

July 12, 2022

A meeting of the County Commissioners of Kent County was called to order at 10:03 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 beautiful weather, rain, and a nice summer so far.

Shelley L. Heller, County Administrator, was also in attendance.

CONSENT ITEMS

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

1. Regular Session Minutes, June 28, 2022
2. Liquor Minutes, June 28, 2022
3. Marty Holden, Division Chief, Environmental Operations Division, Department of Natural Resources FY2023 Sanitary Services Contract Grant No. SC-2310 in the amount of \$10,000.00 for portable toilets at public landings.

DETENTION CENTER

Herbert Dennis, Warden, Kent County Detention Center, and Penny Young-Carrasquillo, Grants Manager presented a grant agreement for approval. With the help of Ms. Young-Carrasquillo, Warden Dennis applied for an Opioid Use Disorder Treatment Initiative grant. This grant will help expand treatment and services for inmates with substance use disorders (SUD) by establishing and operating successful recovery programming that reduces local treatment gaps for incarcerated individuals. The amount of the grant is \$317,974.80 for a period of July 1, 2022, to June 30, 2024. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the State of Maryland Opioid Operational Command Center Grant Agreement for Kent County Detention Center Opioid Use Disorder Treatment Initiative.

Warden Dennis requested approval for Jailcraft, Inc., to continue to perform maintenance on the doors at the Detention Center during FY2023. With the 12-month service agreement presented, staff recommends maintenance service every other month at a cost not to exceed \$8,256.00. The response time must be quick for security and safety purposes. Jailcraft is the only jail lock maintenance company within 60-100 miles and meets the sole source justification. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the service contract with Jailcraft, Inc.

EMERGENCY SERVICES

Wayne Darrell, Director, Emergency Services, presented a proposal for a County-sponsored project for state-wide cybersecurity for all twenty-four (24) Maryland Public Safety Answering Points (PSAPs). This project is expected to be fully funded by the Maryland 9-1-1 Board. Kent County Emergency Services desires to sponsor the project which would be

managed by Mission Critical Partners and Seculore Solutions. They are the two (2) vendors that have supplied the next generation 911 cybersecurity preparation services to all Maryland local jurisdictions. The project will produce a cybersecurity assessment and a response plan for each jurisdiction. The cost of the project is \$1,150,126.00 and is based on a Houston-Galveston Area Council (H-GAC) purchase contract, number HP08-21. Funding approval is contingent on the 9-1-1 Board and will not require any County funding. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the Office of Emergency Services to sponsor and seek 9-1-1 Board funding for a state-wide cybersecurity project for all 24 Maryland Public Safety Answering Points in the amount of \$1,150,126.00 with Mission Critical partners and Seculore Solutions.

PARKS AND RECREATION

Myra Butler, Director, Parks and Recreation, presented a proposal for FY2023 Local Parks and Playgrounds Infrastructure for general obligation bond funds to be administered by the Maryland Department of Natural Resources. The State of Maryland has awarded Kent County one million dollars for parks and playground facilities. Part of the potential funds has been allocated to County parks in the amount of \$598,000.00 while the remaining balance of \$402,000.00 has been allocated for municipal parks. Projects will not require local matching funds. Funding requests were received for eight (8) projects and exceeded the available amount of funding. Staff recommendations were discussed. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved local funding allocations for projects to be funded in the amount of one million dollars with \$598,000.00 allocated for County parks and \$402,000.00 allocated for municipal parks, pending final approval by the Board of Public Works. Upon approval from the Commissioners, project applications and support documentation will be formally submitted to the Board of Public Works for final approval.

PLANNING, HOUSING, AND ZONING

Carla Gerber, Deputy Director, Planning, Housing, and Zoning, presented a list of sixteen (16) applications recommended for approval that will allow the sale of preservation easements to the Maryland Agricultural Land Preservation Foundation (MALPF) for FY2023. Applications were scored and ranked according to the County's Easement Prioritization Formula (EPF). After reviewing these rankings, the Agricultural Preservation Advisory Board voted to recommend the submission of the scored list. A key component of the MALPF Easement Acquisition Program is the local ranking of applications. The EPF ranks farms using three categories: land evaluation, farm quality and potential, and priority preservation area status. Staff recommended approval of the rankings as presented. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the ranked list of applications for the FY2023 Maryland Agricultural Land Preservation Foundation Easement Acquisition Program.

PUBLIC WORKS

Engineering: Mike Moulds, Director, Public Works, on behalf of the Board of Education (BOE), presented a request to approve a quote for two (2) Ford Transit vans and an amendment to the Master Equity Lease Agreement with Enterprise Fleet Management for FY2023. If approved the vehicles will be used to transport minors enrolled in the public school system. This will require a signed release by Enterprise, which will then require an amendment to the contract. The Department of Public Works had no objection to the request or amendment to the lease as the lease payments and maintenance will be administered by the Board of Education. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved signing the lease agreement and amendment with Enterprise Fleet Management.

Environmental Operations Division (EOD): Mr. Moulds on behalf of Marty Holden, Division, EOD presented a request for the approval of a purchase order number requisition for Maryland Environmental Service (MES), Midshore II Regional Landfill for FY2023 tipping fee costs. MES operates the Midshore II Regional Landfill for the four regional counties (Caroline, Kent, Queen Anne's & Talbot). The tipping fee is set by MES and approved by the four counties, the tipping fees have currently been approved and set at a rate of \$69.50 per ton. The Commissioners approved the allocation of \$132,000.00 in the FY2023 budget. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved a purchase order number for the allocation of funds in FY2023 to Maryland Environmental Service for the Midshore II Regional Landfill tipping fees at the budgeted cost of \$132,000.00.

Mr. Moulds presented a second request for EOD to approve two contracts for Earth Data, Inc. Regulations require that groundwater and methane gas levels be tested at the closed Nicholson Landfill and the closed Dulin Rubble Landfill. Earth Data has been contracted by Kent County to perform the monitoring at the closed Landfills since 2005. It will cost \$107,322.00 to have Earth Data Inc. monitor the Nicholson Landfill and \$22,321.00 to monitor the closed Dulin Rubble Landfill for FY2023. Staff recommends approval of the two contracts with Earth Data, Inc. to perform the monitoring at both landfills. On a motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously approved the contracts and allocation of FY2023 funds to Earth Data Inc. from the Environmental Operations Division FY2023 Operating Budget for groundwater and methane gas monitoring at the Nicholson and Dulin Landfills.

County Roads Division: Mr. Moulds, on behalf of Dan Voshell, Division Chief, County Roads Division, presented a request for approval of the FY2023 State Aid Data Sheet for a list of roads to be surface treated by the State Highway Administration (SHA). State Aid Program funds available to Kent County in the amount of \$64,998.00 could be used to surface treat County roads. After Maryland Department of Transportation/SHA approval, the State Aid Funds will be obligated to Kent County. A request for reimbursement will be submitted after the completion of the surface treatment. Reimbursement is made at the rate of 80% of the actual cost, up to a maximum of the obligated amount. Five (5) roads on the State Aid Program List will be able to utilize the full \$64,998.00 available. The total cost to surface treat these roads is \$96,226.50 and the County cost share would be \$31,228.50. The Department of Public Works

recommended approval of the State Aid request for 80% funding to surface treat 5.02 miles of roads. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the State Aid Program Data Sheet to request \$64,998.00 in funding approval to surface treat Kent County Roads in FY 2023 as requested.

Commissioner Mason mentioned the deterioration of a road located in Fairlee. Discussion took place. The Commissioners asked Mr. Moulds to research if there was a viable solution the County could use to help the situation.

COUNTY ADMINISTRATOR

Shelley Heller, Administrator, reported that the Commissioners' meeting scheduled for July 26, 2022, has been canceled due to a staffing shortage.

Ms. Heller, on behalf of Bill Mackey, Director, Planning, Housing, and Zoning, presented two (2) progress reports for Maryland Community Development Block Grants (CDBG). The quarterly reports for COVID Round 1, grant number CV-1-7, semi-annual housing counseling report, and grant number MD-22-CD-1 both require Commissioner Mason's signature before submission.

COUNTY ADMINISTRATOR REPORT

Ms. Heller reported that a grant application has been submitted on behalf of the Kent County Sheriff's Office. Ms. Young-Carrasquillo helped the Sheriff's Office apply for a Police Accountability, Community, and Transparency Grant Program (PACT) in hopes to receive funding to help with the cost of the body-worn cameras and vehicle cameras that will help with police accountability. The Sheriff's Office has reported that the evidentiary value of the cameras has been "overwhelming," and that the cameras provide a level of transparency both law enforcement and members of the public recognize as effectively documenting professional and civilian behavior during law enforcement interactions. The FY2023 application in the amount of \$34,358.00 needed to be submitted prior to the meeting. Commissioner Mason signed the application on June 29, 2022, and the application was submitted immediately thereafter.

LETTERS FOR SIGNATURE

A citizen interest form was received and forwarded to the appropriate Board and/or Committee. The Commissioners expressed their appreciation by a letter acknowledging the receipt of the applicant's interest form.

PUBLIC COMMENT

The procedures for public comment were in effect. Commissioner Fithian recounted an earlier request made on June 14, 2022, by Bryan Matthews, Executive Director, Kent Forward for the Commissioners to consider increasing the number of County Commissioners.

Discussion took place. Staff will continue to research certain aspects of the request. Kate Goodall-Gray, Kent Forward, KRM spoke in favor of the proposed change.

FOR YOUR INFORMATION

A correspondence dated June 23, 2022, was received from Charlie Miller, Chair, Board of Supervisors, Kent Soil and Water Conservation District, thanking the Commissioners for the FY2023 allocation of funds.

A correspondence dated June 17, 2022, was received from Carolyn Sorge and Muriel Cole, Co-Chairs, Commission on Aging, thanking the Commissioners for conveying the Millington Elementary School to the Town of Millington so it can be used for senior housing and community center purposes. They also wanted to thank the Commissioners for their continued support.

An email correspondence dated June 30, 2022, was received from Elizabeth Hill, Kennedyville resident, thanking the Commissioners for not mowing Kennedyville Road. Ms. Hill stated how extremely important it is for the environment to be left uncut.

Correspondence was received on July 1, 2022, from the Honorable Larry Johnson, President, National Association of Counties (NACo), informing the Commissioners that the U.S. Department of Treasury released a guide to help with the implementation of the American Rescue Plan Act (ARPA) funds.

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.

CONTINGENCY FUND

The FY2022 Contingency balance as of June 28, 2022, is \$61,460.00 and the FY2022 Use of Fund Balance total is \$173,201.00.

CLOSED SESSION, PERSONNEL

At 10:48 a.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.

Shelley L. Heller, County Administrator; John Price, Sheriff, Kent County Sheriff's Office; Marty Hale, Director, Human Resources; Sondra M. Blackiston, Clerk/KATE Manager; and Lacey T. Cox, Deputy Clerk II, were in attendance.

Topics to be discussed: Two personnel requests and the job performance of specific individuals, assignment of duties, and compensation.

Reasons for closing: The details of the personnel requests must be shielded to protect the confidentiality of each person's circumstances and/or assignment of duties.

Kent County Sheriff's Office: Sheriff Price requested the Board consider a compensation request for one employee. At 11:13 a.m. Sheriff Price left the closed session.

Public Works: Mike Moulds, Director, of Public Works joined the meeting. Mr. Moulds explained a request for staff reassignment and a promotion.

At 11:45 a.m., a motion was made by Commissioner Fithian, seconded by Commissioner Jacob, and carried unanimously to adjourn the closed session and reconvene in open session.

OPEN SESSION

Ms. Heller summarized the closed session discussions concerning two (2) personnel items. The first matter involved the compensation of an employee of the Kent County Sheriff's Office. On a motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously agreed to follow Sheriff Price's recommendation. The second item involved a Public Works personnel issue and staff has presented a recommendation for approval. On a motion by Commissioner Jacob and seconded by Commissioner Fithian, the Board unanimously agreed with the staff recommendation.

At 11:46 a.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, July 19, 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

July 12, 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.

CONSENT ITEM

On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, June 28, 2022.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, July 19, 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