

May 4, 2021

FY2022 BUDGET WORK SESSION

A budget work session was held today at 3:11 p.m. Commissioner P. Thomas Mason, Commissioner Ronald H. Fithian, Commissioner Robert N. Jacob, Shelley L. Heller, County Administrator, Pat Merritt, Chief Finance Officer, Office of Finance; and Mike Moulds, Director, Dan Voshell, Division Chief, Roads, Public Works were in attendance.

The following staff attended the meeting remotely: Lisa Mazingo, Director, Kent Family Center; Jamie Williams, Director, Economic and Tourism Development; Scott Boone, Director, Information Technology; Herb Dennis, Warden, Detention Center; Myra Butler, Director, Parks and Recreation; Marty Holden, Division Chief, Environmental Operations, Public Works; Bill Mackey, Director, Planning, Housing, and Zoning; Wayne Darrell, Director, Emergency Services; Rosemary Ramsey Granillo, Director, Kent County Local Management Board; and Marty Hale, Director, Human Resources.

Ms. Merritt reviewed the General Fund Summary of Revenues and Expenditures, Capital, and County Allocations for FY2022. The budget work session ended at 5:03 p.m.

A meeting of the County Commissioners of Kent County was called to order at 6:01 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 a moment of silence for the passing of Keith Heacock, Corporal, Delmar Police Department, and for the passing of Alice Newman, Owner, Twinny's Restaurant.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Herb Dennis, Warden, William Dwyer, Sergeant, Kent County Detention Center; Troy Thomas; Josh Phillips, President, and Megan Moore, Youth Director, Kent Agricultural Center; Bill Mackey, Director, Planning, Housing, and Zoning; and Marty Hale, Director, Human Resources; were present in person.

The following staff and presenters attended the meeting remotely: Kathryn Dilley, Executive Director, and Sherone Lewis, Behavioral Health Coordinator, Mid Shore Behavioral Health; Dan McDermott, Executive Director, Upper Shore Workforce Investment Board; Jamie Williams, Director, Economic and Tourism Development; Carla Gerber, Deputy Director, Planning, Housing, and Zoning; and Myra Butler, Director, Parks and Recreation.

CONSENT ITEMS

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

1. Regular Session Minutes, April 27, 2021
2. Liquor Minutes, April 27, 2021

3. Closed Session Minutes, April 27, 2021

DETENTION CENTER

Honorary Employee of the Year – The late Patricia (Trish) Williams Thomas was recognized as Honorary Employee of the Year. Commissioner Fithian read a certificate recognizing Ms. Thomas for her eighteen (18) years of service and dedication to the Correction Profession. Ms. Thomas will be remembered for her leadership, wisdom, and friendship. Troy Thomas received the certificate on behalf of his wife.

Certificate of Recognition - This year's recipient of 2021 Correctional Officer of the Year is William Dwyer. Commissioner Jacob read a certificate of recognition for Sergeant Dwyer for his exemplary service and dedication to the Correction Profession.

Proclamation - May 2-8, 2021 is Correctional Officers and Employees Week. Commissioner Mason read the commemorative proclamation for Correctional Officers and Employees Week, thanking the men and women of the Kent County Detention Center who unceasingly provide a vital public service. The Commissioners expressed their thankfulness to all the Correctional Officers for their hard work. Herb Dennis, Warden, Detention Center accepted the proclamation on behalf of the staff of the Detention Center.

COUNTY ATTORNEY

Thomas N. Yeager, County Attorney summarized one (1) legislative Ordinance, and one (1) Code Home Rule legislative bill for the Board's consideration.

LEGISLATIVE SESSION

On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to go into legislative session.

3rd Read and Vote – Ordinance No. 6-2021 Execution of A Law Enforcement Mutual Aid Agreement

An Ordinance to approve the execution of a Law Enforcement Mutual Aid Agreement by and between Kent County, Maryland; Wicomico County, Maryland; Somerset County, Maryland; Worcester County, Maryland; Dorchester County, Maryland; Talbot County, Maryland; Caroline County, Maryland; Queen Anne's County, Maryland; and Cecil County, Maryland; and each of the Sheriffs for the foregoing jurisdictions, pursuant to Section 2-105 of the Criminal Procedure Article, Maryland Annotated Code.

The Ordinance was introduced and read for the first time on April 6, 2021, and a public hearing was held on April 20, 2021 at 6:00 p.m. No written comments were received during the comment period. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously passed Ordinance No. 6-2021 Execution of A Law

Enforcement Mutual Aid Agreement. The legislation will have an effective date of June 18, 2021 and after having been duly adopted by the respective counties in their regular routine legislation enactment and upon execution by the respective counties and sheriffs.

Introduction of Code Home Rule Bill 8-2021 Agricultural Advisory Commission

Bill Mackey, Director, Planning, Housing, and Zoning read Code Home Rule Bill 8-2021 Agricultural Advisory Commission, AN ACT to amend Chapter 172, Agriculture Advisory Commission, of the Code of Public Laws of Kent County, Maryland, by amending the text to change the appointment requirements, revise the process for filling vacancies, clarify the functions of the Commission and its required reporting, and identify procedures related to recusal, quorum, and the efficacy of voting in different scenarios. Mr. Mackey summarized the intent of the legislation. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to introduce Code Home Rule Bill 8-2021 to revise Chapter 172 Agricultural Advisory Commission. A Public Hearing will be scheduled for May 18, 2021.

On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously agreed to adjourn the legislative session and return to the regular meeting.

MID SHORE BEHAVIORAL HEALTH, INC.

Kathryn (Katie) Dilley, Executive Director, and Sherone Lewis, Behavioral Health Coordinator, Mid Shore Behavioral Health, Inc. (MSBH), presented the annual report of the Public Behavioral Health System for Kent County and requested approval of the FY2022 Letter of Agreement. Ms. Dilley summarized the mission, vision, program funding performance, programs and services serving Kent County, FY2021 in review, and the current and prior fiscal year funding. May is Mental Health Awareness month. Ms. Dilley reviewed MSBH's community involvement in bringing awareness to mental health concerns. On motion by Commissioner Fithian, seconded by Commissioner Jacob, the Commissioners unanimously approved the FY2022 Letter of Agreement with Mid Shore Behavioral Health, Inc. to act as the Core Service Agency for the oversight, planning and development of the Public Behavioral Health System in Kent County.

UPPER SHORE WORKFORCE INVESTMENT BOARD

Dan McDermott, Executive Director, Upper Shore Workforce Investment Board presented the Workforce Innovation and Opportunity Act Combined Plan 2020-2024. Mr. McDermott stated the United States Department of Labor requires a four-year plan for each Workforce Investment Area for the period 2020-2024. The Upper Shore Workforce Investment Board and staff have written the four-year plan as requested by the Governor, the Governor's Workforce Development Board, and the United States Department of Labor. Mr. McDermott presented the Upper Shore Workforce Area Local Plan Concurrence 2020-2024 for approval.

On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners concurred with the plan as presented.

KENT AGRICULTURE CENTER

Josh Phillips, President, and Megan Moore, Youth Director, Kent Agricultural Center were present to thank the Commissioners for the demolition of old buildings at the Kent County Fair grounds and to discuss future plans for the grounds. Kent Ag has been working on raising funds for a new building, however, with the cost of building materials being so high they asked the Commissioners to consider funding part of the project during the budget process. Valerie Mason, Kent Agricultural Center, called in to reiterate what Mr. Phillips and Ms. Moore presented.

ECONOMIC AND TOURISM DEVELOPMENT

Jamie Williams, Director, Economic and Tourism Development presented the Kent County Datastory. Ms. Williams mentioned through the County's partnership with the Upper Shore Regional Council, Kent and Queen Anne's Counties created a story map to promote the Upper Shore. Ms. Williams stated this will be a powerful marketing tool for Kent County. The Commissioners commended Ms. Williams on the web page. Commissioner Fithian thanked Ms. Williams for the new welcome signs entering the County.

PARKS AND RECREATION

Myra Butler, Director, Parks and Recreation provided the Commissioners with a departmental update on the upcoming summer operations, and Program Open Space projects. Ms. Butler and the Commissioners discussed summer employment, summer camps, and the opening of the Community Center pool. There is a critical shortage of lifeguards. There are no plans to open Millington and Bayside pools. In addition, Betterton Beach will not have lifeguards this season.

HUMAN RESOURCES

Marty Hale, Director, Human Resources, on behalf of Warden Dennis, presented a recommendation to fill the Office Manager vacancy, above Grade 6, at the Kent County Detention Center. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved filling the vacant Office Manager position in the Detention Center as recommended.

Mr. Hale, on behalf of Ms. Butler, presented a recommendation to hire two (2) applicants for summer employment. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved to hire the recommended applicants for the summer seasonal positions in the Parks and Recreation Department, as requested, pending successful completion of County pre-employment requirements.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, presented a proclamation for former Commissioner William W. Pickrum, proclaiming April 30, 2021 as “William W. Pickrum Day.” Mr. Pickrum served as County Commissioner from 2002-2018. Mr. Pickrum dedicated many years of public service to several organizations, boards and commissions, military, and education. Mr. Pickrum will forever be remembered.

Ms. Heller and the Commissioners engaged in a discussion for expansion of in-person attendance and public access to County buildings. The Commissioners directed staff to move forward with fully opening County buildings.

KENT COUNTY GOVERNMENT OPERATIONS AND PUBLIC COMMENT

The procedures for public comment were in effect. The public was invited to participate. The following citizens phoned in to voice their concerns regarding the Morgnec Solar project: Elizabeth Watson, Janet Christensen-Lewis, Pat Langenfelder, Judy Gifford, and John Lysinger.

FOR YOUR INFORMATION

The Commissioners were copied on a correspondence dated April 16, 2021 from D. Lee Currey, Director, Water and Science Administration, Maryland Department of the Environment, regarding polluted waters.

CONTINGENCY FUND

The FY2021 Contingency Fund balance as of April 20, 2021 is \$490,263.00 and the use of fund balance total is \$72,723.00.

CLOSED SESSION

At 8:44 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, (7) To consult with counsel to obtain legal advice, and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

PERSONNEL

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Marty Hale, Director, Human Resources; Mike Moulds, Director, Public Works; Sallie Watson, Deputy Clerk II; and Lacey T. Cox, Deputy Clerk I, were in attendance.

Topics to be discussed: Matters specific to individuals are confidential; as well as qualifications and compensations of one or more individual.

Reasons for closing: Matters relating to personnel are confidential; and to protect the confidentiality of a current employee's qualifications and compensation.

Mr. Hale, Mr. Moulds, and the Commissioners discussed the promotion of an employee.

LEGAL AND PENDING OR POTENTIAL LITIGATION

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Bill Mackey, Director, Planning, Housing, and Zoning; Sallie Watson, Deputy Clerk II; and Lacey T. Cox, Deputy Clerk I, were in attendance.

Topics to be discussed: To discuss the legal opinion of the County Attorney concerning potential litigation matter.

Reasons for closing: Legal advice from the County Attorney is private to the public, and to shield specific details of potential/ongoing litigation.

Mr. Yeager, Mr. Mackey, Ms. Heller, and the Commissioners engaged in a discussion regarding an ongoing legal matter, and Mr. Yeager provided legal advice and a response to the matter.

At 9:35 p.m., a motion was made by Commissioner Jacob, seconded by Commissioner Fithian, and carried unanimously to adjourn the closed session and reconvene in open session.

OPEN SESSION

In closed session, the Commissioners, Ms. Heller, Mr. Moulds, and Mr. Hale discussed the hiring of a Water and Wastewater Superintendent position. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the hiring of the recommended employee at the recommended salary as requested by the Department.

Commissioner Fithian summarized the legal closed session discussion regarding settlement to litigation. The Commissioners consulted with counsel and staff, and received legal advice concerning pending or potential litigation. On motion by Commissioner Fithian and seconded the Commissioner Jacob, the Commissioners unanimously approved having staff continue to work on the issue.

At 9:39 p.m. a motion was made by Commissioner Fithian, seconded by Commissioner Jacob, and the Board unanimously agreed to adjourn the meeting. The Board is scheduled to meet again on Tuesday, May 11, 2021, at 10:00 a.m.

Regular Session Minutes
May 4, 2021
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Respectfully submitted,

Sallie Watson
Deputy Clerk II

Approved:

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

May 4, 2021

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 present in person.

CONSENT ITEM

On motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, April 27, 2021.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, May 11, 2021 at 10:00 a.m.

THE BOARD OF LICENSE COMMISSIONERS
OF KENT COUNTY, MARYLAND

Sallie Watson
Deputy Clerk II

Approved:

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