

June 28, 2022

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 the victim and families involved in the Amtrak train accident in Missouri and the migrants that lost their lives in Texas due to a smuggling incident.

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

PUBLIC NOTICES

Code Home Rule Bill No. 6-2022, AN ACT to amend Chapter 222, Zoning, of the County Code of Kent County, Maryland, also known as the Kent County Land Use Ordinance, by revising Article V., *District Regulations*, Section 7. *Village District*, 7.3 *Special Exceptions*, by adding a new sub-section 14, "Septic tank maintenance and excavation;" by revising Article VII., *Special Exceptions*, Section 6. *Procedures*, by adding the special exception as a new number 39.5 to the un-numbered sub-section that lists those uses requiring review by the Planning Commission prior to review by the Board of Appeals; by revising Article VII., *Special Exceptions*, Section 7. *Special Exceptions*, by creating a new sub-section 54.5 to provide for conditions for the special exception; and by clarifying the existing uses listed in the Land Use Ordinance by adding "and excavation" after "maintenance" in three places: Article V., *District Regulations*, Section 7. *Village District*, 7.2 *Permitted Principal Uses and Structures*, #27; Section 8. *Intense Village*, Section 8.2 *Permitted Principal Uses and Structures*, #10, and Section 9., *Intense Village Critical Area*, Section 9.2 *Permitted Principal Uses and Structures*, #13; and presented in the order that such provisions appear in the Land Use Ordinance.

Code Home Rule Bill No. 7-2022, AN ACT to amend Chapter 222, Zoning, of the County Code of Kent County, Maryland, also known as the Kent County Land Use Ordinance, Article VII, *Special Exceptions*, Section 7, *Special Exceptions*, §57.25, Solar energy systems, utility scale, on farms in the Agricultural Zoning District and Resource Conservation District, sub-section j and sub-section k., in order to clarify language that relates to the area of use for permitted solar arrays and the limitations set forth for adjacent properties under sub-section j., and to clarify the area developed under sub-section k.

The hearings for CHR 6-2022 and CHR 7-2022 will be held on July 19, 2022, at 6:00 p.m. in the Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland. The agenda for the meeting will be published online at <https://www.kentcounty.com/commissioners/meeting-agenda> 24 hours in advance of the meeting, and it will include a unique call-in number, citizens are encouraged to participate in the Public Hearing and offer comments at the meeting either by phone or by attending in-person. If you require communication assistance, please contact the County Commissioners' Office at (410) 778-4600 and press 4 or visit Maryland Relay at www.mdrelay.org no later than July 15, 2022. A complete copy of the proposed legislative bill is available in the Commissioners' Office, 400 High Street, Chestertown, MD, Monday through Friday, 8:30 a.m. to 4:30 p.m., and on the County's website at

www.kentcounty.com/commissioners/draft-legislation.

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 21, 2022
2. Liquor Minutes, June 21, 2022
3. Closed Session Minutes, June 21, 2022
4. Marty Holden, Division Chief, Environmental Operations Division, Amendatory Agreement Between Maryland Environmental Service and Kent County, MES IGA No. 13-08-06
5. April Bitter, Project Manager, Information Technology, Microsoft Licensing, Contract Number GS-35F-0360J, M365 E3 GCC, 6896093 Renewal
6. April Bitter, Project Manager, Information Technology, Fourth Year Central Square Contract, Contract No. Q-88544
7. Kent County 4-H Triple Shots Shooting Sports Club, Raffle Only, July 23, 2022, Raffle Permit
8. Sons of the American Legion, Squadron 228, Combined Gaming, October 16, 2022, Raffle Permit
9. Kennedyville Volunteer Fire Company, Raffle Only, October 9, 2022, Raffle Permit

KENT ATTAINABLE HOUSING

Ronnie Edelman, Director, and Lani Seikaly, Immediate Past President, Kent Attainable Housing, presented a request for a letter of support. Kent Attainable Housing constructs affordable homes and rehabilitates existing homes to sell to limited income working families. Ms. Edelman gave an update on projects they have recently completed and those projects that are forthcoming. They intend to submit an application for a State Revitalization grant that will help fund the construction of two (2) homes on Lambs Meadow Road in Worton. Discussion took place. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to sign a letter of support for Kent Attainable Housing's Community Legacy Grant application.

PLANNING, HOUSING, AND ZONING

Bill Mackey, Director, Planning, Housing, and Zoning presented a request for a revision to the National Objective for Mid Shore Pro Bono (MSPB) legal services for Community Development Block Grant (CDBG) Covid Round 1 grant number CV-1-7. In July 2020, Kent County was approved for a federal grant to provide rental assistance to households affected by COVID-19. In May 2021, the original agreement was amended so CDBG funds could be utilized to support the distribution of Emergency Rental Assistance Program (ERAP) funds. As part of the process, the County would pass through \$5,006.39 of CDBG funding to Mid Shore

Pro Bono to provide legal services to clientele to avoid eviction. Mid Shore Pro Bono is present in court during landlord/tenant proceedings. If a tenant shows up to court and needs advice surrounding the legal nuances of the proceeding, Mid Shore Pro Bono is there to assist. Mr. Mackey explained the letter provided for approval is requesting to revise the required number of households to be served since recordkeeping requirements for CDBG have been cumbersome. The letter was requested by the Maryland Department of Housing and Community Development to formally address the issue. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to sign the letter as presented. A letter will be sent requesting the revision of the national objective for Mid Shore Pro Bono legal services for Community Development Block Grant COVID Round 1 CV-1-7.

HUMAN RESOURCES

Marty Hale, Director, Human Resources, and Herbert Dennis, Warden, Detention Center discussed benefits offered to County employees. The Commissioners previously approved the transfer of the Detention Center Officers to the Correctional Officer's Retirement System (CORS) which allows them to retire after twenty (20) years of service. Mr. Hale provided the Commissioners with multiple options to consider, the first option offered will require the Correctional Officers to work for thirty (30) years of service before allowing them to collect health insurance benefits as is required of all other County employees, and the second option offered will allow the Correctional Officers to retire as the Sheriff's Office Deputies are permitted and require twenty-five (25) years of service with health benefits provided, or the third option offered to allow the Correctional Officers to retire with CORS after twenty (20) years of service with health benefits provided. Commissioner Fithian made a motion to approve the twenty-five (25) years of service required to receive health insurance benefits in the retirement plan. Discussion took place. Corporal Boswell spoke on behalf of the Correctional Officers and offered her support for the motion made by Commissioner Fithian. Further discussion ensued. Commissioner Jacob seconded the motion made; the Commissioners unanimously approved to require twenty-five (25) years of service to receive health insurance benefits as part of the retirement plan. The Correctional Officers of the Detention Center will be required to work for twenty-five (25) years of service to receive health insurance benefits as part of their retirement plan.

KENT COUNTY LOCAL MANAGEMENT BOARD

Rosemary Ramsey Granillo, Director, Kent County Local Management Board (KCLMB), discussed the member composition of KCLMB. Two (2) Ex Officio members have new representatives; the Kent County Public Schools (KCPS) appointed Vandrick Hamlin to represent KCPS and the Department of Juvenile Services (DJS) appointed Lauren Searce to represent DJS. Ms. Ramsey Granillo stated there are three (3) new applicants to consider for appointments, and proposed to reappoint two current members. The KCLMB Board Development Committee met and reviewed the applications and recommended the three (3) applicants as presented for approval. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to approve the board member renewals and nominees as recommended by the Kent County Local Management Board. Zita

Seals, Terrence Moody, and Samantha Rivera were each appointed for a three-year term ending June 28, 2025, and Jamie Barrett and Wanda Boyer were reappointed for an additional three-year term ending June 30, 2025, to the KCLMB.

COUNTY ADMINISTRATOR

Shelley Heller, Administrator, on behalf of Bill Webb, Health Officer, Kent County Health Department, presented a request to approve the FY2023 Core Public Health Services Funding Agreement. Ms. Heller stated this is the annual Core Public Health Services Funding Agreement for the Kent County Health Department. The County's obligation of matching funds is \$723,755.00. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the FY2023 Core Public Health Services Funding Agreement.

Ms. Heller, on behalf of Gail Webb Owings, Executive Director, Eastern Shore Heritage, Inc. (ESHI) presented a request for a letter of support for two (2) grant applications being submitted on behalf of Eastern Shore Heritage Inc. Maryland Heritage Areas Authority is applying for an FY2023 management grant and a small grant block grant. In addition to management support for the heritage area, the management grant will allow ESHI to continue to offer technical and financial support to the local museums and other organizations that promote, interpret, and protect the many resources in the Heritage Area. The small grant block grant will allow ESHI to expand its current mini-grant program that provides grants to local nonprofits for programming, interpretation, and expansion of local festivals. Past small grants have funded projects such as exhibits at Sumner Hall and the Historical Society of Kent County, costumes for the Tea Party, and "The Golden Age of Watermen" oral history project. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the letter of support for Eastern Shore Heritage, Inc. grant applications as presented. With the support of the County Commissioners, ESHI will be applying for an FY2023 management grant in the amount of \$52,833.00 and a small grant block grant of \$25,000.00.

Ms. Heller presented Resolution 2022-11, A Resolution to Introduce Provisions for the Creation of the Kent County Police Accountability Board for adoption. The purpose of this resolution is to acknowledge and adhere to state requirements regarding aspects of Chapters 59, 60, 62, and 132 Laws of Maryland 2021, collectively known as the "Maryland Police Accountability Act of 2021", and any associated bills that followed. This collection of legislation, in which the General Assembly repealed the Law Enforcement Officers Bill of Rights and instituted a new disciplinary process for all Law Enforcement Agencies within the state, affects numerous facets of policing including the obligation that each Maryland county create a new countywide police accountability board and an administrative charging committee, and that each Law Enforcement Agency create a new trial board process. Mr. Yeager provided legal guidance and perspective. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved to adopt Resolution 2022-11, A Resolution to Introduce Provisions for the Creation of the Kent County Police Accountability Board.

COUNTY ADMINISTRATOR REPORT

Ms. Heller reported a Special Class C (Per Diem) liquor license application was received from Tolchester Community Association, Inc. on June 21, 2022, for an event that was scheduled to take place on June 25, 2022. Liquor license number 4830 was issued on June 24, 2022.

Commissioner Fithian inquired about the status of the house in Millington that had caught fire. A complaint was received regarding debris from the rubble being blown into neighboring yards. Discussion took place. Mr. Yeager and Ms. Heller gave respective updates according to the information they had received thus far. The Commissioners asked Mr. Mackey to make arrangements to have a construction fence installed around the perimeter of the house. The Commissioners asked Mr. Yeager to compose a letter to the parties involved asking them to respectfully clean the remaining debris from the property in a timely manner and if they refused to do so the Commissioners would then file suit with the District Court.

Commissioner Mason relayed information regarding a meeting scheduled to take place at Wilmer Park at the end of July to discuss bow hunting regulations for informational purposes.

PUBLIC COMMENT

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

FOR YOUR INFORMATION

There will be a ribbon-cutting ceremony on July 8, 2022, at 10:00 a.m. for the grand opening of the new Atlantic Tractor service facility. This event will take place at Atlantic Tractor of Chestertown, 621 Morgne Road, Chestertown, MD 21620.

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 14, 2022, is \$61,460.00 and the FY2022 Use of Fund Balance total is \$173,201.00.

At 11:25 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 12, 2022, at 10:00 a.m.

Regular Session Minutes
June 28, 2022
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Respectfully submitted,

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

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

June 28, 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, and Thomas N. Yeager, County Attorney were 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 21, 2022.

SPECIAL CLASS C LICENSES

Sgt. Preston Ashley American Legion Auxiliary submitted two applications for a Special Class C (Per Diem) liquor license to sell Beer only during the fourth of July holiday weekend. The first application was for July 3, 2022, from 12:00 p.m. – 4:00 p.m. for Waterman's Day at the Rock Hall Bulkhead on Caroline Street in Rock Hall. The second application was for July 4, 2022, from 11:00 a.m. – 4:00 p.m. for the Town's 4th of July celebration at the Rock Hall Civic Center. There being no objections, on a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the applications as presented.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, July 12, 2022, at 10:00 a.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