

June 6, 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 H. 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 for everyone to have a safe and enjoyable summer.

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

PUBLIC HEARING – THE FISCAL YEAR 2024 PROPOSED COUNTY BUDGET

A public hearing was held for the proposed County budget for fiscal year 2024. Public information regarding the above-mentioned hearing and minutes are posted on the County's website at <https://www.kentcounty.com/commissioners/meeting-agenda>.

Commissioner Fithian requested a recess and the meeting reconvened at 6:54 p.m.

CONSENT ITEMS

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

1. Regular Session Minutes, May 23, 2023
2. Liquor Minutes, May 23, 2023
3. Animal Care Shelter for Kent County, Raffle Only, November 30, 2023

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator advised the Board received a letter from Nicandro and Mary Darpino requesting a meeting to discuss the stop work order on construction at 10583 Tonopah Road, Chestertown, MD, also known as Chesapeake Landing. Mike O'Neil, Enforcement Officer, and Carla Gerber, Deputy Director, Planning, Housing, and Zoning (PHZ) joined the discussion. Mr. O'Neil stated there was a meeting with the contractor and the Maryland Department of Environment (MDE) and the MDE determined the property was in a non-tidal wetland area. The contractor is required to have the property delineated and mitigated before work can be resumed. Discussion took place. Commissioner Price requested PHZ staff meet with the potential buyers to ensure the buyers have a better understanding of the issues at hand.

COUNTY ADMINISTRATOR REPORT

Ms. Heller advised the Board that Commissioner Fithian signed the Standard Certified Assurances and Anti-Lobbying documents on May 23, 2023, for the Kent County Office of State's Attorney Technology Project grant (for case management system). Discussion and approval took place during the May 16, 2023, meeting. Commissioner Fithian also signed the Grant Award and Acceptance Form for the Byrne - Justice Assistance Grant Program (BJAG-2018-0051) on May

16, 2023, for the Kent County Sheriff's Office. Discussion and approval took place during the May 9, 2023, meeting.

PUBLIC COMMENT

The procedures for public comment were in effect. Two people signed the public comment sign-in sheet.

Dr. Karen Couch, Superintendent, Kent County Public Schools (KCPS), requested a change to the budget process timeline for FY2025. Commissioner Fithian recounted a discussion, in part, that occurred during tonight's public hearing. The County is willing to put \$125,000.00 (assumed for the Implementation Coordinator) back into KCPS's allocation if the afterschool bus program is reinstated. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously amend the Proposed FY2024 Budget regarding the \$125,000.00 and allowed funds to stay in the budget as opposed to removing the funds from the budget for the purpose of funding the late bus.

Scott Westcott, President of Gregg Neck Boatyard stated the State of Maryland Department of Environment (MDE) gave permission to rebuild the pier in-kind, however, the County is requesting new construction and to be to code. Mr. O'Neil and Ms. Gerber stated the MDE has determined that Federal or State permits are not needed. The County requires the property owner to obtain a County permit for construction. Although piers do not generally get inspected, the County requires engineered plans and sign-off by an engineer after construction. The Kent County Health Department shut down the marina due to safety concerns. To remove any possible liability or responsibility, the County is requiring structural plans approved by an engineer. Discussion took place. Commissioner Nickerson offered to continue the conversation soon with interested parties.

FOR YOUR INFORMATION

The Commissioners received a courtesy copy of a letter dated May 2, 2023, from D. Lee Currey, Director, Water and Science Administration, Maryland Department of the Environment addressed to Joshua Kurtz, Secretary, Maryland Department of Natural Resources. The letter noted a public health hazard. Effective May 15, 2023, all the waters of Langford Creek, Chester River upstream are polluted, and restricted for the harvesting of shellfish produced or stored in those areas.

Kevin Hemstock, Mayor and Council, Town of Millington requested the Board to provide a letter of support for the Town's proposed housing project. Home Partnership of Cecil County, Inc., applied to the Maryland Department of Housing and Community Development (DHCD) seeking funds to construct fifty (50) one (1) and two (2) bedroom senior apartments and a community center/leasing office in the Town of Millington. On May 31, 2023, Ms. Heller signed a letter to Jacob R. Day, Secretary, of Maryland DHCD conveying the Board's support of the application of Home Partnership of Cecil County, Inc., for the Millington Senior Village Project.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS SPEND PLAN

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 FY2023 Contingency balance as of May 23, 2023, is \$199,719.00, and the FY2023 use of Fund Balance is \$371,715.00.

At 7:34 p.m., on a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, June 13, 2023, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

June 6, 2023

**PUBLIC HEARING
PROPOSED FISCAL YEAR 2024 COUNTY BUDGET**

In compliance with and pursuant to Maryland Annotated Code Tax-General and Tax Property Articles, the County Commissioners of Kent County held a public hearing on Tuesday, June 6, 2023, in the Commissioners' Hearing Room, R. Clayton Mitchell Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland, on the Proposed Fiscal Year 2024 Budget beginning July 1, 2023.

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance as well as Shelley L. Heller, County Administrator, Thomas N. Yeager, County Attorney, and Pat Merritt, Chief Finance Officer, Office of Finance.

Thomas N. Yeager, County Attorney, read the public hearing procedures for testifying. The public notice was duly advertised and included as part of the record. The rules for a public hearing were in effect. At 6:04 p.m., on a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously moved to go into a public hearing session.

Mr. Yeager reminded everyone that the hearing was open and invited the public to testify or comment. Commissioner Fithian offered the opening remarks. This year marks his twenty-fifth budget process and without question, this was one of the most troubling budgets to work on. Pat Merritt, Chief Finance Officer, Office of Finance reviewed the Proposed Fiscal Year 2024 Budget via a presentation. Ms. Merritt explained the categories that are the County's revenue sources. Currently, Kent County's property tax rate is 1.012 per \$100.00 of the assessable base, and the income tax rate is 3.20%, the highest allowed rate by the State of Maryland. Ms. Merritt reviewed the level of funding by function. There is a proposed 4% increase in the water and sewer rates. Ms. Merritt reviewed historical revenue data for property tax, income tax, and other revenues. The proposed budget estimates the County's Fund Balance to end FY2023 at 14.2%, which is above the 7.5% target. Personnel actions included a salary increase of 4% on July 1, 2023, and 2% on January 1, 2024, for employees. The budget includes funding for the addition of one Deputy – School Resource Officer and one part-time administrative specialist. Ms. Merritt reviewed recurring and non-recurring expenditures. For FY2024, Kent County Public Schools (KCPS) will have an additional \$375,000.00 added to the minimum local appropriation as mandated by the Blueprint for Maryland's Future. The County's efforts to address the budget challenges include the following:

- Property tax rate \$0.01 cent rate increase; restored to FY2021 level of \$1.022 per \$100.00 of the assessable base.
- 9-1-1 Fees increase
- Downsized ten (10) positions
- Used fund balance for capital items
- Reduced departments' operating budgets
- Delayed capital expenditures, capital projects, and new initiatives

WRITTEN COMMENTS

The following written comments were received prior to the hearing: support on-demand transportation - Delia Shoge, President of the Board of Directors, United Way of Kent County, Inc.; and financial support for children - Robin Davenport, Executive Director, Court Appointed Special Advocates (CASA) of the Mid-Shore.

PUBLIC COMMENTS

The following comments were received from the audience during the public hearing: Dr. Clifford Coppersmith, President, Chesapeake College; Andy Hollis, Director, and Bill Shrieves, President of the Board of Directors, Upper Shore Aging; Dr. Karen Couch, Superintendent, and Dan Divilio, Public Relations-Communications Specialist, Kent County Public Schools; Muriel Cole, Upper Shore Aging and Commission on Aging; and John Schratwieser, Director, Kent Cultural Alliance. Each speaker expressed appreciation for the County's efforts to fund their respective organizations.

The presentation and all related documents can be viewed at <https://www.kentcounty.com/commissioners/meeting-agenda> or by contacting the Commissioners' Office at 410-778-4600, and press 4, Monday through Friday, 8:30 a.m. to 4:30 p.m. Commissioner Fithian announced that written comments will be accepted until Friday, June 9, 2023, by close of business. The Commissioners are scheduled to adopt the proposed rates and the FY2024 County Budget on June 13, 2023.

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the public hearing at 6:42 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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

June 6, 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, and Thomas N. Yeager, County Attorney, were 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, May 23, 2023.

At 7:34 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, June 13, 2023, at 10:00 a.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