

December 14, 2021

A meeting of the County Commissioners of Kent County was called to order at 10:00 a.m. with the following present: P. Thomas Mason, President, Ronald H. Fithian, and Robert N. Jacob, Jr. The meeting convened with the Pledge of Allegiance. Commissioner Mason asked the audience to remain standing for a moment of silence for the recent tragedies in the mid-west with the tornados, and for a recent accident at CreaFill Fibers Corporation in Chestertown.

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

CONSENT ITEMS

On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the following items:

1. Regular Session Minutes, November 30, 2021
2. Liquor Minutes, November 30, 2021
3. Closed Session Minutes, November 30, 2021

KENT AG CENTER

Josh Phillips, President; Brad Morris and Jim Lindauer, Board Members, Kent Ag Center were present to provide an update on construction improvements and the next phase at the fairgrounds. Mr. Phillips thanked the Commissioners for their support and funding provided to demolish two buildings. Mr. Morris and Mr. Phillips explained the need of additional funding to complete the recently erected pavilion. Discussion took place. The Commissioners requested project cost estimates in writing and expressed their interest and willingness to help complete the pavilion.

KENT SOIL AND WATER CONSERVATION DISTRICT

Karen Miller, Acting District Manager, introduced Robert Baldwin as the new District Manager. Mr. Baldwin will officially start his new position on December 15, 2021. Mr. Baldwin touched on his career experiences and looks forward to his new position.

KENT COUNTY PUBLIC SCHOOLS (KCPS)

Dr. Karen Couch, Superintendent; Alleesa Stewart, Supervisor of Finance; and Joseph F. Wheeler, III, Supervisor of Operations, Kent County Public Schools were present to discuss four (4) matters.

1. Audited Financial Statements for FY2021 for Kent County Public Schools. A request was made to approve the financials. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Financial Statements as submitted.

2. FY2022 Budget Amendment No. 1. The first request is to increase revenue and expenses by \$124,390.00 from the Maryland Blueprint Special Education funds categorized as unrestricted funds but restricted for use in Special Education. The second request is to increase revenue and expense by \$33,094.00 from Capital Outlay. The FY2022 Aging Schools allocation is \$38,292.00 and the Carryover amount is \$39,793.00. The total for Aging Schools allocation should be \$78,085.00 not \$44,991.00 which was originally budgeted. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Unrestricted Funds Budget Amendment No. 1 for FY2022.
3. FY2023 Capital Improvement Program (CIP) submission. As part of the updated Interagency Commission on School Construction's (IAC) Administrative Procedures Guide for the FY2023 CIP, Local Education Agencies (LEA's) now must submit a "Concurrence Letter" which informs the IAC that should the project be approved by the State, the local government will support their share of the project costs. The only project listed in the FY2023 CIP for funding is the Kent County High School Roof Replacement Project, which is set to start Summer 2022 and finish at the end of Summer 2023. An updated project budget has been submitted, with estimations on the project costs. Should KCPS receive approval from the IAC as well as the County Commissioners, this project will go to bid in January/February 2022. At that time, KCPS will update the project budget to reflect actual figures. On motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously approved a letter of concurrence for local funding to replace the roof at Kent County High School for FY2023. The Commissioners signed a letter to Robert Gorrell, Executive Director, Interagency Commission on School Construction.
4. School Bus Monitoring Cameras. KCPS is requesting the County implement local legislation for the purpose of photo enforcement of school bus monitoring cameras. John Price, Sheriff, and Dennis Hickman, Captain, Kent County Sheriff's Office (KCSO) joined the discussion. Mr. Wheeler explained the steps in implementing the process. Mr. Wheeler stated this implementation would not be a cost to the County, rather the vendor fees would be paid by revenue generated from tickets issued. Mr. Wheeler stated the KCSO would be responsible for verifying the violations, when vehicles drive through the red stop lights on the buses. Sheriff Price suggested possibly using the school resource officers to verify violations, however, if the task becomes too burdensome, the County may need to back out of the program. Ms. Heller explained prior to committing to a vendor, the first step is to initiate local legislation. Further discussion took place. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved to direct staff to move forward with local legislation for the purposes of photo enforcement of school bus monitoring cameras.

Kevin Hemstock, Council Member, Town of Millington; and Frank Hodgetts, President/CEO, Home Partnership, Inc. presented a letter of intent for the former Millington Elementary School, 172 Sassafras Street, Millington, for the purpose of purchasing the property. The proposed letter anticipated the County to donate 40% interest to the Town of Millington and sell the remaining 60% interest at fair market value. Mr. Yeager offered legal advice and suggested language that both parties may agree to. An appraisal is needed, and an additional discussion of the assignment of sale and proceeds ensued. The Commissioners requested a revised letter of intent be presented for further consideration.

HOUSING

John Queen was present to discuss concerns with alleged discriminatory housing practices at Brook Meadow and Calvert Heights. After discussion, Ms. Heller explained the housing communities mentioned are within the purview of the Town of Chestertown. Ms. Heller offered several resources and encouraged Mr. Queen to contact staff of the Kent County Local Management Board. Maryland Legal Aid is available to help with the process should assistance be needed. Ms. Heller also encouraged Mr. Queen to file a formal complaint with the United States Department of Agriculture (USDA).

PUBLIC WORKS

Mike Moulds, Director, Public Works presented a request to reallocate FY2022 funding for an asphalt distributor truck. Mr. Moulds explained the FY2022 budget includes \$300,000.00 to purchase a liquid asphalt distributor truck with a 1,000-gallon tank. As a result of staffing shortages, the need to purchase a distributor truck is no longer recommended. Mr. Moulds requested to reallocate the funding to purchase a trailered liquid asphalt distributor with a 600-gallon tank in the amount of \$27,978.00 through a Sourcewell Contract, No. 052417VTL, and a new International standard cab dump truck with plow, sander, and spreader in the amount of \$175,000.00 through a Maryland Department of Transportation (MDOT) State Contract No. 001B1600501. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved to reallocate \$300,000.00 in the FY2022 budget originally allocated for the purchase of a 1,000 gallon liquid asphalt distributor truck to be used to purchase a 600 gallon trailer mounted distributor from Valley Supply and Equipment under a Sourcewell Intergovernmental Cooperative Purchasing Agreement Contract No. 052417VTL for \$20,978.00 and a new International standard cab dump truck with plow, sander and spreader for \$175,000.00 under an existing Maryland Department of Transportation Contract No. 001B1600501.

KENT COUNTY DETENTION CENTER

Herb Dennis, Warden, Kent County Detention Center (KCDC) provided a funding increase to the FY2022 Maryland Community Criminal Justice Treatment Program (MCCJTP) for behavioral health services provided by Mid Shore Behavior Health (MSBH). Warden Dennis explained MSBH has partnered with KCDC since 2011 and provides inmate mental health care

to the inmates. Due to a Cost of Living (COLA) increase, the grant will increase by \$1,691.00, raising the amount granted to KCDC to \$50,000.00. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously accepted the FY2022 Maryland Community Criminal Justice Treatment Program (MCCJTP) Kent County funding increase from \$48,309.00 to \$50,000.00.

Warden Dennis presented a Memorandum of Understanding (MOU) for the Medical Assistance Treatment (MAT) program through Conmed, LLC. Warden Dennis explained by 2023 all local and state detention centers are required to have a MAT program for inmates struggling with drug addictions. MAT will help provide inmates with medication assistance and therapy needs. The parties pertaining to this MOU have no financial obligations for the services provided to the Detention Center. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Memorandum of Understanding with Conmed for the Medical Assistance Treatment program.

Steve Wallace, Captain, KCDC presented an Amendment to the Pay Tel Master Service Agreement for video visitation within the Detention Center. The Master Service Agreement with Pay Tel Communications, Inc. was signed on April 23, 2019. Captain Wallace stated an addendum has been requested that will facilitate an interface to enable automated sharing of inmate information in place of manual entry, which will eliminate the officers having to enter this information manually. In lieu of charging the County for this update, Pay Tel is requesting the term of the Master Service Agreement be extended by three years from the current expiration date of June 18, 2027 to June 18, 2030. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Master Service Agreement Addendum No. 2 with Pay Tel Communications, Inc.

Warden Dennis; Captain Wallace; and Ernest Wicks, Captain provided an overview of the programs offered and security at KCDC. Warden Dennis and the Commissioners discussed having a closed session at a future meeting to discuss personnel matters.

KENT FAMILY CENTER

Lisa Mazingo, Director, Kent Family Center (KFC) presented an agreement for behavioral health services. Ms. Mazingo stated KFC receives an annual grant in the amount of \$11,100.00 for mental health consulting and services. Staff recommends partnering with Striving for Wellness Together for mental health services. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Memorandum of Agreement between Striving for Wellness Together for mental health consulting and services at Kent Family Center.

INFORMATION TECHNOLOGY

Scott Boone, Director, and April Bitter, Project Manager, Information Technology (IT) discussed proposed projects with the Governor's Office of Statewide Broadband. At the

November 30, 2021, meeting, the Commissioners, and IT staff discussed matching funds for Neighborhood Grants and Infrastructure Grants. Mr. Boone provided funding requests from each Internet Service Provider (ISP) and stated the projects will not begin until July 1, 2022, therefore any funding appropriation could be budgeted for FY2023. Mr. Boone stated the Board can chose to support each ISP's application with or without funding. Should the Board choose to commit to matching funds, County funding requested for the projects in an amount not to exceed \$665,000.00. Letters of support were drafted for the discussion. Commissioner Jacob questioned whether the County's American Rescue Plan Act (ARPA) funds could be used for the project. Staff will research. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved support letters for each ISP's application to the Office of Statewide Broadband and to approve funding as requested.

PLANNING, HOUSING, AND ZONING

Bill Mackey, Director, Planning, Housing, and Zoning presented a project for procurement approval. Mr. Mackey stated a Request For Proposal (RFP) No. PHZ 22-01, Combined Forest Clearing Plan and Buffer Management Plan for Betterton Beach Public Landing and Rigbie Bluff Private Property, was completed and the lowest responsive bidder for the project was Unity Design Build Landscape in the amount of \$12,715.00. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Contract for Unity Design Build Landscape for \$12,715.00.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, and Arnessa Dowell, Director, Kent County Public Library, presented the Fourth Amendment to Lease, Kent County Public Library Galena Branch. The amendment extends the lease term for three (3) months at the lease rate of \$900.00 per month, set to expire on December 31, 2021. Ms. Dowell stated this will be the final lease for this branch location. The Galena Library branch will be moving to a new location, and all future leases will be presented to the Board of Library Trustees for approval. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Fourth Amendment to the Kent County Public Library's Galena Branch lease agreement with George Haggerty as provided.

PUBLIC COMMENT

The procedures for public comment were in effect. No comments were received from citizens.

CONTINGENCY FUND

The FY2022 Contingency balance as of November 16, 2021, is \$236,347.00 and the FY2022 Use of Fund Balance total is \$73,201.00.

CLOSED SESSION

At 1:06 p.m., a motion was made by Commissioner Fithian, seconded by Commissioner Jacob, and carried unanimously to go into 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.

After a brief recess the closed session reconvened at 1:16 p.m.

PERSONNEL

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

Topic to be discussed: Current appointments on Boards/Commissions.

Reason for closing: Discussion of current appointments are confidential and must be shielded.

Mr. Mackey discussed the composition of several Boards/Commissions. The Commissioners and staff discussed specifics concerning current members and the qualifications of applicants who submitted interest forms.

At 2:01 p.m., a motion was made by Commissioner Jacob, seconded by Commissioner Fithian, and carried unanimously to adjourn the closed session and reconvene in open session.

OPEN SESSION

Commissioner Jacob summarized the closed session. The Commissioners and staff discussed the reappointment of members serving on County Boards/Commissions. No action was taken by the Board.

At 2:02 p.m. a motion was made by Commissioner Jacob, seconded by Commissioner Fithian, and the Board unanimously agreed to adjourn the meeting. The Board is scheduled to meet again on Tuesday, December 21, 2021, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

P. Thomas Mason, President
The County Commissioners
of Kent County, Maryland

December 14, 2021

The Board of License Commissioners met today with the following present: P. Thomas Mason, presiding, Ronald H. Fithian, and Robert N. Jacob, Jr.

Shelley L. Heller, County Administrator, Thomas N. Yeager, County Attorney, and Brandon McFayden, Inspector, Kent Alcohol and Tobacco Enforcement (KATE) were also present.

CONSENT ITEM

On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, November 30, 2021.

PUBLIC HEARING – THE MODERN STONE AGE FAMILY, LLC TRADING AS MODERN STONE AGE KITCHEN - CLASS B, BEER, WINE, AND LIQUOR LICENSE WITH CORKING PRIVILEGE AND EXTENDED PRIVILEGE

Thomas N. Yeager, County Attorney abridged the public hearing protocol and administered the Oath to all applicants, the Inspector, staff, and anyone who wished to testify. The rules for a public hearing were in effect.

The public hearing commenced at 10:02 a.m. on behalf of The Modern Stone Age Family, LLC trading as Modern Stone Age Kitchen Class B, Beer, Wine, and Liquor License with Corking Privilege and Extended Privilege. Mr. Yeager read the notice into record. Application has been made by members: Christina J. Schindler, Jane A. Nightingale, and J. Stephen McAuliffe III, representing The Modern Stone Age Family, LLC trading as Modern Stone Age Kitchen for a Class B, Beer, Wine, and Liquor License with Corking Privilege and Extended Privilege on the premises known as: Modern Stone Age Kitchen, 236 Cannon Street, Chestertown, MD 21620, which shall authorize the holder thereof to sell Beer, Wine, and Liquor at retail, at the place therein described, for on-premises consumption or elsewhere. A hearing on said application will be held by the undersigned in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr. Government Center, 400 High Street, Chestertown, MD on December 14, 2021, at 10:00 a.m. at which time any exceptions to the application will be heard.

Mr. Yeager stated a legal review of the application has been completed and everything was in order. Mr. Yeager stated there is a hold on the establishment with the Comptroller's Office, once the release has been obtained the license can be issued. Brandon McFayden, Inspector testified all is in order with the establishment. Mr. McFayden read the following correspondence into record: an email from Bill Ingersoll, Manager, Town of Chestertown was received noting a unanimous support from the Mayor and Council of Chestertown for the application. At the Boards request, Mr. McFayden explained the details of Extended Privilege. Ms. Schindler explained the intentions of the business.

No comments were offered in person or through the virtual meeting platform either in favor of or against the application. There being no objections, on motion by Commissioner

Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the license upon meeting the contingency.

KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

Ms. Blackiston provided the Commissioners with a license update. Ms. Blackiston stated the Board on October 5, 2021, approved Sam's Rock Hall Liquors, LLC for a Class A, Beer, Wine, and Liquor License with Beer, Wine, and Liquor Tasting (BWLTL). License No. 4738 was issued on November 22, 2021. Pickering Associates, Inc. surrendered License No. 4698 and having met all the requirements, a prorated refund was issued per Alcoholic Beverages Article §24-1408. Bulk Transfer Permit No. B0-00528 was validated by Inspector McFayden. The transfer of alcoholic beverages held in inventory by Pickering Associates, Inc. to Sam's Rock Hall Liquors, LLC has been completed.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, December 21, 2021, at 6:00 p.m.

THE BOARD OF LICENSE COMMISSIONERS
OF KENT COUNTY, MARYLAND

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

P. Thomas Mason, President
The County Commissioners
of Kent County, Maryland