

May 17, 2022

FY2023 BUDGET WORK SESSION

A budget work session was held today at 3:25 p.m. Commissioner P. Thomas Mason, Commissioner Ronald H. Fithian, Commissioner Robert N. Jacob, Shelley L. Heller, County Administrator, and Pat Merritt, Chief Finance Officer were present.

Ms. Merritt reviewed each budget category because of last week's budget discussion. The Board completed a final review of capital projects, operating, allocations, personnel, and water and wastewater. The Commissioners discussed the means to balance the budget. The budget work session ended at 4:37 p.m.

A meeting of the County Commissioners of Kent County was called to order at 6:02 p.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 critical work that police officers do to keep our communities safe and to honor the memory of those who have lost their lives in the line of duty.

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

PUBLIC NOTICE

Commissioner Mason read the following public notice into the record:

The County Commissioners of Kent County, Maryland will hold a Public Hearing on Tuesday, May 24, 2022, at 10:00 a.m. in the Kent County Commissioners' Hearing Room, R. Clayton Mitchell Jr., County Government Center, 400 High Street, Chestertown, Maryland. The Public Hearing is scheduled for discussing the voluntary creation of Agricultural Land Preservation Districts for Redman Family Farms, LLC; Good Chase Farm, LLC; B and K Family Farm, LLC; and Harmony Crest Partnership, LLC according to the Code of Public Laws of Kent County, Chapter §171-5 Agricultural Preservation Districts.

CONSENT ITEMS

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

1. Regular Session Minutes, May 10, 2022
2. Liquor Minutes, May 10, 2022

RECOGNITION

Commissioner Mason read a recognition prepared for (25) twenty-five Kent County Learning Center volunteer tutors. The Kent County Learning Center has numerous volunteers

that help the students of the Rock Hall Elementary School. They dedicate many hours of time and energy to helping those students excel and succeed with their education. The County Commissioners hereby recognize the following volunteers for the dedication they put into tutoring students: Debbie Bergen; Karen Biddle; Martha Bliss; Heather Brack; Linda Buckle; Phil Cicconi; Becky Glenn; Cindy Hayes; Anna Hurd; Carol Kendall; Nia Kusske; Erlena Linthicum; Ed Lynerd; Jo Miller, Linda Morgan; Janine Nilson; Patty Nelson; Mary Etta Reedy; Les Scalon; Don Spagnolo; Shirley Spagnolo; Becky Taylor; Bill Trainor; Carol Trippe; and Nancy Walls. Each tutor will receive a personalized certificate of recognition.

TOWN OF MILLINGTON

Kevin Hemstock, Mayor, Wayne Starkey, Michelle Holland, Council Members, Jill Starkey, Clerk, and Elizabeth Jo Manning, Town Administrator, Town of Millington; were in attendance to continue the ongoing discussion of acquiring the former Millington Elementary School property located at 172 Sassafras Street, Millington. Since the Town's initial proposal to acquire the property for a proposed senior housing project many discussions have followed. Of late, further details were requested including the Town's desired purchase price and the submittal of a viable business proposal. Mayor Hemstock hand distributed a letter dated May 13, 2022, conveying the Council's offer to purchase the building and grounds for the sum of one dollar, with the stipulation that if the project has not broken ground within five (5) years after ownership transfer, the property will be conveyed back to the County. A lengthy discussion took place. Commissioner Fithian made a motion to sell the former Millington Elementary School property to the Town of Millington for one dollar for five (5) years in an attempt to put this project together. There was not a second made to the motion, therefore the motion died on the floor. A discussion took place about a higher purchase price. Mayor Hemstock stated several questions that were brought up will require input from Frank Hodgetts, Home Partnership, Inc., the consultant working with the Town of Millington. The Commissioners expect to finalize a decision about the property at their next scheduled meeting.

PLANNING, HOUSING, AND ZONING

Bill Mackey, Director, Planning, Housing, and Zoning requested the approval of an amendment No. 2-20-4-36, an Amendatory Agreement between Kent County and the Maryland Environmental Service (MES). Kent County is responsible for the technical review of Stormwater Management (SWM) designs that are proposed on submitted plans and permits for projects within unincorporated areas. Due to the County currently being without an engineer on staff, MES has been performing the County's professional stormwater management reviews. Since the County is still in the hiring process for an engineer, an amendment to the term of the contract with MES will extend services from June 30, 2022, to June 30, 2023. There is a 10% increase however, the County only pays for the services used. Part of the County's expense is offset by flat fees paid to PHZ by a project's applicant. On a motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously approved the amendment to the Intergovernmental Agreement between Kent County and the Maryland Environmental Services. MES will continue to review the SWM designs as necessary until the appropriate staff can be hired.

HUMAN RESOURCES

Marty Hale, Director, Human Resources, on behalf of Wayne Darrell, Director, Emergency Services, presented a request to fill a vacant 911 Specialist I position, at the recommended salary. Staff ranked two candidates. A discussion took place concerning the applicant pool, primary choice, and the proposed alternate. Commissioner Jacob made a motion that failed to receive a second. Further discussion resulted. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously selected a candidate and an alternate to fill the vacancy.

Mr. Hale, on behalf of Mike Moulds, Director, Public Works, presented a candidate to fill a Motor Equipment Operator (MEO) I vacancy in the Roads Division, at the recommended rate. Mr. Hale summarized the hiring recommendation suggested by the staff. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved hiring the recommended applicant.

All new hire approvals are contingent on the applicant's successful completion of County pre-employment requirements.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, stated a letter from a property owner's Power of Attorney was received requesting a waiver of interest and penalty fees assessed to the owner's property taxes. Consistent with County policy, waivers of interest and fees are only granted if an error by the County caused the interest or penalty to accrue. On a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to adhere to the County policy. The request was denied. A letter will be sent to the requester advising of the Board's decision.

PUBLIC COMMENT

The procedures for public comment were in effect. Captain Robert Newberry, Chair, Delmarva Fisheries Association (DFA) spoke on matters of the Chesapeake Bay, and the seafood industry. Captain Newberry asked the Commissioners to reconsider joining the Clean Chesapeake Coalition; the cost to join is \$17,000.00.

FOR YOUR INFORMATION

The Commissioners were copied on a correspondence addressed to David Foster, Mayor, Town of Chestertown, from James F. Ports, Jr., Secretary, Maryland Department of Transportation dated May 4, 2022, in response to concerns about the safety of pedestrians and bicyclists along the Chestertown Bypass and Maryland Route 514.

The Greater Rock Hall Business Association and Main Street Rock Hall will be holding a ribbon-cutting event on Friday, May 20, 2022, from 4:00 - 6:00 p.m. for the Rock Hall Village Businesses.

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 May 10, 2022, is \$68,235.00 and the FY2022 Use of Fund Balance total is \$173,201.00.

CLOSED SESSION

At 7:36 p.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.

Thomas N. Yeager, County Attorney, and Tonya Thomas, Human Resources Specialist were also in attendance.

PERSONNEL

Topic to be discussed: To consider a request submitted to the Board for their review.

Reason for closing: A personnel request is private, and all details of the request must be safeguarded.

Mr. Yeager offered legal advice relating to a personnel matter.

At 8:12 p.m., a motion was made by Commissioner Jacob, seconded by Commissioner Fithian, and carried unanimously to adjourn the closed session and reconvene in the open session.

OPEN SESSION

Commissioner Fithian summarized the closed session discussion. The Board consulted with Mr. Yeager and advised him to perform the duties specified by the Board in relation to a personnel issue.

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At 8:16 p.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, May 24, 2022, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

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

May 17, 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, May 10, 2022.

SPECIAL CLASS C LICENSE

The Historical Society of Kent County has applied for a Beer-only Special Class C per diem license. The event is scheduled for May 28, 2022, from 9:00 a.m. to 5:00 p.m. at the corner of High Street and Cross Street in Chestertown directly in front of the Bordley History Center. Mr. Yeager sought clarification as to whether the event was considered part of the vendors operating under a per diem issued to the Tea Party Festival Committee. Sondra M. Blackiston, Clerk/KATE Manager explained the applicants' intentions are to host a one-day event in front of the Center not in association with the Tea Party Festival but in addition to the three-day event. There being no objections, on a motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the application as presented.

KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

Sondra M. Blackiston, Clerk/KATE Manager, offered a departmental update. Sassy River Market II has registered for permission to have extended privileges (delivery) of alcoholic beverages for off-premises consumption. This privilege is permissible for a Class A (package store) and certain restrictions apply. There is no additional cost for this privilege and if approved, allows the establishment to make deliveries as part of their underlying license. Inspector Pearsall completed compliance education on May 11, 2022. Staff recommends approval. On a motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously approved the request.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, May 24, 2022, at 10:00 a.m.

THE BOARD OF LICENSE COMMISSIONERS
OF KENT COUNTY, MARYLAND

Sondra M. Blackiston
Clerk, KATE Manager

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May 17, 2022
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Approved:

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