

June 24, 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 everything happening worldwide and to keep everyone in their prayers.

Shelley L. Heller, County Administrator, was also present.

CONSENT ITEMS

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

1. Regular Session Minutes, June 10, 2025
2. Liquor Minutes, June 10, 2025
3. Public Hearing Minutes, June 10, 2025
4. Closed Session Minutes, June 10, 2025
5. Chestertown High School Alumni Association, Raffle Only, August 10, 2025
6. Economic and Tourism Development – Main Street Rock Hall Support Letters to Maria Mougridis, Project Manager, Department of Housing and Community Development (DHCD) for Community Legacy Grants (CL-2026-MSROCKHALL-00119) and (CL-2026-MSRockHall-00139) and The Maryland Façade Improvement Grant (MFIP-2026-MSRockHall-00011).
7. Parks and Recreation Advisory Board (PRAB) – Appointment of members Aiden Butler, and Rachael Strong, with terms ending on June 30, 2026, and Nathaniel Copper, Jr, with term ending on December 31, 2027.
8. Planning, Housing, and Zoning (PHZ) – Agricultural Land Preservation District (ALPD), #24-02 – Lester C. Jones and Sons, Inc.
9. PHZ – ALPD, #24-03 – Lester C. Jones and Sons, Inc.
10. PHZ - ALPD, #24-04 – Lester C. Jones and Sons, Inc.
11. PHZ - ALPD, #24-05 – Fairfield One, LLC.
12. Public Works – Petroleum Fuels and Propane Delivery Services Contract Renewal with Dixie Land Energy, LLC – July 1, 2025, through June 30, 2026.
13. Public Works – A \$16,937.42 reallocation of Funds will cover the costs of repairing the Community Center and Courthouse.

PUBLIC HEARING - FOX HUNTING CLUB DOG KENNEL LICENSE, WICOMICO HUNT CLUB, INC

A Public Hearing was held in accordance with Chapter 64: Animals, Article II of the Local Public Laws of Kent County, Maryland. Information regarding the abovementioned hearings and minutes is posted on the County's website at <https://www.kentcounty.com/government>.

APPOINTMENTS

Kent County Public Library — Robert Bell, Executive Director, and Chris Walmsley, Director of Office Administration, provided information and documentation regarding the request for a funding increase for FY2026. Pat Merritt, Chief Finance Officer, Office of Finance, joined the discussion and provided documentation regarding the budget allocation for the library and the current request. Discussion took place. Mr. Bell asked to schedule a meeting with Mr. Walmsley, himself, and Ms. Merritt to discuss further possibilities regarding their request and return to the Commissioners to present their suggestions.

Upper Shore Aging — Herb Cain, Executive Director, provided background information regarding the FY2026 Kent County Senior Care Plan. The Plan was supplied for the Commissioners' review. The Kent County Health Department and Department of Social Services have approved the Plan. Mr. Cain provided a brief overview of the program. The goal of the Senior Care Program has not changed. It is to help adults 65 and older at risk of long-term care placement, allowing them to continue to live independently in the community for as long as possible. Funded services the grant provides include personal emergency response systems, incontinence supplies, nutritional supplements ordered by medical providers, personal care and chore services, transportation services, medical day care co-pays, and medical equipment. The grant funds one full-time case manager who works directly with our seniors in their homes. Senior Care funds may only be used when no other payment sources are available. The Senior Care Plan currently serves 72 seniors and has no one on a waiting list. The program requires the approval of the County to finish the funding approval process. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved of and allowed Commissioner Fithian to sign the Senior Care Program Plan as presented.

HUMAN RESOURCES

Jim Miller, Director, and Rachel Morlock, Administrative Specialist I of Human Resources, requested approval to fill a vacancy. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the promotion of the recommended candidate for the Administration Specialist I position. This candidate will fill the vacancy in the Office of Emergency Services.

Mr. Miller and Ms. Morlock requested approval to fill a vacancy in the Parks and Recreation department. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended candidate for a Facility Monitor position. Mr. Miller and Ms. Morlock further requested approval to fill a second vacancy. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the recommended candidate for a Facility Monitor position. Both candidates fill vacancies with the Parks and Recreation Department.

PUBLIC WORKS

Dan Mattson, Director, advised Herman Hill, Trustee of Brooks Farm, LLC, that Tax Map 0051, Parcel 0560, Lot 5, be added to the Kent County Comprehensive Water and Sewerage Plan. This property is located on Eastern Neck Island Road, adjacent to a 'Denied Access' sewer

line. It is also outside the Sewer Service Area per the County Comprehensive Water and Sewer Plan. Erika Hercher, Director of Environmental Programs with the Kent County Health Department, provided a letter dated March 19, 2025, indicating that while the parcel can support an on-site sewage disposal system, connection to the public sewer system is environmentally preferable. This letter satisfies the Denied Access Line Criteria. Section 1.6.2.3 of the Kent County Comprehensive Water & Sewer Plan states, "*The Director of Kent County Department of Public Works may amend or correct minor omissions or errors of fact administratively...Such changes brought to the attention of the County Commissioners but does not require the full amendment procedure*". After reviewing the request and the Comprehensive Plan, it has been determined that the subject lot can be justifiably considered a 'minor omission' from the Service Area and would be eligible for the Administrative Amendment described above. This item requests the Commissioners' approval to add the subject lot to the Sewer Service Area and, if the service area is approved, a request for one sewer allocation for a single-family lot on Tax Map 0051, Parcel 560, Lot 5. An allocation is available at this location. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved an Administrative Amendment to the Kent County Comprehensive Water & Sewerage Plan to include Tax Map 0051, Parcel 0560, Lot 5, in the Town of Rock Hall Sewerage Service Area, pursuant to Section 1.6.2.3 of the Plan; and to approve one sewer allocation for the property.

Commissioner Fithian asked those involved with the process of the new wastewater treatment plant in Millington to attend an upcoming meeting to provide an update on the project's progress and discuss it in its entirety.

COUNTY ADMINISTRATOR

Shelley L. Heller, County Administrator, explained that the Maryland Department of Agriculture's (MDA) Office of Plant Industries and Pest Management submitted their 2024 -2025 Spongy Moth Survey Report for Kent County. There is an area of high spongy moth numbers and defoliation just east of Rock Hall. The current survey's cost share is \$18.00 per survey throughout the state. It is estimated that there would need to be between 100 and 200 surveys required to assess Kent County; therefore, an estimated cost of \$1,800.00 - \$3,600.00 for the County in the spring of 2026. The full report was available for review. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved participating in the fall/winter 2025/2026 spongy moth survey season and allocating contingency funds in FY2026 not to exceed \$3,600.00. The Commissioners signed a letter to Craig Kuhn confirming Kent County's participation.

Ms. Heller advised that a letter was received from Evangeline Heath, Commander, Sergeant Preston Ashley, American Legion Post 228, requesting funds to help maintain the M60 Tank located on their property at 21423 E. Sharp Street, Rock Hall, MD 21661. The cost for maintenance and a commemorative plaque was included in the letter. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the donation of \$3,000.00 to help with the tank maintenance at the Sgt. Preston Ashley American Legion Post 228 and the purchase of a brass plaque to honor Mr. Ronald B. Hickman. Commissioner Price

amended the motion to include that the funding be used from the FY2025 contingency funds, Commissioner Nickerson seconded the motion, and the amendment was unanimously approved.

Ms. Heller discussed a request to waive the interest and penalty (late) fees assessed to a property owner on Berryman Road, Rock Hall, MD 21661. Ashley Albia, Treasury Accountant, Office of Finance, compiled a schedule of fees assessed on the property from 2013 through 2025 for this request. The Commissioners have the option to approve or deny the request. It is standard practice to deny the request to waive the fees assessed to an account if there is no fault of the County. Ms. Heller explained this was a hardship request. Discussion took place. On a motion made by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed not to set a precedent conflicting with County practice. The request was denied.

COUNTY ADMINISTRATOR'S REPORT

On June 10, 2025, the Commissioners decided it was appropriate to send a letter to the Kent County Health Department (KCHD) directing questions concerning Environmental Health Operations and requesting a written response. Ms. Heller sent a letter to Bill Webb, KCHD's Health Officer, on June 13, 2025, requesting a response within 15 days.

COMMISSIONERS' COMMENT

Commissioner Fithian reported that a meeting with the Friends of Eastern Neck Wildlife Refuge and Congressman Harris' office was scheduled but had to be canceled due to adverse weather conditions. Commissioner Fithian has requested to be notified when the meeting is rescheduled.

Commissioner Price recently visited the CreaFill plant in Worton, MD. He expressed enthusiasm for the opportunity to observe the facility's operations. Commissioner Price encourages individuals who are interested in understanding the processes and workings of the plant to consider undertaking a site visit.

PUBLIC COMMENT

The procedures for public comment were in place. On behalf of Marlene Starkey, Janet Christensen-Lewis requested the review of the site plans for Morgnec Road Solar, LLC. Ms. Starkey owns property with an easement that borders the Morgnec Road Solar project and is concerned with access to the easement once the project commences. Discussion took place. Commissioner Fithian asked Ms. Gerber to follow up with the applicant and offer a remedy to address the issue. Discussion took place.

FOR YOUR INFORMATION

Permit Renewal: A certified letter was received from Gary Lasko, Senior Project Manager, Maryland Environmental Service (MES), stating that a request to renew Refuse Disposal Permit No. 2020-WTS-0549, to the Maryland Department of the Environment (MDE). MES seeks to renew the Refuse Disposal Permit for an additional five-year term to allow for the operation of the Midshore I Transfer Station located at 7341 Barkers Landing Road, Easton, Talbot County, Maryland. MES submitted the renewal application to MDE on April 25, 2025. The letter was available for review.

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 10, 2025, is \$4,209.00. The FY2025 use of Fund Balance is \$680,572.00.

CLOSED SESSION

At 11:32 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; or any other personnel matter that affects one or more specific individuals.

Shelley L. Heller, County Administrator, and Sondra M. Blackiston, Clerk, were also in attendance. After a brief recess, the closed session began at 11:41 a.m.

MATTER NO. 1 PERSONNEL MATTERS

Topic to be discussed: Personnel matters

Reason for closing: The details concerning personnel matters should be shielded for privacy.

Shelley L. Heller, Administrator, discussed two personnel matters. The Board offered comments and provided directions.

At 12:31 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

MATTER NO.1: PERSONNEL MATTERS

Commissioner Price summarized the closed session discussions involving two personnel matters. Staff were directed to proceed as discussed with the Board's wishes.

At 12:32 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, July 8, 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 24, 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 Bonnie S. Pearsall, Inspector, Kent Alcohol and Tobacco Enforcement, 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 10, 2025.

SPECIAL CLASS C

Echo Hill Outdoor School has submitted a Special Class C (Per Diem) Liquor License application to sell beer, wine, and liquor during a Crab Feast Fundraiser. The event is scheduled from 4:00 p.m. to 9:00 p.m. on August 2, 2025, at the foot of High Street, Chestertown. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the Special Class C (Per Diem) liquor license application for Echo Hill Outdoor School.

Piney Grove (Operation Enduring Warrior) has submitted a Special Class (Per Diem) Liquor License Application to sell beer, wine, and liquor during a BBQ & Brews Event. The event is scheduled from 11:00 a.m. to 6:00 p.m. on August 2, 2025, at Piney Grove, 7281 Wilkins Lane, Chestertown, MD 21620. On a motion by Commissioner Nickerson and seconded by Commissioner Price, the Commissioners unanimously approved the Special Class C (Per Diem) liquor license application for Piney Grove (Operation Enduring Warrior).

KENT ALCOHOL AND TOBACCO ENFORCEMENT (KATE)

Bonnie S. Pearsall, Inspector for KATE, explained that Saurabh Sethi, a member of Rock Hall Liquors (Sam's Rock Hall Liquors, LLC), is seeking approval to add a beer, wine, and liquor tasting station to the premises. A revised sketch illustrating the location of the tasting station has been submitted for the Commissioners' review. Inspector Pearsall provided additional details about the station's placement. Discussion took place. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously approved the revised sketch of the premises to include a beer, wine, and liquor tasting station for Rock Hall Liquors.

At 12:33 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, July 8, 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 24, 2025

PUBLIC HEARING

County Commissioners Ronald H. Fithian, Albert Nickerson, and John F. Price were in attendance, as were Shelley L. Heller, County Administrator, and Carla Gerber, Deputy Director of Planning, Housing, and Zoning.

Commissioner Fithian read the notice into the record. The rules for a public hearing were in effect.

FOX HUNTING CLUB DOG KENNEL LICENSE, WICOMICO HUNT CLUB, INC.

The public hearing commenced at 10:07 a.m. in the County Commissioners' Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, MD. A public hearing in accordance with Chapter 64: *Animals*, Article II of the Local Public Laws of Kent County, Maryland, to consider a proposed Fox Hunting Club Dog Kennel License. Carla Gerber, Deputy Director, Planning, Housing, and Zoning, stated the Wicomico Hunt Club, Inc. (WHC) application has met the requirements defined in Chapter 64 and provided an overview of the application. The application included a detailed narrative, survey plat, floor plan, aerials with setbacks, and sound-proofing documentation. Ms. Gerber added that the WHC, as part of their application, also requested approval of a temporary location of the kennel, which will also be located on the property, until the permanent kennel can be renovated according to the requirements of Chapter 64. Ms. Gerber requested to leave the public comment period open until the closing of business on Friday, June 27, 2025.

PUBLIC COMMENTS

Citizens were invited to sign the testimony log and comment during the public hearing. Genevieve Macfarlane, Esquire, Law Offices of Stevens Palmer, LLC, Attorney Representative of WHC; along with Eden Kloetzli, Master of Foxhounds, Ed Fry, Master of Foxhounds, and Dan O'Toole, Member, all with WHC, provided comments regarding the requirements involving the kennel and the steps taken to meet these requirements. Mr. O'Toole provided a sample of the material that will be used to help soundproof the hedge row around the kennel to help reduce the noise from the hounds. Mr. Fry further commented on the operation and organization of the WHC. Discussion took place.

WRITTEN COMMENTS

No written comments were received at the time of the public hearing.

Commissioner Fithian noted again that the public comment period would remain open until the close of business on Friday, June 27, 2025, for any written comments that may be submitted. Shelley L. Heller, County Administrator, stated that the application would be considered for a vote on July 8, 2025. On a motion by Commissioner Price and seconded by Commissioner Nickerson, the Commissioners unanimously agreed to close the public hearing and to have the record remain open until Friday, June 27, 2025. The public hearing was closed at 10:28 a.m.

Public Hearing Minutes – Fox Hunting Club Dog Kennel License, Wicomico Hunt Club
June 24, 2025
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Respectfully submitted,

Sondra M. Blackiston, Clerk

Approved:

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