

**THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND
AGENDA**

February 15, 2022

6:00 PM Call to Order/Pledge of Allegiance/Moment of Silence

Meeting Announcements

Building is Open for In-Person Attendance, for Remote Participation Dial 1-872-239-8359,
Conference ID 798 245 071#

Consent Items

- #1 - Public Hearing Minutes, February 1, 2022
- #2 - Regular Session Minutes, February 8, 2022
- #3 - Liquor Minutes, February 8, 2022
- #4 - Olde Kent Quilters Guild, Raffle Only, November 15, 2022

Special Class C Licenses

Galena Volunteer Fire Company, Inc., Beer, Wine, and Liquor, Multiple Event License
Tim Kern Memorial Fund, Beer Only, March 26, 2022

Appointments

Jim Smith
Proposed Change to Hunting Regulations

County Attorney

Thomas N. Yeager, County Attorney
Legislative Session Protocol

Legislative Session

Bill Mackey, Director, Planning, Housing and Zoning
Third Reading Code Home Rule Bill No. 1-2022 Primary Residence Located on a New
Lot Created by a Bona Fide Intrafamily Transfer, Consider for a Vote

American Rescue Plan Act Funds

American Rescue Plan Act (ARPA) Funds Spend Plan

Human Resources Director

Grants Manager - Commissioners Office
Grants Manager Vacancy

Kent Alcohol and Tobacco Enforcement KATE

Sondra M. Blackiston, Clerk/KATE Manager

License Update

Sondra M. Blackiston, Clerk/KATE Manager

License Updates

Public Comment/Media Review

Procedures for Public Comment

For Your Information

Harris P. Murphy, Associate Judge, Circuit Court for Kent County

Thank You Letter

Andy Fish, Senior Director, Office of Finance Programs, Maryland Department of Commerce

Initial Allocation of 2022 Private Activity Bonds for Maryland Jurisdictions

State of Maryland Public Service Commission

Morgnec Road Solar, LLC, Appeal

Contingency Fund

Contingency and Use of Fund Balance Report

P. Thomas Mason on behalf of Bradley Morris, President, Board of Directors, Kent Ag Center, Inc.

Request of Funds to Complete Pavilion Project

(Meetings are conducted in Open Session unless otherwise indicated. All or part of County Commissioners' meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the Commissioners. Breaks are at the call of the President. Please note that times listed for specific items on the agenda are only estimates, and that the order of agenda items may change as time dictates or allows. Meetings are subject to audio and video recordings.)



**Building is Open for In-Person Attendance, for Remote Participation
Dial 1-872-239-8359, Conference ID 798 245 071#
2/15/2022
County Commissioners Meeting**



**#1 - Public Hearing Minutes, February 1, 2022
2/15/2022
County Commissioners Meeting**

ATTACHMENTS:

Description



**#2 - Regular Session Minutes, February 8, 2022
2/15/2022
County Commissioners Meeting**

ATTACHMENTS:

Description



**#3 - Liquor Minutes, February 8, 2022
2/15/2022
County Commissioners Meeting**

ATTACHMENTS:
Description



**#4 - Olde Kent Quilters Guild, Raffle Only, November 15, 2022
2/15/2022
County Commissioners Meeting**

ATTACHMENTS:

Description

1-2022 Olde Kent Quilters Guild, Raffle Only, February 15 - November 15, 2022, Application

Permit#

1-2022

MULTIPLE GAMING DEVICE AND RAFFLE PERMIT APPLICATION

Pursuant to the provisions of the Annotated Code of Maryland, Criminal Law §§ 13-1701 to 13-1706.

Name of Organization:	Olde Kent Quilters Guild		
Address of Organization:	c/o Lisa Fields 1201 Goldsboro Rd. Barclay, MD 21607		
Telephone:	(410)	708-1554	
Is the organization formed or located in Kent County?	☒ Yes		
Does the organization serve the residents of Kent County?	☒ Yes	No	
Is this organization tax exempt under the provisions of the Internal Revenue Code?	Yes	☒ No	
Tax Exempt Number:			

Person responsible for complying with permit regulations and requirements:

Name: Lisa Fields

Address: 1201 Goldsboro Rd. Barclay, MD 21607

E-Mail: LMFIELDS61@GMAIL.COM

Telephone: (410) 708-1554

Type of permit sought: ☒ Raffle Only () Combined gaming devices used in a single fund-raising event

Location address of fund-raising affair: Presbyterian Church - 905 Gateway Dr. (Quilt Show 4/29-4/30)

First Friday(s) - Rock Hall Fall Fest,

Farmer's Market (to be decided), Other events in Kent County.

Are these premises owned, leased, or regularly occupied by the organization named above? Yes ☒ No

Date(s) of fund-raising: The Church for monthly meetings. Beginning upon receipt of permit.

Date and Time of Drawing: Tuesday, November 15, Begin at: 7:00 p.m. End at:

If you are seeking a permit authorizing only a raffle that is not conducted in combination with other gaming activity, please sign below.

If, however, you are seeking to conduct a fund-raiser using more than one gaming activity in a single event, please complete the following page.

Signature of person completing this application: Lisa Marie Fields

Please Select One:

- ☐ Pick Up
- ☒ Mail Permit (will be mailed to person responsible)



**Galena Volunteer Fire Company, Inc., Beer, Wine, and Liquor, Multiple
Event License
2/15/2022
County Commissioners Meeting**

ATTACHMENTS:

Description

4746 Galena Volunteer Fire Company, Inc., Application

4746

FIRE COMPANY APPLICATION FOR A SPECIAL CLASS "C" (MULTIPLE EVENT) LICENSE

Application is made by the undersigned under the provisions of Sections 4-1202, 4-1208, 24-503, 24-1301, 24-1307, 24-1309 and 24-1310 of the Alcoholic Beverage Article, for a Special Class C (Multiple Event) License.

Permit includes: Beer, Wine, and Liquor Sales

We submit and certify to the following information and statements as required.

1. The Fire Department/Company on behalf of which the license is desired:

Galena Vol. Fire Co. Inc

Address 90 East Cross St, P.O Box 189, Galena MD 21635

Select **One** and Initial your choice:

Twelve (12) Events per Year (\$200.00) ☒

Initial selection: EKO

Twenty-four (24) Events per Year (\$400.00) ☐

Initial selection: ☐

2. This function is operated on Fire Department/Company grounds and is exclusively for the Fire Department/Company.

3. The applicants are citizens of the United States, not less than twenty-one years of age, and have never been convicted of a felony.

4. The applicants have not had a license for the sale of alcoholic beverages revoked.

5. Have the applicants ever been adjudged guilty of violating the laws for the prevention of gambling in the State of Maryland and/or adjudged guilty of violating the laws governing the sale of alcoholic beverages in the State of Maryland or the United States? NO Yes or No

6. The applicants will, if granted a license, conform to all laws and regulations relating to the business with respect to which such license is desired.

7. The applicants submit herewith a statement duly executed and acknowledged by the owner of the premises in which the business is to be conducted, assenting to the granting of the license applied for, authorizing the Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners (if any) for the aforesaid County, its duly authorized agents and employees, and any peace officer of said county, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the premises where said business is to be conducted, at any and all hours.

Please Select One:

☐ Pick Up

☒ Mail Permit (will be mailed to above address)

8. Applicants

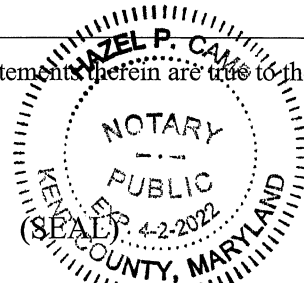
(1) Steve Bisbee 31673 Griffiths Drive Catonsville MD
 Name Residence
71 Years Pres. 410-708-8017 Steve Bisbee
 Length of Residence in Kent Co. Committee Title Phone No. (Signature of Applicant)

STATE OF MARYLAND

This certifies, that on the 8 day of February, 2022, before the subscriber, a Notary of the State of Maryland, personally appeared Steve Bisbee the applicant(s) named in the foregoing application and made oath in the due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and official seal.

Hazel P. Camp



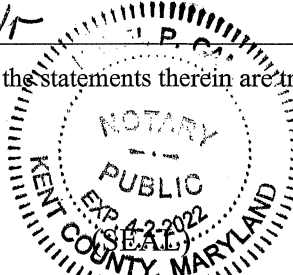
(2) John W. Duhamell Jr. 404 Jarman Ave Catonsville MD
 Name Residence
68 Years Vice President 410-708-7074 John W. Duhamell Jr.
 Length of Residence in Kent Co. Committee Title Phone No. (Signature of Applicant)

STATE OF MARYLAND

This certifies, that on the 8 day of February, 2022, before the subscriber, a Notary of the State of Maryland, personally appeared John W. Duhamell Jr. the applicant(s) named in the foregoing application and made oath in the due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and official seal.

Hazel P. Camp



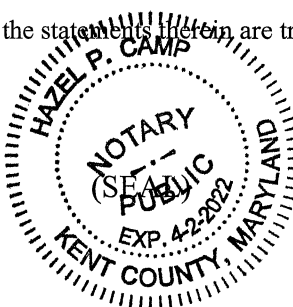
(3) Ethel K Duhamell 404 Jarman Ave Catonsville MD
 Name Residence
67 Years Treasurer 443-48-1749 Ethel K Duhamell
 Length of Residence in Kent Co. Committee Title Phone No. (Signature of Applicant)

STATE OF MARYLAND

This certifies, that on the 8 day of February, 2022, before the subscriber, a Notary of the State of Maryland, personally appeared Ethel K. Duhamell the applicant(s) named in the foregoing application and made oath in the due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and official seal.

Hazel P. Camp



STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH
ALCOHOLIC BEVERAGES LAWS OF MARYLAND

(I, WE) HEREBY CERTIFY, That (I am, we are) the owner(s) of the property named in the a foregoing application made to the aforesaid licensing authority for said county under the Alcoholic Beverages Laws of Maryland and assent to the granting of the license applied for, and hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners (if any) of said county, its duly authorized agents and employees, and any peace officer of such county, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

Steve Bisbee Signature (s)

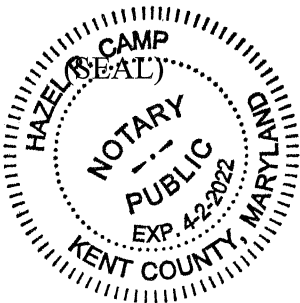
Steve Bisbee Print Name

STATE OF MARYLAND, County of Kent:

THIS CERTIFIES, that on the 8 day of February, 2022,
before the subscriber, a Notary of the State of Maryland, personally appeared Steve Bisbee
Steve Bisbee and acknowledged the execution of the foregoing
statement to be a true act.

WITNESS my hand and official seal.

Hazel P. Camp



The Board of License Commissioners of Kent County

P. THOMAS MASON
PRESIDENT
CHESTERTOWN, MD

RONALD H. FITHIAN
MEMBER
ROCK HALL, MD

ROBERT N. JACOB, JR.
MEMBER
WORTON, MD

R. Clayton Mitchell, Jr.
Kent County Government Center
400 High Street
Chestertown, Maryland 21620
TELEPHONE 410-778-7435

www.kentcounty.com/alcoholic-beverage

SHELLEY L. HELLER
COUNTY ADMINISTRATOR

THOMAS N. YEAGER
COUNTY ATTORNEY

BRANDON MCFAYDEN
INSPECTOR

SPECIAL CLASS "C" (MULTIPLE EVENT) LICENSE AFFIDAVIT

In applying for this Special Class "C" (Multiple Event) License it is important that you realize the responsibility that goes with the issuance of the license. All persons using this license as authorized under Sections 4-1202, 4-1208, 24-503, 24-1301, 24-1307, 24-1309 and 24-1310 of the Alcoholic Beverages Article of the Annotated Code of Maryland are covered by all the laws regarding the sale and consumption of alcoholic beverages. Special care should be taken to be sure the following edicts are adhered to:

1. All persons must be 21 years of age or older to sell, purchase, or consume an alcoholic beverage.
2. All sales and the consumption of alcohol must stop promptly at 2:00 a.m.
3. No intoxicated person shall be served any alcoholic beverages.
4. No unnecessary noise or disturbance that could be a nuisance to the community shall occur.
5. The person(s) responsible for the function must see that order and decorum are kept at all times.
6. The application must be completed by three committee members; one member must be a Kent County resident.
7. License must be prominently displayed at the location where alcohol is being served. Failure to comply with the laws of the State of Maryland may make the responsible person(s) subject to a fine.

This license may **ONLY** be issued to a Fire Department/Company. This license shall not be transferred or reassigned.

Cost of a Special Class "C" Multiple Event License is: **Twelve (12) Events per Year \$200.00 OR Twenty-four (24) Events per Year \$400.00** Make checks payable to: **The County Commissioners of Kent County**, along with the completed application.

Name of Fire Department/Company Galena Volunteer Fire Co. Inc.

Address 90 East Cross St. P.O. Box 189, Galena MD.

Name Ethel K Duhamell Phone # 410-648-5267, 5050

(Please Print)

Ethel K Duhamell

(Signature)

Date 2-7-2022



County Commissioners
Office

Date 2-9-22 LL



**Tim Kern Memorial Fund, Beer Only, March 26, 2022
2/15/2022
County Commissioners Meeting**

ATTACHMENTS:

Description

4747 Tim Kern Memorial Fund, Application

APPLICATION FOR A SPECIAL CLASS "C" (PER DIEM) LICENSE

4747

Application is made by the undersigned under the provisions of Sections 4-1202, 4-1208, 4-1209, 24-503, 24-1301, 24-1307 and 24-1308 of the Alcoholic Beverages Article, for a Special Class C (Per Diem) License.

Check One: ☒ Beer ☐ Beer and Wine ☐ Beer, Wine, and Liqueur

We submit and certify to the following information and statements as required.

1. The club, society or association on behalf of which the license is desired: Tim Kern Memorial Fund

Hopkins Hunting and Sporting Clays

Address 13003 Turners Creek Rd. Kennedyville, Md 21645

Type of Function Clay Shoot

Location of Function On Site

2. This function is operated exclusively for a religious, fraternal, civic, veterans', or charitable organization, association, club, or society; or hospital supporting organization.

3. The applicants are citizens of the United States, not less than twenty-one years of age, and have never been convicted of a felony.

4. The applicants have not had a license for the sale of alcoholic beverages revoked.

5. Have the applicants ever been adjudged guilty of violating the laws for the prevention of gambling in the State of Maryland and/or adjudged guilty of violating the laws governing the sale of alcoholic beverages in the State of Maryland or the United States? ____ Yes or No

6. The applicants will, if granted a license, conform to all laws and regulations relating to the business with respect to which such license is desired.

7. The applicants submit herewith a statement duly executed and acknowledged by the owner of the premises in which the business is to be conducted, assenting to the granting of the license applied for, authorizing the Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners (if any) for the aforesaid County, its duly authorized agents and employees, and any peace officer of said county, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the premises where said business is to be conducted, at any and all hours.

8. The license for which this application is made is to be for the following day(s) March 26, 2022.
Begin at: 12:00 End at: 6:00 pm and the applicant tenders herewith the sum of (\$ 5.00 Per Diem) (\$ ____)
in payment for the license.

Please Select One:

☒ Pick Up 443 460 3866

☐ Mail Permit (will be mailed to above address)

9. Applicants

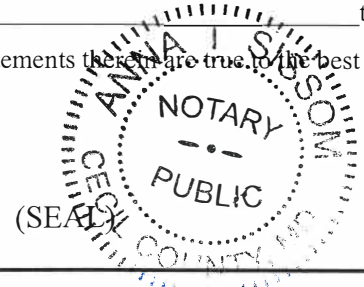
① Meryl A. Kern 405 River Rd. Chestertown, Md 21620
Name Residence
President 443-480-3966 Meryl A. Kern
Length of Residence in Kent Co. Committee Title Phone No. (Signature of Applicant)

STATE OF MARYLAND

This certifies, that on the 21st day of January, 2022, before the subscriber, a Notary of the State of Maryland, personally appeared Meryl A. Kern the applicant(s) named in the foregoing application and made oath in the due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and official seal.

Anna T Sissom



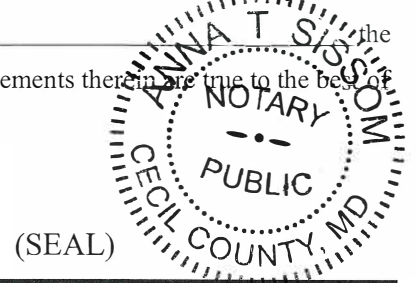
② Lori Kern 27298 Margrec Rd. Chestertown, Md 21620
Name Residence
26 years Committeeman 410-778-9008 Lori Kern
Length of Residence in Kent Co. Committee Title Phone No. (Signature of Applicant)

STATE OF MARYLAND

This certifies, that on the 21st day of January, 2022, before the subscriber, a Notary of the State of Maryland, personally appeared Lori Kern the applicant(s) named in the foregoing application and made oath in the due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and official seal.

Anna T Sissom



③ Michelle E Christopher 202 Walnut St. Pidgeon, Md. 21660
Name Residence
Committee Man 410-924-8169 Michelle E Christopher
Length of Residence in Kent Co. Committee Title Phone No. (Signature of Applicant)

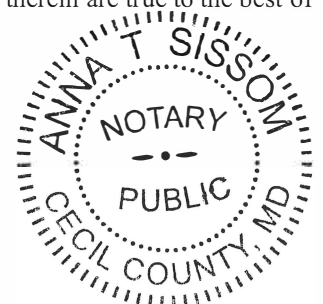
STATE OF MARYLAND

This certifies, that on the 21st day of January, 2022, before the subscriber, a Notary of the State of Maryland, personally appeared Michelle E Christopher the applicant(s) named in the foregoing application and made oath in the due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and official seal.

Anna T Sissom

(SEAL)



**STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH
ALCOHOLIC BEVERAGES LAWS OF MARYLAND**

(I, WE) HEREBY CERTIFY, That (I am, we are) the owner(s) of the property named in the a foregoing application made to the aforesaid licensing authority for said county under the Alcoholic Beverages Laws of Maryland and assent to the granting of the license applied for, and hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners (if any) of said county, its duly authorized agents and employees, and any peace officer of such county, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

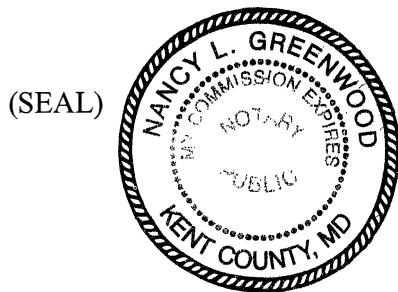
George B Hopkins Signature (s)

George B Hopkins Print Name

STATE OF MARYLAND, Kent County:

THIS CERTIFIES, that on the _____ day of _____, 20____,
before the subscriber, a Notary of the State of Maryland, personally appeared _____
George B Hopkins and acknowledged the execution of the foregoing
statement to be a true act.

WITNESS my hand and official seal.



Nancy L Greenwood
My Commission expires
3/21/2025

The Board of License Commissioners of Kent County

P. THOMAS MASON
PRESIDENT
CHESTERTOWN, MD

RONALD H. FITHIAN
MEMBER
ROCK HALL, MD

ROBERT N. JACOB, JR.
MEMBER
WORTON, MD

R. Clayton Mitchell, Jr.
Kent County Government Center
400 High Street
Chestertown, Maryland 21620
TELEPHONE 410-778-7435

www.kentcounty.com/alcoholic-beverage

SHELLEY L. HELLER
COUNTY ADMINISTRATOR

THOMAS N. YEAGER
COUNTY ATTORNEY

BRANDON MCFAYDEN
INSPECTOR

SPECIAL CLASS "C" (PER DIEM) LICENSE AFFIDAVIT

In applying for this Special Class "C" (Per Diem) License it is important that you realize the responsibility that goes with the issuance of the license. All persons or groups using this license as authorized under Sections 4-1202, 4-1208, 4-1209, 24-503, 24-1301, 24-1307, and 24-1308 of the Alcoholic Beverages Article of the Annotated Code of Maryland are covered by all the laws regarding the sale and consumption of alcoholic beverages. Special care should be taken to be sure the following edicts are adhered to:

1. All persons must be 21 years of age or older to sell, purchase, or consume an alcoholic beverage.
2. All sales and the consumption of alcohol must stop promptly at 2:00 a.m.
3. No intoxicated person shall be served any alcoholic beverages.
4. No unnecessary noise or disturbance that could be a nuisance to the community shall occur.
5. The person(s) responsible for the function must see that order and decorum are kept at all times.
6. The application must be completed by three committee members; one member must be a Kent County resident.
7. License must be prominently displayed at the location where alcohol is being served. Failure to comply with the laws of the State of Maryland may make the responsible person(s) subject to a fine.

This license may be issued to a religious, fraternal, civic, veterans', or charitable organization, association, club, or society; or hospital supporting organization. This license shall not be transferred or reassigned.

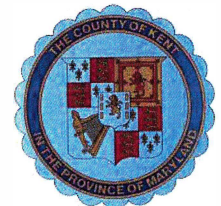
Cost of a Special Class "C" Per Diem License: **Beer \$5.00, Beer and Wine \$15.00, and Beer, Wine, and Liquor \$25.00.** Make checks payable to: **The County Commissioners of Kent County**, along with the completed application.

Name of organization, club, etc. Tim Kern Memorial Fund

Address 860 Washington Ave. Chestertown Md 21620

Name Meryl A. Kern Phone # 443-480-3866
(Please Print)

Meryl A. Kern Date 1/19/22
(Signature)



County Commissioners

Office

Date 01/27/22
SMS



Jim Smith
2/15/2022
County Commissioners Meeting

Item Summary:

Proposed Change to Hunting Regulations

ATTACHMENTS:

Description

02.15.22 Jim Smith, Proposed Change to Hunting Regulations, Bow Hunters Signatures and Addresses

ATTENTION KENT COUNTY BOW HUNTERS

We the undersigned are archery hunters in Kent County Maryland.

We are asking the Kent County Commissioners, MD Dept. of Natural Resources and our State Delegate to reduce the 150 yard set back - buffer - between an occupied dwelling and an archery or (bow) hunter and his stand.

We are asking for this because other counties have a buffer of 50 yards to 75 yards from an occupied dwelling. Most of these counties are on the western shore are more densely populated. The deer tend to move into housing developments causing health, safety and overpopulation problems.

We are asking for this reduction of distance to help reduce the population in the subdivisions and to increase the hunting opportunities for archery hunters.

All hunting in this zone will be conducted from elevated stands or blinds.

County Commissioners

Office

Date 02/10/22

SM B

CHARLES MINISTERO 5772 Johnson Town RD CHESTER TOWN MD 21620
Carnell Thompson 6210 Rock Hall Rd, Rock Hall Md 21667
Lis E Lutz 105 School Rd Chertown, Md 21620
JEFFREY D. CARROLL 27335 MARBLE ROAD CHESTER TOWN MD 21620
VICTOR BOWMAN 6209 Knolls Ct Elkridge MD 21029
Matt Bogusz 9085 Port Lane Chester Town MD 21620
W MICHAEL GOSMAN 8690 ORCHARD DR CHESTER TOWN MD 21620
Luis Phillips 27764 Lumb's Meadow Rd
RALPH MILLER 11600 ST JAMES RD WORTON MD 21678
RANDALL SWAIN 7658 ALTONA BEACH RD GLEN BURNIE MD 21060
Randy Swain Jr. 1221 Kimberly Lane Glen Burnie md 21061
Kerung Middleton 21289 Fithian Dr, Rock Hall md 21661
FRANCIS L MCGINNIS 114 CEDAR ST CHESTER TOWN MD 21620
Susan McAnin 114 CEDAR ST CHESTER TOWN MD 21620
Pete Bigelow 6722 GRACKER NECK BL CHESTER TOWN MD 21620

NAME

ADDRESS

21678

Zena Moore

25351 Jeffery Dr Worton

~~Mike Parker Jr.~~

2809 Sudlersville MD 21668

Scott Fleming

425 White Marsh Rd Centreville MD 21617

MICHAEL GOSMAN

8690 ORCHARD DR. CHESTERTOWN MD

JAN J.L. ALFRO 21094 TOWN C. TOWN 21620 '21620

Bobby Nickerson 8551 Brind Rock Rd Chestertown MD

~~Paul W.~~ 853 Harmony Way Centreville, MD 21617

Jan Coll 620 Ten Pond Farm Ln Queenstown 21658

Matthew Whaley 101 Chestnut Lane Queenstown MD 21658

Jeny Davidson 601 Redlin Br. Rd. Millington MD 21651

Brian Hahn 39 Austin Way, CENTREVILLE, MD 21617

Matt Reed - Kent Island

Andrew Williams 421 Dean Rd Centreville MD

Michael Schaefer

511 P. and P. Farm Lane Queenstown MD

Nancy Morton

116 Holden Farm Ln Queenstown MD 21658

Name

Address

Russ Parson

5665 Main St Rock Hill, MD

Tom GARDNER

12370 GARDNER RD GREENSBORO

RON GEIB

219 HAYDEN RD. CENTREVILLE

JEFFREY DAVID CARROLL

27335 MARVEL ROAD CHESTERDOWN MD 21620

Ken Schrock

Ken Schrock

16090 OAK LANE RD 21680

Richard Rodwin

5227 Bunchy Rd Balt, Md 21207

James H Smith

POB 583 Chestertown, Md 21620

Dorinda L. Hilton

694 JORDAN DR CLAYTON DEL

Graig Compton

6967 Quaker NK RD 19938
Chesapeake, MD 21520

Name

Address

~~pythian~~ 205 ~~King~~ ~~road~~ Ed Millingtons MD 2105

~~Mike SHAWHAN~~ 31658 WEST EDGE RD MILLINGTON MD

Richard Lindsay 21651

~~W. H. H. H.~~ 60ches haven Rd Eorleville md
21919

Richard Breckenridge 1202 N Farmview DR
Dover DE 19904

Katie Peel 809 W. creek LN.
Middletown DE 19709

Shawn Ridgeway 32 Hutcha Alley
Leipsic, DE 19901

Keith McGowan 33 Hillburt CT
Dover DE 19904

Bob Romxox 7823 CHESTERFIELD way
Rosedale MD. 21237

Mark Alexander 1002 George Ave.
BATHO. Md. 21221



Thomas N. Yeager, County Attorney
2/15/2022
County Commissioners Meeting

Item Summary:

Legislative Session Protocol

ATTACHMENTS:

Description



Bill Mackey, Director, Planning, Housing and Zoning

2/15/2022

County Commissioners Meeting

Item Summary:

Code Home Rule Bill 1-2022 would amend Chapter 222, Zoning, of the County Code of Kent County, Maryland, also known as the Kent County Land Use Ordinance, to add a new provision to allow for bona fide intrafamily transfers in the Rural Character district and to add a definition for immediate family.

On November 16, 2021, the Board of County Commissioners adopted Resolution No. 2021-17, including Exhibit A that provides the text for CHR 10-2021. A copy of the Resolution and the CHR are attached.

On December 2, 2021, the Kent County Planning Commission held a public hearing and reviewed the proposed CHR 1-2022. The Planning Commission voted favorably for the proposed change with recommendations for amendments to the proposed text that §15. E be simplified to state that maximum lot size be two acres and to amend Article XI, Section 2 to add the State's definition of immediate family. Per Md. Ann. Code., Nat. Resources, Sec. 8-1801.2, related to Intrafamily transfers, "Immediate family" means a father, mother, son, daughter, grandfather, grandmother, grandson, or granddaughter. A letter from the Planning Commission is attached. No member of the public spoke at the public hearing.

On January 4, 2022, the Board of County Commissioners introduced CHR 1-2022 including the changes that were recommended by the Planning Commission. A review of the proposed revisions recommended by the Planning Commission with the other sections in the Land Use Ordinance that address intrafamily transfers was requested.

- The proposed simplification of lot size to a maximum of two acres is already contained in the provisions under Employment Center and the Industrial zoning districts. The Planning Commission recommendation has the effect of making the provisions match. RCD does include a lot size limit beyond the range provided (two lots at seven up to 12 acres, and three lots at 12 up to 60 acres). Since the provisions for RCD are part of the Critical Area regulations, change is not recommended.
- The proposed definition would apply to all intrafamily transfers and incorporates State language.

On February 1, 2022, the Board of County Commissioners held a public hearing. A member of the public spoke in support of the proposed legislation with suggested amendments to eliminate the two-acre limit, address properties over 60 acres in size, and add additional relatives to the definition of immediate family. Also, the speaker advocated for a five-year sunset provision on the prohibition of resale to non-family members as part of the recommendation. A letter from the Bay Area Association of Realtors outlining the recommended amendments is attached.

On February 8, 2022, the County Commissioners held a discussion of the item and reviewed the public testimony received.

The item is presented tonight for third reading and potential adoption.

Staff recommends approval.

ATTACHMENTS:

Description

CHR Bill No. 1-2022 Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfers Legislation

BAAR Testimony CHR 1-2022

Planning Commission Letter re ZTA Intrafamily in RC

THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

January 4, 2022
Legislative Session Day

Legislative Session Day
January 4, 2022

CODE HOME RULE
BILL NO. 1-2022

INTRODUCED BY: P. Thomas Mason, President of the Board of County Commissioners for Kent County, Maryland.

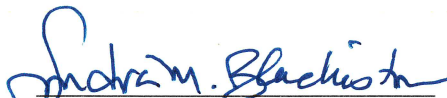
AN ACT to amend Article V. District Regulations, Section 3. Rural Character District, § 3.2 Permitted Principal Uses and Structures, by adding a new number 15. Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfers in accordance with these Regulations, in order to allow for two-acre parcels to be created for bona fide intrafamily transfers in the Rural Character zoning district and to amend Article XI. Definitions, Section 2., in order to add a definition for "Intrafamily Transfers, Immediate Family Member".

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND


P. Thomas Mason, President

INTRODUCED, read the first time, January 4, 2022, ordered posted and public hearing scheduled February 1, 2022, at 6:00 p.m. in the County Commissioners Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland.

By order of:


Sondra M. Blackiston, Clerk

PUBLIC HEARING

HAVING been posted and notice of time and place of hearing and copies having been made available to the public and the press, a public hearing was held on February 1, 2022. Reported favorably ~~with~~ [without] amendments; read a second time and ordered to be considered on February 15, 2022, a legislative session day.

**A BILL ENTITLED CHR 1-2022 PRIMARY RESIDENCE LOCATED ON A NEW LOT
CREATED BY A BONA FIDE INTRAFAMILY TRANSFER**

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF
KENT COUNTY, MARYLAND** that the Kent County Land Use Ordinance is hereby amended
as follows:

**ARTICLE V.
DISTRICT REGULATIONS**

SECTION 3. RURAL CHARACTER DISTRICT

...

3.2 PERMITTED PRINCIPAL USES AND STRUCTURES

A building or land shall be used for only the following purposes.

1. Agriculture including horticultural, hydroponics or general farming, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs.

...

14. Mobile homes existing and in use as of January 16, 1996 may be continued in use and may be replaced with another mobile home, provided the replacement mobile home complies with the Kent County Codes and all Health Department regulations. It is not the intent of this provision to allow additional mobile homes in the County, but rather to allow the continued use and improvement (including replacement) of mobile homes, existing as of January 16, 1996. A mobile home that remains idle or unused for a continuous period of two years shall not be used again except in conformity with these regulations.

- 15. PRIMARY RESIDENCE LOCATED ON A NEW LOT CREATED BY A BONA FIDE INTERFAMILY TRANSFER IN ACCORDANCE WITH THESE REGULATIONS.**

- A. THE OWNER OF THE PARCEL SHALL ATTEST, IN WRITING, TO THE BONA FIDE FAMILY RELATIONSHIP AND THAT THE INTENT OF THE SUBDIVISION/USE IS NOT FOR ULTIMATE TRANSFER TO A THIRD PARTY.**

- B. ANY DEED FOR A LOT THAT IS CREATED BY A BONA FIDE INTRAFAMILY TRANSFER SHALL CONTAIN A COVENANT STATING THAT THE LOT IS CREATED SUBJECT TO THE PROVISIONS OF THIS**

SECTION AND THAT THE PROVISIONS OF THIS SECTION SHALL CONTROL AS LONG AS THE PROPERTY CONTINUES TO BE ZONED RURAL CHARACTER.

- C. A LOT CREATED BY A BONA FIDE INTRAFAMILY TRANSFER MAY NOT BE CONVEYED SUBSEQUENTLY TO ANY PERSON OTHER THAN A MEMBER OF THE OWNERS IMMEDIATE FAMILY EXCEPT UNDER THE FOLLOWING PROCEDURES:

THE KENT COUNTY PLANNING COMMISSION SHALL DETERMINE THAT:

- I. THE LOT WAS CREATED AS A PART OF BONA FIDE INTRAFAMILY TRANSFER AND NOT WITH THE INTENT OF SUBDIVIDING THE ORIGINAL PARCEL OF LAND FOR PURPOSES OF ULTIMATE TRANSFER TO A THIRD PARTY; OR
- II. THE OWNER OF THE TRANSFERRED PROPERTY DIES; OR
- III. A CHANGE OF CIRCUMSTANCES HAS OCCURRED SINCE THE ORIGINAL TRANSFER WAS MADE THAT IS CONSISTENT WITH THE INTENT OF THIS ORDINANCE.

- D. THIS SUBSECTION SHALL NOT PREVENT THE CONVEYANCE OF SUCH A LOT TO A THIRD PARTY AS SECURITY FOR A MORTGAGE OR DEED OF TRUST OR SUBSEQUENT CONVEYANCES RESULTING FROM A FORECLOSURE.

- E. THE MAXIMUM LOT SIZE SHALL BE TWO (2) ACRES.

- F. LAND SHALL BE SUBDIVIDED AS INDICATED:

- I. A PARCEL THAT IS SEVEN (7) ACRES OR MORE AND LESS THAN TWELVE (12) ACRES IN SIZE MAY BE SUBDIVIDED INTO TWO (2) LOTS; OR
- II. A PARCEL THAT IS TWELVE (12) ACRES OF MORE AND LESS THAN SIXTY (60) ACRES IN SIZE MAY BE SUBDIVIDED INTO THREE (3) LOTS. THE LOTS MAY BE CREATED AT DIFFERENT TIMES.

- G. ANY DEED OR SUBDIVISION PLAT FOR A LOT CREATED BY A BONA FIDE INTRAFAMILY TRANSFER SHALL CONTAIN A STATEMENT THAT THE ADJACENT PROPERTY IS ZONED RURAL CHARACTER.

H. THE PARCEL IS CREATED FOR THE CONSTRUCTION OF A PRIMARY RESIDENCE ONLY; AND

I. THESE PROVISIONS APPLY TO THOSE INDIVIDUALS OWNING CURRENTLY RURAL CHARACTER ZONED LAND, WITH OWNERSHIP PRIOR TO DECEMBER 3, 2002.

ARTICLE XI.
DEFINITIONS

SECTION 2. DEFINITIONS

166. Intrafamily Transfers - A transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

166.5 INTRAFAMILY TRANSFERS, IMMEDIATE FAMILY MEMBER - A FATHER, MOTHER, SON, DAUGHTER, GRANDFATHER, GRANDMOTHER, GRANDSON, OR GRANDDAUGHTER

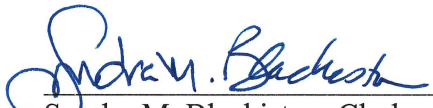
BE IT FURTHER ENACTED by the County Commissioners of Kent County that this Act shall take effect on the 25th day of February, 2022.

Read Third Time February 15, 2022

PASSED this 15th day of February, 2022

Failed of Passage _____

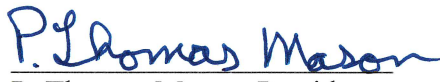
By order of:

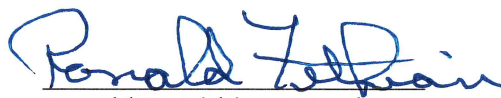

Sondra M. Blackiston, Clerk

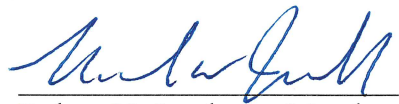
(SEAL)



THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND


P. Thomas Mason, President


Ronald H. Fithian, Member


Robert N. Jacob, Jr., Member

ORDERED a fair summary thereof of the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four-week period.

BILL NO. 1-2022

CAPITALS AND BOLD INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike-through~~ indicates matter deleted from existing law.



1712 Main Street, Ste. 230-C
Chester, MD 21619
(442) 249-3442
info@bayarearealtors.com
wick1dudley@gmail.com

Kent County Commissioners
400 High Street
Chestertown, MD 21620

Commissioners:

This letter of support for Code Home Rule Bill No. 1-2022, Intrafamily Transfers of New Lots to Family Members in the Rural Character Zoning District, is sent on behalf of the Bay Area Association of Realtors (BAAR).

BAAR's goals include strengthening and increasing property rights, and supporting policies which promote economic growth in Kent County. Expanding the permitted principal uses and structures for land in the Rural Character (RC) zone to include the ability of a new lot to be created for an immediate family member to build a primary residence would further these goals and policies.

On December 2, 2021, the Kent County Planning Commission voted to send a favorable recommendation to the County Commissioners for passage of this bill, but with amended language allowing for all such intrafamily transfers to create lots up to two acres, compared to one acre. BAAR equally recommends the passage of CHR 1-2022, but would go further to remove or loosen size limitations on the newly created lot(s). If an owner wishes to create a lot for a family member to build their primary residence in the RC zone, two acres is too small a maximum. The two-acre limitation seems arbitrary, and even conflicts with the RC zone's Statement of Intent in the County Land Use Ordinance.

That Statement of Intent opens with: "The purpose of this district is to provide for the market demand for rural lots, including *large* estate lots, in a manner that maintains rural character and in a location that minimize conflict with agriculture." Limiting the size of a new lot to only two acres in a rurally zoned district precludes the creation of large estate lots. In a rurally zoned district, two acres can hardly be considered a large lot. If a property owner wishes to calve off a parcel of land and transfer it to a family member for their primary residence, that

owner and family should be free to choose the size of the subordinate lot, at least up to half of the original parcel. Furthermore, a 2-acre limit precludes the possibility of the new lot from engaging in principal uses explicitly permitted in the County's Land Use Ordinance for the Rural Character zone, including agricultural uses and the keeping, dairying, and raising for sale of animals. Moreover, the adjacent Agricultural Zoning District, while currently limited by the County's "10% rule"—itself a questionable policy BAAR would like to see eliminated—has no such 2-acre limit for subdivisions. Simply put, the two-acre maximum feels arbitrary and inappropriately small considering the purpose of the RC district and size of some RC lots, which include parcels over 250 acres in size according to the County's interactive land use map.

Relatedly, section 15 (F) should have a third subsection added to address parcels larger than 60 acres. As written, the bill would allow parcels between 7 and 12 acres to subdivide into two lots, while parcels between 12 and 60 acres may subdivide into three lots. A third subsection should be added allowing for parcels over 60 acres to be subdivided four or more times. Furthermore, with the bill contemplating transferred lots having a maximum size of merely two acres, section 15 (F)(I) should permit parcels as small as four acres to subdivide. This comes back to BAAR's policy goal of strengthening ownership rights, including the right to transfer ownership, in this case to a bona fide family member. If the bill, as currently written, contemplates a maximum transferred lot of only two acres, then a parcel of four acres should be able to divide itself in half to create two lots.

Additionally, Section 15 (C) should be amended to include a time after the passing of which, the transferee would not need to seek Planning Commission approval to convey the "new" lot outside of their immediate family. BAAR feels five years would be an appropriate such time period. Half a decade is certainly long enough to ensure that an owner will not subdivide their lot for the purpose or intent of their family quickly selling the new lot to a non-family member. But it is not such a long period of time that the covenant becomes overly restrictive and burdensome, as BAAR submits would be the case as currently written. Legitimate rationales other than death such as the loss of a job, deteriorating health, or the need to move out of the area should be reason enough to be permitted to sell a primary residence. BAAR therefore proposes that section 15 (C) be amended (in bold and strike through) to read:

"A lot created by a bona fide intrafamily transfer may not be conveyed subsequently to any person other than a member of the owner's immediate family **unless five years have passed from the date of transfer or except** under the following procedures:"

As a final point, the bill's definition of immediate family should be expanded to include spouses, aunt, uncles, cousins, siblings, and in-laws. Expanding the definition of immediate family will further one of the chief visions of the County's Comprehensive Plan: to provide a

variety of housing types to enrich the lives of County citizens and sustain a healthy community. If a parcel owner in the RC district can easily subdivide their lot to say a cousin, aunt, or uncle, it will be that much more likely the respective family member will be able to live and thrive here in Kent County, contributing to the region's economy and helping to make Kent a vibrant community.

Other than the above-described proposed amendments, BAAR is in full support of this bill. The bill has the added benefit of making the County's Land Use Code more uniform, as the bill would allow for intrafamily transfers as is already permitted in the Employment Center and Industrial District Zones. Accordingly, BAAR urges the County Commissioners vote to pass CHR Bill 1-2022, with the proposed changes described herein.

Sincerely,



Wick I. Dudley, Esq.
Local Government Affairs Director
Bay Area Association of Realtors
410-490-1793
Wick1dudley@gmail.com



Kent County Planning Commission
Department of Planning, Housing, and Zoning
400 High Street, Suite 130
Chestertown, MD 21620
410-778-7423 (voice/relay)

December 8, 2021

The Honorable P. Thomas Mason, President
Kent County Board of County Commissioners
400 High Street
Chestertown, MD 21620

RE: Zoning Text Amendment related to Intrafamily Transfers in the Rural Character zoning district

Dear President Mason:

At its December 2, 2021, meeting, the Kent County Planning Commission reviewed an application for the zoning text amendment to amend Article V. District Regulations, Section 3. Rural Character District, § 3.2 Permitted Principal Uses and Structures, by adding a new number 15. *Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfer in accordance with these Regulations*, in order to allow for one-acre parcels to be created for bona fide intrafamily transfers in the Rural Character zoning district.

Following discussion, the Planning Commission voted to make a favorable recommendation to add the proposed use to the Land Use Ordinance with the following recommendations for amendments to the proposed text:

- Amend "15 e" to be a maximum lot size of 2 acres.
- Amend Article XI, Section 2 to add the State's definition of immediate family

Per Md. Ann. Code., Nat. Resources, Sec. 8-1801.2, related to *Intrafamily transfers*, "Immediate family" means a father, mother, son, daughter, grandfather, grandmother, grandson, or granddaughter.

Sincerely,
Kent County Planning Commission

Kim Kohl
Chairman

cc: Shelley L. Heller, County Administrator



American Rescue Plan Act (ARPA) Funds Spend Plan 2/15/2022 County Commissioners Meeting

ATTACHMENTS:

Description

2-8-2022 ARPA Funds Commissioner's Report

**FY22 AMERICAN RESCUE PLAN ACT FUND
AS OF COMMISSIONER MEETING MINUTES DATED
2/8/2022**

AMERICAN RESCUE PLAN ACT FUND

DATE APPROVED	DEPARTMENT	AMOUNT APPROVED	DESCRIPTION
8/31/2021	Water & Wastewater Fund	\$ 275,000	Clariflocculator Replacement Project
9/21/2021	KC Local Management Board	112,800	Feed the Elderly
10/26/2021	Information Technology	67,429	AV System
10/26/2021	Information Technology	27,095	IT Software
11/30/2021	Health Department	179,458	Vaccination and testing efforts
12/14/2021	Information Technology	665,000	Neighborhood Grants & Infrastructure Grants Office of Statewide Broadband
1/11/2022	Water & Wastewater Fund	2,817	Change order #1 equipment and cabinet, Fairlee Clariflocculator Replacement Project
1/11/2022	Water & Wastewater Fund	90,642	Change order #2 Demo, aeration tower, Fairlee Clariflocculator Replacement Project
2/1/2022	Emergency Operations Center	14,087	A/V equipment in EOC-video conferencing
2/8/2022	Water & Wastewater Fund	110,065	SCADA Pump Station Monitoring
2/8/2022	Water & Wastewater Fund	57,500	Kent County Regional Wastewater Treatment Plant Feasibility Study-Millington/Rt 301
2/8/2022	Water & Wastewater Fund	52,910	Tolchester Wastewater Treatment Plant Influent Screen Replacement Project-design services
AMOUNT OF FUNDS COMMITTED		<u>\$ 1,654,803</u>	
AMOUNT OF ARPA FUNDS		<u>\$ 3,766,777</u>	
BALANCE OF ARPA FUNDS REMAINING		<u>\$ 2,111,974</u>	



Grants Manager - Commissioners Office
2/15/2022
County Commissioners Meeting

Item Summary:

Grants Manager Vacancy

ATTACHMENTS:

Description



Sondra M. Blackiston, Clerk/KATE Manager
2/15/2022
County Commissioners Meeting

Item Summary:

License Update

ATTACHMENTS:

Description

02.15.22 Memorandum, Great Oak Manor License Update

02.09.22 4675 Great Oak Manor, Surrendered License



Kent Alcohol and Tobacco Enforcement

To: Commissioners Mason, Fithian, and Jacob
From: Sondra M. Blackiston, Clerk/KATE Manager
Date: February 15, 2022
Subject: Great Oak Manor MD, LLC trading as Great Oak Manor

Memorandum

Harry "Buddy" Reed, Member, Great Oak Manor MD, LLC notified the KATE Office that Great Oak Manor was sold on February 4, 2022. I modified the requirements of a field inspection to complete the closeout process. On February 9, 2022, the new ownership surrendered the Class B, Beer, Wine, and Liquor Country Inn License No. 4675. No alcohol was found on the premises. The limited inventory was taken by Mr. Reed for personal use. The license is not eligible for a refund per Alcoholic Beverages Article §24-1408.

This transaction will be recorded in the monthly report of retail license activity given to the Comptroller of Maryland.



Office 02/09/22 No **4675**
Date SmS

STATE OF MARYLAND
ALCOHOLIC BEVERAGE LICENSE
BOARD OF LICENSE COMMISSIONERS OF KENT COUNTY

CLASS A

Beer, Wine, Liquor _____
Beer and Wine _____
Beer _____
Wine _____
BWL-Tasting _____
Beer, Wine, Liquor _____
Beer and Wine _____
Beer _____
Wine _____

CLASS B

Beer, Wine, Liquor _____
Beer and Wine _____
Beer _____
Bed and Breakfast (BWL) _____
Country Inn (BWL) X _____
Brewery (B) _____
Wine Shop and Lounge (W) _____
Caterer's Privilege _____
Other _____

CLASS C

Beer, Wine, Liquor _____

CLASS D

Beer, Wine, Liquor _____
Beer _____
Brewery (B) _____

SPECIAL CLASS C

_____ Beer _____ Beer and Wine _____ Beer, Wine, Liquor

Effective Date(s): _____ Cost: _____

This is to certify that: Harry E. Reed, Member
Michael R. Kuhn, Member
Jonathan Mason, Member

Corporate name: Great Oak Manor MD, LLC

is licensed by the STATE OF MARYLAND, to keep for sale and sell alcoholic beverages for the class indicated:

T/A: Great Oak Manor
Located: 10568 Cliff Road
Chestertown, MD 21620

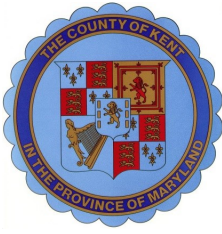
This license is issued under Authority of the Alcoholic Beverages Article of the Annotated Code of Maryland.

This license continues in force, unless revoked or suspended, until the last day of the month **April** **2022**

Cost of license **\$550.00** Registration no. **15888783**

Issued the 27th day of April, 20 21

Patricia Mendez
Kent County Chief Finance Officer



Sondra M. Blackiston, Clerk/KATE Manager
2/15/2022
County Commissioners Meeting

Item Summary:

License Updates

ATTACHMENTS:

Description

02.15.22 Memorandum, Bayside Market, Inc Bulk Transfer Complete

02.10.22 Bulk Transfer Permit BO-00627 Bayside Foods, Inc to Bayside Market, Inc.



Kent Alcohol and Tobacco Enforcement

To: Commissioners Mason, Fithian, and Jacob
From: Sondra M. Blackiston, Clerk/KATE Manager
Date: February 15, 2022
Subject: License Updates: Bayside Foods, Inc. and Bayside Market, Inc.

Memorandum

Bulk Transfer Permit No. BO-00627 was reviewed and validated on February 10, 2022. The transfer of alcoholic beverages held in inventory by Bayside Foods, Inc. d/b/a Bayside Foods to Bayside Market, Inc. d/b/a Bayside Market is complete.

This transaction will be recorded in the monthly report of retail license activity given to the Comptroller of Maryland.



Comptroller of Maryland

Revenue Administration Division
Licensing and Registration
Annapolis, Maryland

Permit No. BO -00627

Bulk Transfer Permit

THIS IS TO CERTIFY that

BAYSIDE FOODS INC dba BAYSIDE FOODS
21309 ROCK HALL AVENUE

ROCK HALL MARYLAND 21661

whose license has been canceled, transferred or otherwise discontinued, is authorized to transfer, within sixty (60) days subsequent to the last day the license was effective, alcoholic beverages held in inventory to;

BAYSIDE MARKET INC

21309 ROCK HALL AVENUE ROCK HALL MARYLAND 21661

in accordance with Article 2B of the Annotated Code of Maryland, and regulations thereunder.

For retail transactions - not valid until
completed: 02/10/2022

Date license cancelled/inactivated by
County/City Board of License Commissioners

Kent County, MD

License Jurisdiction

S. Blackiston

Initials

WITNESS the hand and official seal of the Comptroller of Maryland

this 28TH day of JANUARY , 2022

No. 10000123396

Comptroller of Maryland

This Permit is valid for one transfer only and shall expire in
accordance with provisions of Section 2-101 of Article 2B

* Original of this permit must be held at receiving entity location



Procedures for Public Comment 2/15/2022 County Commissioners Meeting

ATTACHMENTS:

Description

Procedures for Public Comment

02.15.22 Public Comments Sign In Sheet

BOARD OF COUNTY COMMISSIONERS OF KENT COUNTY PROCEDURES FOR PUBLIC COMMENT

In addition to public appearance, the meeting is also being held virtually, via teleconference and viewable on the County website at www.kentcounty.com/government.

It is our desire that everyone who wishes to comment be given a fair and uninterrupted opportunity to express their views to the County Commissioners during this public comment period.

- Comments will be limited to three (3) minutes in length.
- Comments longer than three (3) minutes will be required to be submitted in writing.
- The Board President will open the meeting to Public Comments, citizens are asked to state their name, address, and the topic of interest. Citizens are to ask that all views be expressed in a respectful and civil manner. The Board respects your desire and right to convey your message freely. We ask as a courtesy to the Board and our citizens that you respect the Commissioners' request to refrain from naming citizens and name calling when offering any critique.

The County staff will acknowledge each caller, in the order they called in, announce the last 4 digits of the phone number that was used to call in, and will ask the caller to unmute their phone allowing them to comment.

**PUBLIC COMMENTS
SIGN IN SHEET
February 15, 2022**

NAME (please print)	ADDRESS	TOPIC



Harris P. Murphy, Associate Judge, Circuit Court for Kent County
2/15/2022
County Commissioners Meeting

Item Summary:

Thank You Letter

ATTACHMENTS:

Description

02.15.22 Harris P. Murphy, Associate Judge, Circuit Court for Kent County, Thank You Letter, Appearance of Courthouse



The Second Judicial Circuit of Maryland

CIRCUIT COURT FOR KENT COUNTY

HARRIS P. MURPHY
ASSOCIATE JUDGE
COUNTY ADMINISTRATIVE JUDGE

COURT HOUSE
103 NORTH CROSS STREET
CHESTERTOWN, MARYLAND 21620
(410) 778-7440

February 1, 2022

Kent County Commissioners
400 High Street
Chestertown, MD 21620

Dear Commissioners:

Thank you for your letter of January 18, 2022 regarding staffing shortages and the cleaning of the courthouse. Hopefully my previous letter was not too terse in content or tone. I understand, and am mindful of, the challenges you face. However, there are many members of the local bar and general public in and out of the courthouse every day. Its appearance reflects on how both the courthouse and the county are managed. As confidence in, and respect for, our legal system are essential to an effective civil society, I take these issues very seriously. I know you do as well and appreciate your attention to this matter. I remain...

Very truly yours,



Harris P. Murphy

County Commissioners
Office

Date 2-3-22 LLC



**Andy Fish, Senior Director, Office of Finance Programs, Maryland
Department of Commerce**

2/15/2022

County Commissioners Meeting

Item Summary:

Initial Allocation of 2022 Private Activity Bonds for Maryland Jurisdictions

ATTACHMENTS:

Description

02.15.22 Andy Fish, Senior Director, Office of Finance Programs, Maryland Department of Commerce,
Private Activity Bonds 2022 Initial Allocation for Maryland Jurisdictions



Larry Hogan | Governor
Boyd Rutherford | Lt. Governor
R. Michael Gill | Secretary of Commerce
Signe Pringle | Deputy Secretary of Commerce

January 24, 2022

The Honorable P. Thomas Mason
President
Board of County Commissioners of Kent County
Kent County Government Center
400 High Street,
Chestertown, Maryland 21620

SUBJECT: Private Activity Bonds 2022 Initial Allocation for Maryland Jurisdictions

Dear Commissioner Mason:

Enclosed is the 2022 Private Activity Bonds Initial Allocation of the Maryland State Ceiling. This year's total allocation of \$678,164,190 is calculated from a population of 6,165,129 multiplied by \$110 per capita as stated in the Financial Institutions Article Section 13-801 through 13-807 of Maryland Code guidelines, in addition to the United States Tax Reform Act of 1986. Allocation is not a source of funding, but is the limit established for "Private Activity" tax-exempt bond issuances.

Pursuant to the law, Jurisdictions may use their housing allocations for non-housing bonds. The term used in the Tax Reform Act of 1986, "Private Activity" bonds is broad and may include general obligation bonds, leases, and other forms of tax-exempt financing. Bond counsel should be contacted to further explain the ramifications of the Tax Reform Act of 1986. Section 13-804 and other sections of the law require reporting the issuance of these bonds.

Before transferring unused allocation to another issuer, jurisdictions are encouraged to consult with Andy Fish, Senior Director, at 410-767-6376, email andy.fish@maryland.gov, or Rahel Kidane, Portfolio Accounting Specialist, at 410-767-6357, email rahel.kidane@maryland.gov. Notice of any intended transfer of allocation by Jurisdictions to another issuer should be reported to the Secretary of the Department of Commerce by August 31, 2022.

Sincerely,
DocuSigned by:

A68B3619AE77478...

Andy Fish

Senior Director, Office of Finance Programs

Enclosure

cc: Jamie Williams, Economic Development Coordinator
Kent County Government

County Commissioners
Office

Date 2-7-22 LL

DEPARTMENT OF COMMERCE**PRIVATE ACTIVITY BONDS
2022 INITIAL ALLOCATION****\$678,164,190****RECITALS**

Pursuant to Section 146 of the Internal Revenue Code of 1986 (the "Code"), the General Assembly of the State of Maryland passed Senate Bill 673 which is part of the Maryland Code, Financial Institutions Article, Sections 13-801 through 13-807. Capitalized terms not defined in this initial allocation have the meanings given them in the law.

Section 13-807 (A) (1) allows the Secretary of the Department of Commerce to make any and all allocations required or permitted by the law.

Section 13-802 of the law establishes formulas for allocation of the Maryland State Ceiling among Counties, Municipal Corporations, Community Development Administration and Secretary's Reserve, for the period from January 1st through September 30th of each year.

NOW THEREFORE, I, R. Michael Gill, Secretary of the Department of Commerce, do hereby allocate the amounts of the Maryland State Ceiling, a total of \$678,164,190 for the calendar year 2022 as follows:

1. Allocations to Counties. \$339,082,095 of the Maryland State Ceiling among all counties of the State of Maryland and the City of Baltimore (collectively, the "Counties" and individually a "County") in the following respective amounts.

Jurisdictions	Housing	Non-Housing	Bonus Non-Housing	Total
Alegany	2,602,716	892,360	223,090	3,718,165
Anne Arundel	22,628,683	7,758,406	1,939,601	32,326,690
Baltimore City	22,530,393	7,724,706	1,931,177	32,186,275
Baltimore Co.	32,879,347	11,272,919	2,818,230	46,970,495
Calvert	3,552,780	1,218,096	304,524	5,075,400
Caroline	1,262,415	432,828	108,207	1,803,450
Carroll	6,636,938	2,275,522	568,880	9,481,340
Cecil	3,974,047	1,362,530	340,633	5,677,210
Charles	6,395,389	2,192,705	548,176	9,136,270
Dorchester	1,233,078	422,770	105,692	1,761,540
Frederick	10,441,739	3,580,025	895,006	14,916,770
Garrett	1,089,666	373,600	93,400	1,556,665
Harford	10,026,209	3,437,557	859,389	14,323,155
Howard	12,774,839	4,379,945	1,094,986	18,249,770
Kent	719,758	246,774	61,694	1,028,225
Montgomery	40,889,349	14,019,205	3,504,801	58,413,355
Prince George's	37,217,873	12,760,414	3,190,103	53,168,390
Queen Anne's	1,900,784	651,697	162,924	2,715,405
Somerset	928,505	318,344	79,586	1,326,435
St. Mary's	4,361,049	1,495,217	373,804	6,230,070
Talbot	1,425,386	488,704	122,176	2,036,265
Washington	5,917,412	2,028,827	507,207	8,453,445
Wicomico	3,968,773	1,360,722	340,181	5,669,675
Worcester	2,000,345	685,832	171,458	2,857,635
	\$ 237,357,467	\$ 81,379,703	\$ 20,344,926	\$ 339,082,095

2. Allocation to Community Development Administration is \$169,541,048.
3. Allocation to Municipal Corporations is \$16,954,105.
4. Allocation to the Secretary's Reserve is \$152,586,942.
5. The Effective Date. The initial allocation shall take effect immediately.

I FURTHER CERTIFY under penalty of perjury that this Initial Allocation was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

WITNESS my official signature and seal as of this of 24th January 2022

DocuSigned by:

Mike Gill

A0FF1BFA58161B2...

R. Michael Gill
Secretary of Commerce

ATTEST:

DocuSigned by:

Andy Fish

A58B3019AE77478...

Andy Fish
Senior Director, Office of Finance Programs



State of Maryland Public Service Commission 2/15/2022 County Commissioners Meeting

Item Summary:

Morgnec Road Solar, LLC, Appeal

ATTACHMENTS:

Description

02.15.22 Leatrice Williams, Administrative Aide, State of Maryland Public Service Commission, Morgnec Road Solar, LLC, Case No. 9499

02.15.22 Title 20 Public Service Commission, Subtitle 07 Practice and Procedure, Chapter 02 Hearings and Investigations - Appeal Letter, Case No. 9499

JASON M. STANEK
CHAIRMAN

MICHAEL T. RICHARD
ANTHONY J. O'DONNELL
ODOGWU OBI LINTON
MINDY L. HERMAN



PUBLIC SERVICE COMMISSION

February 8, 2022

In the matter of the application of Morgnec Road
Solar, LLC for a Certificate of Public
Convenience and Necessity to construct a
45.0 MW solar photovoltaic generating facility in
Kent County, Maryland

*
*
*

Case No. 9499

VIA EMAIL

To All Parties of Record:

Pursuant to Section 3-113 of the Public Utilities Article, on January 7, 2022, Kent Conservation And Preservation Alliance and County Commissioners of Kent County noted an appeal with the Commission from the Proposed Order of Public Utility Law Judge filed in the above-entitled matter.

For your information, enclosed is a copy of the rule governing the filing of appeals from Proposed Orders of Hearing Examiners which is set forth in the *Code of Maryland Regulations* as COMAR 20.07.02.13.

Very truly yours,

/s/ Leatrice Williams

Leatrice Williams
Administrative Aide

lw
Enclosure

TITLE 20
PUBLIC SERVICE COMMISSION

Subtitle 07 PRACTICE AND PROCEDURE

Chapter 02 Hearings and Investigations

.13 Appeals From Proposed Orders of Public Utility Law Judges.

A. A Party noting an appeal to the Commission from a Proposed Order of Public Utility Law Judge shall, within 10 days after filing a Notice of Appeal, file with the Commission, and serve on all other parties, a Memorandum on Appeal. A Reply Memorandum may be filed in response to a Memorandum on Appeal within 20 days after the date of the filing of the Memorandum on Appeal. Further response will not be entertained unless the Commission orders otherwise.

B. Memorandum on Appeal.

- (1) A Memorandum on Appeal shall contain:
 - (a) A short statement of the case;
 - (b) A summary of the basic position of the party filing;
 - (c) The grounds upon which the appeal rests; and
 - (d) The argument in support of the appeal with appropriate references to the record and legal authorities.
- (2) In addition, a party may, in a Memorandum on Appeal, set forth proposed specific findings which it considers to be supported by the record in the proceedings. A Reply Memorandum shall generally follow the same style prescribed for a Memorandum on Appeal, but may omit a statement of the case if it was correctly stated in the Memorandum on Appeal.

C. A Memorandum on Appeal and a Reply Memorandum shall be self-contained and limited to 15 pages in length provided that for good cause the limitation on length may be altered or waived for either class of memorandum upon application to and order of the Commission within the time limit for filing of the respective memorandums. Nine copies of the Memorandum shall be filed with the Commission.

D. There shall accompany and be attached to each Notice of Appeal, Memorandum on Appeal, and Reply Memorandum a Certificate of Service stating that the document has been served on every other party to the proceeding.



Contingency and Use of Fund Balance Report 2/15/2022 County Commissioners Meeting

ATTACHMENTS:

Description

2-1-2022 Commissioner Report Contingency

[illegible]



**P. Thomas Mason on behalf of Bradley Morris, President, Board of
Directors, Kent Ag Center, Inc.**

2/15/2022

County Commissioners Meeting

Item Summary:

Request of Funds to Complete Pavilion Project

ATTACHMENTS:

Description

02.15.22 Bradley Morris, President, Board of Directors, Kent Ag Center, Inc., Request of Funds for 36x130 Pavilion

KENT AG CENTER
P.O. Box 386 Chestertown, MD 21620

February 13, 2022

Kent County Commissioners
400 High Street
Chestertown, Md. 21620

Dear Honorable Commissioners,

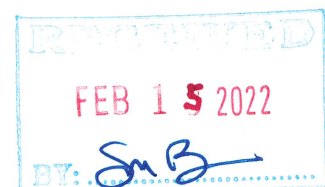
On behalf of the Board of Directors of the Kent Ag Center, I would like to thank you again for all of your help and support in the demolition of the Office and Rifle Range buildings. This would not of been possible without. .your support.

At our appearance at the December 14, 2021 meeting, we brought you an update on the progress of erecting a 36' X 130' pavilion the old Office building space. We have exhausted our building fund doing this and asked for your help in completing this project.

Per your request we have been able to obtain concrete numbers for the completion of this project, we have attached them for your review. Our apologies for the delay, the process to gather the cost has been extensive.

The floor of the old Office Building was left in place at the time of demolition. It has developed cracks, unevenness and does not reach all the way to the post of the new pavilion. This needs to be corrected to make the floor safe for the public. We looked at cutting out sections and repairing these, adding to the old floor to get to the post. This was very expensive due to increased labor costs. The least expensive way to correct these problems is to pour a new 4 inch thick floor over top of the old one. The new floor will have fiber in it to give it strength and bond to the old floor. We also need to pour 3 access ramps to make this building ADA compliant.

We chose the bid from Bay Shore Concrete and Stone, LLC. To pour the new floor for \$20,800 and the 3 access ramps for \$2,950.00.



We would like to install a white metal ceiling to help keep birds and buzzards from roosting in the rafters of this pavilion. We received an estimate of \$8,360.00 for labor and materials to install this from Piasecki Construction, LLC.. the builder of the pavilion.

Once we have these things done we need to wire it for electric and lights. We chose the bid from Kenneth Matthews Electric, Plumbing & HVAC for \$9,600.

These items total \$41,710.00.

We really appreciate all of your help so far in this project and any help you can give us to help finish it would be greatly appreciated. If you have any questions, please call me at 410-708-0731.

Sincerely,



Bradley Morris, President

Board of Directors

Kent Ag Center, Inc.

BAY SHORE CONCRETE & STONE, LLC
 7080 TOLCHESTER RD • ROCK HALL, MD 21661
 443-666-7164 • 610-324-4876

Tel # 410 708 0731 DATE 1/3 20 22

Name Brad Morris
 Address Ag center
Tolchester, md

QUAN	DESCRIPTION	PRICE	AMOUNT
	<u>Phase 1</u>		
-	<u>Form, Place and Finish Concrete Floor.</u>		
	<u>36'W x 132'L x 4" deep</u>		
	<u>4752 sq. Ft total</u>		
-	<u>4000 PSI concrete with Fiber</u>		
-	<u>Poly For Vapor Barrier</u>		
-	<u>LABOR & materials</u>	\$2080.00	

Estimate
ONLY

TAX
TOTAL \$2080.00

BAY SHORE CONCRETE & STONE, LLC
 7080 TOLCHESTER RD • ROCK HALL, MD 21661
 443-666-7164 • 610-324-4876

Tel # 410 708 0731 DATE 1/3 20 22

Name Brad Morris
 Address Ag center
Tolchester, md

QUAN	DESCRIPTION	PRICE	AMOUNT
	<u>Phase 2</u>		
-	<u>Remove concrete and Replace with concrete</u>		
	<u>3 handicap Ramps.</u>		
①	<u>9'W x 13'L x 4" deep</u>		
②	<u>4'W x 13'L x 4" deep</u>		
③	<u>4'W x 8'L x 4" deep</u>		
-	<u>201 sq. Ft total</u>		
-	<u>Form, place and Broom Finish For traction.</u>		
-	<u>4000 PSI concrete with Fiber</u>		
-	<u>LABOR & materials</u>	\$2950.00	

Estimate
ONLY

TAX
TOTAL \$2950.00



MHIC: 108577

1617 Peters Corner RD
Marydel, MD 21649
443-480-4002

Date: 1/10/2022

Customer: Kent Ag Center

Scope of work: Install white metal ceiling in 36x130 building and ~~30x40 building~~

Billing structure: 36x130 cost \$8,360.00

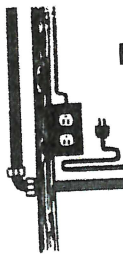
~~30x40 cost \$2,780.00~~

50% due up front for each task with remainder due upon completion

Hank Piasecki

**KENNETH W. MATTHEWS
ELECTRIC, PLUMBING, H.V.A.C.**

P.O. BOX 311
BETTERTON, MD 21610-0311
WILL 443-480-9587



Plumbing,
H.V.A.C

IN ACCOUNT

12	outlets	100	1200	
	6 circuits			
2	switches	100	200	
16	lights	200	3200	
	wire		1400	
	bots conduit fittings		600	
	Parts		6600	
	Labor		3000	
			9600	
CURRENT		OVER 30 DAYS	OVER 60 DAYS	TOTAL AMOUNT