

July 30, 2024

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 convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain silent for a moment for William Crowding, Planning Commission member, and his family for the loss of his mother, Jane Crowding, and continue to pray for peace throughout our Nation.

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

PUBLIC NOTICE

Commissioner Fithian read the adoption notice for Code Home Rule 4-2024 To Rescind and Replace the Kent County Official Zoning Map into the record. The legislation was adopted on July 16, 2024, without amendments, and provisions of this Act shall take effect on July 26, 2024.

CONSENT ITEMS

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

1. Regular Session Minutes, July 23, 2024
2. Liquor Minutes, July 23, 2024
3. Public Hearing Minutes, July 23, 2024
4. Pete Landon, Director of Emergency Services – Priority Dispatch Corp., Quote Q-66879 QPR \$41,280.00

LEGISLATIVE SESSION – TALKIE COMMUNICATIONS, INC., FRANCHISE AGREEMENT

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

The Board has met the public hearing requirements, and no comments were received during the comment period. A resolution is prepared for the Commissioners' consideration, conveying authorization to execute the IPTV Cable Franchise Agreement to Talkie Communications, Inc. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Resolution 2024-10, A Resolution Authorizing Execution of a Cable Franchise Agreement Between the County and Talkie Communications, Inc. and the Talkie Communications, Inc. Franchise Agreement.

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

PUBLIC HEARINGS – CODE HOME RULE BILL NO. 5-2024, PAWNBROKERS AND SECONDHAND DEALERS, AND CODE HOME RULE BILL NO. 6-2024, CLEAN ENERGY LOAN PROGRAM

Public hearings were held on the following: Code Home Rule Bill No. 5-2024, Pawnbrokers and Secondhand Dealers, and Code Home Rule Bill No. 6-2024, Clean Energy Loan Program. Public information regarding the above-mentioned hearings and minutes is posted on the County's website at <https://www.kentcounty.com/commissioners/meeting-agenda>.

APPOINTMENT

Dr. Clifford Coppersmith, President; Karen Smith, Vice President of Administrative Services; and Dr. David Harper, Vice President of Workforce and Academic Programs, Chesapeake College, gave a presentation and a brief overview of the revised project proposal compared to the original plan for a new Queen Anne's County Technical Building. The total project cost is now estimated at \$56,438,240.00. The proposed funding formula is State funding of 75%, and the remaining 25% divided amongst the five counties. Kent County's requested contribution (FY2026-FY2028) would be 11.1%, for a total of \$1,566,161.16. Chesapeake College must submit its application for the revised program/project to the Maryland Higher Education Commission (MHEC) by the end of August 2024. Dr. Coppersmith requested the Commissioners extend a letter of support and intent for funding for the project. The Commissioners also received a copy of a letter dated July 24, 2024, from Chuck F. Callahan, President, County Council of Talbot County to Daniel D. Schuster, Finance Policy Analyst, Maryland Higher Education Commission. Talbot County offered its support for the project. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to table this item until further information can be obtained.

PUBLIC WORKS

Dan Mattson, Director of Public Works, requested the approval of a contract to purchase equipment under the existing Sourcewell National Joint Powers Alliance (NJPA) Contract. Authorization is also required to utilize/piggyback on the Sourcewell Ag Tractors and Sourcewell Contract. The tractor costs \$120,208.04, and the Alamo Machete is \$89,763.90 for a total of \$209,971.94. The department's FY2025 Budget is \$228,000.00. Delivery is expected in FY2025. The tractor has a two-year warranty, and the Alamo machete has a 1-year warranty. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the contract with Deere & Company for the purchase of a new John Deere Cab Tractor with Alamo Machete 3 Boom of \$209,971.94 under the Sourcewell NJPA Contract AI 070821-AGI and Sourcewell Ag Tractors 082923-DAC (PG 1P CG 70).

Water and Wastewater Division - Preparation on Water and Sewer Standards: In response to inquiries from potential developers interested in the proposed Millington Wastewater Treatment Plant expansion to serve the Millington 301 growth area, the Department of Public

Works recommends developing construction standards for the design and installation of sewer conveyance and water lines for new development. Previously, the County relied on construction drawings as guidance for new development connections, leading to inconsistency and increased maintenance due to the use of multiple products. With the potential for numerous connections and developments in the Millington water and sewer service area, it is beneficial to provide developers with consistent standards within the County and Town of Millington. Developers depend on these standards to determine the cost of installing water and sewer infrastructure for their developments. The standards will also include inspection materials and testing standards to ensure construction quality and long-term reliability. A discussion took place with Mr. Mattson. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously authorized the County Administrator to sign or award a professional services work assignment under a current IDIQ Master Agreement to McCrone Engineering for \$92,090.00 to Prepare Water and Sewer Standard Details and Specifications. Funding will be utilized from the \$250,000.00 grant from the Rural Maryland Economic Development Fund, contingent upon legal review approval by the County Attorney.

Water Capacity Preliminary Engineering Study: To support potential developers considering the Millington Wastewater Treatment Plant expansion for the Millington 301 growth area, the Department of Public Works suggests conducting a study of the proposed Millington Sewer Service area. The purpose of this study is to identify water system enhancements that can accommodate the planned new development with public water service. By replacing individual wells with public water service, the goal is to enable more efficient land use, enhance fire protection, and ensure a reliable water source for new developments. The study will rely on development projections outlined in the Millington Wastewater feasibility study. It will also facilitate coordination of resources between the County and the Town of Millington to formulate a plan for establishing the necessary water infrastructure. This study will be conducted following United States Department of Agriculture (USDA) requirements to pursue eligibility for USDA funding for the recommended improvements. Staff submitted a work assignment for the Commissioners review. A discussion took place with Mr. Mattson. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously authorized the County Administrator to sign or award a professional services work assignment under a current IDIQ Master Agreement to KCI for \$40,500.00 to Prepare a Water Capacity Preliminary Engineering Study. Funding will be utilized from the \$250,000.00 Rural Maryland Economic Development Fund grant, contingent upon legal review approval by the County Attorney.

Water and Sewer Rate and Allocation Fee Study: The County has a fee for new connections to the County water and sewer systems. The fee is intended to cover the costs of debt service and operational maintenance for water and sewer systems set aside for new connections. The goal is to distribute some of the expenses of new development to new customers rather than burdening existing ones. Determining the fees involves a review of debt service, rates, future projects, and current and projected budgets. The current allocation fee for an Equivalent Dwelling Unit (EDU) of sewer is \$11,800.00, and for water is \$4,400.00. This fee was established in 2004 following a study by Municipal & Financial Services Group (now operating as New Gen Strategies and Solutions). Since then, the county has undertaken several

water and sewer projects, accumulated additional debt, paid off old debt, and adjusted operating costs and revenue from user fees. With the proposed Millington Development and the need for additional infrastructure, along with a significant increase in new customers, it is appropriate to re-evaluate the allocation fee and rates. A discussion took place with Mr. Mattson. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously authorize the County Administrator to sign or award a professional services contract to New Gen Strategies and Solutions for \$44,720.00 to Prepare a Water and Sewer Rate and Allocation Fee Study. Funding to be utilized from the \$250,000.00 grant from the Rural Maryland Economic Development Fund, contingent upon legal review approval by the County Attorney.

Recapture of Sewer Allocations – Millington Service Area: Subject: Discussion Item - Potential Recapture of Existing Sewer Allocations in the Millington Service Area. This item concerns the possible recapture of current sewer allocations in the Millington Service Area. The Commissioners have the authority to review and recapture any allocations that are not connected to the County Water/Sewer lines, provided that specific conditions are met. In light of developers expressing interest in commencing projects in this service area, it's important to consider recapture. A memo and a list of vacant County properties are available for review. Discussion took place.

COUNTY ADMINISTRATOR REPORT

Water and Sewer Bill Fee Assessments: A letter from Ms. Cynthia Golding concerning the Water and Sewer Bill Fee Assessments was received on July 19, 2024. The matter was initially discussed on July 23, 2024. Staff prepared a response letter, which was signed by the Board on the same day and summarized at the evening's meeting.

Mid Shore Behavioral Health, Inc. (MSBH): Staff received a correspondence dated July 23, 2024, from Kathryn Dille, Executive Director, regarding the appointment of Terwana Brown to serve on the Board of Directors for MSBH. The correspondence was available for review.

LETTER FOR SIGNATURE

The staff received an interest form from a citizen who wishes to serve on the Kent County Board of Library Trustees. A copy of the interest form was provided for review and has been forwarded to the appropriate organization. The Commissioners signed a thank-you letter for the citizen's interest.

PUBLIC COMMENT

The procedures for public comment were in effect. There were no comments received.

The Commissioners took the opportunity to welcome and thank Kent County Public Schools Superintendent, Dr. Mary Boswell-McComas for observing the meeting and taking the time to meet with staff individually.

FOR YOUR INFORMATION

On July 26, 2024, the Commissioners received a letter from Jacob R. Day, Secretary of the Maryland Department of Housing and Community Development. The Notice is according to § 2-1257 of the State Government Article, as mandated by the passage of House Bill 2, Chapter 277 (2024). The governing body of Kent County is empowered to establish a special rate for vacant lots or improved properties deemed vacant and unfit for habitation or any other authorized use as stated in housing or building violation notices. A copy of the letter was forwarded to the Finance Department and is available for review.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

The Commissioners were provided with a copy of the ARPA Spend Plan outlining the approved expenditures to date for informational purposes.

CONTINGENCY FUND

The FY2025 Contingency balance as of July 23, 2024, is \$373,850.00. The FY2025 use of Fund Balance is \$23,153.00.

At 7:17 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, August 6, 2024, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

July 30, 2024

PUBLIC HEARINGS

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance, as well as Shelley L. Heller, County Administrator; Dennis Hickman, Sheriff, Kent County Sheriff's Office; and Katie Abbott, Economic Development Manager, Economic and Tourism Development.

Both hearings were duly advertised, and the public hearing notices were submitted into the record. The rules for a public hearing were in effect.

CODE HOME RULE BILL NO. 5-2024, PAWNBROKERS AND SECONDHAND DEALERS

The first of two public hearings commenced at 6:08 p.m. in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, MD. A public hearing to discuss Code Home Rule Bill No. 5-2024, Pawnbrokers and Secondhand Dealers, AN ACT concerning Chapter 120 Pawnbrokers and Secondhand Dealers of the Code of Public Local Laws of Kent County, Maryland. FOR the purpose of clarifying definitions to not include a firearm purchased or sold in a transaction regulated by a federal firearms license. BY repealing Chapter 120 Pawnbrokers and Secondhand Dealers and reenacting with amendments Chapter 120 Pawnbrokers and Secondhand Dealers, Section 120-2 Definitions.

Dennis Hickman, Sheriff of the Kent County Sheriff's Office, provided a summary and further details of the legislation's intent. Discussion took place.

PUBLIC COMMENTS

During the public hearing, citizens had the opportunity to sign the testimony log and provide feedback on the proposed legislation. There were no comments offered. Sheriff Hickman mentioned that he received a phone call about the legislation, but no other comments were received by his office.

WRITTEN COMMENTS

No written comments were received at the time of the public hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing at 6:10 p.m., for Code Home Rule Bill 5-2024 and for the record to remain open until the close of business on Friday, August 2, 2024. The legislative bill is scheduled to be considered for a vote on Tuesday, August 6, 2024.

CODE HOME RULE BILL NO. 6-2024, CLEAN ENERGY LOAN PROGRAM

The second hearing commenced at 6:12 p.m. A public hearing to discuss Code Home Rule Bill No. 6-2024, Clean Energy Loan Program, AN ACT to amend Chapter 152 Taxation Article VII

Clean Energy Loan Program, §§ 152- 30, 152-31, and 152-32 of the Code of Public Local Laws of Kent County, Maryland FOR THE PURPOSE of defining certain terms: establishing a Clean Energy Loan Program for commercial property owners; establishing the scope of and eligibility for the Clean Energy Loan Program; providing for qualifying criteria; establishing a calculation of the clean energy loan surcharge, providing for a recorded notice; providing for the collection of loan payments; establishing default procedures; providing for financing or refinancing of Qualifying Projects under the Clean Energy Loan Program; providing for the application of this Act; and generally related to the Clean Energy Loan Program and real property taxes as consistent with provisions and the authority of the Annotated State Code of Maryland, Local Government Article, §1-1102.

Katie Abbott, Economic Development Manager, Economic and Tourism Development, summarized the legislation's intent.

PUBLIC COMMENTS

During the public hearing, citizens had the opportunity to sign the testimony log and provide feedback on the proposed legislation. There were no comments offered

WRITTEN COMMENTS

No written comments were received at the time of the public hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing at 6:13 p.m., for Code Home Rule Bill 6-2024 and for the record to remain open until the close of business on Friday, August 2, 2024. The legislative bill is scheduled to be considered for a vote on Tuesday, August 6, 2024.

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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

July 30, 2024

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, July 23, 2024.

At 7:17 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, August 6, 2024, at 6:00 p.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