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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Special Council Meeting

June 21, 2024, 1:00 p.m.

Council Chambers, Easton, Maryland

COUNCIL MEMBERS:

Chuck F. Callahan

Keasha Haythe

Lynn L. Mielke

Reported by

Diane Houlihan

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. CALLAHAN: Okay. Welcome, Keasha and</p> <p>4 Lynn. And I want to welcome everybody here</p> <p>5 today.</p> <p>6 So let's go ahead and start off with the</p> <p>7 Pledge of Allegiance of the Flag.</p> <p>8 (Pledge of Allegiance.)</p> <p>9 MR. CALLAHAN: So what we're going to talk</p> <p>10 about today for a few minutes, we've got some</p> <p>11 concerns on it's really dry out. And the fire</p> <p>12 departments and EMS and Emergency Services has</p> <p>13 some concerns.</p> <p>14 So Brian, would you mind coming on up?</p> <p>15 And Sonny, would you mind coming on up?</p> <p>16 And sort of let's start briefly helping</p> <p>17 the public understand in Talbot County that</p> <p>18 we've had several fires now, and we're getting</p> <p>19 a little concerned until it gets rainy again a</p> <p>20 little bit.</p> <p>21 So can you help us understand some of your</p>	<p>1 MR. LeCATES: And we have dry conditions.</p> <p>2 We've recently had some rather large</p> <p>3 fires, field fires. One that was over 100</p> <p>4 acres and took several hours to contain.</p> <p>5 And with the temperatures coming up and</p> <p>6 heat indices going to be 105, 106 in the near</p> <p>7 future, it's really dangerous for firefighters</p> <p>8 to be out in gear when they don't necessarily</p> <p>9 have to be, fighting fires that don't</p> <p>10 necessarily have to be started.</p> <p>11 So I'll turn it over to Sonny to</p> <p>12 elaborate.</p> <p>13 MR. CALLAHAN: 2yes, sir.</p> <p>14 CHIEF JONES: Thank you. And thanks for</p> <p>15 having us.</p> <p>16 MR. CALLAHAN: Thank you, Chief.</p> <p>17 CHIEF JONES: So basically right now,</p> <p>18 other than what Brian said, speaking of drought</p> <p>19 condition, your moisture content or your</p> <p>20 appreciable rainfall is down about</p> <p>21 approximately 25 percent from your normal</p>
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<p>1 concerns?</p> <p>2 MR. LeCATES: Sure. So thank you for</p> <p>3 having us and thank you for calling this</p> <p>4 special meeting.</p> <p>5 MR. CALLAHAN: Yup.</p> <p>6 MR. LeCATES: On such short notice.</p> <p>7 So I was contacted by Chief Jones from the</p> <p>8 Easton Volunteer Fire Department to explore the</p> <p>9 potential of putting in a burn ban.</p> <p>10 So we've used this as an element in the</p> <p>11 past to be able to stop unnecessary burns for a</p> <p>12 certain period of time when we're having</p> <p>13 exceedingly dry and hot weather where we are</p> <p>14 worried about ignition sources that would cause</p> <p>15 a much larger incident.</p> <p>16 MR. CALLAHAN: Right, right.</p> <p>17 MR. LeCATES: So that's where we're at now</p> <p>18 with the current forecast of weather</p> <p>19 conditions. We are not forecasted to have any</p> <p>20 significant precipitation in the near future.</p> <p>21 MR. CALLAHAN: Right.</p>	<p>1 average for this time of year.</p> <p>2 That decreases the amount of moisture</p> <p>3 content in vegetation, which allows fires to</p> <p>4 not only start quickly but to grow rapidly and</p> <p>5 to grow exponentially before the Emergency</p> <p>6 Services or fire department personnel even</p> <p>7 arrive.</p> <p>8 We're requesting this not to try to</p> <p>9 infringe on the rights of anyone in the county</p> <p>10 from doing what they need to do for having open</p> <p>11 fires. We're doing it because the risks</p> <p>12 outweigh the benefits of open fires at this</p> <p>13 point. The potential for conflagration to</p> <p>14 occur is much greater because there is such low</p> <p>15 moisture content in the vegetation.</p> <p>16 Speaking with the regional forester this</p> <p>17 morning, he even indicated in our woods, even</p> <p>18 though that the plant material is green, that</p> <p>19 the ground underneath of that, the organic</p> <p>20 material is very dry, which a fire can burn</p> <p>21 underground almost unseen and spread rapidly as</p>

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<p>1 well, just because there is very little</p> <p>2 moisture content.</p> <p>3 MR. CALLAHAN: Yes, sir. Yes, sir. That</p> <p>4 sounds great.</p> <p>5 So let's -- so I think there's a few other</p> <p>6 counties that have sort of done this, too.</p> <p>7 CHIEF JONES: It's my understanding that</p> <p>8 last Thursday I believe Worcester and Somerset</p> <p>9 enacted a ban.</p> <p>10 MR. LeCATES: Yesterday.</p> <p>11 MR. CALLAHAN: Okay. So just a few little</p> <p>12 things.</p> <p>13 So we want to start using common sense for</p> <p>14 the next several weeks with stuff like that.</p> <p>15 We know 4th of July is coming up. So we need</p> <p>16 to have a little common sense with fireworks</p> <p>17 and that type of stuff.</p> <p>18 And we also need to have some common sense</p> <p>19 when we're dealing with cookouts and, you know,</p> <p>20 fires out there, that kind of stuff.</p> <p>21 Are we saying, are we sort of saying just</p>	<p>1 CHIEF JONES: To include bonfires.</p> <p>2 MR. CALLAHAN: Okay, okay.</p> <p>3 CHIEF JONES: And things like that.</p> <p>4 Simply because the risk is greater than the</p> <p>5 reward in my opinion because --</p> <p>6 MR. CALLAHAN: And fire pit, that type of</p> <p>7 stuff sitting around?</p> <p>8 CHIEF JONES: Yes.</p> <p>9 MR. LeCATES: Yes.</p> <p>10 MR. CALLAHAN: Okay.</p> <p>11 MR. LeCATES: But it would not include</p> <p>12 grills for grilling food.</p> <p>13 MR. CALLAHAN: Yes. Right.</p> <p>14 MR. LeCATES: Or municipal firework</p> <p>15 displays.</p> <p>16 MR. CALLAHAN: Right.</p> <p>17 MR. LeCATES: The large expensive displays</p> <p>18 that some of our municipalities have already</p> <p>19 scheduled, those would still be okay.</p> <p>20 MR. CALLAHAN: Be okay to do. Yeah.</p> <p>21 Okay. So that's great, that's great.</p>
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<p>1 be common sense when it comes to sitting around</p> <p>2 a bonfire with your family eating out on the</p> <p>3 deck or something to that affect?</p> <p>4 How do we want to treat that? How do we</p> <p>5 want to tell the public?</p> <p>6 CHIEF JONES: So anytime you have any type</p> <p>7 of open air fire burning, I'm talking about</p> <p>8 someone burning brush or material.</p> <p>9 MR. CALLAHAN: Yes.</p> <p>10 CHIEF JONES: Bonfires, things like that,</p> <p>11 the potential for those embers or ashes to</p> <p>12 carry quite a distance away and start another</p> <p>13 fire is great.</p> <p>14 MR. CALLAHAN: Okay.</p> <p>15 CHIEF JONES: At this time because it's so</p> <p>16 dry.</p> <p>17 MR. CALLAHAN: Right.</p> <p>18 CHIEF JONES: It's my understanding that</p> <p>19 the ban would prohibit any outdoor burning</p> <p>20 whatsoever.</p> <p>21 MR. CALLAHAN: Okay.</p>	<p>1 So okay. So let's go ahead and get Madam</p> <p>2 Secretary to go ahead and read the</p> <p>3 administrative resolution.</p> <p>4 MS. MORRIS: Administrative resolution to</p> <p>5 adopt an emergency burning ban throughout</p> <p>6 Talbot County due to prolonged or unusual</p> <p>7 conditions that are conducive to the easy start</p> <p>8 and spread of fire.</p> <p>9 Whereas, pursuant to section 119-6A of the</p> <p>10 Talbot County Code, a majority of the County</p> <p>11 Council of Talbot County may, in their capacity</p> <p>12 as county executive, impose a burning ban at</p> <p>13 any time in any parts of Talbot County or</p> <p>14 throughout the county as a whole based on the</p> <p>15 affirmative recommendation and finding of the</p> <p>16 Burn Ban Committee that prolonged or unusual</p> <p>17 conditions exist that are conducive to the easy</p> <p>18 start and spread of fire.</p> <p>19 And whereas, the county is experiencing</p> <p>20 abnormally dry conditions with the potential</p> <p>21 for flash drought conditions in portions of the</p>

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1 county throughout the month of June and into
 2 the month of July.
 3 And whereas, the National Climatic Data
 4 Center shows 85 percent of the State of
 5 Maryland is experiencing abnormally dry
 6 conditions and portions of the Delmarva
 7 Peninsula are experiencing moderate drought.
 8 And whereas, vegetation along Maryland's
 9 Eastern Shore, including in the county, is dry
 10 and prone to ignition, as the county endures
 11 such abnormally dry and drought conditions.
 12 And whereas, the number and scope of
 13 recent fire reports and incidents have recently
 14 increased, including a single wildfire that
 15 burned over 100 acres and took multiple fire
 16 departments several hours to control.
 17 And whereas, temperatures are forecasted
 18 to reach the mid to upper 90s in the coming
 19 days, with heat indices between 100 and 105
 20 degrees possible, which will cause severe
 21 stress on individual firefighters wearing full

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1 fire gear and on available firefighting
 2 resources throughout the county.
 3 And whereas, in consideration of the
 4 foregoing, on June 21, 2024, the committee
 5 recommended that the County Council impose a
 6 burning ban throughout the county for a period
 7 of 30 days.
 8 Whereas, the exercise of sound and prudent
 9 discretion to protect the public health,
 10 safety, and welfare to conserve firefighting
 11 resources and to protect the general public and
 12 their property from such increased risks and
 13 instances of fires reasonably required the
 14 County Council to be proactive by immediately
 15 banning open air burning throughout the county
 16 in accordance with Section 119-6A of the Talbot
 17 County Code.
 18 Now, therefore, be it resolved by the
 19 County Council of Talbot County on this 21st
 20 day of June 2024 that, one, the recitals set
 21 forth above are hereby adopted as findings of

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1 fact and incorporated by reference as a
 2 substantive part of this administrative
 3 resolution.
 4 Two, a complete ban on all open air
 5 burning is hereby imposed throughout the
 6 county.
 7 Three, during the entire time this burn
 8 ban is in effect, no person may allow, permit,
 9 cause, start, or continue, despite a request to
 10 continue, any open air burning.
 11 Four, as used in this administrative
 12 resolution, open air burning means burning any
 13 material in the open and in a receptacle other
 14 than a furnace, incinerator, or other equipment
 15 connected to a stack or chimney, including use
 16 of fireworks, sparklers, or sparkling devices,
 17 except in lawfully permitted municipal
 18 fireworks displays.
 19 Five, the burning ban adopted by this
 20 administrative resolution shall become
 21 effective on Friday June 21, 2024, at 2 o'clock

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1 p.m. and shall continue for a period of 30 days
 2 and shall expire on Sunday, July 21, 2024, at 2
 3 o'clock p.m., unless terminated or extended by
 4 separate resolution or legislative act before
 5 that date.
 6 Six, as used in this administrative
 7 resolution, the term public officer means the
 8 chief code compliance officer, their designees,
 9 Talbot County fire chiefs and their designees.
 10 Seven, during the entire time the burning
 11 ban imposed hereunder is in effect, a public
 12 officer having reasonable suspicion to believe
 13 that open air burning is occurring in the
 14 county may enter upon the public or private
 15 property of any person to extinguish the fire
 16 and may confiscate any unused fireworks,
 17 sparklers, or sparkling devices, if any such
 18 materials or devices have been involved with or
 19 used in violation of the burning ban. Nothing
 20 in this section authorizes any public officer
 21 to enter any dwelling, structure, or building.

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1 Eight, this administrative resolution is
 2 subject to amendment or modification, including
 3 extension or termination by a separate
 4 resolution or legislative act of the Council,
 5 as may be reasonably required from time to
 6 time.
 7 And be it further resolved that this
 8 administrative resolution shall take effect on
 9 Friday, June 21, 2024, at 2 o'clock p.m., as
 10 aforesaid.
 11 Introduced by the County Council of Talbot
 12 County at a special meeting on June 21, 2024,
 13 at which copies were available to the public.
 14 Adopted by the County Council of Talbot
 15 County at a special meeting on June 21, 2024,
 16 at which meetings (sic.) were available to the
 17 public.
 18 Given under our hands in the great seal of
 19 Talbot County this 21st day of June in the year
 20 of our Lord, 2024.
 21 MR. CALLAHAN: Okay. Good job, Madam

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1 Secretary.
 2 So hearing that, do we have any questions?
 3 Mr. Stamp, would you like to say a few
 4 words?
 5 MR. STAMP: No. This is a request from
 6 the fire service, who are out there monitoring
 7 this on a regular basis, number one.
 8 Number two, the Burn Ban Committee is made
 9 up of the health officer, forestry department,
 10 the fire service, our Emergency Services
 11 officials. They've had a meeting. They
 12 reviewed the data. They believe it's prudent
 13 to come to the Council and ask for relief
 14 through this mechanism.
 15 And it's before you. The matter is before
 16 you at hand.
 17 MR. CALLAHAN: Okay. That's great.
 18 Mr. Thomas, would you like to say
 19 anything?
 20 MR. THOMAS: I don't have anything further
 21 to add.

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1 MR. CALLAHAN: Okay. All right.
 2 Keasha, Keasha, do you have anything to
 3 say?
 4 MS. HAYTHE: No. I have no questions.
 5 MR. CALLAHAN: Okay.
 6 MS. MIELKE: No. Just to emphasize that
 7 one of our duties as the County Council is to
 8 preserve the safety of not only the public, but
 9 our firefighters.
 10 MR. CALLAHAN: Correct.
 11 MS. MIELKE: And our responders, as well
 12 as the wildlife and our rural life, rural way
 13 of life.
 14 MR. CALLAHAN: Yeah. Right.
 15 So I would add to that. We really
 16 appreciate you guys coming to us for the safety
 17 of, you know, the community and letting us know
 18 what's going on.
 19 So hopefully we do get some rain. That's
 20 for sure.
 21 So last words. Do you have anything else

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1 you would like to say?
 2 CHIEF JONES: Yeah. Actually I do realize
 3 the 4th of July holiday is quickly approaching.
 4 MR. CALLAHAN: Yeah.
 5 CHIEF JONES: Certainly if we get some
 6 appreciable rain between now and then, I would
 7 not hesitate to come back and ask that you
 8 repeal the ban.
 9 MR. CALLAHAN: Yes, sir.
 10 CHIEF JONES: So that people can properly
 11 enjoy the holiday.
 12 MR. CALLAHAN: Yeah.
 13 CHIEF JONES: So I hope that we do have
 14 some appreciable rain.
 15 MR. CALLAHAN: No. I appreciate that.
 16 And Brian.
 17 MR. LeCATES: I don't have anything else
 18 to add. Thank you, sir.
 19 MR. CALLAHAN: Okay. So at this time, is
 20 there a motion?
 21 MS. MIELKE: So moved.

<p style="text-align: right;">Page 18</p> <p>1 MR. CALLAHAN: Is there a second?</p> <p>2 MS. HAYTHE: Second.</p> <p>3 MR. CALLAHAN: Okay. We got a motion and</p> <p>4 second to go ahead and approve the</p> <p>5 administrative resolution as presented.</p> <p>6 Madam Secretary, could you call the vote.</p> <p>7 MS. MORRIS: Mr. Callahan.</p> <p>8 MR. CALLAHAN: Aye.</p> <p>9 MS. MORRIS: Ms. Mielke.</p> <p>10 MS. MIELKE: Aye.</p> <p>11 MS. MORRIS: Ms. Haythe.</p> <p>12 MS. HAYTHE: Aye.</p> <p>13 MR. CALLAHAN: Okay. Other than that,</p> <p>14 that's basically the end of the meeting.</p> <p>15 And we really appreciate the good work</p> <p>16 you're doing.</p> <p>17 MR. LeCATES: Thank you.</p> <p>18 CHIEF JONES: Thank you.</p> <p>19 MR. LeCATES: We appreciate the support.</p> <p>20 MR. CALLAHAN: Thank you.</p> <p>21 (Meeting concluded at: 1:13 p.m.)</p>	
<p style="text-align: right;">Page 19</p> <p>1 STATE OF MARYLAND</p> <p>2 I, Diane Houlihan, a Notary Public in and</p> <p>3 for the State of Maryland, County of Baltimore City,</p> <p>4 do hereby certify that the within named, Talbot</p> <p>5 County Council Audio, personally appeared before me</p> <p>6 at the time and place herein set according to law,</p> <p>7 was interrogated by counsel.</p> <p>8</p> <p>9 I further certify that the examination was</p> <p>10 recorded stenographically by me and then transcribed</p> <p>11 from my stenographic notes to the within printed</p> <p>12 matter by means of computer-assisted transcription</p> <p>13 in a true and accurate manner.</p> <p>14</p> <p>15 I further certify that the stipulations</p> <p>16 contained herein were entered into by counsel in my</p> <p>17 presence.</p> <p>18</p> <p>19 I further certify that I am not of counsel</p> <p>20 to any of the parties, not an employee of counsel,</p> <p>21 nor related to any of the parties, nor in any way</p> <p>interested in the outcome of this action.</p> <p>AS WITNESS my hand Notorial Seal this 25th</p> <p>day of June, 2024, at Easton, MD.</p> <p style="text-align: center;">  _____ Diane Houlihan Notary Public </p> <p>My commission expires September 16, 2025</p>	

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