

September 27, 2022

A meeting of the County Commissioners of Kent County was called to order at 10:06 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 Florida residents and public officials that will have to deal with the destruction caused by Hurricane Ian.

Shelley L. Heller, County Administrator, was also present.

CONSENT ITEMS

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

1. Regular Session Minutes, September 20, 2022
2. Liquor Minutes, September 20, 2022
3. Kent Ruritan Club, Raffle Only, October 1 – December 31, 2022

RECOGNITIONS

Commissioner Mason read a certificate of recognition prepared for Corporal Colleen Boswell. Ms. Boswell has been employed with the Kent County Detention Center (KCDC) for twenty-nine (29) years and will be retiring at the end of September. Ms. Boswell was promoted to Corporal in 2004 and received the Correctional Officer of the Year award in 2019. Ms. Boswell thanked the Commissioners for their support and recognized the profession of Correctional Officers. The following KCDC personnel accompanied Corporal Boswell to honor her retirement: Herbert Dennis, Warden, Captain Steve Wallace, Captain Ernest Wicks, Sr., and Correctional Officer Monaca Stickland. Ms. Boswell thanked Warden Dennis for his support throughout the years.

Commissioner Mason read a certificate of recognition prepared for Virginia Gregg. Ms. Gregg has worked as the Emergency Management Planner with the Kent County Office of Emergency Services since June 2015. Ms. Gregg has been instrumental in creating relationships and partnerships that saw Kent County through multiple emergency declarations including the opioid epidemic, and numerous weather-related events. Wayne Darrell, Director, Office of Emergency Services (OES), accepted Ms. Gregg's certificate on her behalf.

Mr. Darrell summarized an emergency event that took place on August 13, 2022. Kent County Emergency Medical Services (EMS) Paramedics were on duty at Galena Volunteer Fire Department when a citizen attending an event experienced a sudden cardiac arrest. A Kent County OES EMS Paramedic initiated cardiopulmonary resuscitation (CPR) and was assisted by a fellow paramedic, volunteers of the Galena Volunteer Fire Department, and the Chestertown Fire Chief were able to successfully revive the patient. With high-quality CPR and advanced life support interventions, the patient was transported to Christiana Hospital for continued care. The following people received certificates of recognition for being instrumental in reviving the

patient and performing their duties with the utmost professionalism and precision required of them: Kim Chaney, Amy Duhamell, Scott Duhamell, Jack Duhamel, Ethel Duhamel, Jenna Berlin, Jimmy Dennison, Scott Rodney, Mark Shaw, and Otis Darling.

Mr. Darrell summarized a second emergency event that took place on August 30, 2022. A Kent County EMS Paramedic, four (4) Emergency Medical Technicians (EMTs), and volunteers of the Galena Volunteer Fire Department, responded to a cardiac arrest patient in Galena. Care was initiated and the patient was successfully revived with high-quality CPR and advanced life support interventions. The patient was transported to the University of Maryland Shore Medical Center at Chestertown for continued care. The following people received certificates of recognition for being instrumental in reviving the patient and performing their duties with the utmost professionalism and precision required of them: Gary Peterson, Michael Hildebrand, Jason Lobley, Chris Tingen, John Dwyer, Scott Duhamell, Jack Duhamel, Ethel Duhamel, Ross Schrieffer, Tyler Bisbee, and Steve Bisbee.

Commissioner Mason stated we are very fortunate in Kent County to have the people we have; you do not often realize this until you have an emergency and need help. We often take our fire departments for granted and do not realize how important they are until we have a fire. We are grateful to live in a community that has these services. Mr. Darrell stated there is a successful partnership with Kent County Emergency Services and volunteers that has developed over the years.

KENT COUNTY PUBLIC SCHOOLS

Dr. Karen Couch, Superintendent, and Alleesa Stewart, Supervisor of Finance, Kent County Public Schools (KCPS) were present to request two budget amendments for approval.

1. FY2022 Budget Amendment No. 2, is for unrestricted funds-Non-Public Placement for a budget increase of \$20,000.00. Maryland State Department of Education (MSDE) Awarded KCPS with a Students with Disabilities-Non-Public Placement award in the amount of \$120,000.00. KCPS initially budgeted \$100,000.00 for this expense.
2. FY2022 Budget Amendment No. 3, unrestricted funds are comprised of:
 - Operations – Increase Expenses by \$250,000.00
 - Operations are over-expended by \$239,857.98
 - Maintenance – Increase Expenses by \$45,000.00
 - Maintenance is over-expended by \$41,013.25
 - Fixed Charges - Decrease Expenses by \$295,000.00
 - This will cover the overages in the Operation and Maintenance budgets.

Ms. Couch stated the overages are largely due to utility costs during summer school and the maintenance upkeep of older buildings. On a motion by Commissioner Fithian and seconded

by Commissioner Jacob, the Commissioners unanimously approved Unrestricted Funds Budget Amendments, as presented.

UPPER SHORE AGING, INC.

Susan Higgs, Director of Community Services, Upper Shore Aging, Inc., discussed the FY2023 Senior Care Plan. Ms. Higgs stated Upper Shore Aging, Inc., received an increase of \$5,000.00 from the State. Currently, the additional available funds support four (4) individuals to receive food from the Meals on Wheels program a year. Commissioner Fithian recommended Upper Shore Aging, Inc., attend a budget workshop meeting and request funding from the County. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the FY2023 Senior Care Plan submitted by Upper Shore Aging, Inc., as presented.

ECONOMIC AND TOURISM DEVELOPMENT

Jamie Williams, Director, Economic and Tourism Development (ETD), presented Resolution 2022-13, A Resolution to Receive and Dispense Matching Funds from the Maryland Department of Commerce to the Maryland Department of Transportation (MDOT) Maryland Transit Administration (MTA) and the Smart Growth Certification for approval and signing. A letter was received from Kelly M. Schulz, Secretary of Commerce, Maryland Department of Commerce regarding MDOT MTA Freight Rail Chestertown Line: Worton Track Safety Project. On June 16, 2020, the Commissioners voted unanimously to support the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant application and committed matching funds in the amount of \$10,000.00. The Project Funding Agreement for the Worton Track Safety Project formalizes the County's commitment of \$10,000.00 in funding towards the project and would be included in the project record with the Federal Railroad Administration (FRA). The approved project, schedule, and construction are planned to start on January 31, 2024; therefore, the payment will be included in the department's FY2024 budget request. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved and signed the Worton Track Safety Project Commerce Match Resolution and Smart Growth Certification. Resolution 2022-13, A Resolution to Receive and Dispense Matching Funds from the Maryland Department of Commerce to the Maryland Department of Transportation (MDOT) Maryland Transit Administration (MTA) allocates \$10,000.00 of matching funds for the MDOT MTA Freight Rail Chestertown Line: Worton Track Safety Project, while The Smart Growth Certification denotes the parameters of the project.

PUBLIC WORKS

Mike Moulds, Director, Public Works, presented a request for additional contingency funding in the amount of \$1,625.00 to proceed with the asbestos survey on the two remaining administration buildings at the Kent County Agricultural Center for a total cost of \$2,625.00. Discussion took place. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the use of \$2,625.00 in FY2023 contingency

funds to proceed with the asbestos survey, testing, and report on the two buildings at the Kent County Agricultural Center.

Mr. Moulds presented a request to eliminate the \$10.00 disposal permit sticker fee for the calendar 2023. Marty Holden, Division Chief, Environmental Operations was also available to answer any questions the Board may have. The new system has reduced the solid waste tonnages collected and hauled to the regional landfill and reduced the fuel costs associated with the process. Discussion took place. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved eliminating the \$10.00 disposal permit fee and issuing the permit to Kent County residents free of charge.

Mr. Moulds discussed a request submitted by Monique Upshur Davis, Reverend, Holy Trinity AME Church, for a permanent waiver of one of the water/sewer connection fees, leaving only one water/sewer bill they would have to be responsible for paying. In addition to the waiver, a record of history dating from 1993 through 2021 was submitted for review. Staff recommends following the current policy. Discussion took place. On a motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously agreed with staff recommendations. The Commissioners denied the request for a permanent waiver of one of the water/sewer connection fees for the Holy Trinity AME Church based on the current policy.

AMERICAN RESCUE PLAN ACT FUNDS (ARPA)

A copy of the American Rescue Plan Act (ARPA) Spend Plan outlining the approved expenditures to date was provided to the Commissioners for informational purposes.

Shelley Heller, County Administrator, on behalf of April Bitter, Project Manager, Information Technology, presented a copy of the broadband funding update. On December 14, 2021, the County Commissioners agreed to provide matching funds to the following providers:

- Talkie Communications (Neighborhood Grants) - \$250,000.00
- ThinkBig Networks (Neighborhood Grants) - \$45,00.00
- Choptank Fiber (Infrastructure Grant) - \$100,000.00
- ThinkBig (Infrastructure Grant) - \$285,000.00

Now that the Office of Statewide Broadband has awarded funding for the projects the total amount of ARPA funds has been reduced to the following:

- Talkie Communications (Neighborhood Grants) - \$240,602.00
- ThinkBig Networks (Neighborhood Grants) - \$21,625.00
- Total ARPA Funding - \$262,227.00

An additional \$385,000.00 in the ARPA funding will not be utilized in addition to the \$32,773.00 for the under-budget Neighborhood Grants, for a total savings of \$417,773.00.

Mike Moulds, Director of Public Works, presented four Water and Wastewater Division projects:

Mr. Moulds presented a Geographic Information Systems (GIS) Mapping Project for approval. The request was for the use of ARPA funding to award Work Assignment No. 2 under the existing Master Architectural Engineer (A/E) Team agreement to McCrone Engineering for GIS mapping of the Worton and Kennedyville water and sewer systems. Discussion took place. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the use of ARPA funds to award Work Assignment No. 2 under the existing A/E Team agreement to McCrone Engineering in the amount of \$75,770.00 for GIS mapping of the Worton and Kennedyville water and sewer systems.

Mr. Moulds presented a Kennedyville Pump Station No. 2 Relocation Design Services project for approval. The request was for the use of ARPA funding to award Work Assignment No.4 under an existing Master A/E Team agreement to McCrone Engineering in the amount of \$52,338.00 to prepare design plans and specifications for the replacement of the Kennedyville Pump Station No. 2. Discussion took place. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the use of ARPA funds to award Work Assignment No. 4 under an existing Master A/E Team agreement to McCrone Engineering in the amount of \$52,338.00 for the design and relocation of the Kennedyville Wastewater Pump Station No. 2. Further discussion took place.

Mr. Moulds presented a Millington Low-Pressure Sewer System Capacity Study for approval. The request was for the use of ARPA funding to award Work Assignment No. 3 to prepare a system model of the County grinder pump sewer conveyance system to determine if there is available capacity to serve additional development along the 301 corridors. Discussion took place. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the use of ARPA funds to award Work Assignment No.3 under the existing Master A/E Team Agreement to McCrone Engineering in the amount of \$9,500.00 for performing a sewer system capacity study in the 301 corridors.

Mr. Moulds presented a Tolchester Screen Replacement Bid Support and Construction Management Service project for approval. The request was for the use of ARPA funding to award Work Assignment No.2 under an existing Master A/E Team Agreement with George Miles and Buhr, LLC., for the bid phase and construction management services of the replacement solids screening equipment at the Tolchester Water Wastewater Treatment Plant (WWTP). On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the use of ARPA funds to award Work Assignment No.2 under an existing Master A/E Team Agreement with GMB, LLC., in the amount of \$35,735.00 for the bid phase and construction management services. GMB, LLC. will be replacing the solids screening equipment at the Tolchester WWTP.

The Commissioners requested updates on the Millington Treatment Plan design and the Millington Elementary School Equivalent Dwelling Units (EDU's). Mr. Moulds gave an update accordingly. Discussion took place.

HUMAN RESOURCES

Marty Hale, Director, Human Resources, Director, presented a request to hire the recommended applicant for the Human Resources Specialist vacancy. This position is at the recommended (Grade 4) starting salary with a six-month review demonstrating achievement of outlined goals, and meeting specific expectations, the requested pay increase be implemented. Should the first-choice candidate not be hired, approval to hire the second-choice candidate at the same recommendation. Mr. Hale summarized the hiring recommendation suggested by staff for the candidate. On a motion by Commissioner Jacob and seconded by Commissioner Mason, by a majority vote, the Commissioners approved the recommended candidate. Commissioner Fithian voted in opposition to the motion made. The Commissioners approved the hiring of the recommended first-choice candidate pending successful completion of County pre-employment requirements.

Mr. Hale presented a request to promote the recommended applicant for the Director position in the Parks and Recreation Department at the (Grade 10) recommended salary. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, by a majority vote the Commissioners approved the promotion of the employee from Recreation Supervisor to Director of Parks and Recreation, as requested. Commissioner Mason abstained from voting on the motion made.

Mr. Hale presented a request to reclassify the Recreation Supervisor position to Assistant Director in the Parks and Recreation Department. The Recreation Supervisor is charged with directly managing the administrative, operational, and programming needs of the Kent County Community Center. However, the position as currently defined is not part of a natural succession plan leading to the Department Directorship. By reclassifying the position to the Assistant Director of Parks and Recreation, this matter will be remedied and provide for an organic continuity of succession within the department. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the reclassification of the Recreational Supervisor position to be the Assistant Director of Parks and Recreation, as requested.

Mr. Hale presented a request to hire the recommended candidate for the vacant Assistant Director position in the Parks and Recreation Department at the (Grade 7) recommended salary. Mr. Hale summarized the hiring recommendation suggested by staff for the candidate. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the hiring of the recommended candidate for the vacant Assistant Director position of Parks and Recreation.

LETTERS FOR SIGNATURE

Two (2) citizen interest forms were received and forwarded to the appropriate Board and/or Committee. The Commissioners expressed their appreciation by a letter acknowledging the receipt of each interest form.

PUBLIC COMMENT

The procedures for public comment were in effect. Melissa McIntyre, Reporter for the Kent County News, requested an update on the transfer of the Millington Elementary School. Ms. Heller stated the Millington Elementary School transfer will be discussed at a future meeting. Ms. McIntyre advised the Board this meeting will be her last meeting. Discussion took place.

Commissioner Jacob inquired about the meeting schedule for the upcoming month of October. Discussion took place.

CONTINGENCY FUND

The FY2023 Contingency balance as of September 20, 2022, is \$319,109.00, and the FY2023 Use of Fund Balance total is \$16,794.00.

At 11:40 a.m. a motion was made by Commissioner Fithian, seconded by Commissioner Jacob, and the Board unanimously agreed to adjourn the meeting. The Board is scheduled to meet again on Tuesday, October 4, 2022, 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

September 27, 2022

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, was also present.

PUBLIC NOTICE

Commissioner Mason read the following public notice into the record: Application has been made by Member: William A. Holland, representing Phat Daddy's Barbeque and Catering, LLC for a Class B, Beer and Wine License with Caterers Privilege (CP) on the premises known as PDB 205 Spring Avenue (commonly referred to as Philosophers Terrace) Chestertown, MD 21620, which shall authorize the holder thereof to sell Beer and Wine at retail, 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 October 18, 2022, at 6:00 p.m. at which time any exceptions to the application will be heard.

CONSENT ITEM

On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, September 20, 2022.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, October 4, 2022, 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