

February 14, 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 in Turkey. Keep everyone in our prayers for they have suffered a tremendous loss.

Shelley L. Heller, County Administrator, and Thomas N. Yeager, County Attorney were 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 7, 2023
2. Liquor Minutes, February 7, 2023
3. Closed Session Minutes, February 7, 2023

CHOPTANK COMMUNITY HEALTH SYSTEM, INC.

Sara Rich, CEO, Choptank Community Health System (CCHS), Inc., presented a community update. Lucie Hughes, Director of Communications was also in attendance. CCHS is a private non-profit community health center providing medical, dental, and behavioral health care services for all ages in Caroline, Dorchester, Talbot, and now Kent County. CCHS participates with Medicare, Medicaid, and many local insurance plans. Patient financial assistance is also offered, including a sliding fee to those who do not have insurance and/or meet eligibility requirements. The public may contact Choptank Community Health, Chestertown Health Center, by calling 443-215-5353.

PUBLIC WORKS

Mike Moulds, Director, Public Works, presented a request to approve and sign a Deed of Dedication and to release an Irrevocable Letter of Credit No. 164 in the amount of \$134,711.00 for water and sewer improvements for the construction of the new Animal Care Shelter of Kent County (ACSKC) project. The building is located at 10168 Worton Road, Chestertown, MD. By a Public Works Agreement (PWA), the HSKC was required to post security in the form of a Letter of Credit (LOC) in the amount of \$134,711.00 for the construction of water and sewer extensions. Part of the improvement includes the extension of water and sewer lines along Route 297 to provide service to ACSKC and future development in the service area. These facilities are offered for dedication to the County along with an easement. The work has been completed under the approved plans and inspected by County staff. As-built record drawings have also been provided to the County. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved signing a Deed of Dedication for the water and sewer improvements to be owned and maintained by the County and the release of LOC No. 164, in the amount of \$134,711.00 for the water and sewer improvements. Mr. Yeager explained the Deed of Dedication will be submitted soon.

Mr. Moulds presented a request for a heavy-duty pickup truck through the County's Enterprise Fleet Management program. The Department has determined with the recent delivery of nine FY2022 heavy pickups that one of the vehicles had been double ordered by the vendor. Due to ongoing vehicle delivery delays, the Department is proposing to keep the vehicle as the FY2023 vehicle replacement for the 1994 Chevrolet pickup utilized by the Weed Control crew instead of returning the vehicle to Enterprise. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the lease quote for the replacement of the Public Works Department weed control vehicle. Enterprise Open-End (Equity) Lease Quote No. 5762897 was signed by President Fithian.

KENT FAMILY CENTER

Lisa Mazingo, Director of Kent Family Center (KFC), introduced Samantha Herr, Intern in the Social Work Program at Salisbury University. One of KFC's priorities is to grow the field of early childhood professionals, social workers, and family studies students. Partnerships with Salisbury University and Washington College have proven to be beneficial for the students and the staff of KFC. The Center provides programs and services to families with children from birth through five years of age with funds from Maryland Family Network, a community-based child abuse prevention agency, and the County Commissioners. KFC collaborates with many agencies to support family services and the needs of the community. Ms. Mazingo shared that the staff is looking into additional grants with the help of Grants Manager, Penny Young-Carrasquillo. Discussion took place.

ECONOMIC AND TOURISM DEVELOPMENT

Dawson Hunter, Housing and Transportation Coordinator, Economic and Tourism Development, and Ms. Young-Carrasquillo were present to discuss a joint project. In December 2022 the County submitted a Letter of Interest (LOI) to participate in the US Department of Transportation's Thriving Communities Program (TCP). In February 2023, based on the submitted LOI, the County received notification of being selected by the U.S. Department of Transportation as a finalist in the Fiscal Year 2022 TCP. In total, the U.S. Department of Transportation anticipates that its TCP will be able to fund and assist a minimum of 30 disadvantaged communities. Mr. Hunter has engaged in conversations with key community partners. Ms. Young-Carrasquillo explained the opportunities that could be available to assist Kent County's initiatives for transportation and housing. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to approve and sign the letter of commitment for the US Department of Transportation's TCP, as presented.

COUNTY ADMINISTRATOR

Police Accountability Board (PAB) Public Service Announcement: Shelley L. Heller, County Administrator advised the first PAB meeting is scheduled for February 22, 2023, at 3:30 p.m. in the Commissioners Hearing Room, 400 High Street, Chestertown, MD 21620.

Commission on Aging: Shelley L. Heller, County Administrator on behalf of Muriel Cole, Chairperson, Commission on Aging (COA), requested to change the Commission on Aging Bylaws by amending to the current bylaws. The process for an amendment may be proposed at any time by a motion made and seconded by any voting member at any regular meeting of the COA. The amendment shall be placed on the agenda and voted upon at the next meeting. A two-thirds vote of all members of the COA is necessary for approval. Amendments approved by the membership shall be subject to approval and adoption by the County Commissioners before becoming effective. The proposed change is to **Article IV – Officers. Section 3.** Members of the Commission may not hold more than one Commission office at a time. The Chairperson and Vice Chairperson may not serve more than two consecutive terms in any one office *without a favorable vote of the majority of the Commission Members.* On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended changes to the Commission on Aging Bylaws as presented. A resolution will be presented at a future meeting to enact the approved change.

COUNTY ADMINISTRATION REPORT

Notice of Public Hearing: Ms. Heller summarized a correspondence received from Keith Adkins, Deputy Director, Delmarva Community Services, Inc. DCT will present the Caroline, Kent, and Talbot Counties Transit Development Plan. Comments are solicited during the virtual Public Hearings on the Plan – on February 27, 2023. Each county has a specific hearing time; Kent County is 2:15 - 3:15 p.m. Written comments will be accepted before the hearing. Discussion took place. Anyone interested in attending the virtual meeting is required to contact DCT by calling 410-221-1910 or emailing Andrea Waters at andrea@dcsdt.org.

Ms. Heller summarized a requested topic of conversation involving a current piece of legislation, Senate Bill 0327 Hunting, Wildlife Conservation, and Outdoor Recreation-Funding, Promotion, Management, Licenses, Permits, and Stamps regarding Sunday waterfowl hunting that took place at the February 7, 2023, meeting. The Board directed staff to send a letter of opposition to Senate Bill 0327. Letters were sent to the Chair and Committee members, and the District 36 Delegation. Commissioner Price requested more discussion of the bill's intent due to new information received from the community. Ms. Heller explained that there is time for the Board to change its position. If desired, staff can prepare a letter that supports the bill with an amendment. Per the Maryland General Assembly website, support documents are accepted 24 hours before the hearing by uploading documents to the portal.

The matter called for a vote. On a motion by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously approved to rescind the letter voted on at the February 7th meeting, which totally opposed the Senate Bill 0327, and revises the letter to be sent with opposition strictly to Sunday hunting, not necessarily the cost increase to licenses, permits, and stamps. Staff prepared new letters stating the Board is opposed to Sunday hunting, however, offers support with an amendment that removes that provision in SB0327. Letters were signed for The Honorable Brian J. Feldman, Chair, and Members of the Education, Energy, and the Environment Committee; The Honorable Stephen S. Hershey, Senator. The Honorable Jay A. Jacobs, Steven J. Arentz, and Jefferson L. Ghrist, District 36 Delegates received courtesy copies for their records.

Ms. Heller reported that the hearing for House Bill 0799 - Education, Low-Density - Calculation Mandated Funding is scheduled with Appropriations on March 7, 2023, at 1:00 p.m. A cross-filed Senate Bill is anticipated shortly. HB0799 creates parameters for which there is extra funding for counties that meet the eligibility requirements. Kent County meets the population density and student enrollment threshold. The bill would appropriate funding for three fiscal years (2025 – 2027). The Commissioners will be in Annapolis on March 7, 2023, therefore the County Commissioners' meeting will be moved from March 7th to March 8th at 10:00 a.m.

The Commissioners voted on February 7, 2023, to support House Bill 0402 / Senate Bill 0402 – Kent County – Board of Education – Student Member. Ms. Heller, on behalf of the County Commissioners, sent support letters dated February 10, 2023, addressed to The Honorable Vanessa E. Atterbeary, Chair, and Members of the Ways and Means Committee; The Honorable Jay A. Jacobs, Steven J. Arentz, and Jefferson L. Ghrist, District 36 Delegates; The Honorable Stephen S. Hershey, Senator; The Honorable Brian J. Feldman, Chair, and Members of the Education, Energy, and the Environment Committee, respectively. The legislation is a local bill, and Kent County agrees with the framework to establish student involvement in the Board of Education.

PUBLIC COMMENT

The procedures for public comment were in effect. Comments were offered by Frank Rhodes, Board of Education Board member, resident, and parent of a Kent County High School student, and David Foster, Mayor of Chestertown. Mr. Rhodes asked the Board if they were opposed to staff members and parents raising funds to help the schools. The Board stated they were not opposed and could not recall when the Board reduced the budget because of other funds raised. Mayor Foster requested a meeting to discuss a Tax Differential/Rebate.

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 11:16 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. After a brief pause, one personnel matter was taken up for discussion.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Pat Merritt, Acting Director, Human Resources; and Sondra M. Blackiston, Clerk were also in attendance.

PERSONNEL

Topic to be discussed: Personnel request and an individual's qualifications.

Reason for closing: Matters relating to personnel qualifications and requests are confidential.

Shelley Heller, County Administrator, and Pat Merritt, Acting Director, Human Resources reviewed a personnel request. The Commissioners recommended Ms. Heller and Ms. Merritt formalize the particulars.

At 12:21 p.m., a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously adjourned the closed session and reconvened in an open session.

OPEN SESSION

PERSONNEL: The Commissioners, staff, and the County Attorney discussed a personnel request. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to add one position in the County Government and have staff proceed as recommended.

At 12:22 p.m., on a motion by Commissioner Nickerson and seconded by Commissioner Price, and the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, February 28, 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 14, 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, and Thomas N. Yeager, County Attorney, were 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 7, 2023.

At 12:22 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 Tuesday, February 28, 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