

March 30, 2021

FY2022 BUDGET WORK SESSION

A budget work session was held today at 8:36 a.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; Bryan DiGregory, Kent County State's Attorney; John Price, Sheriff, Dennis Hickman, Acting Chief Deputy, and Kim Dixon, Office Manager, Kent County Sheriff's Office were in attendance.

Ms. Merritt reviewed the General Fund Summary of Revenues and Expenditures, Capital, and County Allocations for FY2022. Mr. DiGregory and Sheriff Price presented their respective budgets. The budget work session ended at 10:15 a.m.

A meeting of the County Commissioners of Kent County was called to order at 10:22 a.m. with the following present: P. Thomas Mason, President, and Ronald H. Fithian. The meeting convened with the Pledge of Allegiance. Commissioner Mason asked the audience to remain standing for a moment of silence for Lisa Mazingo, Director, Kent Family Center, as her father-in-law passed away; and as we approach Easter, may we seek peace and security.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Marty Hale, Director, Lee Myers, Assistant Director, Chris Bove, Human Resources Specialist, Human Resources; John Price, Sheriff, Kent County Sheriff's Office; and Scott Boone, Director, Information Technology were present in person.

The following staff attended the meeting remotely: Mike Moulds, Director, Marty Holden, Division Chief, Environmental Operations, Public Works; Bill Mackey, Director, and Carla Gerber, Deputy Director, Planning, Housing, and Zoning.

CONSENT ITEMS

On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the following items:

1. Regular Session Minutes, March 23, 2021
2. Liquor Minutes, March 23, 2021
3. Two (2) Maryland Department of Natural Resources Waterway Improvement Fund documents; performance Period July 1, 2021 to June 30, 2022:
 - a. Service Contract (SC) Grant for Portable toilets at fourteen (14) public landings in the amount of \$10,000.00.
 - b. Application and Project Agreement for Abandoned Boat and Debris Removal from public landings in the amount of \$10,000.00.

PUBLIC HEARINGS

Mr. Yeager announced there are two (2) public hearings scheduled for March 30, 2021 at 10:00 a.m.

1. Cable Franchise Renewal Agreement, Broadband (Delmar), LLC
2. Cable Franchise Renewal Agreement, Comcast of Delmarva, LLC

The public hearings commenced. Public information regarding the above-mentioned hearings and minutes are posted on the County's website at <https://www.kentcounty.com/commissioners/meeting-agenda>.

RECOGNITION

Marty Hale, Director, Human Resources, and the Commissioners recognized the retirement of Lee Ann Myers, Assistant Director, Human Resources. Ms. Myers was accompanied by her husband, Rick Myers. Commissioner Fithian captured Ms. Myers employment history, in which she will retire on March 31, 2021 after thirty-eight (38) years of employment with the County. The Commissioners, John Price, Sheriff, Kent County Sheriff's Office, and Mr. Hale extended their best wishes and good luck to Ms. Myers for a fulfilling retirement. Ms. Myers commented on her work history and thanked each staff for the well wishes.

HUMAN RESOURCES

Mr. Hale and Ms. Myers presented Amendments to the Kent County Employee Handbook. Ms. Myers detailed each proposed change. The Deferred Compensation and Voluntary Benefits Policies will be amended to reflect changes made on July 1, 2020, regarding the benefit vendors. In addition, there is an amendment to the Inclement Weather Policy due to the expanded use of telework. The Handbook had previously not addressed non-essential employees' ability to tele-work if the County buildings are closed but operations continued such as during weather events. The update now gives clear direction to both essential and non-essential employees. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved to amend the Employee Handbook, Inclement Weather, Deferred Comp and Voluntary Benefits policy as proposed, effective March 31, 2021. Resolution 2021-02 Amendments to Kent County Employee Handbook was signed by the Commissioners.

Mr. Hale, on behalf of Wayne Darrell, Director, Emergency Services, presented a recommendation to fill a Dispatcher vacancy at the recommended Grade 3 salary. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the hiring of the recommended applicant for the vacant Dispatcher I position in Emergency Services as requested, pending successful completion of County pre-employment requirements.

Mr. Hale, on behalf of Sondra Blackiston, Clerk/KATE Manager, presented for discussion the Alcoholic Beverage and Tobacco Inspector vacancy. Ms. Blackiston submitted

the department's justification for the need to fill the position. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the advertising for the Alcoholic Beverage and Tobacco Inspector position.

INFORMATION TECHNOLOGY

Scott Boone, Director, Information Technology presented a Memorandum of Understanding (MOU) with the Circuit Court of Kent County to provide an internet connection from the County Fiber Optic Backbone Project. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the Memorandum of Understanding with the Circuit Court for Kent County, Maryland.

PLANNING, HOUSING, AND ZONING

April 2021 is Fair Housing Month: Bill Mackey, Director, Planning, Housing, and Zoning announced April is Fair Housing Month and Fair Housing Month states that no person shall be discriminated against in terms of housing. The Kent County Comprehensive Plan promotes equal opportunity for housing, and Fair Housing is implemented through the County's projects and programs. The County encourages each citizen in Kent County to be conscientious of Fair Housing throughout the year as Kent County serves as a model of Fair Housing and asks Betterton, Chestertown, Galena, Millington, and Rock Hall to enact similar proclamations. The Commissioners signed the proclamation recognizing April 2021 as Fair Housing Month in Kent County.

Mr. Mackey explained that the membership term of David Hill, Chair, Agricultural Preservation Advisory Board (APAB), expired on February 28, 2021. Mr. Hill has expressed an interest to serve another term. Mr. Mackey recommended the Board reappoint Mr. Hill. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the appointment of the recommended candidate for a term ending December 31, 2025.

Mr. Mackey presented Resolution 2021-03, A Resolution to Authorize the Application for Emergency Rental Assistance Program (ERAP) Funds. Mr. Mackey stated Resolution 2021-03 authorizes the application for Emergency Rental Assistance Program (ERAP) funds to provide for a rental assistance program by the subrecipient Maryland Rural Development Corporation. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority adopted Resolution 2021-03, to authorize the application for Emergency Rental Assistance Program (ERAP) funds and to authorize and empower the President of the Board to execute any and all documents required for the submission of the application.

At their March 23rd meeting, the Commissioners were provided with a preview of a draft letter to Greg Slater, Secretary, Maryland Department of Transportation (MDOT) conveying Kent County's 2021 Transportation Priorities. Mr. Mackey noted that the Chester River bridge project has been entered into the Chapter 30 Portal for review by MDOT. On motion by

Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the 2021 priority letter, as presented.

PUBLIC WORKS

Mike Moulds, Director Public Works, presented the Maryland Department of Agriculture Proposed Mosquito Control Budget for Calendar Year 2021. A correspondence received from Brian Prendergast, Program Manager, Mosquito Control Section, Maryland Department of Agriculture, dated February 4, 2021 detailed a request to participate in the State's mosquito control program. The budget was based on previous years' expenditures and anticipated costs for the upcoming season. The Department of Agriculture has required a prepayment of \$32,000.00 for authorization to perform mosquito control in the County. On motion by Commissioner Fithian, seconded by Commissioner Mason, the Commissioners by majority, approved the Maryland Department of Agriculture proposed mosquito control budget for Kent County in FY2022 and prepayment of \$32,000.00 toward Countywide share of expenses.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator made the following announcements:

1. A Comprehensive Rezoning Task Force Meeting will be held on March 31, 2021 and one or more of the Commissioners may be present in the audience.
2. The Annual Betterton Beach clean-up day and a ribbon cutting ceremony for the new bathhouse will take place on April 24th.
3. The Kent County Courthouse renaming ceremony is scheduled for May 14th at 3:00 p.m.

Ms. Heller, on behalf of Sheriff Price, presented a request to replace a patrol vehicle in the Sheriff's Office, as previously discussed in the Budget Work Session. Ms. Heller explained the department has an older vehicle with a substantial number of miles on it, and the Sheriff's Office has spent a large amount of money to keep the vehicle running, however, it is unsafe to be driven as a patrol vehicle. The Sheriff is requesting to enter a lease with Enterprise for a 2021 Ford Police Interceptor Utility vehicle to replace the vehicle, and there are sufficient funds in the Sheriff's Office current budget to cover the purchase. The Enterprise Fleet Management Open-End (Equity) Lease Rate Quote No. 4958874 for a 2021 Ford Police Interceptor Utility Vehicle with law enforcement modifications as itemized on BlueTech, LLC Estimate No. 1191 were formally presented for approval and signature. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the request.

Ms. Heller presented an Amendment to the Letter of Agreement (LOA) with The Maryland Department of Transportation State Highway (MDOT SHA). At their August 4, 2020 meeting, the Commissioners approved the LOA between MDOT SHA and Kent County for Weed Control for the application of herbicides to Noxious Weeds on SHA roadways in an

amount not to exceed \$6,000.00. A correspondence dated March 24, 2021 was received from Sonal Ram, P.E., Director, Office of Environmental Design, MDOT SHA, amending the Agreement. Amendment I shall amend the LOA by increasing the application of herbicides to Noxious Weeds on SHA roadways in an amount not to exceed \$24,000.00 and increasing the wetland invasive weed control in an amount not to exceed \$18,000.00. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved the Amendment, as presented.

Ms. Heller stated the County was recognized by the U.S. Census Bureau as an invaluable member of the 2020 Census Community Partnership and Engagement Program. Ms. Heller stated this effort was collaboratively completed with the help of the Planning, Housing, and Zoning Department, the Local Management Board, Economic Development, Kent Family Center, and Kent County Department of Social Services. Those recognized in the effort include Carla Gerber, Rob Tracey, Rosie Ramsey Granillo, Doncella Wilson, Jamie Williams, Emily McCoy, Lisa Mazingo, Shelley Heller, and LaToya Johnson of Saving Hope Consulting, who managed outreach events. Commissioner Fithian read the Certificate of Recognition to Carla Gerber, Deputy Director, Planning, Housing, and Zoning. Ms. Gerber reported on the success of the census outreach campaign. The Commissioners signed certificates of recognition to the above-mentioned staff and community partners who by their collective efforts, increased census participation in Kent County.

Ms. Heller, on behalf of Pat Merritt, Chief Financial Officer, Office of Finance, presented banking documents for signature. At their March 9th meeting, the Commissioners approved to contract with Realauction.com to conduct the 2021 real property tax sale online. On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved to open a bank account for the online tax sale. The presented Chesapeake Bank and Trust documents were signed by the Commissioners, Certification of Beneficial Owners of Legal Entities, Corporate Authorization Resolution, and Account Agreement are needed for connection to the online tax sale.

KENT COUNTY GOVERNMENT OPERATIONS AND PUBLIC COMMENT

The procedures for public comment were in effect. The public was invited to participate. No comments were received from citizens.

FOR YOUR INFORMATION

Rachel Boyle, Services Intake/Child Advocacy Center Coordinator, Kent County Department of Social Services provided information regarding upcoming events. Child Abuse Prevention and Awareness will take place throughout the month of April 2021. The Kent County Child Advocacy Center will host its 3rd annual Support, Connect, Empower campaign. For further information visit www.kentcountycares.org. If you suspect or witness child abuse call 410-810-7600.

CONTINGENCY FUND

The FY2021 Contingency Fund balance as of March 16, 2021 is \$536,456.00 and the use of fund balance total is \$72,723.00.

CLOSED SESSION

At 11:11 a.m., a motion was made by Commissioner Fithian, seconded by Commissioner Mason, and carried by majority 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.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Bill Mackey, Director, Planning, Housing, and Zoning; Sondra M. Blackiston, Clerk/KATE Manager; Sallie Watson, Deputy Clerk II; and Lacey T. Cox, Deputy Clerk I, were in attendance. Carla Gerber, Deputy Director, Planning, Housing, and Zoning attended the closed session remotely.

PERSONNEL

Topic to be discussed: Individual applications to serve on a Board/Commission.

Reason for closing: Discussion of each applicants resumes, and qualifications are confidential and must be shielded.

Ms. Heller, Mr. Yeager, Mr. Mackey, Ms. Gerber, and the Commissioners discussed the qualifications of two (2) applicants for consideration to serve as a member on a County board or commission.

At 11:38 a.m., a motion was made by Commissioner Fithian, seconded by Commissioner Mason, and carried by majority to adjourn the closed session and reconvene in open session.

OPEN SESSION

Commissioner Mason stated no decision/action were made in closed session.

Commissioner Fithian inquired about the replacement of the stairway at Betterton Beach. Ms. Heller stated she would investigate the inquiry and report back. Commissioner Fithian also commented on plans for the County to move toward reopening County buildings and fading out of virtual meetings.

There being no further business to claim their attention, a motion was made by Commissioner Fithian, seconded by Commissioner Mason, and the Board by majority agreed to

Regular Session Minutes

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adjourn the meeting at 11:46 a.m. The Board is scheduled to meet again on Tuesday, April 6, 2021, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

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

March 30, 2021

PUBLIC HEARINGS

County Commissioners P. Thomas Mason, Presiding, and Ronald H. Fithian; Shelley L. Heller, County Administrator; and Thomas N. Yeager, County Attorney were in attendance.

The hearings are pursuant to the Code of Public Laws of Kent County Chapter 76, Cable Television Franchising, and the public process of under which comments from the public and/or applicant seeking renewal of a cable franchise agreement may be received. Thomas N. Yeager, County Attorney, read the public hearing procedures for testifying which have been modified due to the State of Emergency. The rules for a public hearing are in effect.

CABLE FRANCHISE RENEWAL AGREEMENT – ATLANTIC BROADBAND (DELMAR), LLC

The first of two public hearings commenced at 10:25 a.m. in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, MD. Mr. Yeager read the Notice into record. A public hearing for the purpose of discussing the Cable Franchise Renewal Agreement with Atlantic Broadband (Delmar), LLC and a Resolution by The County Commissioners of Kent County Authorizing Execution of a Cable Franchise Agreement Between the County and Atlantic Broadband (Delmar), LLC.

Mr. Yeager summarized the intent of the Renewal Agreement and Resolution. Mr. Yeager invited comments from citizens who had the option to join the hearing through a virtual meeting platform. No comments were received.

CABLE FRANCHISE RENEWAL AGREEMENT – COMCAST OF DELMARVA, LLC

The second public hearing commenced at 10:33 a.m. Mr. Yeager read the Notice into record. A public hearing for the purpose of discussing the Cable Franchise Renewal Agreement with Comcast of Delmarva, LLC and a Resolution by The County Commissioners of Kent County Authorizing Execution of a Cable Franchise Agreement Between the County and Comcast of Delmarva, LLC.

Mr. Yeager summarized the intent of the Renewal Agreement and Resolution. Mr. Yeager invited comments from citizens who had the option to join the hearing through a virtual meeting platform. No comments were received.

On motion by Commissioner Mason and seconded by Commissioner Fithian, the Commissioners by majority closed the public hearings.

Written comments will be accepted in the County Commissioners' Office until Friday, April 2, 2021, at 12:00 p.m. for both Cable Franchise Renewal Agreements. The Board is scheduled to consider authorizing the execution of each Agreement, by resolution on Tuesday, April 6, 2021.

The public hearings adjourned at 10:34 a.m. and were taped for reference.

Public Hearing Minutes – Cable Franchise Renewal Agreements, Atlantic Broadband (Delmar),
LLC and Comcast of Delmarva, LLC
March 30, 2021
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Respectfully submitted,

Sondra M. Blackiston
Clerk/KATE Manager

Approved:

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

March 30, 2021

The Board of License Commissioners met today with the following present: P. Thomas Mason, presiding, and Ronald H. Fithian.

Shelley L. Heller, County Administrator; and Thomas N. Yeager, County Attorney were present in person.

CONSENT ITEM

On motion by Commissioner Fithian and seconded by Commissioner Mason, the Commissioners by majority approved Consent Item #2 - Liquor Minutes, March 23, 2021.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, April 6, 2021 at 6:00 p.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