

June 10, 2025

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 was convened with the Pledge of Allegiance. Commissioner Fithian asked everyone to remain silent for Kent County Detention Center Corporal Lacrishia Scarborough and her family, who lost their son in an accident.

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

RESOLUTIONS

Fiscal Year 2026 Budget actions were submitted to the Board:

1. Resolution 2025-05 Establishing the Kent County Levy Tax: Taxes are levied upon the assessable property in Kent County, Maryland, for the Fiscal year July 1, 2025, through June 30, 2026. These taxes exclude any taxes levied by the State and Municipalities. Real Property is \$1.022 on each One Hundred Dollars (\$100.00) of real property subject to taxation for County purposes. Public Utilities is \$2.555 on each One Hundred Dollars (\$100.00) of property subject to taxation for County purposes. Business Personal Property Taxes on Public Utilities are \$2.555 on each One Hundred Dollars (\$100.00) of real property subject to taxation for County purposes. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted resolution 2025-05, Establishing the Kent County Levy Tax.
2. Resolution 2025-06 County Income Tax: The county income tax of 3.30 percent of an individual's Maryland taxable income is levied upon the residents of Kent County for the calendar year beginning January 1, 2026. On a motion made by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously adopted Resolution 2025-06, County Income Tax.
3. Resolution 2025-07 Establishing Water and Sewer Service Rates with Exhibit A: The water and sewer rates increased by 4%. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted Resolution 2025-07, Establishing Water and Sewer Rates for FY2026.
4. Resolution 2025-08 Adoption of the FY2026 Budget, General Fund with Exhibit A: The Fiscal Year 2026 General Fund Budget is \$85,275,779.00. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously adopted resolution 2025-08, Adoption of the FY2026 Budget, General Fund.

COMMENTS RECEIVED FOR FY2026 PROPOSED BUDGET

Six (6) email correspondences were received during the comment period for the proposed budget hearing. All were regarding the Kent County Public Library funding. Each correspondence was available for review. Commissioner Price requested the June 24, 2025, meeting agenda to address KCPL's funding allocation. Shelley L. Heller, the County Administrator, stated that the staff is actively engaged in discussions, and more information will be provided soon.

CONSENT ITEMS

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

1. Regular Session Minutes, June 3, 2025
2. Liquor Minutes, June 3, 2025
3. Public Hearing Minutes, June 3, 2025
4. Closed Session Minutes, June 3, 2025
5. Community Fire Company of Millington, Raffle, June 10-August 3, 2025
6. Maryland Department of Assessments and Taxation - Real Property Tax Rate Notice
7. Information Technology—Central Square Technologies Financial Services, the term is July 1, 2025, to June 30, 2026, and the amount is \$174,987.29.
8. Kent County Health Department – Core Public Health Services for the Maryland Department of Health. The County's local funds share is \$1,327,989.00
9. Parks and Recreation – Reallocation of Program Open Space Funds Carryover amount of \$11,117.50
10. Planning, Housing, and Zoning – Amended Memorandum of Understanding with Maryland Environmental Services not to exceed \$25,943.78
11. Planning, Housing, and Zoning – Morgnec Solar Decommissioning Bond – Rider to Assign Public Service Commission As Additional Obligee
12. Public Works – Contract Amendment with Independent Contractor
13. Water and Wastewater Division – Water and Sewer Allocation Request and Public Works Agreement – Richard Bland and Damion Diaz in the amount of \$16,200.00
14. Kent County Sheriff's Office – FY2026 Sex Offender Compliance and Enforcement in Maryland Grant Program Application for \$2,610.00

PUBLIC HEARINGS

Public Hearings were held on the Code Home Rule Bill (CHRB) 4-2025 to Rescind and Replace the Land Use Ordinance and Zoning Map, and the Establishment of Kent County Agricultural Preservation Districts. Information regarding the abovementioned hearings and minutes is posted on the County's website at <https://www.kentcounty.com/government>.

APPOINTMENT

Kent County Health Department - William Webb, Health Officer, Kent County Health Department (KCHD), was invited to review permitting policies and practices. Mr. Webb was

unable to attend the meeting. A lengthy discussion took place regarding the permitting policies and practices of the KCHD. Thomas A. and Bonnie Tucker of 5311 Elburn Lane, Rock Hall, MD 21661, comment on permitting issues. Mr. and Mrs. Tucker also provided documents for the Commissioners to review. Mr. Yeager provided insight from a legal perspective regarding Mr. and Mrs. Tucker's documents. Mr. Mackey and Carla Gerber, Deputy Director of Planning, Housing, and Zoning (PHZ), offered further information. Further discussion took place. An audience member, Billy Norris, provided additional public comments regarding his experience with the KCHD. Shelley L. Heller, County Administrator, stated that the Maryland Department of the Environment (MDE) and KCHD are willing to answer any questions the Commissioners have, as long as they are submitted in writing. Commissioner Fithian suggested writing a letter addressing the issues and questions raised during their discussion. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved preparing a letter directing questions to the Kent County Health Department for a response back as they suggested. Mike Waal, a Kent County Resident, commented on the discussion.

LOCAL MANAGEMENT BOARD

Rosemary Ramsey-Granillo, Director, presented the Everyday Canvassing Contract Amendment for approval. Kent County Local Management Board (KCLMB) contracted with Everyday Canvassing at the beginning of FY2025 to conduct canvassing for community planning. KCLMB funded this \$27,604.00 initiative with Children's Cabinet Interagency funds. A follow-up grant proposal for FY2025 ENOUGH funds awarded \$40,000.00 additional funds to build on that work. Phase 2 re-engages the residents who were canvassed. Residents will build on the canvassing qualitative data and create a plan through iterative sessions. Everyday Canvassing contracts with community members to convene and help facilitate this process, and those participating will present their final deliverables to local agencies, organizations, and civic leaders. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Amendment as presented.

Ms. Ramsey-Granillo requested approval of the recommended candidates to serve on the KCLMB. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved recommended candidates number two (2), three (3), and four (4) as presented. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended reappointment of the member to the board. The Commissioners appointed Brandy Barrett, Chanelle Pettiford, Zita Seals, and Sherry Young-Hackett to three-year terms, ending on June 30, 2028. Additionally, the Commissioners signed letters to Jamie Barrett, Wanda Boyer, Terrence Moody, and Samantha Rivera, expressing gratitude for their service as members of the KCLMB.

PARKS AND RECREATION

Jill Coleman, Director, Parks and Recreation, and Joanne McNamara, Grants Manager, requested approval of the grant applications for Project Open Space (POS) funding for Worton Park improvements and for planning funds for the next Land Preservation, Parks, and Recreation Plan

(LPPRP) cycle. The Department of Natural Resources (DNR) notified the Parks and Recreation (PR) department in May 2025 that \$87,920.00 will be allocated to Kent County for the FY2026 budget period. Due to updates made in the MD legislation under HB717 (2025) that will take effect on October 1, 2025, local governments may use up to 100% of POS apportionments for a development project if they have met acquisition goals outlined in the current approved LPPRP. Since Kent County has met its goals, the department intends to use 100% of these allocated funds to improve the County parks. These grant funds will require a 10% match by the County, requiring a \$9,769.00 contribution in local funds. This budget allocation will occur in FY2027. In May, the Parks and Recreation Advisory Board (PRAB) determined that the best usage of the funds would be to create a dog park in Worton Park, the first dog park that would exist in a County-operated park in Kent County, as well as improve the baseball fields in Worton Park by adding dugout covers to the most commonly used fields for weather and sun protection. In addition, POS has historically allowed the department to request \$25,000.00 per year for planning updates during the five-year LPPRP cycle. HB717 also updated the law regarding POS funding to allow local jurisdictions to request a lump sum of \$125,000.00 for plan updates. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to proceed with the grant applications for POS funding for Worton Park improvements and for planning funds for the next LPPRP cycle.

PLANNING, HOUSING, AND ZONING

Mr. Mackey and Tyler Arnold, Geographic Information System (GIS) Specialist, PHZ, provided a departmental update. Mr. Arnold shared information regarding the use of GIS for projects throughout the county, such as public safety 9-1-1 data layers, and a project to help the Town of Rock Hall with GIS mapping to locate each fire hydrant throughout the town and the Edesville area. Mr. Arnold also helps update and manage survey projects that the County has implemented using GIS for some departments, including the parcel viewer. Commissioner Fithian asked if GIS could help locate water main shutoffs throughout the County and possibly the municipalities. Mr. Mackey stated that it is a project they could look into implementing. Mr. Mackey provided further updates on larger-scale projects, such as the Everton Industrial office/warehouse, Morgnec Road Solar, and a gateway art component. Discussion took place.

HUMAN RESOURCES

Jim Miller, Director, and Jennifer White, Human Resources Business Partner, Human Resources, requested approval to return a proportionate share of the Local Government Insurance Trust (LGIT) refund check to employees. Kent County is part of a collaborative with LGIT. LGIT assists counties and municipalities in providing health insurance coverage for employees. Annually, LGIT includes information regarding medical claims expenses and whether the County may be entitled to a rebate of a portion of those expenses. This year, the County received a rebate of \$641,992.44 in medical premiums for FY2024. The department proposes that a portion of the check, approximately \$90,000.00, be returned to those employees who contributed to the FY2024 medical plan and were actively employed through February 21, 2025. This also affects retirees. In lieu of a rebate check, the department also recommends suppressing the retiree's monthly insurance premiums. Discussion took place. On a motion made by Commissioner Price and seconded by

Commissioner Nickerson, the Commissioners unanimously approved the recommendation to return a proportionate share of the LGIT FY2024 refund check to those who participated in the County-sponsored medical plan, as presented.

Mr. Miller and Rachel Morlock, Administrative Specialist I of Human Resources, requested approval to fill a vacancy in the Parks and Recreation department. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the promotion of the recommended candidate to the Recreation Program Coordinator.

COUNTY ADMINISTRATOR

Ms. Heller explained that Upper Shore Regional Council (USRC) has been exploring the opportunity to participate in LGIT and, therefore, be a Named Insured for primary and excess liability insurance coverage and LGIT participation. To be a member or participant of LGIT, you must be a local government or sponsored by a local government as a public entity. Queen Anne's County initially volunteered to sponsor USRC. However, since the offices of USRC are in Kent County, a request has been made for Kent County to sponsor them. There is no financial or legal risk for Kent County to sponsor USRC other than to ensure that USRC pays all assessments and premiums. By signing the sponsorship letter, Kent County agrees to sponsor USRC, and USRC can then participate in the insurance pool. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved to sponsor the Upper Shore Regional Council so the Upper Shore Regional Council may become an LGIT participant. Susan O'Neill, Executive Director, USRC, attended to answer the Commissioners' questions regarding the requested sponsorship.

Ms. Heller asked the Board for discussion ideas. There is no limit to the number of nominations the County can submit. Each year, the Maryland Association of Counties (MACo) has four legislative priorities to advance through the General Assembly. These initiatives reflect county needs and promote practical, statewide solutions. In recent years, MACo initiatives have focused on infrastructure investment, modernizing local revenue structures, public safety recruitment, and emergency response capacity. MACo receives legislative initiative proposals from county governing bodies, elected officials, affiliate organizations, chapter groups, county agency leaders, and professional staff. The Legislative Committee will adopt the 2026 Initiatives in the fall. Nominations may be submitted online by June 27, 2025. Discussion took place. The Commissioners decided to submit the following legislative initiatives: the Blueprint funding to include the wealth formula calculation, the return of Highway User Funds to the County, and sprinkler system mandates.

Ms. Heller explained that Don Sutton, the Mayor of Betterton, submitted a request for the Commissioners' support regarding the Town's efforts to protect its residents and businesses from the proposed construction of a 30-acre utility-scale solar energy generation system at the main entrance of Betterton. A letter addressed to the Honorable Christine L. Burke, Public Utility Law Judge at the Public Service Commission (PSC) of Maryland, was provided for review. This letter concerns Case No. 9786, which pertains to the application of Halo Betterton, LLC for a Certificate of Public

Convenience and Necessity (CPCN) and conveys the Board's support for the Town of Betterton. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the letter as drafted.

COMMISSIONERS' COMMENT

Commissioner Fithian requested an update on the various cases related to solar farm projects. Ms. Heller provided the update, and Mr. Yeager contributed his comments. A discussion followed.

Commissioner Price shared information about the Kent County Middle School project, which he learned about while viewing a Kent County Board of Education (KCBOE) meeting. The proposed Middle School project, its financial demands, and the Blueprint funding escalation were discussed; Commissioners Fithian and Nickerson also echoed concerns. Pat Merritt, Chief Finance Officer for the Office of Finance, explained the bond loan process, prompting further discussion.

PUBLIC COMMENT

The procedures for public comment were in place. Mr. Waal commented on solar, wind, and nuclear power plants and the Blueprint funding.

FOR YOUR INFORMATION

As a Local Official, Kent County Commissioners received the Maryland Department of the Environment, Water and Science Administration notice of applications received for State Permits and Opportunity for Hearings. Applications were received from Tideland Gardens, Inc., 10040 Perkins Hill Road, Chestertown, MD 21620, and Fair Hill Farms, Inc., 10118 Augustine Herman Highway, Chestertown, MD 21620.

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 June 3, 2025, is \$4,209.00. The FY2025 use of Fund Balance is \$680,572.00.

CLOSED SESSION

At 12:19 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) (7) to consult with counsel to

obtain legal advice; and (8) to consult with staff, consultants, or other individuals about pending or potential litigation.

Shelley L. Heller, County Administrator; Thomas N. Yeager, County Attorney; Bill Mackey, Director and Carla Gerber, Deputy Director, Planning, Housing, and Zoning; and Sondra M. Blackiston, Clerk/KATE 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.

This matter was originally discussed in a closed session on May 20, 2025. This closed session is a continuation of that discussion. Bill Mackey, Director, and Carla Gerber, Deputy Director of Planning, Housing, and Zoning (PHZ), discussed the matter. Mr. Yeager provided legal advice. Mr. Yeager, Mr. Mackey, and Ms. Gerber responded to questions from the Board, and further discussion occurred.

At 1:07 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 NO.1: LEGAL AND PENDING OR POTENTIAL LITIGATION AND LEGAL ADVICE

Commissioner Price summarized the closed session discussion involving several potential litigation issues. Planning staff and the County attorney were directed to proceed as discussed.

At 1:08 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 24, 2025, at 10:00 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk

Approved:

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

June 10, 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, June 3, 2025.

At 1:08 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 24, 2025, 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

June 10, 2025

PUBLIC HEARINGS

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

Both public notices were duly advertised and included as part of the record. The rules for a public hearing were in effect. Thomas N. Yeager, County Attorney, read both hearing notices into the record. Mr. Yeager also noted that the written comment period will remain open until the close of business on June 13, 2025.

Code Home Rule Bill No. 4-2025 To Rescind and Replace the Land Use Ordinance and Zoning Map: A public hearing to discuss 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.

Agricultural Land Preservation Districts: The County Commissioners of Kent County, Maryland, will hold a Public Hearing to discuss the voluntary creation of Agricultural Land Preservation Districts for the following:

Lester C. Jones and Sons, Inc., 12824 Massey Road (Map 16, Parcel 20)
Lester C. Jones and Sons, Inc., 13013 Massey Road (Map 16, Parcel 8)
Lester C. Jones and Sons, Inc., located on Massey Road (Map 16, Parcel 55)
Fairfield One, LLC., located on Locust Grove Road (Map 14, Parcel 30)

The hearing is pursuant to the Code of Public Laws of Kent County, Chapter §171-5 Agricultural Preservation Districts.

The first of two public hearings commenced at 10:10 a.m. in the County Commissioners’ Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, MD.

CODE HOME RULE BILL NO. 4-2025 TO RESCIND AND REPLACE THE LAND USE ORDINANCE AND ZONING MAP

Bill Mackey, Director of Planning, Housing, and Zoning, provided a summary and further details of the legislation's intent. Discussion followed.

PUBLIC COMMENTS / WRITTEN COMMENTS

During the public hearing, citizens were invited to sign the testimony log and offer comments on the proposed legislation. No comments were offered. No written comments were received at the time of the public hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing for the Land Use Ordinance at 10:17 a.m. The legislative bill is scheduled to be considered for a vote on Tuesday, July 15, 2025.

AGRICULTURAL LAND PRESERVATION DISTRICTS

The second hearing commenced at 10:18 a.m. A public hearing to discuss the voluntary creation of four (4) Agricultural Land Preservation Districts. Rob Tracey, Associate Planner of Planning, Housing, and Zoning, briefed the Commissioners concerning creating local Agricultural Preservation Districts. The Kent County Planning Commission and the Agricultural Preservation Advisory Board recommended approval of the following applications:

1. #24-02 – Lester C. Jones and Sons, Inc., requested approval to create an Agricultural Preservation District on their 258-acre farm at 12824 Massey Road near Massey in the First Election District. The farm consists of 249 acres of crop land, 6.5 acres of wetlands, and 2.3 acres associated with the house and barn. Approximately 97% of the soils are considered Class I, II, or III. There is one dwelling on the property. The farm is zoned Agricultural Zoning District (AZD) and is within the Priority Preservation Area. The farm is across the street from two proposed preservation districts, which are adjacent to other districts and easements. It is outside the ten-year water and sewer plan service areas.
2. #24-03 – Lester C. Jones & Sons, Inc., requested approval to create an Agricultural Preservation District on their 99.55-acre farm at 13013 Massey Road near Massey in the First Election District. The farm consists of 96 acres of crop land and 3.55 acres associated with the homesite. Approximately 96% of the soils are considered Class I or II. There is one dwelling on the property. The farm is zoned AZD and is within the Priority Preservation Area. It is adjacent to over 1,000 acres of other districts, easements, and public lands. It is outside the ten-year water and sewer plan service areas.
3. #24-04 – Lester C. Jones & Sons, Inc., requested approval to create an Agricultural Preservation District on their 154.9-acre farm on Massey Road near Massey in the First Election District. The farm consists of 95.8 acres of crop land and 59 acres of woodland. Approximately 78% of the soils are considered Class II or III. There is no dwelling on

the property. The farm is zoned AZD and is within the Priority Preservation Area. It is adjacent to over 1,000 acres of other districts, easements, and public lands. It is outside the ten-year water and sewer plan service areas.

4. #24-05 – Fairfield One, LLC, requested approval to create an Agricultural Preservation District on their 203.11-acre farm located on Locust Grove Road, Kennedyville, in the Second Election District. The farm consists of 203.11 acres of crop land. All of the soils are considered Class II or III. There is no dwelling on the property. The farm is zoned AZD and is within the Priority Preservation Area. The farm is adjacent to over 1,000 acres of agricultural preservation districts and other preserved land. It is outside the ten-year water and sewer plan service areas.

A proposed 2025 Agricultural District map and other documentation related to the process were provided for review.

PUBLIC COMMENTS/ WRITTEN COMMENTS

During the public hearing, citizens were invited to sign the testimony log and offer comments on the proposed districts. No comments were offered. No written comments were received at the time of the public hearing.

On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing regarding the establishment of Agricultural Preservation Districts at 10:19 a.m.

Respectfully submitted,

Sondra M. Blackiston
Clerk/ KATE Manager

Approved:

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