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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

January 16, 2024, 4:00 p.m.

Council Chambers, Easton, Maryland

COUNCIL MEMBERS:

Chuck F. Callahan

Pete Leshner

Keasha N. Haythe

Lynn L. Mielke

Dave Stepp

Reported by

Diane Houlihan

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1 TRANSCRIPT OF PROCEEDINGS

2

3 MR. CALLAHAN: I want to welcome everybody

4 tonight. And we've got a special legislation

5 day tonight.

6 So we'll go ahead and stand and say the

7 Pledge of Allegiance of the Flag and the

8 prayer.

9 (Prayer and Pledge of Allegiance.)

10 MR. CALLAHAN: Okay. Thank you,

11 Mr. Stepp. Okay. All right.

12 On tonight's agenda, do I have a motion?

13 MS. MIELKE: So moved.

14 MR. CALLAHAN: Okay. We got a motion and

15 second to accept the agenda. Madam Secretary,

16 could you call the roll, please.

17 SECRETARY: Mr. Callahan.

18 MR. CALLAHAN: Aye.

19 SECRETARY: Mr. Stepp.

20 MR. STEPP: Aye.

21 SECRETARY: Mr. Leshner.

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1 MR. LESHNER: Aye.

2 SECRETARY: Ms. Mielke.

3 MS. MIELKE: Aye.

4 SECRETARY: Ms. Haythe.

5 MS. HAYTHE: Aye.

6 MR. CALLAHAN: Okay. Next on the agenda

7 is the disbursements of January 16th. Anybody,

8 everybody take a look at that? Are we good?

9 MR. LESHNER: All good.

10 MR. CALLAHAN: Do we got a motion?

11 MR. LESHNER: So moved.

12 MR. CALLAHAN: Okay. We got a motion.

13 MR. LESHNER: Second.

14 MR. CALLAHAN: Okay. And we got a motion

15 and second. Madam Secretary, could you call

16 the vote.

17 SECRETARY: Mr. Callahan.

18 MR. CALLAHAN: Aye.

19 SECRETARY: Mr. Stepp.

20 MR. STEPP: Aye.

21 SECRETARY: Mr. Leshner.

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1 MR. LESHNER: Aye.

2 SECRETARY: Ms. Mielke.

3 MS. MIELKE: Aye.

4 SECRETARY: Ms. Haythe.

5 MS. HAYTHE: Aye.

6 MR. CALLAHAN: Okay. Next on the agenda,

7 our agenda, is introduction to an amendment of

8 Resolution 348.

9 Mr. Thomas, you want to kind of bring us

10 up to speed on that, please.

11 MR. THOMAS: Yes. This amendment was

12 requested by Vice President Leshner.

13 As Council recall, Resolution 348 was

14 requested by MDE to address certain parcels

15 that were shown in the exhibits to 281.

16 What this amendment does is is it also, it

17 will add through some recitals and a few

18 changes to the text, also clarifies and

19 confirms the W-2, S-2 status of certain parcels

20 in the Lakeside development.

21 And this came out of the Public Works

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1 Advisory Board's meeting last week.

2 MR. CALLAHAN: Okay.

3 MR. THOMAS: I think it was the 2nd

4 actual.

5 MR. CALLAHAN: Okay. I got you.

6 Do you want to --

7 MR. LESHNER: So Public Works Advisory

8 Board did raise some concerns at that time.

9 The language introduced in this amendment is

10 intended to address those concerns.

11 This legislation will then be back before

12 the Public Works Advisory Board at its meeting

13 this Thursday.

14 So that's why we're introducing this

15 amendment at this time, so that they can have

16 it in advance and provide their feedback so

17 that that's in time for the Planning

18 Commission's first Wednesday in February.

19 MR. CALLAHAN: I see.

20 MR. LESHNER: To keep all of this on the

21 intended schedule, although I guess now we're

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1 rescheduling hearings anyway on 347, 348, and
 2 338. And I guess we'll learn when that is
 3 going to be possible now.
 4 MR. THOMAS: I think we're shooting for
 5 the first meeting in February.
 6 MR. CALLAHAN: Okay.
 7 MR. LESHHER: That we'll have advertising
 8 deadlines to be able to take care of it by
 9 then?
 10 MR. THOMAS: Yes.
 11 MR. CALLAHAN: And the only thing that I
 12 would add, Mr. Thomas, is that 348 is sort of,
 13 help me out, sort of was designed because of
 14 the State needed clarification and asked us for
 15 certain things. And this helps clarify some of
 16 their concerns.
 17 MR. THOMAS: Yes. They had some confusion
 18 about the classifications of certain parcels
 19 that were unrelated to Lakeside.
 20 348 was originally intended to address
 21 that, but it makes sense to address these other

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1 items as well --
 2 MR. CALLAHAN: Okay. Good.
 3 MR. THOMAS: It wasn't what MDE asked us
 4 to do. But it's nonetheless I think
 5 appropriate to do it in the same resolution.
 6 MR. CALLAHAN: Yeah. And by the way,
 7 Mr. Clarke, you're here. Do you want to go
 8 ahead and just comment real quick on it?
 9 MR. CLARKE: Thank you. Again, I think as
 10 noted, I think the Public Works Advisory Board
 11 is very supportive of trying to have some of
 12 this added to the Resolution 348.
 13 And I think based upon the discussions we
 14 did have with the board, they were supportive
 15 of adding the whereases and whatnot, the
 16 increase, as kind of a better understanding --
 17 MR. CALLAHAN: Sure.
 18 MR. CLARKE: -- of what we're doing.
 19 MR. CALLAHAN: Okay. That's good. Any
 20 other questions from Council?
 21 MS. HAYTHE: No.

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1 MR. CALLAHAN: Everybody good? Okay.
 2 So this is introduction. So do we just
 3 need to raise our hands? Is that what we need?
 4 SECRETARY: You can or I can call the roll
 5 or however you want. You usually raise hands.
 6 MR. CALLAHAN: Yeah. Whoever wants to
 7 raise their hands. That's good.
 8 MR. LESHHER: So amendment introduced by
 9 Council.
 10 MR. CALLAHAN: Thank you, Council.
 11 SECRETARY: And the public hearing will be
 12 scheduled for Tuesday, February 13th.
 13 MS. HAYTHE: Okay.
 14 SECRETARY: At 6:30 p.m.
 15 MR. CALLAHAN: Okay. Perfect. Okay.
 16 The next thing on the agenda is eligible
 17 for vote this evening. Madam Secretary, could
 18 you go ahead and read Bill Number 1550, please.
 19 SECRETARY: Bill Number 1550, a bill to
 20 amend Chapter 11 of the Talbot County Code,
 21 alcoholic beverages, regarding the issuance of

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1 class E beer, wine, and liquor licenses for
 2 urban locations.
 3 MR. CALLAHAN: Okay. All right. So
 4 Council, we're here. Is there any comment or
 5 anything? Mr. Leshher?
 6 MR. LESHHER: This is a request that came
 7 through from the Town of Trappe by way of
 8 enabling a business that to be able to be
 9 established in their town. But the Liquor Code
 10 is not governed by the Town of Trappe, it's
 11 governed by the county. And without this
 12 legislation, that new business would not be
 13 possible. So this is enabling legislation
 14 for --
 15 MR. CALLAHAN: Sure.
 16 MR. LESHHER: We don't issue the liquor
 17 license. Our Liquor Board does that. But this
 18 enables them to be able to review one for the
 19 town in that location.
 20 MR. CALLAHAN: Okay. Any other?
 21 Would you like to comment?

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1 MR. THOMAS: I can, just for a little bit
 2 of additional context.
 3 MR. CALLAHAN: Yup.
 4 MR. THOMAS: So there is a formula that
 5 limits the number of off-sale licenses that can
 6 be issued.
 7 And in the Town of Trappe, they have I
 8 think two off-sale licenses, but they don't
 9 have a class E. Class E is essentially a
 10 liquor store. And Trappe is the only
 11 municipality that doesn't have one because of
 12 that formula. Every other municipality does.
 13 So this would allow any municipality to have up
 14 to one class E establishment. So --
 15 MR. CALLAHAN: Okay.
 16 MR. THOMAS: -- that way the residents of
 17 Trappe would have the same access to a store
 18 that others in the county have.
 19 MR. CALLAHAN: Okay. Great. Okay. Good.
 20 Okay.
 21 Any other? Okay.

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1 So Madam Secretary, do we have a motion?
 2 MR. LESHER: I think that you can just
 3 call the roll now. This is eligible for vote.
 4 MR. CALLAHAN: Okay. Madam Secretary,
 5 could you call the vote.
 6 SECRETARY: Mr. Callahan.
 7 MR. CALLAHAN: Aye.
 8 SECRETARY: Mr. Stepp.
 9 MR. STEPP: Aye.
 10 SECRETARY: Mr. Leshner.
 11 MR. LESHNER: Aye.
 12 SECRETARY: Ms. Mielke.
 13 MS. MIELKE: Aye.
 14 SECRETARY: Ms. Haythe.
 15 MS. HAYTHE: Aye.
 16 MR. CALLAHAN: Okay. Good. Okay. We got
 17 that done. Appreciate it, Council.
 18 Next on the agenda is really Clay's stuff.
 19 MR. STAMP: This is going to be a pretty
 20 quick pass-off.
 21 MR. CALLAHAN: Yup, yup.

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1 MR. STAMP: Good evening, Council. Under
 2 county manager report this evening, there is a
 3 request for a renewal of first amendment lease
 4 between the Talbot County, Maryland, and the
 5 OBFY, Oxford-Bellevue Ferry.
 6 And again, Patrick can add some context to
 7 this request.
 8 MR. CALLAHAN: Sure.
 9 MR. THOMAS: So the county currently has a
 10 lease with OBFY for the Oxford-Bellevue Ferry,
 11 the property owned by the county.
 12 It has a five-year term with five one-year
 13 renewal periods. That five-year term will end
 14 July 1st of this year.
 15 So the Bixlers reached out about possibly
 16 amending that to allow for a longer lease term.
 17 So what the amendment does is instead of
 18 having one-year renewals, it's going to have a
 19 renewal term of five years with an option for a
 20 five-year renewal term after that.
 21 MR. CALLAHAN: I see.

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1 MR. THOMAS: So it gives them some peace
 2 of mind that this will continue on for at least
 3 another five years --
 4 MR. CALLAHAN: Right.
 5 MR. THOMAS: -- with an option for five
 6 more. So --
 7 MR. CALLAHAN: And I think --
 8 MR. THOMAS: -- approved the language.
 9 MR. CALLAHAN: Sure. And I think one of
 10 the important reasons is to try to help them
 11 because it's in the process of they're trying
 12 to sell the ferry. Am I right?
 13 MR. THOMAS: Correct.
 14 MR. CALLAHAN: Yeah. The business and
 15 everything. So this kind of helps them.
 16 MR. THOMAS: Yeah. It makes it harder for
 17 prospective buyers to purchase something not
 18 knowing if it's going to be gone.
 19 MR. CALLAHAN: Correct.
 20 MR. THOMAS: If the county -- they don't
 21 know that the county would necessarily be

Page 14	<p>1 willing to extend it. So this helps them as</p> <p>2 well.</p> <p>3 MR. CALLAHAN: I think it helps them a</p> <p>4 lot. Okay.</p> <p>5 Any other questions, Council? Okay.</p> <p>6 So do we have to put a motion on this one</p> <p>7 here?</p> <p>8 MR. LESHER: Yeah.</p> <p>9 MR. STEPP: So moved.</p> <p>10 MR. CALLAHAN: Okay.</p> <p>11 MS. HAYTHE: Second.</p> <p>12 MR. CALLAHAN: Okay. So we got a motion</p> <p>13 and second to go ahead and help with the lease</p> <p>14 agreement on the Bellevue Ferry. Madam</p> <p>15 Secretary, could you call the vote.</p> <p>16 SECRETARY: Mr. Callahan.</p> <p>17 MR. CALLAHAN: Aye.</p> <p>18 SECRETARY: Mr. Stepp.</p> <p>19 MR. STEPP: Aye.</p> <p>20 SECRETARY: Mr. Leshner.</p> <p>21 MR. LESHER: Aye.</p>	Page 16	<p>1 So that same language but draft it as an</p> <p>2 amendment to 347.</p> <p>3 MR. THOMAS: So you want the language from</p> <p>4 338 but as an amendment to 347?</p> <p>5 MR. LESHER: Correct. Yeah. That</p> <p>6 language, with that, with the pending amendment</p> <p>7 to 338 as part of it.</p> <p>8 We have an amendment on the table from</p> <p>9 338.</p> <p>10 MR. THOMAS: I'm sorry. You want the</p> <p>11 language in the amendment to 338 as also an</p> <p>12 amendment to 347?</p> <p>13 MR. LESHER: Correct.</p> <p>14 MR. THOMAS: Okay. I understand.</p> <p>15 MR. CALLAHAN: So explain that to me</p> <p>16 because I'm a little --</p> <p>17 MR. LESHER: So this, Planning Commission</p> <p>18 has already found 338 to be consistent --</p> <p>19 MR. CALLAHAN: Right.</p> <p>20 MR. LESHER: -- with the Comprehensive</p> <p>21 Plan.</p>
Page 15	<p>1 SECRETARY: Ms. Mielke.</p> <p>2 MS. MIELKE: Aye.</p> <p>3 SECRETARY: Ms. Haythe.</p> <p>4 MS. HAYTHE: Aye.</p> <p>5 MR. STAMP: That completes your county</p> <p>6 manager report for this evening.</p> <p>7 MR. CALLAHAN: Okay. I know it's rare,</p> <p>8 but we're wrapping things up.</p> <p>9 So I guess other than that, does Council</p> <p>10 have anything else tonight?</p> <p>11 MR. LESHER: Comments.</p> <p>12 MR. CALLAHAN: Comments. Any comments?</p> <p>13 Okay.</p> <p>14 MR. LESHER: Just one, which is that I'm</p> <p>15 requesting that our Office of Law draft</p> <p>16 language using the language from Resolution 338</p> <p>17 but drafted as an amendment to Resolution 347</p> <p>18 as a means of offering options to the Planning</p> <p>19 Commission to get this must-pass legislation a</p> <p>20 finding of consistency from the Planning</p> <p>21 Commission.</p>	Page 17	<p>1 MR. CALLAHAN: Right.</p> <p>2 MR. LESHER: We need them to come to a</p> <p>3 finding of consistency for both 347 and 348.</p> <p>4 This offers them an option that if this</p> <p>5 language will sweeten them and get them to the</p> <p>6 point of finding consistency with the</p> <p>7 Comprehensive Plan, this will give them an</p> <p>8 option to do so.</p> <p>9 MR. CALLAHAN: Okay. But they don't have</p> <p>10 any comparison? They're -- don't they?</p> <p>11 MR. LESHER: Well, they both concern, they</p> <p>12 both concern the phasing of Lakeside.</p> <p>13 MR. CALLAHAN: Okay.</p> <p>14 MR. LESHER: It's related legislation.</p> <p>15 MR. CALLAHAN: Okay. Okay. All right.</p> <p>16 Is that something I need to...</p> <p>17 MS. HAYTHE: So I have a question,</p> <p>18 Patrick. So if we are amending 347 with this</p> <p>19 particular language, where do we stand with the</p> <p>20 original 347 Resolution?</p> <p>21 Shouldn't this be a separate bill?</p>


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<p>1 MR. THOMAS: This would be an a separate, 2 this would be an amendment to 347. 3 (Inaudible.) 4 MS. MIELKE: I don't think we voted on it 5 yet. Did we? 6 (Inaudible.) 7 SECRETARY: It was introduced. 8 MS. HAYTHE: No. 9 MR. THOMAS: It could be introduced on the 10 22nd, but we won't have it introduced in time 11 for the Public Works Advisory Board to look at 12 it on Thursday. 13 MR. LESHHER: That's true. 14 MS. HAYTHE: Why can't we run two separate 15 resolutions, instead of amending that 16 resolution if we had already agreed on 347 as a 17 Council when it went up? Right? 18 MR. LESHHER: We do have them as separate 19 resolutions. 20 This provides the Planning Commission with 21 a further option to get to a finding of</p>	<p>1 MS. HAYTHE: And now Councilman Leshher 2 would like to amend 347? 3 MR. THOMAS: Correct. 4 MS. HAYTHE: Which will make it one 5 resolution. 6 MR. THOMAS: But the amendment would still 7 have to be voted on by Council. 8 MR. LESHHER: Right. Absolutely. 9 MR. THOMAS: So it will be introduced. 10 Once -- just like the other amendments that are 11 pending, they'll all come before you on the 12 first meeting in February. And then you all 13 will have to vote on each amendment. 14 And if they're adopted, the resolution is 15 amended and then you'll vote on the amended 16 resolution. If they fail, then you have the 17 original resolution. 18 MR. STAMP: Will this amendment make the 19 13th? It will. 20 SECRETARY: Yes. 21 MR. THOMAS: It can from a timing</p>
Page 19	Page 21
<p>1 consistency. 2 We need them to come to a finding of 3 consistency, and I simply want to provide them 4 with that further option. 5 MR. CALLAHAN: But I just want to make 6 sure. They found it consistent. 338, they 7 found it consistent. 8 MR. LESHHER: Correct. But they have not 9 yet had a finding on 347. And we need them to, 10 if that is going to move forward, they need to 11 find it consistent with the Comprehensive Plan. 12 MR. THOMAS: I think I could go -- well, 13 it's not on the agenda. That's the only 14 problem. 15 MS. HAYTHE: So how do we resolve it to 16 move forward to keep it, to again have two 17 separate, to have it as a separate resolution? 18 Because we already have 347 on the table 19 correct, right, as is? 20 MR. THOMAS: Yes. 21 MR. CALLAHAN: Right.</p>	<p>1 standpoint. 2 Like I said, the only issue is because we 3 have, even if it's introduced on the 22nd, the 4 Planning Commission has enough time. The only 5 problem is the Public Works Advisory Board 6 won't have... 7 MR. CALLAHAN: Go ahead, Mr. Clarke. Yup. 8 Come on up, if you don't mind, Ray. 9 MR. CLARKE: The Public Works Advisory, on 10 347, the Public Works Advisory Board, I think 11 what had happened is when the Planning 12 Commission met, they kind of sent it back to 13 the Public Works Advisory Board to basically 14 provide a recommendation to the County Council 15 on you adopting Resolution 347. 16 That was unbeknownst to the Public Works 17 Advisory Board, they had already provided a 18 recommendation to the County Council, I believe 19 it was a five to zero vote, not to adopt 20 Resolution 347. 21 So at this point, we then had them</p>

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<p>1 reconsider that I believe at their last 2 meeting, to reconsider their vote on 347, along 3 with what amendment I think was added to that. 4 They choose not to reconsider that. 5 At this point in time, the Public Works 6 Advisory Board's position is that they're 7 recommending that the County Council not adopt 8 Resolution 347. 9 So I believe for us, they would have to 10 come back and do, the Public Works Advisory 11 Board would have to come back and ultimately 12 reconsider their vote on 347, which they voted 13 not to do that. So kind of... 14 MR. LESHER: So if, again, if the Planning 15 Commission, if the Planning Commission uses the 16 Public Works Board's recommendation, that would 17 lead to a finding of inconsistency, which means 18 that 347 would not reach this Council's desk. 19 MR. CLARKE: Right. 20 MR. LESHER: My hope is that with this 21 amendment, we might be able to find the</p>	<p>1 (Inaudible.) 2 MR. CALLAHAN: Okay. Thank you -- 3 MR. THOMAS: Just so we don't lose, 4 because I'm just making sure we're able to get 5 this in front of all the agencies and keep this 6 on track for the 13th. 7 Would it be acceptable, if you and I, Vice 8 President, are in agreement on the language, 9 and I can share it with Council, that I could 10 then forward it to Mr. Clarke to share with the 11 (inaudible) at their meeting on the 18th? 12 MR. LESHER: That would be ideal. 13 MR. THOMAS: So we can get their 14 recommendation. 15 Even though it would be before it's 16 actually introduced, I know it's a little out 17 of sequence. 18 But the only other alternatives are to 19 delay the hearing until March or to have 20 (inaudible) to have a special meeting. 21 MR. LESHER: I'd rather if we can get this</p>
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<p>1 supporting boards can find consistency and 2 favorable recommendation. 3 MR. CLARKE: Mr. Leshner is correct in that 4 position, that ultimately, the Planning 5 Commission needs to find Resolution 347 6 consistent with the Comp Plan. 7 So if there's some ambiguity now with the 8 Planning Commission, and this amendment 9 potentially gives them the ability to say oh, 10 yeah, we'll vote now finding Resolution 347 is 11 consistent, that would then allow us to move 12 forward to the Council with Resolution 347. 13 MR. LESHER: So the amendment that I 14 introduced to 348 earlier tonight and this 15 amendment are both seeking to, this that I'm 16 just requesting for introduction next Tuesday, 17 are both simply seeking to pave a way that we 18 can find that finding of consistency for both 19 of these pieces of legislation from the 20 Planning Commission. 21 MR. CALLAHAN: Okay.</p>	<p>1 sown up and forwarded to Mr. Clarke, I'd rather 2 keep this moving on schedule if at all 3 possible. 4 MR. THOMAS: I agree. Thank you. 5 MR. CALLAHAN: Okay. Sounds good. 6 Any other comments or concerns or 7 anything? We're good? 8 MS. HAYTHE: Yeah. 9 MR. CALLAHAN: Okay. 10 MR. LESHER: Are we ready? 11 MR. CALLAHAN: Yup. 12 MR. LESHER: Council's next meeting will 13 be Tuesday, January 23rd, beginning at 14 six o'clock p.m. Council will be meeting at 15 3:30 p.m. for a work session on the employee 16 manual and adjourning into closed session at 17 4:30 p.m., as listed on the statement for 18 closing that meeting. 19 Council will also meet at five o'clock 20 this evening with the Talbot County Board of 21 Education at the Board of Education Office at</p>

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1 12 Magnolia Street.
 2 As there is no further business, a motion
 3 to adjourn would be in order.
 4 MS. MIELKE: So moved.
 5 MR. STEPP: So moved.
 6 MR. CALLAHAN: Okay. We got a motion and
 7 second to adjourn. Madam Secretary, could you
 8 call the vote.
 9 SECRETARY: Mr. Callahan.
 10 MR. CALLAHAN: Aye.
 11 SECRETARY: Mr. Stepp.
 12 MR. STEPP: Aye.
 13 SECRETARY: Mr. Leshner.
 14 MR. LESHNER: Aye.
 15 SECRETARY: Ms. Mielke.
 16 MS. MIELKE: Aye.
 17 SECRETARY: Ms. Haythe.
 18 MS. HAYTHE: Aye.
 19 MR. CALLAHAN: Okay. Thank you.
 20 MS. MIELKE: Thank you.
 21 (Meeting concluded at: 4:22 p.m.)

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1 STATE OF MARYLAND
 2 I, Diane Houlihan, a Notary Public in and
 for the State of Maryland, County of Baltimore City,
 3 do hereby certify that the within named, Talbot
 County Council Audio, personally appeared before me
 4 at the time and place herein set according to law,
 was interrogated by counsel.
 5
 I further certify that the examination was
 6 recorded stenographically by me and then transcribed
 from my stenographic notes to the within printed
 7 matter by means of computer-assisted transcription
 in a true and accurate manner.
 8
 I further certify that the stipulations
 9 contained herein were entered into by counsel in my
 presence.
 10
 I further certify that I am not of counsel
 11 to any of the parties, not an employee of counsel,
 nor related to any of the parties, nor in any way
 12 interested in the outcome of this action.
 13 AS WITNESS my hand Notorial Seal this 18th
 day of January, 2024 at Easton, MD
 14

 15
 16 _____
 Diane Houlihan
 Notary Public
 17
 18
 19 My commission expires September 16, 2025
 20
 21

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