implementation Board that our teaching staff meets the mandatory minimum salary of \$60,000 required by law. The County is required to sign the attestation form as “the local fiscal authority responsible for ensuring statutorily required budget obligations are met.” On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved and signed the FY2027 salary attestation form for Kent County Public Schools, as presented. Some discussion took place after the motion. Dr. McComas spoke about the schools’ achievements, how test scores are improving, and how two out of three elementary schools are being recognized nationally by a non-profit group. She mentioned there is still good hard work to do, gains are being made, and they are not going backward.

G. ROBERT MOWELL, COUNTY ATTORNEY

Worton Water Tower - Verizon Lease Agreement: Verizon approached Public Works regarding the installation of equipment on the Worton Water Tower. The proposed lease would provide monthly income to the County and is anticipated to increase and/or improve Verizon network coverage in the Worton area. The technical specifications were negotiated and approved by Public Works, and the equipment will not interfere with the water tower's primary function. Dan Mattson joined the discussion. Commissioners suggested a letter to Verizon requesting a review of all no-cell-service areas in the county. Also mentioned were upgrades and maintenance to the current cell towers. On motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously approved entering into the agreement to lease space on the Worton Water Tower with Verizon.

DAN MATTSON, DIRECTOR, PUBLIC WORKS

FY2027 Yard Waste Grinding Contract: Kent County residents and commercial landscaping companies may dispose of wood and yard waste at the Nicholson Drop-Off Center. The County periodically contracts with a grinding company to process the accumulated material into mulch, which is made available to residents for personal use free of charge.

The County solicited bids from three contractors for FY27 yard-waste grinding, and all three submitted bids. Pricing was requested for:

- Mobilization (Lump Sum);
- Grinding and hauling the material off-site (Unit Price per CY);
- Grinding the material through a 3-inch screen and leaving it on-site (Unit Price per CY); and
- Additional grinding through a 2-inch screen, if directed by the County (Unit Price per CY).

Because actual quantities and the preferred method of processing will depend upon field conditions, bids were evaluated using assumed quantities of 10,000 cubic yards ground and hauled off-site and 4,000 cubic yards ground and left on-site. These quantities were used solely to establish a consistent basis of award and are not guaranteed under the proposed contract. Harwood Grinding Service submitted the lowest evaluated bid at \$83,900. Harwood also submitted the lowest unit prices for both primary grinding alternatives: grinding and hauling off-site and grinding through a 3-inch screen and leaving the material on-site. The FY27 budget includes \$80,000 for this work. Although Harwood's evaluated bid exceeds that amount, the proposed contract is based on actual unit-price quantities and will include a not-to-exceed amount of \$80,000. Public Works will determine the quantity and type of work performed based on field measurements, operational needs, and the available budget. Discussion took place. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2027 Yard Waste Grinding Contract with Harwood Grinding Service.

Residential Stormwater Review Process Improvements: Kent County currently uses a "Standard Stormwater Management Plan" for qualifying single-family residential projects, while all other projects require an Engineered Stormwater Management Plan. County Staff recently completed a review of the residential stormwater procedures utilized by neighboring counties and MDE guidance to identify opportunities to streamline the process, reduce costs, and plan preparation/review times for both applicants and County reviewers. Proposed revisions establish two streamlined pathways for qualifying residential projects, proposed to replace the current Standard Plan: (1) a simplified fan wherein projects meeting applicable thresholds where stormwater requirements can be satisfied entirely through rooftop and non-rooftop disconnections; or (2) a standard plan wherein projects meeting applicable thresholds that require County-approved standard stormwater practices beyond disconnections.

The proposed disturbance threshold for the simplified and standard pathways is proposed to be increased from 20,000 square feet to 30,000 square feet, consistent with the MDE model Standard Stormwater Management Plan framework and neighboring Queen Anne's County. The hard-limit of fifteen percent impervious coverage is proposed to be eliminated and replaced with a reliance on the Engineering Judgement of the reviewer. This aligns with the approach Queen Anne's County has taken for over a decade, which allows flexibility and consideration of specific field conditions for a given project. Modifications to the disturbance square footage and impervious percentage thresholds will substantially increase the number of projects that qualify for the Simplified and Standard Plan review pathways. The newly developed Simplified and Standard plan applications are more user-friendly and decrease resident / builder reliance on design professionals. This will also simplify County reviews and inspections. Ultimately, the net result is reduced project costs associated with stormwater design, permitting, and construction on qualifying single-family residential home projects. Average Stormwater Management review times are also anticipated to decrease because of the new forms. County Standard Stormwater Management Details, designed and implemented in late 2023, will remain in effect and serve as the basis for the simplified and standard plans. A Guidance Document has also been prepared to detail the specifics of each review pathway (simplified, standard, and engineered) as well as the responsibilities of both applicants and reviewers under each pathway. Discussion took place. On motion by Commissioner Price, and

seconded by Commissioner Nickerson, the Commissioners unanimously approved the implementation of the proposed single-family residential stormwater management review process.

BRIAN PEARSALL, EMERGENCY PLANNER, OFFICE OF EMERGENCY SERVICES

Resolution 2026-17, A Resolution to Adopt the 2026 Kent County Hazard Mitigation Plan: The Kent County 2026 Hazard Mitigation Plan (HMP) is our community guide for evaluating risks, identifying local capabilities, and setting strategies to reduce or eliminate long-term damage from natural disasters or human-caused disasters. The mandatory creation of HMP revisions is required by regulation at 44 CFR § 201.6 and provides states and FEMA Mitigation Planners an opportunity to provide assistance and feedback to local governments, including special districts. All local, state, and tribal governments must create and update these plans every five years to remain eligible for non-emergency disaster funding from agencies such as FEMA. In Kent County, the County and incorporated municipalities, including Betterton, Chestertown, Galena, Millington, and Rock Hall, participated as stakeholders in the 2026 Kent County HMP creation.

Key Components of the 2026 Kent County HMP include:

- Risk Assessment: Identifies past hazard events, profiles local threats (such as floods or severe storms), and maps vulnerable areas or populations.
- Capability Assessment: Reviews existing local laws, policies, staff resources, and funding tools currently available to handle disasters.
- Mitigation Strategy: Sets clear goals and lists specific actions—such as elevating buildings, updating zoning laws, or public education—to protect property and lives.
- Plan Maintenance: Outlines how the community will track progress, evaluate success, and formally renew the document every five years.

Core Benefit of the 2026 Kent County HMP:

-Grant Eligibility: HMP adoption qualifies Kent County, Betterton, Chestertown, Galena, Millington, and Rock Hall for pre- and post-disaster hazard mitigation project grants. Once the Kent County 2026 Hazard Mitigation Plan is successfully adopted by the County Commissioners of Kent County via Resolution 2026-17, OES will facilitate the towns of Betterton, Chestertown, Millington, and Rock Hall to do the same, ensuring Kent County's full compliance with 44 CFR § 201.6. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved to adopt Resolution 2026-17, A Resolution to adopt the 2026 Kent County Hazard Mitigation Plan.

JOANNE MCNAMARA, DIRECTOR, GRANTS AND CONTRACTS, AND BRAD RUSSUM, CHIEF OF COMMUNICATIONS, OFFICE OF EMERGENCY SERVICES

Approval of Communication Encryption Grant Application: The Governor's Office of Crime Prevention and Policy (GOCPP) has announced the availability of grant funding through a State Aid for Police Protection Communication Encryption Grant Program (SAPC), to support the procurement, upgrade, and implementation of secure law enforcement communication capabilities through Advanced Encryption Standard (AES-256) compliant subscriber radios and associated systems. This funding is designed to ensure that agencies are able to securely communicate during routine operations and critical incidents while maintaining interoperability with local, State, regional and federal public safety partners. After review with Kent County Office of Emergency Services (OES), which manages the secure radio communications system across all law

enforcement agencies in Kent County, it was determined that the County would benefit from the purchase and investment of additional radio consoles and encryption key devices to strengthen our secure law enforcement communications network. This application requests approximately \$82,000 in funding toward additional equipment that will strengthen the secure, encrypted communications network of public safety and law enforcement in Kent County. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the submission of the Communication Encryption Grant Application as presented.

CARLA GERBER, DIRECTOR, AND PAUL KEEN, ASSOCIATE PLANNER, PLANNING HOUSING, AND ZONING

Preliminary Report for the Certificate of Public Convenience and Necessity, MD-Bishopville LLC: Kimley-Horn and Associates, Inc. on behalf of MD-Bishopville LLC, in accordance with COMAR 20.79 pre-application consultation requirement, submitted to the Department of Planning, Housing, and Zoning, materials for a proposed 4 MW utility-scale solar energy system that will occupy – including panels, fencing, and landscaping – 22.22 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 and inconsistencies 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 surrounding area. A discussion took place, and questions concerning future solar projects were raised. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the preliminary report letter as presented.

SHELLEY L. HELLER, COUNTY ADMINISTRATOR REPORT

Maryland Public Service Commission -Proposed Solar Project in Kent County: Local residents and other interested members of the public are invited to comment on a proposal by applicant MD American Kestrel, LLC to build a 5.0 MW solar photovoltaic generating facility in Kent County. The hearing will take place on Tuesday, September 8, 2026, at 6:30 p.m. at the Comfort Inn & Suites Chestertown, 150 Scheeler Road in Chestertown, MD. The Maryland Public Service Commission has delegated this case to its Public Utility Law Judge Division; Public Utility Law Judge Jennifer Grace will preside over the hearing. In October 2025, the developer applied to the Commission for what is known as a Certificate of Public Convenience and Necessity (CPCN), which grants an applicant the authority to construct an energy-generating station in Maryland. According to the application, the developer proposes to build the project on 39.43 acres of an approximately 104.94-acre property located at 23548 Chestertown Road, Chestertown, MD in Kent County. The project will generate energy to be allocated to community solar subscribers within Delmarva Power and Light's service territory. In addition to taking comments from the public, the hearing will include a presentation by the applicants, brief statements by the parties, including the Power Plant Research Program of the Maryland Department of Natural Resources, and the Commission's Technical Staff, as to their respective roles and recommendations in the case. The hearing will also include a virtual option for those unable to attend in person. Attendees can register (by September 4, 2026) from the 'File a Public Comment' page of the Commission's website, <https://psc.maryland.gov/online-services/file-a-public-comment>:

Regular Session Minutes

August 25, 2026

Page 6 of 8

- Scroll down to the Calendly application
- Click on the entry for 'Case No. 9823 – MD American Kestrel, LLC (CPCN)'
- Click on September 8, 2026, select 6:30 p.m. and click 'Next'
- Enter name and email address and click 'Schedule Event'

Registrants will receive a Zoom link by email after finishing the sign-up process. Barring any technical difficulties, a recording will be available on the PULJ Division's (MD PSC PULJs) YouTube channel: <http://www.youtube.com/@mdpscpljs327>. In addition to the hearing, written comments can be sent electronically through the Commission's online portal at: <https://psc.maryland.gov/online-services/file-a-public-comment/>, or by mail. Comments sent by mail should be addressed to: Jamie Bergin, Chief Clerk, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202. So that they are noted in the proper case file, all comments should reference Case No. 9823 and can be sent through October 15, 2026. In addition to the online case docket, a copy of the application is available for public view at the Kent County Department of Planning, Housing, and Zoning (400 High Street, Chestertown, MD 21620).

Media contact: Tony Ruffin, Communications Director | tony.ruffin@maryland.gov

FOR YOUR INFORMATION

Owings & Sons Business Trust - Letter for Permit to Appropriate and Use of Waters:
Owings & Sons Business Trust has applied for a Permit to Appropriate and Use of Waters of the State, which has been assigned permit application number KE2013G005/02. The applicant seeks to increase an existing allocation from an annual average of 91,000 gallons of groundwater per day (gpd) and an average of 555,000 gpd during the month of maximum use, to an annual average of 174,000 gpd and an average of 1,059,000 gpd during the month of maximum use for crop irrigation. Water will be withdrawn from one well in Aqua aquifer,. The project is located at 29960 Morgnec Road, Kennedyville, Kent County, Maryland. Letter is attached for review.

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 July 21, 2026, is \$323,800.00. The use of Fund Balance was \$1,195,001.00

PUBLIC COMMENT

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

CLOSED SESSION

At 11:09 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; and (7) To consult with counsel to obtain legal advice. Two matters were taken up for discussion.

Shelley L. Heller, County Administrator; G. Robert Mowell, County Attorney; Dan Mattson, Director; Vauné Johnson, Human Resources Specialist, and Roni Thomas, Deputy Clerk II were also in attendance.

MATTER NO. 1: PERSONNEL/LEGAL ADVICE

Topic to be discussed: Request from a former employee

Reason for closing: The discussion of the request from a former employee should be safeguarded, and legal advice from the County Attorney is privileged and should not be disseminated to the public.

MATTER NO. 2: LEGAL ADVICE

Topic to be discussed: Employment agreements for senior staff.

Reason for closing: The discussion of senior staff contracts should be safeguarded, and legal advice from the County Attorney is privileged and should not be disseminated to the public.

At 11:50 a.m., on a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the closed session and reconvened in open session.

OPEN SESSION

MATTER NO.1: PERSONNEL/ LEGAL ADVICE

Commissioner Price summarized the closed session discussion regarding a request from a former employee. No action was taken; the issue would be handled by the county attorney. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved that no action was taken at this time; the issue would be handled by the county attorney.

MATTER NO.2: LEGAL ADVICE

Commissioner Price summarized the closed session discussion regarding senior staff contracts. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the contracts as discussed.

Regular Session Minutes

August 25, 2026

Page 8 of 8

At 11:52 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, September 1, 2026, at 6:00 p.m.

Respectfully submitted,

Lacey M. Townsend
County Clerk

Approved:

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

August 25, 2026

The Board of License Commissioners met today with the following present: Ronald H. Fithian, presiding, and John F. Price and Albert Nickerson.

Shelley L. Heller, County Administrator; G. Robert Mowell, County Attorney; Bonnie S. Pearsall, Inspector, Kent Alcohol and Tobacco Enforcement; Roni L. Thomas, Deputy Clerk II, and Rose Osborn, Engagement Specialist were also present.

CONSENT ITEM

On a motion by Commissioner Price and seconded by Commissioner Fithian, the Commissioners unanimously approved the consent item as presented:

1. Liquor Minutes August 18, 2026.

SPECIAL CLASS C LICENSES

Maryland Wildlife & Heritage Association, Beer, Wine, and Liquor, August 28, 2026: Maryland Wildlife & Heritage Association has applied for a Beer, Wine, and Liquor Special Class C Per Diem Alcoholic Beverage License for the Chester River Catfish Tournament on August 28, 2026, at 25367 Lambs Meadow Road, Worton, MD 21678. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class C Per Diem Alcoholic Beverage License for the Maryland Wildlife & Heritage Association for Beer, Wine, and Liquor on August 28, 2026.

Operation Enduring Warrior, Beer, Wine, and Liquor, September 5, 2026: Operation Enduring Warrior applied for a Special Class C Per Diem Alcoholic Beverage License for Beer, Wine, and Liquor for September 5, 2026, for their BBQ & Brews Event, located at 7281 Wilkins Lane, Chestertown, MD 21620. On motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class C Per Diem Alcoholic Beverage License for Operation Enduring Warrior for Beer, Wine, and Liquor for September 5, 2026, as presented.

At 11:52 a.m., a motion was made by Commissioner Price, seconded by Commissioner Fithian, and the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, September 1, 2026, at 6:00 p.m.

Liquor Minutes
August 25, 2026
Page 2 of 2

THE BOARD OF LICENSE COMMISSIONERS
OF KENT COUNTY, MARYLAND

Lacey M. Townsend
County Clerk

Approved:

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