

September 19, 2023

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 Nickerson, and John F. Price. The meeting convened with the Pledge of Allegiance. Commissioner Fithian asked the audience to remain standing for a moment of silence. Commissioner Fithian asked that we keep everyone in our prayers and hope that things get better in the future.

Shelley L. Heller, County Administrator, was present.

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the following items:

1. Regular Session Minutes, September 12, 2023
2. Liquor Minutes, September 12, 2023
3. Closed Session Minutes, September 12, 2023
4. Betterton Still Pond Lions Club, Combined Gaming Devices, November 4, 2023

Commissioner Fithian summarized actions the Commissioners could consider taking during the legislative session. The legislative bills are presented at this meeting to be passed, rejected, amended, or deferred to a later date. There were no proposed amendments for Code Home Rule Bill No. 3-2023 Arts and Entertainment District Property Tax Credit, and Code Home Rule Bill No. 4-2023 Residential Sprinkler Tax Credit Extension. No Comments were received during the comment period after the public hearings.

LEGISLATIVE SESSION

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go into a legislative session.

3rd Read and Vote – Code Home Rule Bill No. 3-2023 Arts and Entertainment District Property Tax Credit

AN ACT to amend Chapter 152 Taxation to add Article XI Arts and Entertainment District Property Tax Credit to the Code of Public Local Laws of Kent County, Maryland for the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new, improved, or expanded premises in a certain Arts and Entertainment District in Kent County; providing for the amount and duration of the property tax credit; authorizing the County Commissioners of Kent County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Kent County for real property located in a certain Arts and Entertainment District.

Jamie Williams, Director, Economic and Tourism Development gave a brief overview of Code Home Rule Bill No. 3-2023 and answered questions from the Board. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner

Nickerson, the Commissioners unanimously adopted Code Home Rule Bill No. 3-2023 Arts and Entertainment District Property Tax Credit as presented.

3rd Read and Vote – Code Home Rule Bill No. 4-2023, Residential Sprinkler Property Tax Credit Extension

AN ACT to amend Chapter 152 Taxation, Article X. Residential Sprinkler Property Tax Credit of the Code of Public Local Laws of Kent County, Maryland. The purpose of this amendment is to extend the expiration date of a real property tax credit when a sprinkler system is installed.

Ms. Williams gave an overview of Code Home Rule Bill No. 4-2023 and answered questions from the Board. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted Code Home Rule Bill No. 4-2023 Residential Sprinkler Property Tax Credit Extension as presented.

The legislative session ended after the Board voted on both legislative bills.

SHERIFF'S OFFICE

Harry Kettner, Captain, of the Sheriff's Office, stated The Kent County Sheriff's Office (KCSO) discussed a purchasing request. The proposed project is to purchase cameras that would be installed in new and existing vehicles to record traffic stops and interactions with the public. The cameras will be paid for with grant funds and the total purchase price is \$105,932.40. This is a sole source purchase because the vendor has a contract with Sourcewell Cooperative, contract #010720, and Axon's pricing is in accordance with the terms and prices in the Sourcewell contract. Additionally, the cameras are compatible with existing body cameras currently used by Deputies at KCSO. Using all the same brand of cameras helps with pairing each device. If software updates are needed or any other electronic maintenance, there is consistency in the programming for each vehicle to allow for procuring a technician who could perform such maintenance on all cameras. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the purchase of eight (8) in-car cameras to be paid for with money from the PACT-2024-0034 grant through the Governor's Office of Crime Control and Prevention and to sign the Fleet Statement of Work Between Axon Enterprise and the Agency.

PUBLIC WORKS

Water and Wastewater Division: Mike Moulds, Director of Public Works, requested approval of a Work Assignment under an existing IDIQ Master Agreement to prepare design plans, specifications, and permitting for the construction of a replacement wastewater treatment plant for the Millington service area. A work assignment was presented for the engineering design phase necessary for the Kent County Regional wastewater treatment facility design to replace the Millington plant and provide growth capacity for the 301 corridors. The fees are not to be exceeded without prior written approval by the County. The plant design will initially be for 350,000 gallons per day of capacity with the potential site layout to expand to 600,000

gallons per day with full buildout (would require establishing off-site spray irrigation). The initial capacity would allow for just under 1,000 EDUs of new development. The design will require permission to continue to discharge treated effluent to the Chester River and be located on the proposed site identified in the feasibility study offered by the developer. The design includes the demolition of the existing Millington plant, the design of a new flood-proofed pump station, and a force main to transfer the existing flow to the new plant site. The schedule proposes to have construction permit approval and biddable documents by January 2025. This is based on reasonable timing for Maryland Department of Environment (MDE) permitting and cooperation on County land development approvals. Funding for the design of this project will come from the Rural Maryland Economic Development Fund Grant awarded to the County. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Work Assignment No. 2 in the amount of \$785,000.00 with KCI Technologies under an existing IDIQ Master Agreement to perform design services for the Kent County Regional Wastewater Treatment Facility Project in the Millington Service Area.

Commissioners' Comments

1. Commissioner Price asked that the Roads Division look into the speeding issue on Rosedale Cannery Road, Still Pond, Maryland. Mr. Moulds stated the department acquired equipment to access speeding issue complaints within the County. The department will be reviewing a complaint in the 290/213 vicinity.
2. Commissioner Nickerson thanked Mr. Moulds and the department for taking care of the speed bump installation at Waterman's Crab House Restaurant in Rock Hall, Maryland.
3. Commissioner Fithian asked if there was an update on the Turner's Creek Granary structure. Mr. Moulds stated he plans to discuss a proposal at the September 26, 2023, meeting. Commissioner Nickerson would like to give the Historical Society another opportunity to acquire the wood from the structure.
4. Commissioner Fithian as a follow-up to the September 12, 2023 meeting, asked staff to continue looking into a cell phone tower at the old Nike Base.

COUNTY ADMINISTRATOR

Chesapeake College: Shelley Heller, County Administrator stated the item was tabled at the September 12, 2023 meeting to receive feedback from all the participating counties. A five-county joint meeting of the legislative bodies of Dorchester, Talbot, Queen Anne's, Kent, and Caroline Counties was held on Monday, September 18, 2023, at 5:00 p.m. The meeting notice was published on the County website and sent via email to notification groups. Chesapeake College needs an updated technical center at the college. The technology is outdated, and the spaces are inadequately sized. The programs that are housed in this building heavily benefit the trades, and this is primarily where our local citizens receive such training. The programs include electrical, welding, advanced manufacturing, HVAC, agriculture, construction trades, marine

trades, and culinary. Chesapeake College has been in discussions with the State for funding. The State has prioritized this project and is requesting Letters of Intent from the five counties for the local share of funding. A Letter of Intent is needed from each participating county by September 28, 2023, for the project to move forward. The project is approximately an \$80,000,000.00 initiative. The State, assuming the funding is approved, would pay for 75% of the project. The local share is 25%, Kent County's percentage of that local share is 11%, which equates to \$2,194,797.00. Queen Anne's County anticipates putting the project into a bond initiative that could be paid for over a long period of time. Kent County could also pay for its share outright as another option to consider. Pat Merritt, Chief Financial Officer, Finance Department, was asked to join the discussion. The Commissioners asked Ms. Merritt to provide the Kent County Community Center's debt status, debt service of other proposed projects, and an update on revenue projections. Further discussion will take place at the September 26, 2023, meeting. No action was taken.

COUNTY ADMINISTRATOR REPORT

Ms. Heller reported in years past, the Commissioners acknowledged the Henry Highland Garnet Alumni with Certificates of Appreciation. Peggy L. Brown made a request for this year as well. The following is a list of this year's recipients: Reginald Hilton, William Roberts, Faye T. Jackson, Harvey Pickrum, Margie Baker, Romaine Reid, William Washington, Gloria Flood, Dianne Carroll, Alvin Thompson, Paulette Williams, Joyce Hopkins, Lorraine Knight, Melessa Freeman, Peggy L. Brown, Elaine Roberts, Y. Loraine Knight, Blanche Moaney, Leon Roberts, Evelyn Foster. No one was in attendance to accept the certificates in person.

PUBLIC COMMENT

Drew McMullen, President, of the Sultana Education Foundation thanked the Commissioners for their past support and invited the Commissioners to the ribbon cutting on October 17, 2023, at 11:00 a.m. All other comments received during public comment are contained within the Board of License Commissioners meeting minutes due to the topic matter.

FOR YOUR INFORMATION

Citizen Scrap Tire Drop-Off Day: Kent County Residents will be permitted to take scrap tires, free of charge, to the Nicholson Drop-Off Center on Saturday, September 30, 2023, from 8:00 a.m. to 2:00 p.m. Citizens may contact Kent Public Works by calling 410-778-2600 for more information.

A press release from Lucie Hughes, Director of Communications, Choptank Community Health System, dated September 18, 2023, for immediate release. Choptank Health Mobile Unit is now in Chestertown. For more information visit www.choptankhealth.org.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

A copy of the ARPA Spend Plan outlining the approved expenditures to date was provided to the Commissioners for informational purposes.

CONTINGENCY FUND

The FY2024 Contingency balance as of August 22, 2023, is \$302,013.00. No use of Fund Balance has been requested to date.

CLOSED SESSION

At 7:24 p.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.

Shelley L. Heller, County Administrator; Jim Miller, Director, Human Resources; Pat Merritt, Chief Finance Officer, Office of Finance; Sondra M. Blackiston, Clerk/KATE Manager; and Lacey T. Cox, Deputy Clerk II were also in attendance.

PERSONNEL

Topic to be discussed: Personnel matters that involve specific employees' benefits.

Reason for closing: Matters concerning specific individuals' benefits should be safeguarded.

Shelley L. Heller, County Administrator, shared a presentation that detailed retiree healthcare. Health insurance coverage for employees, retirees under the age of 65 years of age, and retirees over the age of 65 was summarized. Jim Miller, Director, Human Resources, and Pat Merritt, Chief Finance Officer, Office of Finance, further discussed retiree health insurance eligibility, coverage, and process. Discussion took place and the Commissioners offered feedback on staff recommendations.

At 8:40 p.m., a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the closed session and reconvened in open session.

OPEN SESSION, PERSONNEL

Ms. Heller summarized the closed-session discussion of current retirees and their healthcare reimbursements and payments. The Commissioners discussed that staff start the process of enacting a Health Reimbursement Account (HRA) for retirees over the age of sixty-five years of age in order that from the start of the HRA until the end of this fiscal year the retirees will be reimbursed 100% for part Medicare Part B premiums and deductibles. On a motion by Commissioner Price and seconded by Commissioner Nickerson the Commissioners unanimously approved of directing staff to proceed as Ms. Heller described.

Regular Session Minutes

September 19, 2023

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At 8:43 p.m., on a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, September 26, 2023, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

September 19, 2023

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, was 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, September 12, 2023.

SPECIAL CLASS C LICENSE

Commissioner Fithian stated that the application is subject to a public hearing and anyone in the audience will have the opportunity to speak in favor of or in opposition to the application. Betterton Still Pond Lions Club applied for a Beer and Wine only, Special Class C per diem liquor license. The event is scheduled for November 4, 2023, from 5:30 p.m. to 10:00 p.m., at Betterton Fire Hall in Betterton, Maryland during their fundraiser. No comments were received by the public. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class C Per Diem Liquor License application for Betterton Still Pond Lions Club.

PUBLIC COMMENT

Commissioner Fithian asked anyone in the audience who would like to comment to do so at this time.

The procedures for public comment were in effect. Comments were offered by: Thomas “Bob” McGinnis, Gerard “Gerry” Dockstader, Eric Colliflower, Dr. Gerard O’Connor, and Emmett Duke, all residents residing on Mallard Road, Chestertown. Each person stated their opposition to loud noise during an event at Minary’s Dream Alliance, 9155 American Legion Road, Chestertown, MD on Saturday, September 16, 2023. Discussion took place. On a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously requested staff to send a letter to Minary’s Dream Alliance hoping their event was successful and that after numerous complaints, the Commissioners may not be able to consider additional Class C License requests in the future because of the issues raised with loud noise. The Commissioners further stated the County Attorney, Thomas N. Yeager, would review Judge Harris P. Murphy’s Circuit Court ruling (Case No. C-14-CV-21-44).

At 8:43 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, September 26, 2023, at 10:00 a.m.

Liquor Minutes
September 19, 2023
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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