

January 23, 2024

SPECIAL WORK SESSION HELD ON JANUARY 16, 2024

A work session was held on January 16, 2024, at 8:41 a.m., with Commissioner Ronald H. Fithian, Commissioner John F. Price, and Commissioner Albert H. Nickerson. Also in attendance were Shelley L. Heller, County Administrator, and Pat Merritt, Chief Finance Officer, Office of Finance.

Senate Bill 110 School Construction – Local Cost-Share – Alterations: Shelley L. Heller, County Administrator offered an overview of the above-noted bill. Its purpose is to allow certain counties to receive percentage point increments that reduce the local cost-share of a school construction project and in turn, increase the State's cost-share for a proposed project. Pat Merritt, Chief Financial Officer, Finance Office reviewed a cost analysis and debt service for the proposed middle school replacement project. Dr. Karen Couch, Superintendent, and Dan Divilio, Public Relations and Communications Specialist, Kent County Public Schools joined the conversation. Copies of correspondence to Alex Donahue, Executive Director, Interagency Commission on School Construction from the Board (October 2023) and Kent County Public Schools (October 2023 and January 2024) were provided for background purposes. Discussion took place. The proposed project will critically depend on increased State funding participation therefore it is appropriate to support Senate Bill 110 as drafted. The Commissioners plan to testify at noon at the Senate hearing on Thursday, January 18, 2024. The work session ended at 9:30 a.m.

JANUARY 23, 2024, COMMISSIONERS MEETING

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 Nickerson, and John F. Price. The meeting convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain standing for a moment of silence to pray that everyone keeps an eye out for their neighbors and that everyone stays safe during the cold weather.

Shelley L. Heller, County Administrator, and Thomas N. Yeager, Attorney, were also present.

RECOGNITION

Commissioner Fithian requested a Certificate of Recognition for Beth Dunn, a devoted Kent County Resident who has cared for many citizens during their time of need and vulnerability. Ms. Dunn's unwavering commitment to the well-being and welfare of the community has not gone unnoticed and should be recognized. Commissioner Fithian read the certificate into the record which Ms. Dunn accepted. Philip Cicconi, Member of the Commission on Aging, joined Ms. Dunn for a photo with the Commissioners.

PUBLIC NOTICE

The adoption notice of Code Home Rule Bill No. 5-2023, Outdoor Retreat in RC, RR, and CR was read into the record by Commissioner Fithian. The legislative bill was adopted on

December 19, 2023, as amended by interlineation, and the provisions of this Act took effect on December 29, 2023.

CONSENT ITEMS

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

1. Regular Session Minutes, January 9, 2024
2. Liquor Minutes, January 9, 2024
3. Closed Session Minutes, January 9, 2024
4. Olde Kent Quilters Guild, Raffle Only, January 24, 2024-November 19, 2024
5. Republicans of Kent, Raffle Only, January 26, 2024

COUNTY ATTORNEY

Thomas N. Yeager, County Attorney reviewed the protocol for a legislative session. Jamie Williams, Director of Economic and Tourism Development joined Mr. Yeager to provide an overview of the proposed legislative bill and answer any questions the Board had. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go into legislative session.

LEGISLATIVE SESSION

Introduction of Code Home Rule Bill No. 1-2024, Property Tax Credit – Commerce Zones

Code Home Rule Bill No. 1-2024, An ACT to amend Chapter 152 Taxation, Article VIII Property Tax Credit – Commerce Zones, of the Code of Public Local Laws of Kent County, Maryland, for the purpose of defining tax credits under this Article as non-transferable, by adding (E) A tax credit granted under this article on real property owned by a business entity is non-transferable and shall end on the date the property is transferred to any subsequent property owner. In the taxable year in which the transfer occurs, the business entity shall be given a credit prorated based on the number of months the business entity owned the property, to Article VIII Property Tax Credit: Commerce Zones §152-35. Computation AND EXPIRATION tax credit. Ms. Williams summarized the intent of the legislation and offered further details. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the introduction of Code Home Rule No. 1-2024 Property Tax Credit-Commerce Zones, to proceed with the legislative process, and to direct staff to schedule a public hearing on February 6, 2024, at 6:00 p.m.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go out of legislative session and return to the regular session.

PUBLIC HEARING - CODE HOME RULE BILL NO. 6-2023, ADAPTIVE REUSE OF EXISTING STRUCTURES IN AZD, LOCATED ON PARCELS UNDER 20 ACRES

A public hearing was held for the proposed Code Home Rule Bill No. 6-2023, Adaptive Reuse of Existing Structures in AZD, Located on Parcels Under 20 Acres. Public information regarding the hearing and minutes are posted on the County's website <https://www.kentcounty.com/commissioners/meeting-agenda>.

APPOINTMENT

Pat Merritt, Chief Financial Officer, Finance Office, and Chris Lehman, Engagement Partner, SB and Company, LLC, were present to review the financial statements and the auditor's report for FY2023. Ms. Merritt explained the General Fund Statement of Revenues and Expenditures as of June 30, 2023, noting any major variances. A copy of the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ended on June 30, 2023, was also submitted. Mr. Lehman detailed an executive summary of the results of the audit and provided the required communications via a presentation.

OFFICE OF EMERGENCY SERVICES

Pete Landon, Director, Office of Emergency Services, and Barry Byers, Chair, Kent County Police Accountability Board, were scheduled to give an overview of the FY2023 Police Accountability Board Annual Report. Due to unforeseen circumstances, this item was tabled for a future meeting.

ECONOMIC AND TOURISM DEVELOPMENT

Jamie Williams, Director of Economic and Tourism Development (ETD) requested approval to appoint a recommended candidate to fill a vacancy on the Economic and Tourism Development Commission (ETDC). Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved appointing the candidate as recommended. The Commissioners signed a letter for Aaron Bramble in appreciation of his service to the ETDC. Judy Crow will serve a three-year term ending January 31, 2027.

Ms. Williams advised the ETDC receives a real estate update report annually from a local real estate agent and commercial broker company. A report will be given during the ETDC meeting on February 14, 2024. The staff has also received an influx of calls from people wanting to start or need help with funding for their business in Kent County.

Ms. Williams gave an update on the Short-Term Rental Tax project. Staff are moving forward with software procurement, the legislation, and the completion Memorandum of Understanding (MOU). The scoring matrix is due to come back from all the departments involved in the review process. Staff are collaborating with the five municipalities to ensure all have the same MOUs to meet the planned effective date of July 1, 2024.

Commissioner Price asked for an update on the hotDesk cleaning project. Ms. Williams advised staff is waiting to receive a quote from the County's existing cleaning service.

KENT COUNTY LOCAL MANAGEMENT BOARD

Rosemary Ramsey-Granillo, Director, Kent County Local Management Board (KCLMB), discussed a home visiting program for new parents and their children from birth to five years old. This program is in its fifth year. There are approximately twenty-five families that benefit from these services. The department is seeking approval of the Memorandum of Agreement (MOA) by and between KCLMB and Queen Anne's County Health Department. The funding sources are administered by the KCLMB under a Community Partnership Agreement (CPA) and a grant from the Maryland State Department of Education (MSDE) with a total funding amount not to exceed \$147,626.00. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the FY2024 Healthy Families Mid-Shore Home Visiting Contract.

Ms. Ramsey-Granillo advised that there is now a Governor's Office for Children and Carmel Martin is the Secretary. Staff are expecting a lot of movement and legislation regarding a new bill "Enough Act" that will request \$15,000,000.00 in the State budget. If that bill moves forward, it will be tied to the Local Management Boards throughout Maryland.

KENT COUNTY DETENTION CENTER

Herbert Dennis, Warden, and Steve Wallace, Captain, Kent County Detention Center (KCDC), gave updates on all incarcerated persons programs that were resumed after the COVID-19 outbreak. Programs are vital to recidivism reduction. These programs are the Medication Assisted Treatment, Alcoholics Anonymous, Narcotics Anonymous, Mental Health Group and Individual Treatment, Recidivism Reduction Program, Men's Group, General Education Diploma (GED) Program, and Church. The need to provide mental health opportunities for incarcerated individuals, medication assistance, housing, and counseling is required now more than ever.

Warden Dennis and Captain Wallace requested the Board reinstate staff breakfasts for several reasons. Correctional Officers (COs) must report for the early shift by 5:45 a.m. and cannot leave the KCDC once there due to staffing and security issues. Restoring staff breakfasts will improve morale and assist with employee retention in this challenging and hazardous profession. Warden Dennis requested permission to reallocate the funds within the department's existing budget. Warden Dennis further explained how the meals would be prepared in-house. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to allow the Warden to reallocate up to \$1,500.00 to accomplish what was discussed.

HUMAN RESOURCES

Jim Miller, Director, Human Resources, and Warden requested approval to reinstate an additional Correctional Officer (CO) position that was not funded during the FY2024 budget process. Since then, the Detention Center has operated with a staff of five (5) COs on two (2) shifts and four (4) COs on (2) two shifts. Five per shift is the recommended staffing level

for operational and safety needs. COs are collectively responsible for enforcing rules and regulations, the safety and security of all incarcerated individuals, and everyone else at the KCDC. When there are four/shifts, there are enhanced safety/security concerns and additional overtime demands. Current staffing assignments require the following: one CO in the control room who cannot leave without coverage; one CO in booking watching potentially suicidal incarcerated individuals on 15-minute watches; one CO in the pod post on direct supervision who cannot leave without coverage; and one shift supervisor on day/night shift. These mandated assignments limit flexibility for coverage when there are absences. Further, with the current staffing levels if there is a violent offender or medical emergency often only two (2) COs can respond. This is not ideal staffing and can lead to unsafe situations. During the recruitment process, another viable candidate has been identified. If the Board approves reopening the position that was placed on hold for FY2024, staff believe that this position can be filled quickly. This request requires approval for funding. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to allow the Warden to fill the vacancy of an additional Correctional Officer position that was placed on hold during the FY2024 budget process and funding of \$94,377.00 be approved out of fund balance to recruit/fill the position.

Mr. Miller discussed the Maryland Time to Care Act (TCA) Public Sector Collaborative Consultant Confidentiality Agreement for approval. TCA is a state law that will provide Maryland workers access to paid family and medical leave financed by employer and employee contributions. Through legislative modifications, the contribution date was changed to October 1, 2024, and the date when employees may apply for funds was changed to January 1, 2026. The Maryland Association of Boards of Education (MABE), the Maryland Association of Counties (MACo), and the Maryland Municipal League (MML) have joined together to create the Maryland Time to Care Act Public Sector Collaborative (Collaborative) to assist organizations in adhering to the TCA requirements. Bolton Partners, Inc. d/b/a (Bolton) is the consultant and will assist the Collaborative in a procurement process to identify an insurance carrier to administer the program. As part of the procurement process, an employee census, e.g., gender, date of birth, salary, etc., must be provided to prospective carriers. To ensure the privacy of our records, a confidentiality agreement between the County and Bolton is required. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to execute the confidentiality agreement between the County and Bolton.

Mr. Miller presented twelve (12) employment contracts for the Board's signature. At the November 14, 2023, Commissioners' Meeting, the Senior Staff Employment Contract template was approved. Since then, contracts have been prepared and signed by each member of the Senior Staff. Those documents were presented to be signed and thereby fully executed contracts between the County Commissioners of Kent County, Maryland, and certain employees. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the submitted contracts for Senior Staff members to be signed and recorded as fully executed agreements between the County Commissioners of Kent County, Maryland, and each Senior Staff member.

Mr. Miller, and Vauné Johnson, Administrative Specialist of Human Resources, on behalf of Mike Moulds, Public Works, Roads Division requested approval to hire the recommended candidate to fill a vacancy. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended candidate to fill one of the Motor Equipment Operator I (MEO I) vacancies in the County Roads Division, contingent upon the conditional employment offer and drug testing.

COUNTY ADMINISTRATOR

Social Services Advisory Board: As recommended by the Department of Social Services Advisory Board, Shelley Heller, County Administrator, requested the Board to approve the appointment and reappointment of candidates. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the appointment and reappointment of the recommended Social Service Advisory Board members. Julie Gill and Vienna Walker will both serve a three-year term ending on June 30, 2027.

COUNTY ADMINISTRATOR REPORT

Ms. Heller, on behalf of the County Commissioners, sent support letters dated January 9, 2024, to the Honorable Wes Moore, Governor and Helene Grady, Secretary, Department of Budget and Management; the Honorable Stephen S. Hershey, Senator, the Honorable District 36 Delegates Jay A. Jacobs, Steven J. Arentz, and Jefferson L. Ghrist. The letters convey a request for urgent consideration and support and assistance from the State of Maryland for the Millington Wastewater Treatment Plant Project upgrade. Copies were provided for the Board's information.

At the request of the Commissioners, Ms. Heller sent letters of support for Senate Bill 0100 / House Bill 0365 – School Construction – Local Cost-Share – Alterations on January 17, 2024, the Honorable Guy Guzzone, Chair, and Members of Budget and Taxation Committee; the Honorable Ben Barnes, Chair, and Members of the Appropriations Committee; Senator Hershey; and Delegates Jacobs, Arentz, and Ghrist. Kent County Government's ability to fund its share of the Kent County Middle School modernization project will critically depend on increased State funding participation. Therefore, support for the project is conditional upon the level of State funding participation achieved. Copies were provided for the Board's information. House Bill 0365 has been scheduled for a hearing on February 6, 2024, at 1:00 p.m.; Commissioner Fithian will testify.

A work session is planned for February 6, 2024, at 3:00 p.m. to discuss the Village of Kennedyville and the Land Use Ordinance. There is an above-mentioned conflict as Commissioner Fithian will be in Annapolis testifying. The Board agreed to keep the planned session to discuss both topics.

On January 8, 2024, Commissioner Fithian signed the Expenditure Report for FY2024 State Aid for Police Protection (SAPP) Fund Form 1 Actual Expenditure for Police Protection

submitted by Ashley Albia, Treasury Accountant, Office of Finance. The grant documents were due January 15, 2024.

Clay B. Stamp, County Manager, Talbot County sent a Notice of Public Hearing regarding the Annual Transportation Plan for FY2025 Transportation Services. On behalf of Talbot, Kent, and Caroline counties, Delmarva Community Services, Inc. intends to submit the annual application for grant funds from the State of Maryland Mass Transit Administration and the Federal Transit Administration for the continuance of existing transit services in Talbot, Kent, and Caroline counties. A virtual meeting is scheduled for Thursday, February 15, 2024, on behalf of Talbot County from 9:00 a.m. to 10:00 a.m. on behalf of Caroline County from 10:15 a.m. to 11:15 a.m.; and on behalf of Kent County from 2:15 p.m. to 3:15 p.m.; all interested persons may contact Andrea Waters at 410-221-1910 or email andrea@dcsdct.org for information on joining the virtual meetings.

Ms. Heller advised she has heard from Jeremy Rothwell, Member, Historic Preservation Commission. Mr. Rothwell will be attending the January 30th Commissioners' meeting to present two written proposals for preservation surveys for the Granary at Turner's Creek.

Commissioner Fithian asked staff to continue to research a grant that may be available for transportation for Kent County residents.

PUBLIC COMMENT

The procedures for public comment were in effect. There was no testimony offered from the audience.

FOR YOUR INFORMATION

Lucie Hughes, Director of Communications, Choptank Community Health System announced a new medical provider in Rock Hall. Choptank Community Health System recently welcomed provider Annie Coyer, PA at its Community Health Center at Rock Hall Elementary School. Coyer is now seeing Choptank Health medical patients of all ages and students enrolled in School-Based Health on Mondays from 8:00 a.m. to 4:30 p.m., and Thursdays from 8:00 a.m. to 6 p.m. at Choptank Health's Community Health Center at Rock Hall Elementary. New and existing Choptank Health medical patients can call the Community Health Center at Rock Hall Elementary School at 667-377-2004 or the Chestertown Health Center at 443-215-5353 to schedule a virtual or in-person appointment, with more information at www.choptankhealth.org

A correspondence dated January 2, 2024, addressed to the Commissioners, was received from Gary Lasko, Senior Project Manager, Maryland Environmental Services (MES). The letter notified the County that MES has submitted a request to renew Refuse Disposal Permit No. 2019-WMF-0608, to the Maryland Department of the Environment (MDE) on December 27, 2023. MES is seeking an additional five-year term to allow for the continued operation of the Midshore II Regional Solid Waste Facility located at 12236 River Road, Ridgely in Caroline County, Maryland.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

A copy of the ARPA Spend Plan outlining the approved expenditures to date was provided to the Commissioners for informational purposes.

CONTINGENCY FUND

The FY2024 Contingency balance as of December 19, 2023, is \$258,642.00. The FY2024 use of Fund Balance is \$24,000.00.

CLOSED SESSION

At 11:57 a.m., a motion was made by Commissioner Price, seconded by Commissioner Nickerson, and carried unanimously to go into a closed session. The meeting was closed under the Annotated Code of Maryland, General Provisions Article § 3-305 (b) 1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; and (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans. Three separate matters will be discussed.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Mike Moulds, Director, Public Works; Chris Yiannakis, Superintendent, Water and Wastewater Division; Pete Landon, Director, and Logan Quinn, Chief, Emergency Medical Services, Kent County Office of Emergency Services; Jim Miller, Director, Human Resources; Sondra M. Blackiston, Clerk/KATE Manager, and Lacey Cox, Deputy Clerk II, were also in attendance. Mr. Landon, Mr. Quinn, and Mr. Miller were excused until the closed session matter applicable to each department.

MATTER NO. 1: PERSONNEL AND PUBLIC SAFETY

Mike Moulds, Director, Public Works and Chris Yiannakis, Superintendent, Water and Wastewater Division joined the closed session.

Topic to be discussed: To consider if the County has enough resources to provide services for a Municipality and the safety of the public related to such services.

Reason for closing: Safety matters related to municipalities should be shielded, and personnel issues and employment responsibilities related to these matters should be confidential.

By way of background, the Commissioners acknowledged the receipt of a letter dated December 21, 2023, from Donald Sutton, Mayor, Town of Betterton, concerning the transfer of water and wastewater services. Mayor Sutton and Jeff Miller, Water Treatment Plant /Wastewater Treatment Plant (WTP/WWTP) Operator, Town of Betterton, spoke with the

Commissioners to discuss whether the County would consider taking over the operation and maintenance of Betterton's water and wastewater treatment facilities, including the Town's five pump stations. Discussion took place at the January 9, 2024, meeting. No action was taken. Commissioner Fithian requested a closed session for January 23, 2024, to privately discuss personnel issues and employment responsibilities.

Mr. Moulds and Mr. Yiannakis offered insight into current County services. Mr. Moulds also discussed the County's current staffing and capacity and operational concerns including matters of public health and safety risks and any likely exposures. Shared differences were further explained. Mr. Moulds provided the Board with staff-prepared comments regarding WWTP operation services. A specific employee's skill set, and performance were also discussed. Commissioner Fithian requested additional staff review. Thomas N. Yeager, County Attorney offered knowledge to address any concerns the Board may have. Discussion took place. Mr. Moulds and Mr. Yiannakis departed the closed session at 12:38 p.m.; all others remained.

MATTER NO. 2: PERSONNEL AND PUBLIC SAFETY

Pete Landon, Director, and Logan Quinn, Chief, Emergency Medical Services (EMS), Kent County Office of Emergency Services (OES) joined the closed session at 12:39 p.m.

Topic to be discussed: Restructuring of schedules related to the Office of Emergency Services

Reason for closing: Schedules and responsibilities of staff should be shielded and remain confidential.

Mr. Landon and Mr. Quinn communicated concerns and OES' efforts to preserve the health, safety, and well-being of the EMS staff. The proposed OES EMS temporary personnel resource allocation plan was submitted as well as a current OES organizational chart for reference. Both Messrs. Landon and Quinn recommend the temporary OES EMS staffing proposal. The Board listened to all portions of the proposal and offered input including a method to accelerate the hiring process. Mr. Landon and Mr. Quinn departed at 1:00 p.m.; all others remained.

MATTER NO. 3: PERSONNEL

Jim Miller, Director, Human Resources joined the closed session discussion at 1:01 p.m.

Topic to be discussed: Compensation, evaluation, and performance, concerning employees.

Reason for closing: Compensation, evaluation, and performance, concerning employees is confidential and should be private.

Mr. Miller summarized a personnel position. A confidential memorandum dated January 23, 2024, from Mr. Miller was submitted for today's discussion regarding two recruitment possibilities. Discussion took place.

Mr. Miller also gave updates on ongoing personnel issues with two individuals who recently separated from County employment.

At 1:17 p.m., a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously voted to adjourn the closed session and reconvened in open session.

OPEN SESSION

Commissioner Price summarized each closed-session matter referenced above. A discussion with the Public Works Director and staff. The Board directed staff to collect more information for further review by the Commissioners. A discussion with Office of Emergency Services staff concerning public safety issues was addressed and temporary oversight by the County Administrator regarding vacancies in that department. A discussion with the Human Resources Director regarding a promotion in the Public Works Department. Staff will proceed as directed with an effective date of February 11, 2024. The Board took a vote on the second matter. On a motion made by Commissioner Price, seconded by Commissioner Nickerson, the Commissioners unanimously appointed County Administrator Heller to temporarily provide oversight (hiring authority) to fill vacancies in a public safety division.

At 1:21 p.m., on a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved to adjourn the meeting. The Board is scheduled to meet again on Tuesday, January 30, 2024, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

January 23, 2024

PUBLIC HEARING

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance as well as Shelley L. Heller, County Administrator, Thomas N. Yeager, County Attorney, and Bill Mackey, Director, Planning, Housing, and Zoning.

Thomas N. Yeager, County Attorney, read the public notice into the record and stated it was duly advertised. Commissioner Fithian asked to forego the reading of the public hearing procedures for testifying. The rules for a public hearing were in effect.

On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to open the public hearing.

CODE HOME RULE BILL NO. 6-2023, ADAPTIVE REUSE OF EXISTING STRUCTURES IN AZD, LOCATED ON PARCELS UNDER 20 ACRES

The public hearing commenced at 10:21 a.m. in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, MD. A public hearing for the purpose of discussing Code Home Rule Bill No. 6-2023, Adaptive Reuse of Existing Structures in AZD, Located on Parcels Under 20 Acres, AN ACT to amend Chapter 222, Zoning, of the Code of Public Local Laws of Kent County, Maryland, also known as the Kent County Land Use Ordinance, in order to add a new land use and to permit said new use in a single district as a special exception: (1) by adding "2.5 Adaptive reuse of existing structures in AZD, located on parcels under 20 acres" to Article V. District Regulations, Section 1. Agricultural Zoning District, §1.3 Special Exceptions; (2) by adding said new land use as "6. Adaptive reuse of existing structures in AZD, located on parcels under 20 acres" to Article VII. Special Exceptions, Section 6. Procedures, un-numbered second paragraph regarding those special exceptions that may be approved by the Planning Director; (3) by adding six specific conditions, indicated as A through F, for said new land use in "3.5 Adaptive reuse of existing structures in AZD, located on parcels under 20 acres" to Article VII. Special Exceptions, Section 7. Special Exceptions; and (4) by including one non-codified provision.

Bill Mackey, Director, Planning, Housing, and Zoning (PHZ) summarized the intent of the legislation and explained the legislative process thus far. Correspondence dated November 2, 2023, from Joe Hickman, Chair, Kent County Planning Commission stated the Commission reviewed the proposed applicant-initiated zoning text amendment and made a favorable recommendation to the Commissioners. The letter was submitted for reference. A second correspondence dated September 6, 2023, from Jennifer Debnam, Chair, Kent County Agriculture Advisory Commission provided a favorable recommendation and approved of the zoning text amendment to the Commissioners. This letter was also submitted for reference. Discussion took place.

PUBLIC COMMENTS

Citizens were invited to sign the testimony log and offer comments on the proposed zoning text amendment. Edward Granger, the property owner of 10720 Augustine Herman

Highway, Chestertown, Maryland 21620, testified during the public hearing and stated he is requesting to utilize the property for his roofing and home improvement business “St. Mary’s Roofing and Home Improvement, LLC”, and requires approval to operate his business at the location. Jamie Williams, Director, Economic and Tourism Development, spoke in favor of the proposed legislation; no other comments were offered. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing at 10:25 a.m. and stated for the record, that the written comment period will remain open until the close of business on January 26, 2024. The legislative bill is scheduled to be considered for a vote on Tuesday, February 6, 2024

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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

January 23, 2024

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 made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved Consent Item #2 - Liquor Minutes, January 9, 2024.

SPECIAL CLASS C

Galena Volunteer Fire Company, Inc., (GVFC) has applied for a Beer, Wine, and Liquor Special Class C Multiple Event License to cover twelve (12) events for the 2024 calendar year. The application was reviewed and met the requirements to be approved for a multiple-event license. Part of those requirements includes providing a list of events scheduled to take place throughout the year. This practice helps track the number of permitted events allowed throughout the year. GVFC has not currently provided a list of events scheduled for the year, they are aware that they must do so. Bonnie S. Pearsall, Inspector, Kent Alcohol and Tobacco Enforcement (KATE) will schedule a visit to educate GVFC about their responsibilities and requirements of having a Multiple Event License. Staff recommended approval. Thomas N. Yeager, County Attorney, recommended approval of the license with a contingency of supplying a list of scheduled events. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Multiple Event Special Class C (Per Diem) liquor license application for the Galena Volunteer Fire Company, Inc. contingent upon providing a list of no more than 12 events.

At 1:21 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price, the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, January 30, 2024, 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