

April 23, 2024

A meeting of the County Commissioners of Kent County was called to order at 10:00 a.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 everyone to remain standing for a moment of silence for Jennifer Newnam Willey and her family.

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

CONSENT ITEMS

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

1. Regular Session Minutes, April 16, 2024
2. Liquor Minutes, April 16, 2024
3. Democratic Club of Kent County, Raffle Only, May 14, 2024
4. Women's League of Washington College, Raffle Only, May 28, 2024
5. Amendatory Agreement Between Maryland Environmental Service and Kent County (MES Agreement No. 2-20-4-36) for Stormwater Management

PROCLAMATIONS

Elks National Youth Week May 1-7, 2024: The Benevolent and Protective Order of the Elks has designated May 1-7, 2024, as Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition of their services to Community, State, and Nation. Commissioner Fithian read the proclamation into the record and presented it to Allan Schaubert, Exalted Ruler, Chestertown Elks.

Celebrate Trails Day, April 27, 2024, at 11:00 a.m. – 1:00 p.m.: Every year the Rails to Trails Conservancy (RTC) invites everyone to embrace America's remarkable trails and trail systems. This year, the Eastern Shore Trail Network Steering Committee will lead various trail walks across the region. Eastern Shore Land Conservancy Land Use and Policy Director Owen Bailey will lead the walk along Chestertown's Gilcrest Rail Trail. Participants will gather at AJAX Park just off the rail trail downtown behind the old train station. There is a parking lot on Cannon Street next to Casa Carmen. More information can be found by visiting townofchestertown.com/event/celebrate-trails-day-2024. Commissioner Nickerson read the proclamation into the record and presented it to Mr. Bailey.

Honoring and celebrating the 100th Birthday of Mary Roe Walkup, May 4, 2024: The Kent County Commissioners recognized the 100th birthday of Mary Roe Walkup by Commissioner Price reading the proclamation into the record and sending Ms. Walkup a birthday card.

APPOINTMENT

Liliana Tschanett, Public Affairs Specialist (PSA), Field Operations Center - East, United States Small Business Administration (SBA), Office of Disaster Recovery and Resilience (ODR&R) explained there are Economic Injury Disaster Loans (EIDL) available. These loans are in response to the Maryland Declaration 20258 (Disaster: MD-20001) incident: Francis Scott Key Bridge collapse in Baltimore City. The declaration covers the entire state of Maryland and contiguous counties, including the District of Columbia; Kent, New Castle, and Sussex in Delaware; Adams, Bedford, Chester, Fayette, Franklin, Fulton, Lancaster, Somerset, and York in Pennsylvania; Accomack, Independent City of Alexandria, Arlington, Fairfax, and Loudoun in Virginia; and Berkley, Grant, Hampshire, Jefferson, Mineral, Morgan, and Preston in West Virginia. The declaration applies to small businesses, small agricultural cooperatives, small aquaculture businesses, and private nonprofit organizations. Applicants in the declared area can now apply for a federal EIDL of up to \$2 million to help overcome any temporary loss of revenue stemming from the bridge collapse. These loans may be used to pay normal operating expenses such as fixed debts, payroll, accounts payable, and other bills that cannot be paid because of the disruption. Eligibility is based on the financial impact of this disaster only and not on any actual property damage. These loans have an interest rate of 4% for small businesses and 3.25% for private nonprofit organizations with terms of up to 30 years and are restricted to small businesses without the financial ability to offset the adverse impact without hardship. Interest does not begin to accrue until 12 months from the date of the first disaster loan disbursement. SBA disaster loan repayment begins 12 months from the date of the first disbursement. The application filing deadline is December 30, 2024. For in-person assistance with applications, SBA opened Business Recovery Centers (BRCs) where Customer Service Representatives will assist business owners in completing their disaster loan applications, accept documents for existing applications, and provide status on loan applications. The Centers will operate until further notice. The mission of the Office of Disaster Recovery and Resilience is to connect individuals, businesses, and private non-profits with SBA disaster assistance programs and improve disaster recovery outcomes and economic resilience by helping communities prepare for, respond to, recover from, and mitigate against disasters of all types. For more information, please visit sba.gov/Disaster, email DisasterCustomerService@sba.gov, or call 1-800-659-2955.

HUMAN RESOURCES

Jim Miller, Director of Human Resources, and Dan Mattson, Director of Public Works, gave an overview of the assessed departmental structure and operational needs within the Public Works department. Additionally, as recruitment for the Deputy Director of Public Works has begun, it has become evident that modifications are necessary to the duties, responsibilities, and requirements of the Deputy Director position. Because of these modifications Mr. Miller and Mr. Mattson proposed a revised job description and asked the Commissioners for approval. Discussion took place.

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the revised job description for the Deputy Director of Public Works.

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved re-opening the internal recruitment process for five (5) working days.

PUBLIC WORKS

Dan Mattson on behalf of the Environmental Operations Division requested approval to permit the use of the Bayside Landing bulkhead and marina area for the Sons of the American Legion Bikefest event on Sunday, September 8, 2024. The success and growth of the event resulted in encroachment of the event onto the marina property. The event organizer advised they will have people at the entrance of the marina property to assist with access to the rented slips and boat ramp. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the use of the Bayside Marina and Bulkhead for the Bikefest event on September 8, 2024, subject to the following conditions: The event organizer will have people at the entrance of the marina property to assist with access to the rented slips and boat ramp and for staff to send a public notification letter to the slip holders advising them of the event.

Mr. Mattson requested approval to contract Playground Specialists, Inc. to continue the Local Parks and Playground Infrastructure Grant-funded project for Worton Park. The proposal includes procurement and installation of 16 (sixteen) benches in playground areas and walking paths within Worton Park. Also included is to procure and install "skill and sensory panels" within the existing playground footprint for general use and to support inclusive play for children with disabilities. All procurement is proposed to be under the vendor's existing Sourcewell Contract. The total proposal amount is \$35,100.00, which is within the grant-funded budget for this project. The project is 100% grant funded. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Playground Specialist Inc., Proposal 30930C in the total amount of \$35,100.00, to be funded by existing Local Parks and Playground Infrastructure grant at Worton Park.

COMMISSIONER COMMENTS

Commissioner Fithian and Commissioner Price requested status updates on the following: 1) salvaged materials from the Granary, 2) County's Right-of-Way on Sharp Street, Rock Hall between the Rock Hall Landing Marina and Waterman's Restaurant, and 3) proposed site plan construction for the new Emergency Medical Services building.

Mr. Mattson's response: 1) all materials were salvaged, and discussion has taken place regarding repurposing some of the material for the County's use, such as a bench and signposts at the location where the Granary once stood, 2) the County right-of-way encroaches in the

parking area by approximately 5-6 feet. Extensive deed research showed easements granted throughout the years. The Board directed staff to ask the Marina to remove the signs to allow parking to resume as a common area. If the staff is unsuccessful in having the signs removed, County Attorney, Thomas N. Yeager will send a letter to the owner of the Marina. 3) staff are close to advertising requests for bids.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator advised on April 2, 2024, the Board approved the purchase of CourtSmart software for the Circuit Court. The quoted cost was \$31,577.00. Since the approval an updated quote was submitted which increased the cost by an additional \$2,520.00. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved paying \$34,097.00 from contingency funds to purchase the CourtSmart Software to be used by the Circuit Court.

Ms. Heller gave an overview of the 2024 Annual Housing Bond Allocation. The request is for approval to transfer Kent County's 2024 Bond Allocation of \$845,250.00 to the Community Development Administration, Maryland Department of Housing and Community Development. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the transfer of the 2024 Bond Allocation to the Department of Housing and Community Development as requested.

A correspondence dated April 15, 2024, was received from Will Allbright, Property Manager of KRM Development. Mr. Allbright notified the Board that the lease with KRM Development and County Commissioners of Kent County for the Kent County Board of Elections site located at 135 Dixon Drive, Chestertown, MD expires on July 31, 2024. A May 15, 2024, request for intent regarding renewal was noted. Ms. Heller recapped discussions concerning the Board of Elections request for additional space and the alternate location proposed by KRM. Currently, Ms. Heller is working with state and local partners for cost sharing. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to not renew the current contract and to rent on a month-to-month basis until the new space is ready.

COUNTY ADMINISTRATOR REPORT

The body armor worn by the deputies of the Kent County Sheriff's Office has an expiration date and must be replaced before that date. Staff were able to stagger the expiration dates so that the County could increase the cost of replacement over several years. The Sheriff's Office has found a grant opportunity with the Governor's Office of Crime Control and Prevention (GOCCP) that would fund 50% of five body armor sets. The total cost for five sets is \$7,254.00. If the grant application is approved, the State will contribute \$3,627.00 and the County will be responsible for contributing \$3,627.00. The Sheriff has requested \$4,000.00 in the FY2025 budget for body armor. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved and signed the Certified Assurances and the Certification Regarding

Lobbying to allow the Kent County Sheriff's Office to submit a grant application for FY2025 Body Armor for Local Law Enforcement and if a grant award is offered to accept the grant and the funds.

At the April 6, 2024, Commissioners' meeting, a letter of support for reallocating the Rural Maryland Economic Development Fund (RMEDF) for the Millington Infrastructure Project was approved and signed. Jamie Williams, Director of Economic and Tourism Development, and Susan O'Neill, Director of Upper Shore Regional Council (USRC) continue collaborating on this project. After reviewing the support letter, it was decided a replacement letter was needed to address certain details of the project including language to void an existing Memorandum of Understanding (MOU) made obsolete when the funding was reallocated. The letter was drafted, reviewed by the Commissioners, and signed on April 16th. The letter was attached for review.

LETTER FOR SIGNATURE

During the April 16, 2024, Commissioners' meeting, the Commissioners unanimously approved issuing a property tax credit for the interest accrued by the County only (the County cannot return funds assessed by the State) for Lot 35 Griffith Drive, Galena, MD. The total amount to be credited to this account will be \$193.12 (\$140.75 for FY2023 and \$52.37 for FY2024). The letter notifying the property owners of the Board's decision was presented for signature.

PUBLIC COMMENT

The procedures for public comment were in effect. Comments were not offered by the public.

FOR YOUR INFORMATION

The Commissioners received a correspondence dated April 10, 2024, from Congressman Andy Harris. Information was provided regarding the Rural Development Broadband ReConnect loan and grant program for FY2024. The letter was forwarded to the Information Technology Department and is available for review.

The Commissioners received a correspondence dated April 12, 2024, from Robert Peoples, Water Supply Program, Maryland Department of the Environment. The letter is a notification of the decision to issue Water Appropriation and Use Permit No. KE1993G006(06) to Lester C. Jones & Sons and is available for review.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

A copy of the ARPA Spend Plan outlining the approved expenditures to date was provided to the Commissioners for informational purposes.

CONTINGENCY FUND

The FY2024 Contingency balance as of April 16, 2024, is \$181,772.00. The FY2024 use of Fund Balance is \$128,225.00.

At 11:18 a.m. on a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, May 7, 2024, at 6:00 p.m.

APRIL 23, 2024, BUDGET WORK SESSION

A budget work session was held on April 23, 2024, at 1:00 p.m., with Commissioner Ronald H. Fithian, Commissioner Albert H. Nickerson, and Commissioner John F. Price.

At 1:03 p.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, and carried unanimously to go into a closed session to discuss personnel and public safety matters. 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.

Staff and the public departed the hearing room. Shelley L. Heller, County Administrator, Jim Miller, Director, Human Resources, Pat Merritt, Chief Finance Officer, Office of Finance, and Sondra M. Blackiston, Clerk remained for the closed session.

CLOSED SESSION, PERSONNEL

Topics to be discussed: To discuss individual requests for compensation and the reclassification of certain employees.

Reasons for closing: Personnel matters related to staffing capacity, compensation, performance, and restructuring should be private and confidential.

Ms. Heller, Mr. Miller, and Ms. Merritt explained the details of each personnel request along with its budgetary consequences. At 2:05 p.m., a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the closed session and reconvened in an open work session. Commissioner Price summarized the personnel discussion, and no action was taken.

BUDGET WORK SESSION CONTINUED

Ms. Merritt gave an overview of the fund balance summary. New positions were discussed. Pete Landon, Director, Office of Emergency Services offered information concerning Emergency Medical Services (EMS) positions. Operating and allocation requests were

reviewed. Other parts of the budget were evaluated, and potential reductions were also examined. The work session concluded at 3:19 p.m.

APRIL 30, 2024 BUDGET WORK SESSION

A budget work session was held on April 30, 2024, at 10:00 a.m., with Commissioner Ronald H. Fithian, Commissioner Albert H. Nickerson, and Commissioner John F. Price. Shelley L. Heller, County Administrator, and Pat Merritt, Chief Finance Officer, Office of Finance, were also present.

During the work session, several individuals made budget requests. These included Andy Hollis, Executive Director, and Kay Brodie, Board President of Upper Shore Aging, Inc.; Dr. Karen Couch, Superintendent, and Daniel Hushion, Supervisor for Human Resources of Kent County Public Schools (KCPS); Susanne Einstein and Jim Rich from The Greater Rock Hall Business Association, accompanied by members of the transportation committee. Pat Merritt, Chief Finance Officer, Officer of Finance, Bill Mackey, Director of Planning, Housing, and Zoning, and Jamie Williams, Director of Economic and Tourism Development discussed the implementation of short-term rental software and requested guidance on enforcement. Ms. Merritt presented the following to the Commissioners for discussion: general funding overview, new positions, allocations, and capital. Dan Mattson, Director of Public Works, and Pete Landon, Director of Office of Emergency Services joined the work session and provided information to the Board. The Commissioners took a break at 12:53 p.m. and resumed the work session at 1:41 p.m. Dr. Couch was encouraged to explain the KCPS budget further. Other parts of the budget were evaluated, and potential reductions were discussed. The work session concluded at 2:54 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

April 23, 2024

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, April 16, 2024.

At 11:20 a.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously agreed to adjourn the meeting. The Board is scheduled to meet again on Tuesday, May 7, 2024, at 6:00 p.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