

February 28, 2023

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 the audience to remain standing for a moment of silence for everyone around the country suffering. Praying for this year to be a better year.

Shelley L. Heller, County Administrator, was also in attendance.

CONSENT ITEMS

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

1. Regular Session Minutes, February 14, 2023
2. Liquor Minutes, February 14, 2023
3. Closed Session Minutes, February 14, 2023
4. The Chestertown Garden Club, Raffle Only, May 5, 2023

PROCLAMATION

Endometriosis Awareness Month: Ms. Shannon Pinder Hannawald was in attendance to bring awareness to March 2023 as Endometriosis Awareness Month. An estimated 200 million women worldwide have been diagnosed with endometriosis, a disease for which there is no cure and often makes treatments for women problematic. Commissioner Nickerson read the proclamation into the record. The Commissioners presented Ms. Hannawald with the proclamation.

RECOGNITION

Shelley Neal-Edwards, Director, Kent County Department of Social Services (KCDSS), accompanied Joyce T. Dalto for a service recognition. Ms. Dalto is retiring after thirty-six (36) years of service as an Assistant Director of Administration in the Department of Human Services. Commissioner Price read the Certificate of Appreciation into the record. Ms. Dalto generously received her certificate from the Board. Ms. Neal-Edwards expressed her appreciation for Ms. Dalto's dedication and service.

DEPARTMENT OF SOCIAL SERVICES

Ms. Neal-Edwards presented a proposal to acquire the services of a practicing attorney, licensed in the State of Maryland with expertise in Child Welfare cases, to represent the KCDSS before the Courts and the Office of Administrative Hearings. Since 2018, the County has acted as the pass-thru entity for these services. The requested FY2024 amount is not to exceed \$44,400.00. Ms. Neal-Edwards explained that additional funding for legal services is necessary due to the caseload. The increased amount has not yet received State approval. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the

Commissioners unanimously approve the KCDSS/Legal 24-001 Inter-Governmental Agreement for legal services for Kent County Department of Social Services.

KENT ATTAINABLE HOUSING, INC.

Ronnie Edelman, Secretary, Kent Attainable Housing, Inc., presented their request for a support letter to submit when they apply for Congressional earmarked funds to build four (4) homes in the Kent County area. Ms. Edelman gave a brief overview by stating Kent Attainable Housing (KAH) is a nonprofit organization in rural Kent County and is breaking the cycle of poverty through homeownership. KAH constructs and renovates affordable homes and sells them to low-income working families at affordable prices. Each homeowner receives a forgivable, income-based subsidy from KAH toward their purchase. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved sending a letter of support as requested.

GREENWILL CONSULTING GROUP

Ivan V. Lanier, President/CEO, Jonathon Carpenter, Vice President of Government Affairs, Jacob Moore, Legislative Policy Analyst, and Lesly Feliz, Government Affairs Assistant, of Greenwill Consulting Group, introduced themselves and gave a brief overview of their intent as the newly hired lobbying firm. The firm has been in Annapolis for over twenty (20) years. There are currently over 2,100 Bills in Legislation. Greenwill Consulting Group was hired for their efforts to help Kent County with relief for the funding mandates connected to the Blueprint for Maryland's Future. The Greenwill Firm is looking forward to representing Kent County in Annapolis. Other counties on the Eastern Shore have reached out to the firm for support as well. Discussion took place. The Commissioners thanked the Greenwill Consulting Group for coming in and emphasized that they are looking forward to working with them.

INFORMATION TECHNOLOGY

Scott Boone, Director, Information Technology, presented the GSA Multiple Award Schedule Purchase Order contract with Verizon Wireless. The contract is renewed each year. The Verizon Wireless Contract is for the cellular lines that IT manages. This account can have up to forty-five (45) lines with a maximum spending limit of \$30,000.00 which is included in the budget. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved renewing the Verizon Wireless GSA contract with Verizon Wireless for a one-year term. The Kent County Government GSA-Multiple Award Schedule Purchase Order, contract number 47QTCA20D00B5, was approved for a limit of \$30,000.00 and for up to forty-five (45) cellular lines with Verizon Wireless.

Mr. Boone advised there is currently a Memorandum of Understanding with the Kent County Circuit Court and District Court to utilize fiber that is maintained by ThinkBig Networks as part of the P3 Partnership for the Fiber Broadband Project. The Chamber of Commerce is requesting a Memorandum of Understanding (MOU) with the County that will allow them to connect to the fiber that has been provided to Upper Shore Regional Council which is located within the Visitor's Center. Discussion took place. On a motion by Commissioner Price and

seconded by Commissioner Nickerson, the Commissioners unanimously approved the Memorandum of Understanding with the Kent County Chamber of Commerce. The Kent County Chamber of Commerce will be able to connect to fiber that is also utilized by the Upper Shore Regional Council.

Commissioner Fithian asked for an update regarding the progress of the high-speed internet (fiber optic projects). Mr. Boone gave an update accordingly. Discussion took place.

OFFICE OF FINANCE

Pat Merritt, Chief Finance Officer, Office of Finance, provided the Commissioners with copies of reports for the Cumulative Local Income Tax Distributions through the month of January 2023, 2022, and 2021; the Tax Returns Processed through December 31st of 2021, 2020, and 2019; and the Local Income Tax Interest and Penalty Distribution for the first half of FY2023, FY2022, and FY202. Ms. Merritt gave an overview of these reports and stated how they influence the County's budget. Ms. Merritt presented the six (6) Month Financial Statements for Fiscal Year 2023 dated December 31, 2022. Ms. Merritt reported that revenue is up by 3% and the two (2) largest reasons for that increase are property tax and income tax. The decrease in revenue is due to the decline in recordation tax. Discussion took place. Expenditures have a favorable variance of 6%. Discussion took place. Ms. Merritt explained that the one variance that comes into play is the CORS contribution (payment) for the Correctional retirement plan. It was originally scheduled to be paid in FY2023, but the payment is not due until FY2024. Discussion took place. Ms. Merritt gave an overview of the capital projects.

Ms. Merritt presented a request for contingency funds. Ms. Merritt stated the Board approved the purchase of three (3) new software modules from Central Square and the transition to Paymentus as our electronic payment provider. At that time, contracts for two (2) of the modules and had a verbal quote for the 3rd contract. The written quote/contract for the 3rd module, and it is \$2,340.00 higher than the verbal quote received. Additionally, at the time the Board signed the contract with Paymentus it had not been communicated that there would be an additional cost for the devices used to swipe the credit cards. The cost for five (5) of these devices is \$1,125.00. Because of these additional costs, Ms. Merritt requested an additional \$3,465.00 from Contingency Funds. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously made a motion to approve \$3,465.00 of Contingency funds for the Central Square/Paymentus project.

HUMAN RESOURCES

Pat Merritt, Acting Director, Human Resources, on behalf of Jamie Williams, Director, Economic and Tourism Development, requested to fill the Administrative Specialist I vacancy at the requested salary. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended applicant at the requested salary.

Ms. Merritt, on behalf of Jamie Williams, Director of Economic and Tourism Development, advised the FY2023 budget included a student intern position to assist with social

media. Due to the inability to fill the position the job search was expanded to non-students as a part-time position. Ms. Merritt requested to fill the part-time Social Media Specialist vacancy at the requested salary. Commissioner Nickerson made a request to discuss this item in a Closed Session. Shelley L. Heller, County Administrator, recommended that it be placed on next week's meeting agenda so it can be properly advertised as a closed session. On a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved to table this matter until the next scheduled meeting on March 8, 2023.

Ms. Merritt, on behalf of Wayne Darrell, Director, Office of Emergency Services, requested to advertise for the Director of Emergency Services in anticipation of the vacancy when the existing Director retires on April 30, 2023. The request will allow adequate training and overlap. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved advertising the Director of Emergency Services position, and if possible, bringing the person on board no earlier than three (3) weeks before the retirement of the existing Director, and have a maximum salary be taken out of contingency funds in the amount of \$6,900.00.

Ms. Merritt, on behalf of Jillyn Coleman, Director, Parks and Recreation, requested to fill the Deputy Director vacancy at the requested salary. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended applicant at the requested salary.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, had a public service announcement regarding the Chesapeake National Recreation Area. Ms. Heller attended a virtual informational session hosted by Senator Van Hollen's office. Further information can be found at vanhollen.senate.gov/cnra. The comment period is open until March 13, 2023. Discussion took place.

Ms. Heller advised the "Education – Low-Density Calculation – Mandated Funding" bill has been House Bill number 0799 and Senate Bill number 0912. The hearing is in appropriations in the House on March 7, 2023. A letter of support for the bill(s) to be submitted at the hearing was drafted for the Commissioners' approval. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the support letters for House Bill 0799/Senate Bill 0912 as discussed.

Ms. Heller reminded the Commissioners of several meetings scheduled for March 7th with various members of the General Assembly. Discussion took place.

Ms. Heller stated on February 7, 2023, approval was given to hire the lobbying services of Greenwill Consulting Group, Inc. Signature authority was delegated to the County Administrator allowing the contract to be expedited. The agreement was finalized on February 14, 2023. The total cost of the contract is in the amount of \$33,000.00; contingency funds were requested for an amount not to exceed \$14,000.00 for this fiscal year. The remainder of the cost will occur in FY2024. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to allocate contingency funds not to

exceed \$14,000.00 as requested. The Commissioners approved \$14,000.00 in contingency funds for FY2023 to be paid to Greenwill Consulting Group, Inc. for lobbying services.

Ms. Heller on behalf of Ms. Coleman, stated the Parks and Recreation Advisory Board (PRAB) has had several member terms expire recently. Several correspondences were submitted for the Commissioners' consideration. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, Commissioners unanimously approved reappointing the current board member and appointing the recommended candidates to fill the student member and board member vacancies as requested. A letter was signed for Penny Usilton thanking her for her years of service as a member of PRAB. Mary Fisher was reappointed for a term ending on December 31, 2025. Melissa Landon was appointed as the new student member and Rick Myers was appointed to fill the member vacancy.

Ms. Heller summarized a correspondence received from a Kent County citizen on February 6, 2023, thanking the Commissioner for their response to their concerns with the Kent County Land Use ordinance. The letter also had additional comments regarding the Comprehensive Rezoning. These comments will be included in the Comprehensive Rezoning process for consideration. A response letter was provided for the Commissioners' approval. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved and signed the response letter as drafted.

COUNTY ADMINISTRATION REPORT

Ms. Heller advised the Commissioners of a change in the meeting schedule. The meeting originally scheduled for March 7th has been rescheduled for March 8, 2023, at 10:00 a.m. The schedule has been adjusted and the County website has been refreshed.

Ms. Heller reminded the Commissioners of a request from David Foster, Mayor, Town of Chestertown, to meet with the Commissioners to discuss the tax differential/rebate. At the direction of the Board, letters were sent to the five municipalities inviting them to attend a work session scheduled for March 14, 2023, at 1:00 p.m. to discuss the issue.

Ms. Heller advised the Commissioners of additional changes in the meeting schedule. The March 21st meeting has been canceled due to equipment installation in the hearing room. The meeting scheduled for March 28th has been rescheduled to Wednesday, March 29th at 10:00 a.m.

Commissioner Fithian mentioned four items. The controlled burn date has been established for the property on Daisy Drive in Millington. Discussion took place. Commissioner Fithian stated the County needs to decide what should be done with the Granary at Turner's Creek. There are a lot of safety issues, and the space could be utilized for other projects. Commissioner Fithian requested an update regarding the previous discussions regarding data centers. More discussion will follow at an upcoming meeting. Lastly, a zoom meeting was held to discuss the future of the Whitsitt Center. During the zoom meeting, Brook Lane, a non-profit mental health facility, voiced an interest in the Whitsitt Center. A tour has been scheduled for

March 10th at 9:00 a.m. with Bill Webb, Health Officer, Kent County Health Department. Discussion took place.

Commissioner Price asked if there was an update regarding Gregg Neck Marina. Ms. Heller had no current update to report on.

PUBLIC COMMENT

The procedures for public comment were in effect. Mike Waal, Kent County resident, presented a proposal for the Commissioners to consider. Discussion took place.

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 FY2023 Contingency balance as of February 7, 2023, is \$262,174.00, and the FY2023 use of Fund Balance is \$35,966.00.

CLOSED SESSION

At 11:49 a.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, and carried unanimously to go into a closed session to discuss a personnel matter. 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; and Sondra M. Blackiston, Clerk were also in attendance.

PERSONNEL

Topic to be discussed: Personnel matters specific to qualifications and compensation is confidential.

Reason for closing: Discussing an individual's qualifications and compensation is confidential and should be private.

Shelley Heller, County Administrator, discussed a personnel request. The Board was amenable to the request.

At 12:06 p.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the closed session and reconvened in an open session.

OPEN SESSION

Commissioner Fithian summarized the closed session and stated the Board discussed a personnel issue and had a personnel request. On a motion by Commissioner Price, and seconded by Commissioner Nickerson, the Board unanimously approved additional compensation for an employee as requested and recommended by staff.

At 12:08 p.m., on a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Wednesday, March 8, 2023, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

February 28, 2023

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, was also present.

CONSENT ITEM

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, February 14, 2023.

SPECIAL CLASS C LICENSES

The Kent Conservation and Preservation Alliance has applied for a Beer and Wine Special Class C (Pier Diem) License for their fundraiser/documentary screening event on March 31, 2023, and The Kent County Chamber of Commerce has applied for a Beer and Wine Special Class C (Pier Diem) License for their Beer Fest (Rhythm and Brews) event on April 15, 2023. Both applications were reviewed and met the requirements to be approved for an event license. There being no objections, on a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved both applications as presented.

At 12:08 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, and the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Wednesday, March 8, 2023, at 10:00 a.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