

May 20, 2025

FY2026 BUDGET WORK SESSION HELD ON MAY 20, 2025

A budget work session was held on May 20, 2025, at 3:00 p.m., with the following present: Commissioner Ronald H. Fithian, Commissioner John F. Price, and Commissioner Albert H. Nickerson. Shelley L. Heller, County Administrator, and Pat Merritt, Chief Finance Officer, Office of Finance, were also in attendance. Lease capital, budget overview, and other budgetary matters were reviewed. During the discussion, Dan Mattson, Director of Public Works, provided information concerning the County's vehicle fleet. The budget work session ended at 3:51 p.m.

REGULAR SESSION

A meeting of the County Commissioners of Kent County was called to order at 6:00 p.m., with the following present: Ronald H. Fithian, President, Albert H. Nickerson, and John F. Price. The meeting was convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain silent for Frank Newsome and his family.

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

PUBLIC NOTICES

Commissioner Fithian read public hearing notices into the record.

Notice is hereby given that the County Commissioners of Kent County will hold a public hearing for the FY2026 Proposed Budget on June 3, 2025, at 6:00 p.m. in the Commissioners' Hearing Room of the R. Clayton Mitchell Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland. The hearing is open to the public, and the public is encouraged to attend. The agenda for the meeting will be published online 24 hours in advance of the meeting at www.kentcounty.com/government.

Code Home Rule Bill No. 4-2025 To Rescind and Replace the Land Use Ordinance and Zoning Map. AN ACT to (1) rescind and replace Chapter 222, "Zoning," of the Public Local Laws of Kent County, Maryland, in its entirety, renaming Chapter 222 as the *Unified Development Ordinance*, also known as the Kent County Land Use Ordinance to incorporate changes recommended by the Critical Area Commission, per Md. Code Ann., Natural Resources § 8-1809, and making other corrections and revisions as set forth herein; (2) rescind and replace the Kent County, Maryland Official Zoning Map, in its entirety, to incorporate changes recommended by the Critical Area Commission, per Md. Code Ann., Natural Resources § 8-1809, and implementing one requested revision as set forth herein; and (3) including non-codified provisions to address corrections and certain adopted maps indirectly related to the Unified Development Ordinance and Zoning Map.

A hearing will be held on June 10, 2025, at 10:00 a.m. in the Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown,

Maryland. The agenda for the meeting will be published online 24 hours in advance of the meeting at www.kentcounty.com/government.

A complete copy of the legislative bill is available in the Commissioners' Office, 400 High Street, Chestertown, MD, Monday through Friday, 8:30 a.m. to 4:30 p.m., and on the County's website.

CONSENT ITEMS

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners, by unanimous vote, approved all eight consent items as presented:

1. Regular Session Minutes, May 13, 2025
2. Liquor Minutes, May 13, 2025
3. Public Hearing Minutes, May 13, 2025
4. Dan Mattson, Director, Public Works - A.C. Schultes of Delaware, Inc., Worton Well 5 Repair Contract for \$44,550.00
5. Mr. Mattson - Reallocation/Transfer of Roads Division Funds, for \$19,446.00
6. Pete Landon, Director, Kent County Office of Emergency Services - Chesapeake College Clinical Rotation Agreement
7. Shelly Neal-Edwards, Director of Social Services (DSS) – Appointment of Jennifer Christy to DSS Advisory Board
8. Kent County Republican Central Committee, Raffle Only, June 12, 2025

APPOINTMENTS

Mid Shore Behavioral Health, Inc.: Katie Dilley, LCSW-C, CEO, and Lisa Short, BA, CPRP, Adult Population Supervisor and SSI/SSDI Outreach, Access, and Recovery (SOAR) Lead, Mid Shore Behavioral Health, Inc. (MSBH), detailed an annual review. A presentation emphasized MSBH's mission, vision, programs, and services serving the Mid-Shore. Kent County-specific highlights and statistics were provided to the Commissioners. Ms. Dilley submitted an agreement for MSBH to act as the County's agent in overseeing, planning, and developing the public behavioral health system in Kent County. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to accept and sign the FY2026 Letter of Agreement with Mid Shore Behavioral Health, Inc., as presented.

Greenwill Consulting Group: Jonathan Carpenter, Vice President of Government Affairs, Greenwill Consulting Group, updated the Commissioners with an end-of-session legislative overview. Legislative priorities, major budget wins for Kent County Public Schools, next steps, and interim engagement were discussed. Mr. Carpenter also submitted a list of relevant 2025-enacted bills.

LEGISLATIVE SESSION

Legislative Protocol: Thomas N. Yeager, the County Attorney, reviewed the protocol for the upcoming legislative session. Mr. Yeager summarized the actions that the Commissioners could consider during this session. A legislative bill, which is scheduled for a third reading, will be presented at this meeting for consideration. The Commissioners will decide whether to pass, reject, amend, or defer the bill to a later date.

At 6:50 p.m., on a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to go into legislative session.

3rd Read and Vote – Code Home Rule Bill No. 3-2025 Fox Hunting Club Dog Kennel License Process

Bill Mackey, Director of Planning, Housing, and Zoning, was available to review the proposed legislative bill and address any questions the Board had.

Mr. Mackey detailed the Code Home Rule Bill No. 3-2025. AN ACT to amend the Public Local Laws of Kent County, Maryland, by revising Chapter 64 Animals, adding a new Article II, and providing an effective date. This Article II establishes requirements for licensing Fox Hunting Club Dog Kennels in Kent County. It covers only the physical facilities where hounds are kept. No written comments were submitted during the comment period. Two amendments were proposed. Option 1, which was based on testimony received at the public hearing, amended §64.14. Option 2, requested by Commissioner Nickerson, incorporated the amendments from Option 1 and included a modification to §64.18. Mr. Yeager stated for the record that the amendments were presented in writing. Genevieve MacFarlane, Esquire, Law Offices of Stevens Palmer, LLC, Attorney Representative for Wicomico Hunt Club, spoke in favor of the amendments and thanked the Commissioners for their support. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted Code Home Rule 3-2025, Fox Hunting Club Dog Kennel License Process, with amendments to both §64.14 and §64.18.

At 7:05 p.m., on a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the legislative session and go into regular session.

Resolution 2025-04 A Resolution To Set A Fee For Applicants, Related to Appearances Before The Fox Hunting Club Dog Kennels Licensing Board, For The Public Review Of Applications Submitted For Consideration By The Licensing Board

Mr. Mackey explained that, per Article II, a new Licensing Board and licensing process have been established for public review of applications for the physical location of Fox Hunting Club Dog Kennels. To meet the advertising requirements in Article II, each appearance before the Board will incur costs for the County, such as newspaper notices. These costs are not to be borne by County taxpayers; therefore, a resolution to set fees has been prepared. The proposed fee for each appearance before the Licensing Board is \$100.00. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously

adopted Resolution 2025-04 to set the fees related to the Fox Hunting Club Dog Kennels Licensing Board.

HUMAN RESOURCES

James Miller, Director of Human Resources (HR), requested approval to fill the Planning, Housing, and Zoning Enforcement Officer vacancy. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the extension of a conditional offer of employment to the recommended candidate.

PARKS AND RECREATION

Jill Coleman, Director of Parks and Recreation, updated general department information, programming, and operations for February–April 2025. A new communication board for the new playground at Edesville Park was installed. This board provides children with options to locate items at the park. There was no cost. A Community Center wall was dedicated to showcasing the “Wall of Fame” teams and players. Currently, there are three basketball teams and four wrestling teams listed. A memorial bench for Vanessa Maddox has been installed in front of the Community Center. Summer 2025 events and activities were discussed, and more information can be found on social media platforms and by visiting the Parks and Recreation website. Programming statistics for February-April were provided regarding the programs currently offered. Staff are collaborating with Public Works to obtain new signage to display the names of all the ballfields, replacing backstops and fencing on four ballfields at Worton Park and Toal Park, replacing dugouts on Orem and Heroes Field, and replacing the basketball courts. A little over \$87,000.00 in funds is available in the POS funds. Staff are looking to install a dog park at Worton Park, and an additional dugout (and possibly a second dugout) may be installed.

Ms. Coleman gave an update on the Lifeguards for the Summer. There are currently 21 lifeguards hired, but staff would like to have a total of 30 hired. The Community Center will now be cashless; all patrons will be required to use a debit or credit card, eliminating the long lines. Opening day for the pool season is Sunday, May 25th.

COUNTY ADMINISTRATOR REPORT

Shelley L. Heller, County Administrator, signed both Kent County Project Task Agreements # KE-005-CH & #KE-005-OED between the Maryland Department of Transportation (MDOT), State Highway Administration (SHA), and Kent County, Maryland, on May 14, 2025, to expedite the agreements. These two agreements will fund \$31,800.00 worth of Weed Control on State Highways in FY2026. One agreement, "KE-005-OED," provides \$21,300.00 for Weed Control funded by the SHA Office of Environmental Design (OED), and the other, "KE-005-CH," provides \$10,500.00 for Weed Control funded by the SHA District 2 Chestertown Shop.

Staff received a letter dated May 7, 2025, addressed to Commissioner Fithian from Paul J. Wiedefeld, Secretary, MDOT. The letter's content was in response to the letter the Board sent to

Secretary Wiedefeld dated April 22, 2025, outlining Kent County's 2025 transportation priorities. Both letters were available for review.

Chelsea Dowell, Agricultural Inspector, Advanced Forest Pest Management, Maryland Department of Agriculture, sent an email informing the County that the Maryland Department of Agriculture will not conduct aerial treatment for the spongy moth (formerly known as gypsy moth) in Kent County in the spring of 2025.

COMMISSIONERS COMMENTS

Commissioner Fithian asked Mr. Yeager's opinion on a bought property with a perc plat. The property had two parcels, one with an approved perc, but the Kent County Health Department has denied it. Mr. Yeager stated that whether an agency is missing documents is irrelevant. It is a legally binding document. The approvals are still valid. However, the owners must go to Court to get a ruling.

PUBLIC COMMENT

The procedures for public comment were in place. No comments were made.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

The Commissioners received a copy of the final ARPA Spend Plan report.

CONTINGENCY FUND

The FY2025 Contingency Fund balance as of May 13, 2025, is \$4,209.00. The FY2025 use of Fund Balance is \$680,572.00.

CLOSED SESSION

At 7:43 p.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; or any other personnel matter that affects one or more specific individuals; (7) to consult with counsel to obtain legal advice; and (8) to consult with staff, consultants, or other individuals about pending or potential litigation. There are two matters to be discussed during the closed session.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Sondra M. Blackiston, Clerk/KATE Manager and Deputy Clerks Lacey T. Cox and Tonya L. Thomas, were also in attendance.

MATTER NO. 1: LEGAL ADVICE AND PENDING OR POTENTIAL LITIGATION

Topic to be discussed: The legal opinion of the County Attorney concerning pending or potential litigation matters, and to consult with staff regarding the matter.

Reason for closing: Legal advice from the County Attorney is private to the public and is meant to shield specific details of pending or potential litigation, and information provided by staff regarding the matter should be shielded.

Bill Mackey, Director, and Carla Gerber, Deputy Director of Planning, Housing, and Zoning (PHZ), joined the closed session to discuss two projects. Mr. Yeager described contact with the applicant's counsel, offered legal advice, and made recommendations. Ms. Heller, Mr. Mackey, and Ms. Gerber responded to questions; further discussion occurred.

Mr. Mackey and Ms. Gerber departed at 8:08 p.m.; all other persons remained.

MATTER NO. 2: PERSONNEL

Topics to be discussed: Appointment recommendations for a commission.

Reasons for closing: To protect the qualifications of each candidate and the specific details of their recommendations from public disclosure.

At 8:09 p.m., Jamie Williams, Director of Economic and Tourism Development, joined the closed session. The Commissioners received a list of applicants, interest forms, and other documentation, which Ms. Williams reviewed regarding member vacancies for the Economic and Tourism and Development Commission (ETDC).

At 8:19 p.m., Commissioner Price made a motion, which Commissioner Nickerson seconded; the Commissioners unanimously adjourned the closed session and reconvened in open session.

OPEN SESSION

MATTER NOS. 1: LEGAL ADVICE AND PENDING OR POTENTIAL LITIGATION AND 2: PERSONNEL

Commissioner Price reported on the first matter discussed during the closed session, the Board decided not to take action after discussions with the County Attorney. The second matter discussed was the appointment of commission board members. On a motion by Commissioner Price, and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended board members to serve on the Economic and Tourism Development Commission. Appointment letters were signed for Creigh Rahenkamp, Joanne Rich, and Tiffany Scott. Letters expressing the Commissioners'

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gratitude to Charlie Athey, Paula Reeder, and Sandy Scott for their service on ETDC were also signed.

At 8:21 p.m., on a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved adjourning the meeting. The Board is scheduled to meet again on Tuesday, June 3, 2025, at 6:00 p.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

May 20, 2025

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 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, May 13, 2025.

At 8:21 p.m., a motion was made by Commissioner Nickerson, seconded by Commissioner Price; the Commissioners unanimously agreed to adjourn the meeting. The Board is scheduled to meet again on Tuesday, June 3, 2025, at 6:00 p.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