

March 23, 2021

A meeting of the County Commissioners of Kent County was called to order at 10:00 a.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 recent shootings in Georgia and Colorado.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; and Marty Hale, Director, Human Resources, were present in person.

The following staff and presenters attended the meeting remotely: Dr. Ruth Shoge, First Vice-President, and Barbara Foster, Second Vice-President, Sumner Hall; Mike Moulds Director, Public Works; Jamie Williams, Director, and Jana Carter, Tourism Manager, Economic and Tourism Development; and Bill Mackey, Director, Planning, Housing, and Zoning.

### **PUBLIC NOTICES**

Thomas N. Yeager, County Attorney read the following public hearing notices:

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.

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.

Public hearings for the above noted Cable Franchise Agreements will be held on March 30, 2021, at 10:00 a.m. in the Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland. In response to the State of Emergency, and in lieu of public appearance, the meeting will be held remotely, via video teleconference and viewable on the County website at [www.kentcounty.com/government](http://www.kentcounty.com/government). Hearings are open to the public and written comments will be accepted until noon on April 2, 2021. Public comment can be submitted prior to the hearing(s) by the following methods: email [kentcounty@kentgov.org](mailto:kentcounty@kentgov.org), letters sent to The County Commissioners of Kent County, 400 High Street, Chestertown, MD 21620, and by phone during public comment using the call-in option 1-872-239-8359 Conference ID 600 669 786 then press #.

### **CONSENT ITEMS**

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

1. Regular Session Minutes, March 16, 2021
2. Liquor Minutes, March 16, 2021

3. Public Hearing Minutes, March 16, 2021

4. Closed Session Minutes, March 16, 2021

### **APPOINTMENT**

Dr. Ruth Shoge, First Vice-President and Barbara Foster, Second Vice-President, Sumner Hall were present to discuss the James Taylor Justice Coalition (JTJC) of Sumner Hall. The JTJC of Sumner Hall was formed in July of 2019. It is one of several community wide initiatives devoted to enhancing racial justice in Kent County. JTJC believes that focusing on the unvarnished truth of racial injustice is fundamental to unifying the community, enabling citizens to work together to address the ongoing challenges of present-day racism. JTJC efforts include educational activities, community conversations, and an historical acknowledgment of the local history of Kent County. The Commissioners expressed their appreciation to the members of JTJC for their passion and dedication to the project.

### **PUBLIC WORKS**

Mike Moulds, Director, Public Works on behalf of the Environmental Operations Division, discussed the Nicholson Landfill Groundwater Treatment Facility project. Project funding would come from a loan from the United States Department of Agriculture (USDA) Rural Development. The loan amount of \$2,724,000.00 would have a term of forty (40) years at an interest rate of 1.25%. The loan will cover project costs for improvements to bring the groundwater treatment facility into compliance with its National Pollutant Discharge Elimination System (NPDES) permit with the Maryland Department of the Environment (MDE). Discussion took place. Two documents were presented for the Board's consideration. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved and signed the Letter of Intent to Meet Conditions, and the Request for Obligation for Funds Certification for a USDA Rural Development loan in the amount of \$2,724,000.00 at an interest rate of 1.25% for forty (40) years to fund the design and construction of improvements to the Nicholson Landfill Groundwater Treatment Facility.

Mr. Moulds presented a request for Bond Counsel services associated with the Nicholson Groundwater Treatment Facility project. The USDA loan condition requires security in the full amount of the loan. This requires the County to obtain a general obligation bond of approximately \$2.8 million for project. The services of a Bond Counsel are used to represent the County, and staff recommends the professional services of William Henn, Jr., Esquire, McKennon, Shelton and Henn, LLP as Bond Counsel. Mr. Henn has experience as Bond Counsel for the County on the previous USDA funded Galena Sewer Project and therefore will be most efficient in providing services in a timely manner. Mr. Yeager concurred with the selection of Bond Counsel. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved to sign the March 17, 2021 engagement letter for Bond Counsel legal services for the Nicholson Groundwater Treatment Facility project with McKennon, Shelton, and Henn, LLP.

### **ECONOMIC AND TOURISM DEVELOPMENT**

Jamie Williams, Director, and Jana Carter, Tourism Manager, Economic and Tourism Development presented the Lodging Grant Round 2 distribution proposal. At their February 23<sup>rd</sup> meeting, the Commissioners approved the Lodging Grant Round 1 distribution proposal. Ms. Williams stated no new applications were received in the Round 2 application period, therefore the list from Round 1 will be used. Per the grant agreement, the remaining funds shall be distributed pro-rata based on the number of rooms. The distribution amount will be \$244.17 per room. On motion by Commissioner Jacob and seconded by Commissioner Fithian, the Commissioners unanimously approved the Lodging Grant Round 2 distribution proposal.

Ms. Williams announced Maryland Senate Bill 496, Recovery for the Economy, Livelihoods, Industries, Entrepreneurs, and Families (RELIEF) Act will provide grants to certain non-profit establishments. Ms. Williams explained that the Department will be distributing the funds once they are made available.

The Commissioners requested Ms. Williams review two letters that were provided to the Board. The Commissioners were copied on a letter dated March 17, 2021 from Ms. Williams, addressed to Letitia Nichols, Program Director, USDA Rural and Development, Business and Cooperative Programs, regarding the Salisbury University Rural Business Enterprise Grant / Strategic Economic and Community Development Grant 2021-2022. A brief explanation was provided. The Commissioners were also copied on a letter dated March 14, 2021 addressed to Shelley Heller, County Administrator, from Samuel Shoge, Executive Director, Kent County Chamber of Commerce, Inc., regarding the relinquishment of all “Welcome to Kent County” signs. Ms. Williams explained a vendor has been chosen and the final design of the new signs is being created, the cost can be absorbed within the current budget.

Commissioners Fithian and Mason voiced concerns with the progress of reliable internet access in the Eastern Neck Island and Big Woods/Lynch areas, respectively. Ms. Williams will follow up with Scott Boone, Director, Information Technology on the progress of local broadband projects and determine if the County can assist.

## **PLANNING, HOUSING, AND ZONING**

Bill Mackey, Director, Planning, Housing, and Zoning offered a preview of a draft letter to Greg Slater, Secretary, Maryland Department of Transportation (MDOT) conveying Kent County’s 2021 Transportation Priorities. Mr. Mackey indicated Kent County remains opposed on any proposal for a north Bay Bridge crossing with a terminus in Kent County, and this has been memorialized in the Kent County’s Comprehensive Plan since 1974. Mr. Mackey also referenced the following priority listing of transportation projects:

- Chester River Bridge Crossing
- US 301 Toll Diversion Coordination Actions in coordination with Cecil County, Maryland
- Streetscape Priorities
- Trail and Pedestrian Priorities

## **HUMAN RESOURCES**

Marty Hale, Director, Human Resources, on behalf of Mr. Mackey, presented a request to restructure the Planning, Housing, and Zoning department. Mr. Hale explained there is a need to reorganize the department job duties to satisfy the needs of the department and the public more effectively. Mr. Hale stated currently there are three (3) vacancies in the department. Copies of the restructured job descriptions, a revised organizational chart, and a staff memo were submitted. Mr. Hale requested approval of the restructure prior July 1st, a new fiscal year. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the restructuring of the PHZ department as requested. Upon gaining the Board's approval of the restructuring, Mr. Hale, presented a second request to promote an employee to fill the newly created Deputy Director position, at the recommended salary. On motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved the promotion of an employee to fill the Deputy Director position in the Planning, Housing, and Zoning department as requested.

## **LETTER FOR SIGNATURE**

A letter from a property owner requesting a waiver of interest and penalty fees assessed to the owner's property taxes was received. 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 motion by Commissioner Fithian and seconded by Commissioner Jacob, the Commissioners unanimously denied the request. A letter will be sent to the requester advising of the Board's decision.

## **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.

## **CONTINGENCY FUND**

The FY2021 Contingency Fund balance as of March 9, 2021 is \$536,456.00 and the use of fund balance total is \$72,723.00.

There being no further business to claim their attention, a motion was made by Commissioner Jacob, seconded by Commissioner Fithian, and the Board unanimously agreed to adjourn the meeting at 11:18 a.m. The Board is scheduled to meet again on Tuesday, March 30, 2021, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston

Approved:

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

March 23, 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 Fithian and seconded by Commissioner Jacob, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, March 16, 2021.

There being no further business to claim their attention, the Board adjourned and agreed to meet again on Tuesday, March 30, 2021 at 10:00 a.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