



Deposition of:
Talbot County Council Meeting

August 11, 2020

In the Matter of:
Talbot County Council Meeting

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

August 11, 2020; 6:00 p.m.

Council Chambers, Easton, Maryland

COUNCIL MEMBERS:

- Corey W. Pack
- Chuck F. Callahan
- Frank Divilio
- Pete Leshner
- Laura E. Price - Via Telephone

Reported by

Diane Houlihan

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. PACK: If you wouldn't mind standing</p> <p>4 with us for the opening prayer followed by the</p> <p>5 Pledge of Allegiance.</p> <p>6 (Prayer and Pledge of Allegiance.)</p> <p>7 MR. PACK: Thank you, everyone. Good</p> <p>8 evening, and thank you for being with Council</p> <p>9 today. We have several items on our agenda.</p> <p>10 We're sorry. We do apologize for being a</p> <p>11 tad bit late. We had a lengthy closed session</p> <p>12 agenda. We had a number of legal matters to go</p> <p>13 through with our county attorney. So again, we</p> <p>14 certainly ask for your apologies for that.</p> <p>15 Council has an agenda before us. The</p> <p>16 chair would ask if there's any additions,</p> <p>17 deletions, or corrections to the agenda?</p> <p>18 MR. DIVILIO: Mr. Pack, I have just one</p> <p>19 addition that I'd like to add to the agenda.</p> <p>20 There was a call that was placed in front</p> <p>21 of county staff and a couple of us. And I</p>	<p>1 you're speaking. Okay.</p> <p>2 Madam Secretary, we're going to add onto</p> <p>3 the, an update from Mr. Divilio dealing with a</p> <p>4 phone call. Let's put that right before public</p> <p>5 comment. I'm sorry. Right before county</p> <p>6 manager. Apologize.</p> <p>7 MS. PRICE: I don't think that should</p> <p>8 be -- may I ask (inaudible).</p> <p>9 MR. PACK: If there's no other additions,</p> <p>10 deletions, or corrections, the chair would move</p> <p>11 that the agenda be accepted with unanimous</p> <p>12 consent.</p> <p>13 MS. PRICE: Are we waiting for the end of</p> <p>14 the agenda for that item, Mr. Divilio?</p> <p>15 MR. DIVILIO: Yes.</p> <p>16 MR. PACK: Council has minutes from the</p> <p>17 June 9th meeting. We had a chance to go</p> <p>18 through those minutes. Any additions,</p> <p>19 deletions, or corrections to the June 9th</p> <p>20 minutes? The chair would also ask that they be</p> <p>21 accepted with unanimous consent. Thank you.</p>
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<p>1 would just like to put that on the record. I'd</p> <p>2 like to do that just right at the beginning,</p> <p>3 get it out of the way, after just</p> <p>4 disbursements.</p> <p>5 MR. PACK: You want to add this in as a</p> <p>6 closed session item?</p> <p>7 MR. DIVILIO: As an open session item.</p> <p>8 MR. PACK: If we could, could we put it on</p> <p>9 closed session item?</p> <p>10 MR. DIVILIO: Yes, we could do that.</p> <p>11 MR. PACK: Okay. Any other additions,</p> <p>12 deletions, or corrections to the agenda?</p> <p>13 Yes, Mr. Hollis.</p> <p>14 MR. HOLLIS: My apologies. Council, you</p> <p>15 need to push the mike to speak.</p> <p>16 MR. PACK: My finger is on the mike.</p> <p>17 MR. HOLLIS: So we're getting numerous</p> <p>18 texts from various people saying they cannot</p> <p>19 hear.</p> <p>20 MR. PACK: Mr. Divilio, you make sure you</p> <p>21 keep your finger on that button please while</p>	<p>1 We have disbursements also from August the</p> <p>2 4th and August the 11th. We all should have</p> <p>3 had an opportunity to go through those</p> <p>4 disbursements. Are there any additions,</p> <p>5 deletions, or corrections to those</p> <p>6 disbursements? Hearing none, the chair moves</p> <p>7 that they also be accepted with unanimous</p> <p>8 consent. Thank you.</p> <p>9 Moving on on our agenda, we have a</p> <p>10 presentation for the Coronavirus Aid Relief and</p> <p>11 Economic Security Act, which is CARES, our</p> <p>12 individual assistance program and our legal</p> <p>13 literacy workshops. We're going to be hearing</p> <p>14 from Linda Webb, who is the director of</p> <p>15 Department of Social Services here in Talbot</p> <p>16 County. Also, Rachel Bitter, esquire. She's a</p> <p>17 supervising attorney for the Upper Eastern</p> <p>18 Shore office of Legal Aid. And Ms. -- there</p> <p>19 she is. Our financial officer also, Ms. Angela</p> <p>20 Lane, is also here.</p> <p>21 Is Ms. Brown here with us as well?</p>

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<p>1 MS. LANE: Yes.</p> <p>2 MR. PACK: There's Ms. Brown. Ms. Sandy</p> <p>3 Brown is also in the audience. She may come up</p> <p>4 at some point. She is executive director of</p> <p>5 Midshore Pro Bono. Sandy, good to see you as</p> <p>6 well.</p> <p>7 So Linda, I'll turn it over to you for</p> <p>8 just an update of why we're here and what the</p> <p>9 CARES individual assistance program has done</p> <p>10 thus far in Talbot County.</p> <p>11 MS. WEBB: Great. Thank you so much. I</p> <p>12 just want to give you a little bit of</p> <p>13 background to bring you up to speed, give you</p> <p>14 some information on what's happening currently</p> <p>15 with the individual assistance program, and</p> <p>16 then talk a little bit about what is changing</p> <p>17 in the environment and how we're trying to</p> <p>18 adapt to that moving forward with individual</p> <p>19 assistance.</p> <p>20 So as you all know, the Talbot County</p> <p>21 CARES plan for recovery allows for individual</p>	<p>1 So DSS was asked to work with the county</p> <p>2 to develop and operate the independent</p> <p>3 assistance program for which applicants would</p> <p>4 be received, applications would be received to</p> <p>5 assist with utilities, rent, mortgage, and</p> <p>6 limited COVID-related items.</p> <p>7 A steering committee was developed to</p> <p>8 create eligibility criteria and an application</p> <p>9 process. And that steering committee consisted</p> <p>10 of Department of Social Services and the</p> <p>11 county, as well as the Neighborhood Service</p> <p>12 Center, St. Vincent de Paul Society, and</p> <p>13 Midshore Behavioral Health.</p> <p>14 We developed a protocol, an application,</p> <p>15 and a couple of supporting forms that would be</p> <p>16 used to verify things like loss of wages,</p> <p>17 Talbot County residents, and so on.</p> <p>18 We continue to meet every two weeks with</p> <p>19 the support of the Emergency Operations Center</p> <p>20 to monitor progress and troubleshoot any</p> <p>21 problems that arise in that process.</p>
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<p>1 assistance for those who are unemployed or</p> <p>2 underemployed as a result of COVID-19 and have</p> <p>3 the following needs.</p> <p>4 MR. HOLLIS: Linda, I'm sorry to</p> <p>5 interrupt. You're going to need to speak</p> <p>6 literally right next to the microphone. Thank</p> <p>7 you, and I apologize.</p> <p>8 MS. WEBB: Yeah. Is that better?</p> <p>9 MR. HOLLIS: We'll find out.</p> <p>10 MR. PACK: We won't know until the text</p> <p>11 messages come through.</p> <p>12 MS. WEBB: Okay. So people that have been</p> <p>13 impacted financially by COVID-19 and have the</p> <p>14 following needs, which were approved in the</p> <p>15 Talbot County plan.</p> <p>16 Food, which is being distributed through</p> <p>17 enhanced food assistance programs. Utility</p> <p>18 bills, rent or mortgage, sheltering for</p> <p>19 homeless and other services, and legal services</p> <p>20 for actions caused by loss of employment and</p> <p>21 debt related to COVID-19.</p>	<p>1 We tried to keep eligibility really</p> <p>2 simple. We wanted to make sure that we got</p> <p>3 those funds into the community to the people</p> <p>4 that needed them. So eligibility is you must</p> <p>5 be a Talbot County resident, you have to be</p> <p>6 able to verify that you had a loss or a</p> <p>7 reduction in income because of COVID-19. And</p> <p>8 we decided that those who were receiving the</p> <p>9 \$600 a week unemployment supplement would not</p> <p>10 be eligible for CARES assistance while they</p> <p>11 were receiving the supplement. They were</p> <p>12 notified in writing that they could come back</p> <p>13 and reapply once the supplement ended.</p> <p>14 And we did try to be flexible so that if</p> <p>15 there was an extraordinary need, even though</p> <p>16 someone was receiving that supplement, we could</p> <p>17 consider and assist them with whatever that</p> <p>18 need was.</p> <p>19 So the Talbot County Department of Social</p> <p>20 Services, with support from the Neighborhood</p> <p>21 Service Center and St. Vincent de Paul, is</p>

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<p>1 receiving and processing those applications for 2 individual assistance. Additional support is 3 being provided by Chesapeake Multi-Cultural 4 Resource Center and their newly developed 5 hotline, which I believe was supported by CARES 6 dollars from both Talbot and Caroline Counties.</p> <p>7 Our initial outreach included a press 8 release, which resulted in a front page story 9 in the Star Democrat. We did a presentation to 10 the county Emergency Operations Center private 11 sector call. I did interviews with Cassandra 12 Vanhooser regarding both the individual and 13 business assistance programs on WCEI and Winks 14 radio. We did an interview for WMDT TV. We've 15 done e-mail blasts to economic development and 16 DSS networks, and we distributed fliers at food 17 distribution sites.</p> <p>18 So to let you know what happened so far in 19 terms of numbers of applications that have been 20 received and dollars paid, from the first of 21 June when we started the program through last</p>	<p>1 District Court, and she indicated that she'll 2 be hearing the first eviction cases on 3 September the 3rd.</p> <p>4 In recent weeks, as a result of knowing 5 that that moratorium on evictions has ended, 6 DSS and county staff, including Sheena Van 7 Ornum, the county housing coordinator, and 8 Nancy Andrews, the EOC recovery coordinator, 9 has done outreach with landlords and property 10 managers, the Midshore Board of Realtors, the 11 Small Business Association, individual mortgage 12 lenders, and the District Court.</p> <p>13 In addition, the federal unemployment 14 supplement of \$600 ended at the end of July. 15 Those who were denied CARES assistance because 16 they were receiving the supplement were advised 17 in writing that they could reapply for CARES 18 assistance when they were no longer receiving 19 that supplement, and we expect to begin seeing 20 those people apply again.</p> <p>21 Finally, the utility disconnect moratorium</p>
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<p>1 Friday, August the 7th, we've received 134 2 applications. Now, many applications include 3 more than one need. So one application may 4 come in for rent and utilities. And we have to 5 establish that the person is a Talbot County 6 resident and they've lost income because of 7 COVID-19, but then we have to take a look at 8 each individual need separately.</p> <p>9 So those 134 applications that we've 10 received represented 172 different needs. 11 Thirty of those applications, representing 32 12 different needs, have been submitted to the 13 county for payment. And 51 applications, 14 representing 61 needs, remain in process.</p> <p>15 To date, \$40,027.51 have been paid to 16 vendors on behalf of individuals in need using 17 CARES individual assistance program dollars.</p> <p>18 So there have been some recent changes in 19 the environment that impact the use of these 20 dollars. The moratorium on evictions ended. 21 We've been in touch with Judge Ketterman at</p>	<p>1 has been extended to September the 1st. And we 2 are reaching out to utility companies to make 3 sure that they have information on the program 4 and the applications so that they can assist 5 those who are behind in their utility payments.</p> <p>6 So with all of that happening in the 7 environment and not knowing when these other 8 moratoriums will end or if they'll be extended, 9 we're doing additional outreach, a second wave 10 of outreach that includes.</p> <p>11 We've just had approved a simplified 12 flyer. It's kind of catchy, catch people's 13 eyes and gives them the way that they can 14 contact the Department of Social Services and 15 access various services through our phone 16 system and staff on board.</p> <p>17 We're doing print ads in The Star 18 Democrat, The Talbot Guide, The Attraction 19 magazine. We're hoping to get a crawl on The 20 Weather Channel. We're hoping to get public 21 services announcements on the community</p>

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1 television station. We've done additional
 2 outreach to the faith community. We're doing
 3 outreach to the utility companies, as I've
 4 mentioned.
 5 And we've started a collaboration with
 6 both Midshore Pro Bono and Maryland Legal Aid
 7 that you'll hear from tonight. They each have
 8 the application, the verification forms, the
 9 information on the CARES individual assistance
 10 program. So as they see community members in
 11 need, they can also support them in applying
 12 for those dollars.
 13 So unless there are any questions for me,
 14 I will turn it over to the legal specialists.
 15 MR. PACK: Ms. Bitter, good to see you.
 16 MS. WEBB: Okay. I will then introduce I
 17 think Sandy Brown from Midshore Pro Bono is
 18 here and Rachel Wolpert Bitter from Maryland
 19 Legal Aid. Thank you.
 20 MR. PACK: Thank you.
 21 MR. HOLLIS: So Rachel, be aggressive with

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1 the mike.
 2 SPEAKER: Can we get another chair?
 3 MS. BITTER: Good evening. As was said,
 4 my name is Rachel Wolpert Bitter, and I am the
 5 supervising attorney for the Maryland Legal Aid
 6 office, which is here in Easton. But we serve
 7 the upper shore, but Talbot is one of our
 8 counties obviously.
 9 Maryland Legal Aid provides civil legal
 10 services throughout the state of Maryland on a
 11 whole range of issues, but I mean the sort of
 12 reason that we're here today and partnering
 13 with the county is because we were contacted
 14 because of all the work that we do sort of
 15 throughout the year in regards to housing,
 16 avoiding eviction, and working with folks who
 17 have either applied for public benefits and
 18 been denied or have sort of issues with public
 19 benefits and consumer debt collection issues.
 20 So obviously as Ms. Webb explained, we are
 21 now in a situation where folks who have been

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1 impacted, have lost work, are no longer getting
 2 additional benefits, and we know that the
 3 failure to pay rent, evictions cases are going
 4 to begin to be scheduled.
 5 MR. HOLLIS: I need you to get closer to
 6 the mike.
 7 MS. BITTER: Sorry. Again, so when
 8 Ms. Webb said that the first hearings will be
 9 September 3rd, those are the failure to pay
 10 rent hearings.
 11 There are still, since July 25th, there
 12 are evictions that can be happening. They can
 13 be processing the warrant that was issued
 14 before the stay, but they can also be kind of
 15 holding over complaints where the lease has
 16 expired and breach of lease complaints where
 17 there's some sort of violation, whether it's a
 18 rent violation or some other violation of the
 19 lease, those sorts of evictions can happen
 20 right now.
 21 So Maryland Legal Aid, again, was

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1 contacted by the county because the county has
 2 recognized that not just financial assistance
 3 needs to be provided, but legal support and
 4 assistance, because folks aren't just paying
 5 bills. There are other consequences that are
 6 going to flow from their loss of income and
 7 being impacted by COVID.
 8 And so Maryland Legal Aid has developed a
 9 program where we will not just have our normal
 10 intake in our office, whether it's in person or
 11 on the phone, available to folks, but we are
 12 going to be in the District Court House on
 13 Thursdays for the afternoon docket, which is
 14 where the landlord tenant cases are heard, to
 15 take folks through intake and assist or
 16 represent folks as they're responding to this.
 17 Because I mean I think we all understand
 18 the seriousness of the COVID-19 virus, but
 19 adding a threat of homelessness and eviction on
 20 top of that is catastrophic. And the fact that
 21 these were put on hold for many months, but

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1 those holds are now gone. So there needs to be
 2 more than -- there needs to be legal support
 3 and legal information to those folks who are
 4 directly impacted. And Maryland Legal Aid is
 5 happy that the county has recognized that and
 6 we were contacted and working with all of the
 7 partners in the community to provide those
 8 services.

9 The other issues that we obviously know
 10 that are coming are debt collection. And so
 11 while it's not as catastrophic as an eviction,
 12 certainly having to deal with these sorts of
 13 barriers and judgments and having folks having
 14 to rebuild and move forward once hopefully this
 15 crisis is resolved, if we can work with folks
 16 so that they understand what their rights are
 17 and work out these processes before folks have
 18 judgment upon judgment sort of just piled up
 19 just waiting for them whenever everyone is back
 20 to normal. That's another service that
 21 Maryland Legal Aid and other partners in the

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1 community, legal community are going to support
 2 with.

3 And then continue assistance with helping
 4 folks understand the public benefits sort of
 5 maze that sometimes happens, whether it's food
 6 stamps or unemployment insurance, sort of
 7 helping folks understand what their rights are
 8 there.

9 So all of those pieces are going to be in
 10 Maryland Legal Aid's provisions.

11 MR. PACK: So Ms. Bitter, are your fees
 12 prorated for those individuals in the
 13 community?

14 MS. BITTER: So Maryland Legal Aid, the
 15 way our funding works is that if someone is
 16 eligible for our services, there are no fees
 17 because we are an independent law firm. And so
 18 our staff is paid by the funders. And so we do
 19 not have -- our clients do not pay us.

20 MR. PACK: Even the filing, the court
 21 filing for the bankruptcies and other court

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1 documents, do you cover the filing fees as
 2 well?

3 MS. BITTER: So in State Court, we would
 4 request a waiver. But if it's not granted,
 5 which honestly I don't think I've ever had that
 6 happen because if I represent to the court, I
 7 represent this person, they are eligible for
 8 Maryland Legal Services Corporation legal
 9 services, it's written into the rules of the
 10 Maryland courts that that person's fees are
 11 waived.

12 But for bankruptcies, which is a federal
 13 system, right, so -- well, we either apply for
 14 a waiver for the person or they may have to
 15 pay, and sometimes they pay in installments.

16 MR. PACK: Thank you. Any questions?
 17 Okay.

18 Ms. Brown, how are you?

19 MS. BROWN: Hi. So I'm pressing this?
 20 I'm Sandy Brown. I'm the executive director of
 21 Mid-Shore Pro Bono. We are a 501(c)(3)

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1 non-profit legal services provider that has
 2 been providing legal services to this community
 3 for 15 years. We're based here in Easton,
 4 Maryland, and we serve the entire Eastern
 5 Shore.

6 And thank you very much for inviting us
 7 tonight. I have with us our managing attorney,
 8 Ms. Meredith Lathbury Girard, who is going to
 9 talk a little bit about the front lines of what
 10 the work we've been seeing since March 12th
 11 when we went remote.

12 But mostly I want to just say to everybody
 13 here thank you for the opportunity to serve
 14 clients in need because we know there will be a
 15 great need for legal services. And I am
 16 personally grateful to the leadership here of
 17 the county recognizing legal services as
 18 essential. We know that the governor did, and
 19 we were grateful to the governor when he
 20 recognized our services as essential.

21 And we've been providing these services

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1 kind of behind the scenes for a long time.
 2 It's amazing to me how many people don't know
 3 what we do. And we do this every single day.
 4 We provide access to the legal system and legal
 5 services and direct representation and
 6 counseling to people who cannot afford legal
 7 help.
 8 Legal Aid does the same thing. We work
 9 collaboratively. This is a great opportunity
 10 for us to really husband people in together to
 11 work and have a very clear, concise message,
 12 which we hope everybody else will share to the
 13 community because the people we are trying to
 14 reach aren't really reading The Star Democrat.
 15 The people we are trying to reach need this
 16 flyer everywhere.
 17 And we are so happy because we already
 18 have clients in the hopper that will be using
 19 that funding that we will be able to bill you
 20 immediately so that we can get the services out
 21 to them.

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1 And yes, our services are free to the
 2 client. But there are administrative costs in
 3 providing services to this community, such as
 4 rent, which we are paying for an empty space in
 5 downtown Easton right now.
 6 So there are challenges that we're all
 7 facing. So this funding is going to go
 8 directly to help Talbot County residents. So
 9 thank you very much.
 10 And I do want to give Meredith, who is
 11 boots on the ground dealing with the clients
 12 who we are hoping to help and our staff, is all
 13 doing this remotely. And I'm going to let
 14 Meredith just give you an idea of what that
 15 looks like.
 16 MR. PACK: Sure.
 17 MS. GIRARD: How is that? Can you hear
 18 me?
 19 MR. PACK: It's at home. We can hear you
 20 well. It's at home.
 21 MS. GIRARD: Okay. First of all, I just

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1 want to applaud your leadership providing these
 2 resources to the community.
 3 Since March 12th, Mid-Shore Pro Bono has
 4 received over 900 requests for legal services,
 5 and about 20 percent of those inquiries came
 6 from Talbot County residents. So just by those
 7 numbers alone, things are really busy. They've
 8 not really slowed down.
 9 On the ground, we are seeing a whole range
 10 of legal issues emerging, particularly the need
 11 for family law assistance as well as elder law
 12 assistance. We're getting requests from
 13 families who had a family member who has passed
 14 away, they might need assistance with
 15 administering the estate.
 16 We have folks who have contacted us
 17 because a child has been left behind after the
 18 parents have passed away due to COVID and they
 19 need third party custody. We've had others
 20 contact us because they've lost employment and
 21 they're unable to pay their bills, as we just

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1 heard from Legal Aid about that, and folks who
 2 need to file for bankruptcy.
 3 And so we've been addressing these needs
 4 in a couple of ways.
 5 First, we're providing remote access to
 6 lawyers through our legal staff and our network
 7 of over 100 volunteer attorneys.
 8 We're also providing legal and financial
 9 education to help people to avoid bankruptcy
 10 and to avoid going into mortgage foreclosure.
 11 And then this is, of course, the meat of
 12 what we do, which is to provide free legal
 13 representation for clients who need attorneys
 14 to defend their rights in court.
 15 We have lawyers on staff who specialize in
 16 family law, consumer debt, housing, elder law,
 17 and immigration. And we have a network of over
 18 100 fiercely dedicated volunteer attorneys who
 19 specialize in a wide range of civil legal
 20 issues, including foreclosure and employment
 21 issues. And those folks are providing direct

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1 representation to our clients.
 2 Just since March 16th, our volunteer
 3 attorneys have provided over 100 family law
 4 consultations. As you probably know, there are
 5 remote parts of our community where people have
 6 a really hard time accessing lots of things,
 7 but especially legal services. So for those
 8 clients, we provide justice on wheels. So we
 9 go to them. Just last week, we assisted a
 10 member of our community who is in the end
 11 stages of a terminal illness and helped her
 12 execute a financial power of attorney so that
 13 her family could take care of her affairs.
 14 So this is the sort of personalized
 15 service that we deliver on a daily basis. And
 16 so we're also seeking to work with our local
 17 businesses and organizations that employ low
 18 wage workers to provide that financial and
 19 legal education about how to maintain economic
 20 stability in these difficult times.
 21 For example, we worked with Habitat for

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1 Humanity this past April to provide legal
 2 consultation for workers who were in need of
 3 expungements to help them to secure employment
 4 and housing.
 5 So Talbot County's funding through the
 6 CARES Act is going to really help us ensure
 7 that Talbot County residents have the legal
 8 assistance that they need. They will have
 9 access to an experienced advocate who will
 10 advocate for their rights in court. And these
 11 investments will have a lasting impact on our
 12 community.
 13 And on more than one occasion, clients
 14 have said to me that having legal
 15 representation made them feel seen in a system
 16 that otherwise deems them invisible. So we
 17 applaud your leadership. And we look forward
 18 to working in partnership with the county and
 19 Legal Aid moving forward.
 20 Thanks for your time tonight.
 21 MR. PACK: Thank you all for coming in and

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1 presenting to us. We certainly appreciate all
 2 that you're doing for the community in
 3 providing your services.
 4 Having you here as part of the CARES
 5 Act -- and Ms. Lane, I don't know whether you
 6 wanted to add anything additional to what's
 7 already been said, you're welcome to do so.
 8 But we're not trying to make the landlord
 9 out to be the enemy here or the bad guy or the
 10 bad woman. But we want to make sure that those
 11 citizens who are indigent and who need those
 12 services can come to us and through our CARES
 13 program, get whatever funding that you all
 14 would need to assist them.
 15 So that's why we're trying to ring this
 16 bell. It's not to put them against us. It's
 17 to make sure that those people who may need
 18 legal representation can come out of the
 19 woodwork and out of the closets and come into
 20 your offices and know that through the CARES
 21 funding that the county is providing, they can

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1 get that help that they need.
 2 So this is not a them against us kind of
 3 thing. I know a lot of landlords right now are
 4 suffering as well because they're not getting
 5 rent and they have bills to pay, too. So we
 6 certainly don't want anyone to hear this or
 7 hear your presentation and say here they go
 8 again. We're not being antibusiness. We're
 9 just trying to be pro help.
 10 MR. LESHER: I just want to add my thanks
 11 that I'm grateful that we have these resources,
 12 that we have you already in the community
 13 already doing these things at a time of need
 14 like this, where the need is just amped up.
 15 And for you and for Ms. Webb, just clearly
 16 have now some supplemental strings of funding
 17 to make these programs to meet the increased
 18 need. And do you have the tools and the
 19 capacity to get these to the folks who most
 20 need them now?
 21 SPEAKER: Is that a question?

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1 MS. GIRARD: So as I mentioned, we have
 2 attorneys on staff who are ready to deliver
 3 these legal services.
 4 And I think really a part of this is a
 5 matter of helping people know that this
 6 resource is available. Our organizations are
 7 really good at reaching the folks who regularly
 8 are utilizing community services.
 9 The people we need to reach now are the
 10 folks who have not needed those resources
 11 before. They're newly unemployed, they're
 12 newly in an economic situation they've never
 13 faced before. So those are the folks that
 14 we're trying to get out to now.
 15 MR. PACK: Anyone else?
 16 MR. CALLAHAN: Thank you.
 17 MR. PACK: Ms. Lane, do you care to come
 18 up and be heard?
 19 I know you and Ms. Webb have basically led
 20 the charge here as far as our CARES individual
 21 assistance program. We certainly want to give

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1 you an opportunity to be heard.
 2 Again, the county received this money from
 3 the State. We want to thank the Hogan
 4 administration via the federal government for
 5 this money coming down to the 24 jurisdictions.
 6 And we want to make sure that this money gets
 7 into the hands of individuals who need it.
 8 On the business side, while Ms. Lane is
 9 coming forward, we also did receive
 10 1.2 million? Mr. Hollis, I'm looking at you.
 11 1.2 million on the business side as well. And
 12 I think we've already handed out some \$600,000
 13 of the business grants. So we've already done
 14 half of what we had for our CARES business
 15 dollars.
 16 As Ms. Webb pointed out, on the individual
 17 side, we're right about 40,000.
 18 So we have to spend this money by
 19 December 30th. So I don't know why they didn't
 20 give us the extra one day. It's 31 days in
 21 December, but they cut it short by one day.

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1 There goes the State for you.
 2 So to the individuals out there, we have
 3 Legal Aid, we have Mid-Shore Pro Bono, we have
 4 money for you to come and get. Please come get
 5 it and get the help that you need.
 6 Ms. Lane, I'll turn it over to you.
 7 MS. LANE: Okay. I just want to point out
 8 that on the business side, we've actually
 9 approved grants for \$797,000.
 10 MR. PACK: It's going up.
 11 MS. LANE: \$800,000 basically is out the
 12 door, almost out the door to businesses.
 13 The individuals, we haven't seen as much
 14 of a response as we had expected. And this is
 15 part of why we brought everyone into this
 16 meeting, to get the word out, because as it was
 17 mentioned this evening, a lot of the people who
 18 need help are people who aren't used to needing
 19 help. These are people who have always been
 20 employed, who never thought they would not be
 21 able to make a mortgage payment, not be able to

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1 make their rent payments, and don't really know
 2 where to go.
 3 But we do have funds available to assist
 4 them with rent, mortgage, legal issues, whether
 5 it's consumer debt or some other legal
 6 assistance. The county has entered into
 7 contracts with Mid-Shore Pro Bono and Maryland
 8 Legal Aid to help individuals who aren't used
 9 to needing the help.
 10 So that's the goal of this evening's
 11 presentation, is get the word out to more
 12 individuals who have never thought about
 13 needing help, that we do have resources
 14 available. And we hope they will take
 15 advantage of them because if they don't, we
 16 will turn the money back into the federal
 17 government at the end of December. And that's
 18 not our goal. Our goal is to help our
 19 citizens.
 20 So thank you.
 21 MR. PACK: Anyone else? Okay. Linda,

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1 Angela, thank you very much for putting the
 2 presentation together.
 3 Ms. Bitter, Ms. Brown, Ms. Girard, thank
 4 you all so much. And thanks for partnering
 5 with us.
 6 Again, this information will be on the
 7 county's website for any citizens who would
 8 need the help. Again, you can go into the
 9 Department of -- well, you can't get into the
 10 building. But you can call the Department of
 11 Social Services and get an application through
 12 them.
 13 You can also go down here on Port Street
 14 and see Ms. Marilyn Neal at the Neighborhood
 15 Service Center. And also go to the St. Vincent
 16 de Paul, which is another of our satellite
 17 entry points for the program.
 18 So a number of ways we're trying to get
 19 this help to the citizens. And we're saying to
 20 you please come and we're here to help you.
 21 Ladies, thank you have much and have a

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1 pleasant day and be safe going home.
 2 I do want to add to our listening public
 3 and also to persons here, Ms. Price is with us
 4 by phone. You may hear her voice echoing in.
 5 Don't worry. She's not haunting the room.
 6 She's actually with us by phone.
 7 Council, next on -- I got to keep on
 8 remembering to hit this button. Next on your
 9 agenda is Resolution 290.
 10 Madam Secretary, would you please read the
 11 title of the resolution.
 12 SECRETARY: Resolution Number 290, a
 13 resolution prohibiting statues depicting
 14 persons, signs, or symptoms associated with
 15 military action on Talbot County property and
 16 providing for the removal of the Talbot Boys
 17 statue while retaining the base of the
 18 monument.
 19 MR. PACK: Thank you, Madam Secretary.
 20 At our last meeting, I believe there was
 21 an amendment that was introduced by Mr. Lesh,

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1 amendment one. It has been introduced, and
 2 Council should have a copy of that.
 3 My understanding this evening, that there
 4 are two additional amendments for introduction.
 5 And I will hear from the drafter on amendment
 6 two and amendment three at this time.
 7 MR. LESHER: Thank you, Mr. Pack.
 8 At our June 23rd Council meeting, when you
 9 and I introduced this resolution, I declared my
 10 intention to offer an amendment for the
 11 complete removal of the monument.
 12 At our July 28th meeting, I offered that
 13 as amendment one. And in the name of
 14 transparency, I took the unusual step of asking
 15 the staff to post it on the Council website
 16 under pending legislation before its
 17 introduction.
 18 I have heard the concerns of some members
 19 of public that the resolution did not speak
 20 about the fate of the monument if removed. In
 21 response, I have done the same with this second

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1 amendment. Having the staff post it on the
 2 Council website in advance of its introduction
 3 this evening.
 4 It is a simple amendment incorporating all
 5 of the language from amendment one. So if we
 6 adopt this, we don't need to act on amendment
 7 one. And adding four, storage of monument
 8 pending relocation. The monument shall be
 9 safely stored in the care of the county until a
 10 place for its ultimate relocation can be
 11 identified and prepared.
 12 And I offer this amendment now.
 13 Likewise, I've heard from members of the
 14 public who offered to pay for the removal of
 15 this monument, at least in part. Amendment
 16 three, which I offer now and which has for the
 17 sake of transparency been posted on the
 18 county's website in advance of its introduction
 19 this evening, incorporates all of amendment one
 20 and adds establishment of fund for private
 21 donations. The county Finance Office is hereby

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<p>1 directed to create a restricted fund to receive</p> <p>2 any private contributions that may be received</p> <p>3 to offset a portion of the county's cost of</p> <p>4 removing the monument from the court house</p> <p>5 grounds. The county is hereby authorized to</p> <p>6 accept such private donations for said purpose.</p> <p>7 This amendment three and amendment two are</p> <p>8 not mutually exclusive. If we adopt both, we</p> <p>9 simply need to renumber the paragraphs such</p> <p>10 that one becomes paragraph four and the other</p> <p>11 paragraph five.</p> <p>12 MR. PACK: Okay. Thank you, Mr. Leshar.</p> <p>13 And as you said before, amendment one has</p> <p>14 already been introduced. And amendment one did</p> <p>15 strike the first whereas clause dealing with</p> <p>16 the death of George Floyd back on May the 25th.</p> <p>17 The first amendment also cleaned up some</p> <p>18 language dealing with the body of the</p> <p>19 resolution talking about the prohibition of the</p> <p>20 depiction of persons, signs, or symbols</p> <p>21 associated with military action. And that was</p>	<p>1 that it's stored safely. That will be a new</p> <p>2 number four.</p> <p>3 And then your amendment number three, if</p> <p>4 introduced also this evening, will deal with</p> <p>5 setting up of a separate fund for the</p> <p>6 establishment of monies. There were people,</p> <p>7 persons who said that they would pay for the</p> <p>8 removal. So if they are so inclined, that fund</p> <p>9 would allow them to do that and be set up to do</p> <p>10 that.</p> <p>11 So I just want to make sure that Council</p> <p>12 have all of those in order and know what is</p> <p>13 before it.</p> <p>14 Amendment number one has already been</p> <p>15 introduced. So we don't need to deal with</p> <p>16 that.</p> <p>17 So the chair would first entertain a</p> <p>18 motion to deal with amendment number two, which</p> <p>19 is the storage of the monument. That's your</p> <p>20 new number four. You'll see that on page two</p> <p>21 of the resolution. So the chair would just ask</p>
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<p>1 done so because we did not want to, at least I</p> <p>2 did not want to confuse anyone with any other</p> <p>3 military monuments on the court house grounds,</p> <p>4 vis-a-vis the Vietnam monument and the</p> <p>5 soon-to-come KIA monument for World War I,</p> <p>6 World War II, and Korean War veterans. We</p> <p>7 certainly did not want anything to interrupt</p> <p>8 those monuments being placed or those monuments</p> <p>9 which are already there dealing with Vietnam</p> <p>10 vets or veterans of foreign war.</p> <p>11 So that language was cleaned up as well.</p> <p>12 As you said, and the removal of the entire</p> <p>13 statue and base was also included in that first</p> <p>14 amendment. And that has already been</p> <p>15 introduced.</p> <p>16 Your second amendment deals with a new</p> <p>17 number four behind number three, which was the</p> <p>18 draping of the monument. The new number four</p> <p>19 deals with the storage of the monument, to be</p> <p>20 stored safely. And we want to be respectful of</p> <p>21 the monument once it comes down to make sure</p>	<p>1 for a show of hands for the introduction of the</p> <p>2 second amendment. By Mr. Leshar and myself.</p> <p>3 Ms. Price, are you introducing the second</p> <p>4 amendment?</p> <p>5 MR. DURHAM: She fell off the line about a</p> <p>6 minute ago.</p> <p>7 MR. PACK: Maybe she'll come back on.</p> <p>8 MR. HOLLIS: I'm trying to get her back</p> <p>9 on.</p> <p>10 MR. PACK: And now we have the third</p> <p>11 amendment as well for consideration, amendment</p> <p>12 number three. This deals, again, with the</p> <p>13 establishment of a private fund for monies to</p> <p>14 be collected into for the removal of the statue</p> <p>15 and I guess the replacement once it goes to its</p> <p>16 next destination.</p> <p>17 And the chair would entertain a show of</p> <p>18 hands for introduction of amendment number</p> <p>19 three at this time? By Mr. Leshar and</p> <p>20 Mr. Divilio and myself.</p> <p>21 MR. DIVILIO: Three is encompassing of two</p>

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1 as well; is that correct?

2 MR. PACK: Three is mutually exclusive of

3 two.

4 MR. LESHER: It is not, but it is not

5 mutually exclusive.

6 MR. PACK: You say it is not?

7 MR. LESHER: They both incorporate

8 amendment one, but two and three are separate

9 amendments. One does not incorporate the

10 other.

11 MR. DIVILIO: Okay.

12 MR. LESHER: That was his question. To

13 clarify, yes. So two and three, each of those

14 new amendments incorporate the old amendment

15 one. But they do not duplicate each other,

16 neither one incorporates the other.

17 So if we want both of those provisions, we

18 need to vote for --

19 MR. PACK: Separately.

20 MR. LESHER: Each of those amendments

21 separately.

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1 MR. HOLLIS: Mr. Pack, I've asked

2 Ms. Price to confirm she's back on again. She

3 was having trouble reconnecting.

4 MS. PRICE: I'm here.

5 MR. HOLLIS: There you go. Great. Thank

6 you.

7 MR. PACK: So let's go back. We have read

8 amendment number two and three on Resolution

9 290. You should have those amendments in your

10 packet.

11 So amendment number two, I'm asking for a

12 show of hands for introduction of that

13 amendment. Are you introducing that amendment,

14 amendment number two?

15 MS. PRICE: I am not introducing

16 (inaudible).

17 MR. PACK: You said either?

18 MS. PRICE: Neither one.

19 MR. PACK: Okay. So I don't need to go

20 through amendment three.

21 So both amendment two and number three

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1 have been introduced. And amendment number one

2 was introduced last week.

3 So the chair would now entertain any

4 discussion on any of the amendments at this

5 time before I call for a vote on each of the

6 amendments.

7 MR. LESHER: Mr. Pack, I would suggest

8 that we skip over amendment one for now because

9 it will become mute if we vote, if we add

10 either amendment, either or both amendment two

11 and amendment three. So we can just proceed to

12 two and skip over one at this point in time.

13 MR. PACK: I think procedurally,

14 Mr. Leshner, since amendment one has already

15 been introduced, it either needs to be voted

16 down or it needs to be withdrawn.

17 Mr. Kupersmith, I'm looking at your left

18 ear just to make sure that I'm following the

19 right procedure. Since both amendment two and

20 amendment three incorporate amendment one,

21 which I understand where Mr. Leshner is going

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1 with and I agree with him, but procedurally

2 since amendment one has been introduced, does

3 it needed to be voted down, can I just table

4 amendment one and proceed with amendment two

5 and three?

6 I just want to make sure we handle this

7 appropriately.

8 MR. KUPERSMITH: I think you're correct

9 that if it's included in the other amendments,

10 then Mr. Leshner, as the sponsor, could withdraw

11 it.

12 And since the others have been introduced,

13 those are now on the table. And I assume there

14 would be no objection to his withdrawing.

15 MR. PACK: Mr. Leshner, procedurally

16 then --

17 MR. LESHER: With that, I will withdraw

18 amendment one.

19 MR. PACK: Is there any objection to

20 Mr. Leshner's withdrawal of amendment number one

21 to Resolution 290?

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<p>1 Again, for clarification, both amendment 2 two and amendment three incorporate the same 3 language that was in amendment one. So it's 4 rather redundant. So he's asking for that to 5 be withdrawn. Is there any objection to it? 6 Hearing none, amendment one, Madam 7 Secretary, is now withdrawn from the Council's 8 agenda this evening. 9 Any additional comment or conversation on 10 amendment two or three for clarification before 11 the chair calls for a vote on those two 12 amendments? 13 MS. PRICE: Yes, Mr. Pack. 14 MR. PACK: I hear you. 15 MS. PRICE: Because we had no (inaudible) 16 speaker. Because we had no public input on 17 amendments two or three, I (inaudible) 18 inappropriate for us to take any vote on the 19 amendment this evening. 20 And additionally, the entire resolution 21 should not have been introduced under our</p>	<p>1 all. 2 MR. PACK: Understood. Bills have been 3 voted on from the floor, amendments have been 4 introduced from the floor on bills previously 5 without additional public hearing, as you very 6 well know. 7 These amendments were deemed by the Office 8 of Law as not being substantive. Therefore, 9 there was no legal responsibility to 10 readvertise or repost Resolution 290. The 11 amendments, again, were not deemed as 12 substantive to the overall bill. 13 Regarding any action before the Easton 14 Historic Commission, unless 290 is passed, we 15 have nothing to approach the Historical 16 Commission with. So that's very, very 17 premature. 18 I know that's out in the airwaves and out 19 on social media about have we gotten permission 20 from the Historical Commission. But until we 21 have something to approach to go on their</p>
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<p>1 emergency order. We were only supposed to deal 2 with critical legislation and the budget at 3 this time. 4 As an example, we let several pieces of 5 legislation expire, including short-term 6 rentals (inaudible) voted on this evening. 7 Certainly, this is a (inaudible) proper 8 attention, but it is not appropriate to vote on 9 it tonight when we still lack sufficient public 10 comment, knowledge of the cost of any removal, 11 approval of the Historic District Commission, 12 which is not yet brought up in this meeting, 13 and knowledge of where and how the statue would 14 be stored. 15 So because we have not had that feedback 16 from the public, and I would (inaudible) this 17 resolution was introduced at a time that was 18 deemed only critical to county operations and 19 the budget, I believe that we should not vote 20 on anything this evening, but especially the 21 amendments, which have had no public input at</p>	<p>1 agenda with, there's no need to request an 2 audience before them. 3 So in response to that, I think it's 4 premature to even bring that into the 5 discussion this evening. 6 MS. PRICE: I would disagree as far as the 7 appearance of being substantive. 8 This is not your ordinary piece of 9 legislation. And considering that we have 10 changed from not removing -- (inaudible) 11 monument, then just the statue, to the base, 12 that is a complete and total change. 13 And we need to be above board and 14 completely transparent with the public. And I 15 think most of us have been hearing that they 16 are very upset that they have not had ample 17 opportunity to participate. 18 We had a lot of issues with our meetings, 19 even though we've given it our reasonable 20 effort. But public has not been able to listen 21 in. We are actually dealing with an Open</p>

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<p>1 Meetings complaint right now because people 2 were not able to participate and listen and 3 view the most recent (inaudible) public 4 hearings and meetings. 5 And there's no perfect solution for 6 technology, but certainly arguably we should 7 wait until such time (inaudible) public 8 (inaudible) going to allow full participation 9 and that we're not potentially (inaudible) Open 10 Meetings Act, which could negate the vote 11 altogether. 12 Technically, they may not be substantive, 13 but I believe they are and I believe the public 14 feels that these are substantive changes. 15 MR. PACK: Well, I'm sure there is a 16 minority that feels that way. But as far as 17 from a legal, Office of Law is telling us that 18 these changes are not substantive. So we're 19 going to have to go on his legal interpretation 20 of that. 21 MR. KUPERSMITH: Mr. Pack, I do just want</p>	<p>1 amendments. 2 And it is tough running these meetings 3 with nobody here. I think it's going to be 4 going down the road for the next several 5 months. We don't know when we're going to get 6 back to normal. 7 But this is a big deal for a lot of 8 people. It's a big deal for us to make such a 9 historical decision on something that is 150 10 years old. I mean we're changing the way we're 11 looking at history, and I think we better 12 really take a couple of steps back and make 13 sure we're doing the right thing. 14 And at this time, I don't think we're 15 doing the right thing. 16 MR. PACK: Okay. Certainly understood, 17 Mr. Callahan. Thank you for sharing. 18 My take on the amendments are this: The 19 amendments two and -- amendment number one has 20 been in the public domain for more than two 21 weeks. Amendment number one was before the</p>
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<p>1 to clarify that the standard, the bar for 2 substantive amendment is high. 3 But if there is any concern, then out of 4 an abundance of caution to deal with that 5 issue, the Council could, if the resolution is 6 amended, could have another public hearing on 7 it to eliminate any concern about that. So 8 just for the record. 9 MR. PACK: You're absolutely correct. 10 Anything further? Yes. 11 MR. CALLAHAN: I really think that under 12 the circumstances, I really think this is such 13 a public event and there's a lot of people out 14 there that really would love to -- probably is 15 hearing these for the first time. And we don't 16 know that. So we need to give them the right 17 to think it through to see if that's right for 18 them. 19 So I'd like to push it down the road a 20 little bit so that people can put their 21 thoughts together, do they like these</p>	<p>1 public when we had the public hearing on 2 Resolution 290. So that amendment dealing with 3 the removal of the statue and the base was 4 there in the public domain when we had the 5 public hearing. 6 So to say that the public did not have an 7 opportunity to weigh in on that is not true. 8 They did. It was in the public domain when we 9 had the public hearing. We extended the public 10 hearing for written comment even up until the 11 Friday before. So they had ample opportunity 12 even to write us on that amendment. So that's 13 not true to say the public did not have ample 14 time to hear amendment number one. They 15 certainly did. 16 Amendment number two and amendment number 17 three only establishes the two things. It 18 talks about the crating of the statue and the 19 storage of the statue. It talks about setting 20 up of a dedicated fund to receive monies. 21 That's all it does. So to hold another public</p>

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<p>1 hearing to talk about the storage of the statue</p> <p>2 and setting up a fund, we can. But I think</p> <p>3 that you're holding the public hearing for two</p> <p>4 non-substantive matters on the resolution.</p> <p>5 MR. CALLAHAN: I think (inaudible) some of</p> <p>6 it matters --</p> <p>7 MS. PRICE: I have a couple --</p> <p>8 MR. CALLAHAN: -- are huge.</p> <p>9 We're not talking about amendment one. We</p> <p>10 know about amendment one, like you were saying.</p> <p>11 Everybody has heard that, but not everybody has</p> <p>12 heard two and three. So I want to make myself</p> <p>13 clear on that.</p> <p>14 MR. PACK: Mr. Leshner --</p> <p>15 MR. LESHER: Mr. Pack --</p> <p>16 MS. PRICE: -- on two and three.</p> <p>17 The one about storage, if the statue is</p> <p>18 simply removed, there will never be a statue</p> <p>19 that represents a very complex period in county</p> <p>20 history. The amendment that's being offered</p> <p>21 guaranties nothing, other than it will be stuck</p>	<p>1 to that monument.</p> <p>2 MR. PACK: Mr. Leshner, I'll hear from you</p> <p>3 now.</p> <p>4 MR. LESHER: Mr. Pack, amendment one, the</p> <p>5 bulk of the substance of amendment two and</p> <p>6 amendment three is what came from amendment</p> <p>7 one.</p> <p>8 We have had -- that idea of changing from</p> <p>9 simply removing the statue atop the monument to</p> <p>10 removing the entire monument is something that</p> <p>11 the public has called for. We have over I</p> <p>12 believe 150 comments from the public asking us</p> <p>13 to clarify that the entire monument be removed,</p> <p>14 not merely a statue.</p> <p>15 And amendment one I introduced really in</p> <p>16 reaction to that public sentiment and following</p> <p>17 on my commitment from way back on June 23rd.</p> <p>18 I think that that substance has been</p> <p>19 adequately vetted by the public. And it</p> <p>20 certainly was in the domain of the public</p> <p>21 hearing. So both the spoken comments and the</p>
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<p>1 in storage with no defined purpose probably</p> <p>2 forever.</p> <p>3 If people haven't come together with any</p> <p>4 effort over the past five years, it surely</p> <p>5 isn't going to happen once it's gone.</p> <p>6 And as far as the funding of it, we have</p> <p>7 no idea how much it's going to cost. And this</p> <p>8 amendment has zero teeth.</p> <p>9 If there is a decision to change the</p> <p>10 monument in some way, then no tax payer dollars</p> <p>11 should be used. And I've had this conversation</p> <p>12 with Council members who are introducing.</p> <p>13 The amendment being offered tonight does</p> <p>14 not accomplish that. We need adequate time to</p> <p>15 make sure that a private fund is fully</p> <p>16 available if and when a decision is made.</p> <p>17 And let me tell you one thing, once that</p> <p>18 statue is gone, nobody is going to give us any</p> <p>19 money after the fact. So we need to know how</p> <p>20 much it's going to cost and have the funds in</p> <p>21 hand if and when a change in some way is made</p>	<p>1 written comments on this addressed the removal</p> <p>2 of the entire monument.</p> <p>3 Now, these minor details, these smaller</p> <p>4 details, which I would suggest are less</p> <p>5 substantive, having to do with the safe</p> <p>6 storage, the assurance that this will not be</p> <p>7 destroyed. And for one, that we couldn't</p> <p>8 already probably have solicited contributions</p> <p>9 for this, but this simply makes that explicit.</p> <p>10 Again, it doesn't really change the fundamental</p> <p>11 nature of the legislation here.</p> <p>12 And so I would submit that the real change</p> <p>13 was what was introduced prior to the public</p> <p>14 hearing two weeks ago in amendment one, which</p> <p>15 is now fully incorporated into both of these</p> <p>16 new amendments. Those ideas truly have been</p> <p>17 vetted in the formal process of our hearing and</p> <p>18 our written comment and in the informal process</p> <p>19 of local media and social media. These have</p> <p>20 been widely discussed, and I think that we have</p> <p>21 wide public input on these matters.</p>

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1 MR. PACK: Thank you, Mr. Lesher.
 2 So we're going to be moving amendment
 3 number one off to -- well, that has been
 4 withdrawn.
 5 And moving forward with amendment two and
 6 amendment three. So I'm going to be calling
 7 first the vote on amendment number two to
 8 incorporate amendment number two into Bill 290.
 9 This is just to add amendment number two into
 10 the bill for 290. That's what this is for, to
 11 add amendment number two into the bill, into
 12 the resolution of 290.
 13 So Madam Secretary, on amendment number
 14 two to be incorporated into the resolution,
 15 please call your vote on amendment number two.
 16 MR. KUPERSMITH: Sorry, Mr. Pack. We need
 17 a motion and a second.
 18 MR. LESHER: I will move amendment number
 19 two.
 20 MR. PACK: I wrote down Mr. -- I thought I
 21 had -- okay.

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1 MR. LESHER: I believe we have
 2 introduction.
 3 MR. PACK: You're right, you're right. I
 4 stand corrected. You're right.
 5 So to vote on amendment number two to
 6 introduce, Mr. Lesher is making a motion. Is
 7 there a second?
 8 MR. DIVILIO: I'll second it.
 9 MR. PACK: Amendment number two is
 10 seconded by Mr. Divilio. Any further
 11 discussion on amendment number two?
 12 Hearing none, Madam Secretary, now for the
 13 vote on amendment number two to be
 14 incorporated, please call your roll.
 15 SECRETARY: Mr. Pack.
 16 MR. PACK: Aye.
 17 SECRETARY: Mr. Divilio.
 18 MR. DIVILIO: Abstain.
 19 MS. LANE: Mr. Callahan.
 20 MR. CALLAHAN: No.
 21 SECRETARY: Mr. Lesher.

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1 MR. LESHER: Aye.
 2 SECRETARY: Ms. Price.
 3 MS. PRICE: Abstain.
 4 MR. PACK: So amendment number two does
 5 not pass. Amendment number two is not going to
 6 be incorporated into the bill.
 7 The chair would entertain a motion on
 8 amendment number three. And this is dealing
 9 with the actual storage of the monument.
 10 MR. LESHER: Mr. Pack, I will move for
 11 amendment number three.
 12 MR. PACK: Motion is made by Mr. Lesher on
 13 amendment number three. Is there a second?
 14 SECRETARY: Mr. Pack, I believe number
 15 three is the private funding; is it not?
 16 MR. PACK: I'm sorry. Number three is the
 17 private funding. You're right.
 18 Madam Secretary, I'll pass my gavel over
 19 to Mr. Callahan and I will second amendment
 20 number three. This is dealing with the setting
 21 up the private funding for the statue. So it

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1 will be seconded by Mr. Pack.
 2 Any further discussion on amendment number
 3 three?
 4 MR. CALLAHAN: Madam Secretary, can you
 5 call the roll call.
 6 SECRETARY: Mr. Callahan.
 7 MR. CALLAHAN: No.
 8 SECRETARY: Mr. Divilio.
 9 MR. DIVILIO: No.
 10 SECRETARY: Mr. Pack.
 11 MR. PACK: Aye.
 12 SECRETARY: Mr. Lesher.
 13 MR. LESHER: Aye.
 14 SECRETARY: Ms. Price.
 15 MS. PRICE: No.
 16 MR. PACK: So amendment number three fails
 17 also dealing with the establishment of the
 18 fund.
 19 So now we have Resolution 290 before us as
 20 originally drafted. And with amendment number
 21 one being withdrawn, it has the language, the

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1 first whereas clause is still back in there, as
 2 well as the language dealing with the depiction
 3 of signs and symbols of military persons, which
 4 we wanted to be removed.
 5 So I will open up any discussion on
 6 amendment number one again. I know it has been
 7 withdrawn. But with amendment number two and
 8 amendment number three failing, you basically
 9 have the amendment back before Council as
 10 originally drafted without those amendments
 11 being added to the changes to the language.
 12 MR. DIVILIO: I'll begin with comments on
 13 this.
 14 I've thought back and forth on this
 15 several times. We've worked through many
 16 amendments.
 17 My problems with the amendments is the
 18 timing of right now, with COVID-19. I'm
 19 absolutely committed to this goal, and I'm
 20 committed to being fair and transparent. This
 21 piece of legislation has been brought in front

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1 of the public at a time when we've not been
 2 able to open up to the public as we have in the
 3 past. We've battled technical issues, closed
 4 rooms to the public, and are in a financial
 5 freeze due to COVID-19. We have also joked
 6 earlier that every single meeting has been run
 7 differently through technology because we've
 8 done everything in our power to change and
 9 improve all of the public hearings that we've
 10 been having.
 11 It's in my opinion, that our attempt has
 12 failed to be anywhere close to the quality of
 13 the hearings that we've held in the past.
 14 I'm committed to move forward with a plan,
 15 a committee, and a ballot question so that we
 16 can put this issue to rest with a full public
 17 input at the nearest possible election.
 18 MR. PACK: Thank you, Mr. Divilio.
 19 Anything further?
 20 MR. CALLAHAN: Yes. I would like to
 21 follow up with Mr. Divilio's comments.

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1 I've thought very, very hard in the last
 2 couple of months, too. I think there's been
 3 some decision-making that hasn't been the best.
 4 I feel like this isn't the most
 5 appropriate time to bring up something like
 6 this in a pandemic and put staff, put public,
 7 put all of our safety people in sort of a way
 8 that we've got to be protected.
 9 There's a lot of moving parts that this
 10 isn't the time to be voting on this.
 11 The bigger thing that I've been thinking
 12 about is like Mr. Divilio said, I think that
 13 this should be in the hands of the community
 14 and not our hands. This should be something
 15 that should be voted on from the community.
 16 People have asked me many, many times can
 17 you put it on the ballot. We all know we can't
 18 do that this go-round. We'd have to do it in
 19 '22.
 20 So I think Council really should give that
 21 some really hard thought to be doing that.

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1 It's only fair that the community make that
 2 decision, not us.
 3 I feel very uncomfortable with something
 4 that's happened 155 years ago and I'm making a
 5 decision on whether this thing should go or
 6 not. I don't think that's fair. I don't think
 7 that should be my decision. I don't think it
 8 should be a Council decision. I think this
 9 community should be making that because it's
 10 been there.
 11 We've gone over this five years ago.
 12 Mr. Pack, you did a great speech. We had the
 13 community there. We had everybody that we set
 14 a plan. We said that if you could get a plan
 15 together and come in front of us, we could take
 16 a look at it and we could put a Union statue
 17 right beside that one. We went all through
 18 that.
 19 And a prime example is the ladies that
 20 come in front of us a couple of years ago with
 21 the Korean War monument. They did their

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<p>1 homework. They have gone in front of us many 2 times, and we have approved them to come in the 3 courtyard to put their monument. That's the 4 way we should be doing it.</p> <p>5 MR. PACK: Okay. Well, I know the way 6 this vote is going to go. I'm going to call 7 the vote in just a moment, but just my closing 8 comments.</p> <p>9 To your comment, Mr. Callahan, I can't 10 count on my fingers the number of times you 11 have said that the people of this county 12 elected you to make decisions. And you have 13 said it repeatedly on a number of occasions 14 that they have elected you to make decisions.</p> <p>15 This is a decision that you have to make. 16 You can't now throw it back on the people and 17 say it should be the people's decision.</p> <p>18 And yes, let's be transparent. I 19 initially wanted this to be a ballot question 20 myself. I'm not saying that I did not. But 21 once I knew that that avenue was closed, you</p>	<p>1 MR. PACK: I haven't brought you up at 2 all. So I don't know how you say I'm putting 3 words in your mouth. I have not brought you up 4 in the least. I was speaking to what 5 Mr. Callahan has said previously regarding his 6 position. So I haven't brought you up. So I 7 don't know why you said I was putting words in 8 your mouth.</p> <p>9 This is a monumentous decision. Whether 10 it's done during the time of a pandemic or 11 whether it's during a time of not a pandemic, 12 it speaks volumes to what this county is saying 13 about itself and its reputation.</p> <p>14 We can't say that because of a pandemic, 15 we cannot conduct business. We conducted 16 business whether we were up on the Community 17 Center and now we're conducting business here. 18 The business of the county has never stopped, 19 the business of the county has never stopped. 20 We may have been closed to the public, but the 21 business of Talbot County has never stopped,</p>
<p>1 remember me saying I am glad that that avenue 2 was closed because I felt that this is a 3 decision that I should be making as an elected 4 official.</p> <p>5 So you can't go back and forth to say that 6 one day they hired you to do a job and you're 7 here to do the job you've been entrusted, and 8 now say that I'm going to throw it back on the 9 people. That's not really fair. So that if 10 it's a thing that you don't want to vote for 11 the statue, I understand that.</p> <p>12 But look, this is --</p> <p>13 MR. DIVILIO: No. We need to stop. 14 You're putting words into his mouth and mine as 15 well.</p> <p>16 MR. PACK: I'm not.</p> <p>17 MR. DIVILIO: (Inaudible.)</p> <p>18 MR. CALLAHAN: (Inaudible.)</p> <p>19 MR. PACK: Mr. Divilio, I haven't --</p> <p>20 MR. CALLAHAN: -- say what he needs to 21 say.</p>	<p>1 not one day.</p> <p>2 MR. CALLAHAN: I didn't say it stopped. 3 Okay, Mr. Pack. I did not say that.</p> <p>4 And look, let's go back five years ago. 5 Okay. We're dealing with your change right 6 now. You've done flip-flopped 180 degrees. So 7 we're dealing with that as a Council.</p> <p>8 So if I feel like it's the wrong time and 9 we need the public to vote on this, that's what 10 I think.</p> <p>11 So don't tell me that I'm this and I'm 12 that and I should vote on it because the 13 public --</p> <p>14 MR. PACK: I am not saying that at all, 15 Mr. Callahan. I did not say that.</p> <p>16 MR. CALLAHAN: You're --</p> <p>17 MR. PACK: I am not putting words in your 18 mouth. Go back and look at the tape. I'm not 19 putting words in your mouth.</p> <p>20 You have said repeatedly that the public 21 has put you here to make decisions. That's all</p>

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1 I said.

2 MR. CALLAHAN: Well, what's wrong with

3 that?

4 MR. PACK: Absolutely nothing. Exactly.

5 MR. CALLAHAN: But it's okay for me to say

6 that I think in this incident it should be in

7 the community's hands, not mine.

8 What is wrong with saying that?

9 MR. PACK: I'm just saying if that's the

10 way you feel, Mr. Callahan, then there's

11 nothing wrong if that's the way you feel.

12 All I was alluding to is that in the past,

13 you have said --

14 MR. CALLAHAN: I've said that many times.

15 MR. PACK: Well, that's all I said.

16 MR. CALLAHAN: I said that many times.

17 MR. PACK: Well, what's the argument?

18 That's all I said.

19 MR. CALLAHAN: But the argument is this is

20 something that's 155 years old.

21 MR. PACK: A, it's not 155 years old. It

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1 was erected in 1916. It's not 150 years old.

2 MR. CALLAHAN: We're talking history here.

3 That's what we're talking --

4 MR. PACK: Yes. But the statue is not 150

5 years old. It was erected in 1916.

6 MR. CALLAHAN: It's 106. It's older than

7 us. That's for sure. And nobody is here

8 that's on that statue. There's 84 names on

9 that statue, and they can't stand in front of

10 us and tell us what their thoughts are. So

11 that's something you need to think about, too.

12 MR. PACK: Okay. Now, Mr. Divilio, you

13 were saying before.

14 MR. DIVILIO: That my decision -- I put on

15 the record and offered up an idea with a plan

16 and forming a group and forming the money to do

17 it. It was a simple one-page resolution. And

18 unfortunately, it did fall at the wrong time.

19 You've just said that. The county has

20 been open, but not to the public. This room

21 has not been open to the public. The libraries

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1 have not been open to the public where many

2 people get their information.

3 We just received a grant to extend

4 broadband throughout the county. We know that

5 not everybody has Internet access. We know

6 that there's lots of people that would fill a

7 room for a typical hearing. That did not

8 happen.

9 In my opinion, the County Council did a

10 great job with the past hearings that they've

11 done. We've exhausted our resources.

12 Now it's time for us to put it back to the

13 community. They've asked three different

14 Councils to change their opinion, and we've

15 tried. We're putting it back to the community

16 to put it on a ballot question would be my plan

17 so that everybody has that opportunity to voice

18 their opinion.

19 MR. LESHER: Mr. Pack.

20 MR. PACK: Yes.

21 MR. LESHER: The timing of this on our

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1 agenda was not yours, it was not mine. It was

2 the public. It was the public that asked for

3 this. And perhaps the public didn't take into

4 consideration the challenges that we would have

5 with COVID restrictions, but here we are.

6 It doesn't look like this is going to pass

7 tonight. And I want to thank the very many

8 people who have expressed their opinions about

9 this in person, in writing, by showing up on

10 the court house square.

11 The removal of this monument will not,

12 would not change the history of this county and

13 it may not directly improve anyone's economic

14 or fiscal wellbeing. But the number that have

15 expressed their feelings in this matter have

16 made it clear that this is, indeed, a powerful

17 symbol. And our actions on it tonight, I'm

18 afraid sadly speak of who we are now as a

19 county and the extent to which we have not yet

20 changed. I hope, I aspire to be better than

21 this.

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1 Our failure to act to remove this monument
 2 from the court house square, in our failure to
 3 do so, Talbot County increasingly puts its
 4 tourism economy at risk, along with our
 5 legendary hospitality.
 6 Whatever it may have meant in the past,
 7 the Talbot Boys today is not viewed as a
 8 welcoming symbol, that we accommodate all
 9 people here with equity and with justice.
 10 Now, more than ever, if Talbot County's
 11 economy is to recover from the devastating
 12 impacts of COVID-19 pandemic, I fear that we
 13 further imperil it by allowing us to remain the
 14 last holdout of a Confederate monument on
 15 public property outside of a battlefield or
 16 cemetery in the state of Maryland.
 17 As Mayor Mitch Landrieu of New Orleans put
 18 it, to literally put the Confederacy on a
 19 pedestal in our most prominent places of honor
 20 is an inaccurate recitation of our full past,
 21 it is an affront to our present, and it is a

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1 bad prescription for our future. History
 2 cannot be changed. It cannot be moved like a
 3 statue. What is done is done. Surely we are
 4 far enough removed from that dark time to
 5 acknowledge that the cause of Confederacy was
 6 wrong. And in the second decade of the 21st
 7 century, asking African Americans or anyone
 8 else to drive by this property that they as
 9 members of the public own, occupied by
 10 reverential statues and names of men who fought
 11 to destroy the country and deny that person's
 12 humanity seems perverse and absurd. Centuries
 13 old wounds are still raw because they never
 14 healed right in the first place. We are better
 15 together than we are apart.
 16 It's a much longer speech, and I gave us
 17 just a small of that, but it does seem to apply
 18 to our situation here today in Talbot County.
 19 MR. PACK: Thank you, Mr. Leshner.
 20 I don't have anything prepared, other than
 21 to say that I am saddened as well to see that

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1 it appears that the vote will not be to remove
 2 the statue and to set up a way to fund its
 3 removal and also to make sure that it is
 4 properly stored until a site can be selected
 5 for its new home, which I thought was a very
 6 eloquent way of you handling that. And I want
 7 to applaud you for all your efforts to make
 8 sure that if removed, it will be done so
 9 appropriately and it would be funded with
 10 either public and private money. It appears
 11 that that's not going to happen this evening.
 12 I agree with what you're saying. I think
 13 that the tourism and also maybe even the
 14 restaurant industry here in Talbot County,
 15 especially here in Easton, may take a hit
 16 because of this.
 17 Where I was five years ago is now where I
 18 am today. People change, times change. And
 19 I've said repeatedly a man who fails to change
 20 his mind will never change the world that's
 21 around him.

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1 I have changed, Mr. Callahan, from where I
 2 was before. I do not support the Talbot Boys
 3 statue remaining on the court house lawn. I
 4 don't think it's appropriate.
 5 I know what I said in the past. I'm very
 6 much aware of what I said in the past, but it
 7 is not appropriate to keep that symbol on the
 8 court house lawn. So I've made my apologies to
 9 myself. I've made my apologies to persons
 10 previously because of my vote in the past.
 11 It's not one of my better votes. And I'm
 12 ashamed to have voted that way. But that's
 13 done. That's in the past. We can only look to
 14 the future and only make those changes today
 15 which will impact our future.
 16 I think that not removing that statue will
 17 certainly say a lot about this county and a lot
 18 about this Council as we move forward
 19 throughout the rest of this term and into the
 20 next.
 21 So it is very unfortunate. I will not be

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1 voting for a ballot question. It is the
 2 responsibility of the elected officials to make
 3 this change and not hide behind it. I know
 4 what I said in the past about wanting it to be
 5 on the ballot. I did look at that. I was
 6 probably the first one who said that. But I
 7 was glad when it turned out that we could not
 8 do that. So fortunes basically fell into my
 9 lap on that one because it is a decision that
 10 should be made by the elected body.
 11 So with that being said, again, I do also
 12 want to thank all those who called in, who
 13 wrote to us, either way, either for it or
 14 against it. Thank you for your time that you
 15 spent in doing that.
 16 We did the best that we were able to do
 17 with the technology. Thank you to Parker
 18 Durham, our IT director, and also the Avalon as
 19 well as Bones Phones, I know I'm saying that
 20 wrong, for all of their work in getting the
 21 technology and the software together so that we

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1 could communicate with callers.
 2 This is our new reality, gentlemen. We
 3 can't bring people into a room. We can't hold
 4 mass public hearings. This is the new reality.
 5 We have to conduct business as best we can. We
 6 may be this way for the end of this term and
 7 into the next year. So we can't keep on saying
 8 we need to have 100 people in a room. We're
 9 not going to get there. We're not going to get
 10 there, we're not. So we either have to realize
 11 where we are and do the best with the
 12 technology at hand.
 13 With that being said, if there's no
 14 further comment, as now introduced the chair
 15 would call the vote on 290, Resolution 290.
 16 Madam Secretary, please call your roll.
 17 MR. LESHER: Is this moved to a final
 18 reader?
 19 MR. PACK: I'm sorry, Mr. Leshar?
 20 MR. LESHER: Has this been moved to a
 21 third reader?

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1 MR. PACK: It is eligible for vote
 2 tonight. It is a resolution. So it has been
 3 read already by Madam Secretary for a second
 4 time, yes.
 5 MR. KUPERSMITH: That's correct. An
 6 ordinance would go to third reader.
 7 MR. PACK: Anything further, Mr. Leshar?
 8 SECRETARY: It's a resolution. So it has
 9 no time frame, unlike an ordinance.
 10 MR. PACK: I don't think, Mr. Leshar,
 11 extending this or postponing this. You did a
 12 yeoman's job at what you've done with your
 13 amendments. I think you considered what you
 14 were hearing from your fellow Council members,
 15 what you were hearing from the public.
 16 I don't want to belabor this point. I
 17 don't want to belabor the public and the media
 18 any further with this.
 19 You've done your best. You've done your
 20 best, sir. And I think at this point let's go
 21 ahead and call the roll and move on.

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1 Madam Secretary, please call your roll on
 2 Resolution 290 as drafted.
 3 SECRETARY: Mr. Pack.
 4 MR. PACK: Aye.
 5 SECRETARY: Mr. Divilio.
 6 MR. DIVILIO: No.
 7 SECRETARY: Mr. Callahan.
 8 MR. CALLAHAN: No.
 9 SECRETARY: Mr. Leshar.
 10 MR. LESHER: Aye.
 11 SECRETARY: Ms. Price.
 12 MS. PRICE: No.
 13 MR. PACK: Resolution 290 fails.
 14 Madam Secretary, next on the agenda, we
 15 have Bill 1446.
 16 SECRETARY: Bill Number 1446, a bill to
 17 amend Chapter 190 of the Talbot County Code,
 18 zoning, subdivision, and land development, to
 19 improve and clarify the processes for licensure
 20 and oversight of short-term rentals in the
 21 county and to amend the standards for safety

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1 for licensure.
 2 MR. PACK: Thank you, Madam Secretary.
 3 Miguel, Mike, Brent, good to see you all.
 4 Who is going to take the lead on this?
 5 MR. SALINAS: I can take the lead on this.
 6 MR. PACK: You have to press that button
 7 and please speak right into the mike.
 8 MR. SALINAS: Sure. Mr. President,
 9 members of the Council, if you would like me to
 10 do that, I can walk through the components of
 11 what is in the legislation and also I can walk
 12 the Council through the matrix.
 13 MR. PACK: One moment, Mr. Salinas.
 14 MR. SALINAS: If you would not like me to
 15 do that, we stand for questions on any part of
 16 the legislation that you have questions on.
 17 MR. PACK: Any questions of Mr. Salinas or
 18 any other member before Council on 1446?
 19 MR. DIVILIO: My question that I have was
 20 I'm trying to find the page. Page eight for us
 21 under G, hearings and decision. The owner, all

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1 owners of properties, the 1,000 feet and the
 2 500 feet, we discussed that. And I was
 3 wondering if you could give us just a little
 4 bit of background on who came up with which on
 5 this.
 6 MR. SALINAS: Sure. That came up, I
 7 believe that came up during the workshops that
 8 the Short-Term Rental Review Board held in
 9 August and September of last year.
 10 We received comments from the public that
 11 in some of the more dense residential
 12 districts, relative to the other concentration
 13 districts, that the 1,000 feet was onerous and
 14 costly. For example, a property in Tilghman
 15 that have 1,000-foot radius could generate
 16 letters anywhere from 500 -- I'm sorry, 50
 17 letters to 100 letters. And so that they were
 18 spending upwards up to \$1,000 in certified
 19 mailings for those.
 20 And so the suggestion was for those
 21 residential zoning districts, to reduce that

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1 from 1,000 to 500 feet and they would still
 2 target a number of properties, anywhere from 20
 3 to 50 properties at that distance.
 4 And so that was discussed when the County
 5 Council held their joint work sessions with the
 6 Short-Term Rental Review Board. And that was
 7 approved by the -- under the straw poll voting,
 8 that was voted on five to zero by the County
 9 Council. That would be on page nine of the
 10 matrix.
 11 MR. DIVILIO: Thank you.
 12 MR. HOLLIS: Mr. President, can you hold
 13 just a second?
 14 Mr. Durham, I'm getting some text messages
 15 that people --
 16 MS. PRICE: (Inaudible). When we took
 17 that straw poll vote, we had not decided to cut
 18 it down to one mailing, which cut the costs in
 19 half.
 20 So I would like to have this under
 21 consideration because in the dense areas

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1 (inaudible), one mailing --
 2 MR. DIVILIO: Laura, nobody could
 3 understand any of that.
 4 MS. PRICE: Try again. Can you hear me
 5 now?
 6 MR. DIVILIO: Yes.
 7 MS. PRICE: Okay. When we took the straw
 8 poll vote, are you hearing me?
 9 MR. DIVILIO: Yup.
 10 MS. PRICE: When we took the straw poll
 11 vote on going from 1,000 feet to 500 feet,
 12 there were still two mailings required by
 13 certified mail.
 14 Now that we're considering one mailing
 15 with just delivery confirmation, the cost will
 16 go down significantly.
 17 MR. PACK: Okay. Are there any questions
 18 of Mr. Salinas or Mike on 1446?
 19 MR. DIVILIO: Just, sorry, one thing. I'm
 20 trying to find it. The carbon monoxide
 21 detectors that are being, what is the term,

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1 connected?

2 MR. CALLAHAN: Interconnected.

3 MR. DIVILIO: Interconnected, yes.

4 So I did a little bit of research on this.

5 I've had some people e-mailing in and

6 questioning about that.

7 So I just would like to confirm with you

8 that those are interconnected by a radio

9 frequency amongst themselves. The homeowner

10 would not need to have a WiFi or anything, that

11 those devices work amongst themselves. Is that

12 correct?

13 MR. GARNER: That is correct. They work

14 amongst themselves.

15 MR. DIVILIO: Thank you.

16 MR. CALLAHAN: So just making myself

17 clear. If they work by themselves, you don't

18 need Internet service, you don't need WiFi, you

19 don't need none of that. So they work

20 independently through the little -- if you've

21 four, fix, or six of them, they work together?

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1 MR. GARNER: Just like the smoke

2 detectors, they work independently. You don't

3 need a WiFi or anything else.

4 There are certain ones that are available

5 with a WiFi through your commuter, but the ones

6 that are most common are independent. They do

7 not need a WiFi or anything else.

8 MR. CALLAHAN: Got you. Thank you.

9 MR. PACK: Any further questions?

10 Gentlemen, you can just stay put right

11 there.

12 On Bill 1446, we have one amendment which

13 was already introduced I believe, Madam

14 Secretary. This amendment did I believe deal

15 with the carbon monoxide detectors being

16 installed. I believe that first amendment has

17 already been introduced. So I'll bypass that.

18 SECRETARY: All three amendments have been

19 introduced.

20 MR. PACK: All three amendments have been

21 introduced.

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1 Madam Secretary, I don't have amendment

2 two in front of me.

3 MR. DIVILIO: That is the three-night

4 minimum down to two-night minimum.

5 MR. PACK: So we have amendment one and

6 two and three. Does anyone need any

7 explanation on amendment one before I call the

8 vote to add amendment number one into Bill

9 1446?

10 MS. PRICE: Could you briefly say what

11 amendment one, two, and three do for

12 clarification?

13 MR. PACK: Sure. Amendment number one

14 deals with the interconnected carbon monoxide

15 alarms to be installed when fuel-fired

16 appliances are present or unit has an attached

17 garage. The alarm shall be installed outside

18 of each separate sleeping area in the immediate

19 vicinity of the bedrooms where fuel-burning

20 appliances are located within a bedroom or its

21 attached bedroom. A carbon monoxide alarm

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1 shall be installed within a bedroom.

2 Combination carbon monoxide alarm and smoke

3 alarm shall be permitted in use in lieu of the

4 carbon monoxide.

5 So if you have a combination smoke

6 detector carbon monoxide, then that would be

7 fine.

8 So that's the amendment number one. Is

9 that sufficient? It's also in Granicus if you

10 want to pull it up, Ms. Price. But just for

11 your reading, that's the amendment.

12 So if there's no further questions, the

13 chair would ask for vote for amendment number

14 one to be added to the bill. Motion?

15 MR. DIVILIO: Motion.

16 MR. PACK: Motion by Mr. Divilio.

17 MR. LESHER: Second.

18 MR. PACK: Seconded by Mr. Leshar. Any

19 further discussion on amendment number one?

20 Hearing none, Madam Secretary, on

21 amendment number one, please call your roll.

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1 MS. PRICE: Hang on, Mr. Pack.
 2 MR. PACK: Okay.
 3 MS. PRICE: (Inaudible.)
 4 MR. CALLAHAN: Laura, can you -- we
 5 couldn't hear you. So could you repeat that,
 6 please?
 7 MS. PRICE: (Inaudible) that amendment one
 8 requires the interconnected carbon monoxide
 9 detectors?
 10 MR. PACK: It does require the carbon
 11 monoxide detectors, yes, where there's a
 12 presence of a fuel-burning appliance.
 13 MS. PRICE: So if we didn't do the
 14 interconnected, is an independent carbon
 15 monoxide detector still required?
 16 MR. CALLAHAN: Could you say that again,
 17 please?
 18 MS. PRICE: If they are not interconnected
 19 as per amendment one, are independent carbon
 20 monoxide detectors still required?
 21 MR. CALLAHAN: No. That defeats the whole

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1 purpose of being interconnected.
 2 So the thought process, Laura, is so if
 3 you're sort of -- if there's one at the
 4 appliance, so to speak, and you're back in your
 5 bedroom, you need to be alerted back in your
 6 bedroom because your bedroom could be down the
 7 hallway and you not hear it go off at the
 8 appliance. So that the whole sort of
 9 interconnected is the concept of the safety
 10 aspect of it.
 11 And I do agree with that. I mean it is,
 12 yes, it's an expense, and I understand that.
 13 But speaking from my firefighter hat, I think
 14 it's appropriate to have that because what you
 15 really have to look at in this particular
 16 situation, you have people in that house that
 17 don't know that house.
 18 So your argument, what you're saying, if
 19 you are questioning it, it would be different
 20 if it's the homeowner. But when you have
 21 people in there that are not used to the house,

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1 not used to how it operates, you need to bring
 2 it up to safety standards.
 3 MS. PRICE: Just trying to understand.
 4 Thank you for the explanation.
 5 MR. PACK: Okay. If there's nothing
 6 further on amendment one, it has been
 7 introduced. A motion has been made. It has
 8 been seconded.
 9 If there's no further discussion, Madam
 10 Secretary, please call your roll on amendment
 11 one to Bill 1446.
 12 SECRETARY: Mr. Pack.
 13 MR. PACK: Aye.
 14 SECRETARY: Mr. Divilio.
 15 MR. DIVILIO: Aye.
 16 MS. LANE: Mr. Callahan.
 17 MR. CALLAHAN: Aye.
 18 SECRETARY: Mr. Leshner.
 19 MR. LESHNER: Aye.
 20 SECRETARY: Ms. Price.
 21 MR. PACK: Ms. Price, I need your vote on

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1 amendment one, please.
 2 MS. PRICE: Aye.
 3 MR. PACK: Thank you. Amendment one
 4 passes.
 5 Amendment two. Madam Secretary, would you
 6 please read amendment two.
 7 SECRETARY: Amendment two reduces from
 8 three nights to two-night minimum stay for all
 9 short-term lease holders.
 10 MR. PACK: Thank you very much, Madam
 11 Secretary.
 12 Any discussion on amendment number two?
 13 MR. DIVILIO: This was an amendment that I
 14 offered. I think it's pretty straightforward.
 15 We've received a lot of comments about the
 16 events around here are typically just short
 17 weekend events. So we're trying to make it a
 18 little bit easier for the folks who are coming.
 19 MR. PACK: I think amendment two is
 20 probably, again, going back to the fact that
 21 you're in the middle of a pandemic, going to

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1 bring more people into the area during a time
 2 when you don't want to bring more people into
 3 the area. So I don't think that's what you
 4 want to do, is encourage shorter stays.
 5 If you're going to have a three-night
 6 minimum against the community that that STR is
 7 in, I think will benefit from a three-night
 8 minimum. The person can always stay longer if
 9 they choose to, but a three-night minimum at
 10 least gives the less frequency of persons
 11 moving in and out, back and forth into a
 12 community.
 13 I think right now, as we talked about
 14 before with Resolution 290, why make these type
 15 of drastic changes where you're bringing people
 16 into a community for shorter stays. This is
 17 not the appropriate time to do this.
 18 The three-night minimum stay basically has
 19 not been on the books for more than a year
 20 since we introduced this. And a lot of
 21 feedback from the public who wanted to make

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1 sure that there was not a lot of activity in
 2 and out of these communities.
 3 So this is probably not one that we should
 4 be doing at this time for a number of reasons.
 5 MR. DIVILIO: Did I amend this so that it
 6 would take effect after the governor lifts the
 7 State of Emergency? Mr. Kupersmith.
 8 MR. KUPERSMITH: Did you amend it?
 9 MR. DIVILIO: Could I amend this so that
 10 this would take effect after the governor lifts
 11 the State of Emergency?
 12 MR. KUPERSMITH: I suppose you could, but
 13 I believe this is a definition in the
 14 ordinance. And so we wouldn't normally have,
 15 obviously we wouldn't normally have something
 16 in the zoning ordinance that's connected to
 17 that kind of an event. But technically I
 18 suppose you could do it.
 19 The other option would be just introduce
 20 legislation at that time once the governor's
 21 State of Emergency ends to make this change.

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1 MR. DIVILIO: I can go either way with
 2 that.
 3 I'm doing my best not to pass legislation
 4 that's going to take effect and last for 20, 30
 5 years and try to take into effect the current
 6 state of coronavirus, which we all hope to move
 7 through.
 8 MR. CALLAHAN: I would agree. That seems
 9 reasonable.
 10 I hear you, Mr. Pack. That seems
 11 reasonable, if we could hold off until the
 12 emergency order is lifted and then do the two
 13 days.
 14 I mean the whole concept of the two days
 15 is not necessarily bringing more people in
 16 here. It's actually a little bit, what I'm
 17 hearing from everybody that's voiced their
 18 opinion about the two-day thing, because it's a
 19 Friday Saturday situation most of the time.
 20 And when people do come for the weekend, they
 21 come mainly for two nights instead of three

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1 nights.
 2 And the outfitters in Talbot County, too,
 3 they're struggling with the three nights and a
 4 lot of people want to do the two nights. And
 5 it really seems cost effective. When you're
 6 doing three nights, it's really not cost
 7 effective to stay that third night.
 8 So I would like to see Council be
 9 reasonable. I'm with Mr. Divilio, that maybe
 10 this takes effect after the first of the year
 11 or something.
 12 MR. PACK: He can do likewise what
 13 Mr. Leshner did with his first amendment and
 14 just withdraw the amendment. He's the only
 15 person that introduced it and just withdraw it.
 16 And as far as cost effectiveness, we don't
 17 even have any data to speak to that. That's a
 18 very good point. Before you make this kind of
 19 a change, to kind of speak with Ms. Lane to see
 20 has there been a decrease in STR rentals
 21 because of the three-night minimum stay.

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1 Again, the three-night minimum stay has
 2 only been in effect roughly a year, since the
 3 changes took effect on 190. So you're making a
 4 change before you even have ample enough time
 5 to review whether or not what you did a year
 6 ago is working. So and then you don't have the
 7 fiscal data to back it up.

8 So you're right. Is it cost effective or
 9 is it not cost effective. You don't have the
 10 data to even answer that question.

11 MR. DIVILIO: Well, we can look at
 12 competition and see the surrounding areas
 13 around us have shorter limitations. So when
 14 somebody is looking for a two-day weekend to go
 15 away and they see that they can't stay in
 16 St. Michael's, they immediately move on and
 17 look at another place.

18 So we're hearing it from people who manage
 19 properties in different areas as well. So it's
 20 not just Angela Lane who would have the numbers
 21 on this.

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1 MR. PACK: Right. We don't have those
 2 numbers with us.

3 MR. DIVILIO: And then you also have the
 4 people who play the games and they're going to
 5 rent the house for two days and they'll charge
 6 a penny for the third day or not charge
 7 anything for the third night.

8 Again, I'm open to suggestions. If you
 9 think that a two-night minimum with a certain
 10 number of options so that the person could do
 11 that for a month is acceptable.

12 I know that people are concerned that
 13 they're going to be having somebody show up
 14 Monday and Tuesday and then Wednesday and
 15 Thursday and then Friday and Saturday. A lot
 16 more people.

17 But again, in keeping with what Talbot
 18 County is, we are a weekend destination. And
 19 I'm trying to make it easier for the consumer
 20 when it's appropriate for the consumer to come
 21 here.

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1 MR. CALLAHAN: I would -- go ahead, Laura.

2 MS. PRICE: I was just going to say that I
 3 think this is worthy of consideration, but I
 4 would feel more comfortable if we just
 5 introduced this later and not say it's going to
 6 take effect at the end of the State of
 7 Emergency.

8 MR. DIVILIO: I withdraw my amendment.

9 MR. PACK: Mr. Divilio has withdrawn
 10 amendment number two. Any objection? Any
 11 additional comment?

12 Hearing none, Madam Secretary, amendment
 13 number two to Bill 1446 has been withdrawn.

14 We'll move onto amendment number three.
 15 Madam Secretary, when you get a chance, please
 16 read that one.

17 SECRETARY: Amendment number three reads
 18 the maximum number of persons permitted to be
 19 on site associated with any short-term rental,
 20 adding during nighttime hours, sunset to
 21 sunrise, shall be limited at all times to the

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1 lesser of 12 persons or two persons per bedroom
 2 in the dwelling that is rented. Striking
 3 primary. Excluding infants under 18 years of
 4 age. There shall be no limit to the maximum
 5 number of persons during daytime hours, sunrise
 6 to sunset, except to the extent that another
 7 section of the Talbot County Code or other law,
 8 regulation, rule, order, or decision or
 9 condition of approval imposes such a limit or
 10 otherwise curtails the gathering.

11 MR. PACK: Thank you, Madam Secretary.

12 MR. DIVILIO: Again, this is another
 13 amendment that I've offered up from discussing
 14 things with the community and hearing about
 15 people who want to come down, rent a house for
 16 Thanksgiving. Maybe their family is coming
 17 here to visit family that's already here. So
 18 they would like to have those family members
 19 come over because the kitchen is larger. Crab
 20 feasts are obviously very popular here.

21 People like to rent houses on the water.

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1 And then they meet up, they take out all their
 2 paddle boards and paddle out for the rest of
 3 the day.
 4 When you look at some of the properties
 5 that we have, obviously, if you're on 10,000
 6 square feet and you're a quarter-acre in town,
 7 12 people is a lot.
 8 If you look at somebody like the Blair
 9 Farm, which could end up being a short-term
 10 rental on St. Michael's Road, having 12 people,
 11 you probably wouldn't get the grass cut all in
 12 one day.
 13 So what I was doing is looking at an
 14 opportunity for families to gather, what we
 15 look for, which is what our events are for, add
 16 a vacation property in Talbot County during the
 17 day. When it's not a party, it's obviously
 18 during the day. So if enforcement needs to
 19 take action, it's going to be much easier for
 20 them to see what's going on and know.
 21 But it, again, allows families the

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1 opportunities to explore and enjoy the
 2 Chesapeake Bay so that they go home wherever
 3 they came from and get to talk about how nice
 4 this area is and how well it needs to be
 5 protected.
 6 MR. PACK: The previous Council had
 7 extensive public hearing on the maximum number
 8 of persons in an STR, and coming to the 12
 9 person maximum was after a number of exhaustive
 10 hearings with citizens. Because these
 11 neighborhoods that these STRs sit in are
 12 sometimes, the homes are very close together,
 13 there's not a great setback between the homes.
 14 This may work at a ten-acre lot, but this
 15 won't work on quarter-acre lot. And allowing
 16 persons who are not registered on the lease to
 17 come onto the property, I think you're really
 18 opening yourself up for a lot of problems, a
 19 lot more phone calls, a lot more calls for Mike
 20 and for Dwayne to go out to because things have
 21 gotten out of hand.

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1 Again, we're making changes to a
 2 particular bill that has only been around for
 3 approximately a year. And we don't have the
 4 data to back it up to say that we should change
 5 it from a 12-person on the lease maximum to an
 6 unlimited daytime activity.
 7 One person may have the proper intentions
 8 for just an evening of sitting out and
 9 barbecuing and having crabs. The next five
 10 people may have a whole different
 11 interpretation of what they want to do.
 12 So this is dangerous in my opinion to do
 13 something like this so soon after the bill has
 14 been drafted. And again, knowing that some of
 15 our neighborhoods, Rio Vista, are very nestled
 16 close together.
 17 I can hear the phone calls coming into you
 18 right now, Mike.
 19 MR. CALLAHAN: I don't see a whole lot of
 20 problem with it. I don't see any danger with
 21 it.

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1 What I see is if there's a problem, you
 2 pull the license. That's what I see. You see
 3 a fine. You make that judgment. That's what
 4 we've got rules that you're going to apply if
 5 somebody does something wrong.
 6 And at this stage, we haven't had an issue
 7 that's come to the Council with multiple people
 8 on the property. So I don't see where it's an
 9 issue.
 10 MR. PACK: You don't --
 11 MS. PRICE: -- jump in, if I can.
 12 MR. PACK: Hold on one second, Ms. Price.
 13 You probably don't have that,
 14 Mr. Callahan, to the point because of what we
 15 put in place. It's working. And that's what
 16 you want to see.
 17 We put those things in place on the last
 18 Council to make sure that the people that were
 19 listed on that application, that had to be
 20 posted so when Mike and Dwayne go in there,
 21 they can say Mr. Brown, Mrs. Brown, Mr. Thomas,

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1 Mrs. Thomas, those are on the application.
 2 They're supposed to be on the property.
 3 And you're correct. We don't have those
 4 problems because of what the prior Council did.
 5 Undoing that, you will see the problems.
 6 If you're going to say it's unlimited, anyone
 7 can come on the property during the day, you
 8 will see the problems. And you haven't seen
 9 the problems because of what the Council did
 10 through some foresight and listening to people
 11 and listening to our compliance officers and
 12 putting things in place to curtail that kind of
 13 activity.
 14 So you're absolutely right. We haven't
 15 seen that because of what the prior Council
 16 did.
 17 MR. DIVILIO: Or because of the
 18 individuals who come to this area.
 19 So again, I'm willing to discuss this and
 20 see if maybe we can have double the occupancy
 21 during the day, up to 24 people on the

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1 property.
 2 Again, Bentley Hay and Rio Vista are
 3 unique. When we're looking at the county, we
 4 have to think about the county in the whole.
 5 Some of the outlying areas with the nicer,
 6 larger properties can easily handle this
 7 without anyone ever noticing.
 8 I remember the first night of my wedding
 9 was spent at a short-term rental in Talbot
 10 County. And we rented way too big of a home on
 11 way too big of a property so nobody would know,
 12 and we really enjoyed it. And I thoroughly
 13 enjoyed that to the point that I would like to
 14 share that experience with other family members
 15 and have them come here at the same time.
 16 I have two young children. And my wife
 17 has several siblings. And when we all come
 18 together, it's fun to see the children play and
 19 enjoy the Chesapeake Bay. That's what I'm
 20 looking for. And if you want to go with double
 21 the occupancy or triple the occupancy, I would

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1 certainly be willing to listen to that.
 2 MS. PRICE: Mr. Divilio, I think that you
 3 can work on something again make next year.
 4 This wouldn't be the time because of the
 5 pandemic.
 6 But the wording now is unlimited. So why
 7 don't we put together some other options and
 8 have new public hearings when the time is
 9 appropriate rather than trying to amend this on
 10 the fly tonight?
 11 MR. LESHER: Ms. Price, are you speaking
 12 on two different devices? Do you have two
 13 devices unmuted?
 14 MS. PRICE: I'm not. I literally have the
 15 phone to my ear.
 16 MR. LESHER: Mr. Pack, right now our STR
 17 regulations scheme doesn't make any
 18 distinctions between large lots and small lots,
 19 between villages like Neavitt and TR zones like
 20 Bentley Hay and Rio Vista and truly large lots
 21 with large setbacks.

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1 I think to deal with a provision like
 2 this, we need to look at something much more
 3 comprehensive than what is before us now.
 4 MR. PACK: I would certainly agree with
 5 you. I mean you do.
 6 The change from the 1,000 feet to the
 7 500 feet does consider those village smaller
 8 density areas than those wide open areas. So
 9 there is a distinction on that as far as
 10 notifying persons within a 500-foot to a
 11 1,000-foot.
 12 But on something like this, again, yeah,
 13 you would have to probably do the research and
 14 kind of look at those lots, sit down, look at
 15 the map, get with Mark Cohoon, look at the GIS
 16 mapping, and kind of figure out how many lots
 17 do you have of what particular size and what
 18 you're going to allow to happen on those larger
 19 lots, as opposed to those smaller lots in
 20 village centers.
 21 This doesn't do this. This opens up the

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1 wild, wild west for everybody.
 2 MR. DIVILIO: Well, it appears that I have
 3 some work cut out for me on these two
 4 amendments.
 5 I will go ahead and withdraw that
 6 amendment and come back and sit down with the
 7 planning staff some more to see if we can come
 8 up with, like you said, something lot size
 9 dependent.
 10 MR. PACK: Any objection to amendment
 11 number three being withdrawn?
 12 Hearing none, Madam Secretary, amendment
 13 number three to Bill 1446 has been withdrawn by
 14 the issuer. Okay.
 15 So we just have amendment number one to
 16 Bill 1446. Any further discussion on Bill 1446
 17 now as amended with amendment number one?
 18 Hearing none, Madam Secretary, please call
 19 the roll on 1446 as amended with amendment
 20 number one.
 21 SECRETARY: Mr. Pack.

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1 MR. PACK: Aye.
 2 SECRETARY: Mr. Divilio.
 3 MR. DIVILIO: Aye.
 4 MS. LANE: Mr. Callahan.
 5 MR. CALLAHAN: Aye.
 6 SECRETARY: Mr. Leshner.
 7 MR. LESHER: Aye.
 8 SECRETARY: Ms. Price.
 9 MR. PACK: Ms. Price, I need your vote on
 10 Bill 1446 as amended, please.
 11 MR. DURHAM: Ms. Price has dropped from
 12 the call.
 13 MR. PACK: Could you try to get her back
 14 on line, please. We're in the middle of a
 15 vote.
 16 MR. DIVILIO: (Inaudible) try a different
 17 phone.
 18 SECRETARY: Is she back, Parker?
 19 MR. DURHAM: She's not.
 20 MR. PACK: Okay. Madam Secretary, please
 21 note for the record we tried to reconnect with

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1 Ms. Price. She has not been able to be
 2 reached. We're going to pass Bill 1446 four-O
 3 at this time. Thank you.
 4 MR. HOLLIS: Ms. Price just texted that
 5 she voted aye, if you would like that for the
 6 record, Mr. President.
 7 MR. PACK: So Bill 1446 passed as amended
 8 five-O.
 9 MS. MORRIS: Excuse me, Mr. Pack. We're
 10 getting a report that the TV feed is not coming
 11 through. There's nothing.
 12 DEANNA: It's because we were waiting for
 13 Ms. Price.
 14 MS. MORRIS: Thank you.
 15 MR. PACK: Bill 1446 has been passed as
 16 amended. Gentlemen, thank you very much.
 17 Anything further?
 18 Madam Secretary, we're going to move along
 19 with Resolution 281.
 20 SECRETARY: Resolution 281, a resolution
 21 to amend the Talbot County Comprehensive Water

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1 and Sewer Plan, the plan, to reclassify and
 2 remap certain real property located in the Town
 3 of Trappe, Maryland, associated with the
 4 Lakeside planned new development, the Lakeside
 5 project. Formerly known as Trappe East.
 6 Further described as tax map 54, parcel 304,
 7 tax map 55, parcels 14, 15, 17, 19, 44, 65, 83,
 8 and 85, and tax map 59, parcel four. The total
 9 area consisting of 865 acres, more or less, the
 10 property. From S-2 and W-2 areas where
 11 improvements for extensions to existing or
 12 construction of new community, multi-use or
 13 shared sanitary facilities are programmed for
 14 progress within three to five years to S-1 and
 15 W-1 areas served or to be served by community
 16 multi-use or shared sanitary facilities, which
 17 are existing, under construction, or have
 18 immediate priority status. To amend the plan
 19 to add certain water and sewer capital projects
 20 related to the Lakeside project and existing
 21 systems for the fiscal years 2020 through 2030,

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1 and to amend the plan to update the narrative
 2 description in the plan relative to the
 3 Lakeside project and existing systems.
 4 MR. PACK: Thank you, Madam Secretary.
 5 Mr. Clarke, do you want to be heard on
 6 this? I know that we have counsel here as
 7 well. So we'll invite Mr. Showalter up in a
 8 moment.
 9 MR. CALLAHAN: Mr. President.
 10 MR. PACK: I'm sorry. Mr. Clarke, you
 11 want to come forward to be heard before we move
 12 on the resolution?
 13 MS. MORRIS: You just press it, Ray. Keep
 14 pressing.
 15 MR. CLARKE: At this point in time for the
 16 Council, I don't have anything to offer unless
 17 you all have any questions or comments.
 18 MR. PACK: This resolution does have an
 19 amendment. So there is one amendment that is
 20 being offered up to the resolution. I'm sorry.
 21 Madam Secretary, I'm going to try to find

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1 the actual changes to the amendment.
 2 Mr. Kupersmith, I believe amendments to
 3 Resolution 281, there's one amendment, it's
 4 dealing with the split zoning of the property.
 5 MR. KUPERSMITH: That's correct, Mr. Pack.
 6 The main effect of amendment one to Resolution
 7 281 is to take the area of the property holding
 8 and to make it partially S-1 and partially S-2.
 9 The original resolution would have that
 10 entire area as S-1.
 11 The Town of Trappe and the developer
 12 submitted amendment one, which would split it
 13 into two sections. The amendment also makes
 14 certain changes to the text that we could go
 15 through in detail if you'd like. But one of
 16 the key points there is that for the first
 17 phase of the development, they could draw from
 18 the existing Trappe sewer plant or construct
 19 their own facility. And then there are some
 20 other changes, but that was one of the key
 21 points.

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1 MR. PACK: Thank you. Currently the whole
 2 entire acreage sits at S-1 W-1, which means
 3 that development can take place anywhere on the
 4 lot, either the Barber Road side or the 50
 5 side.
 6 I think that the agreement that came out
 7 of discussions with the Town of Trappe and also
 8 with the developer was to do the split zoning
 9 to allow the first part of that development to
 10 stay on the S-1 W-1 side. And then once that
 11 is developed out, can be moved over into the
 12 S-2 W-2 side of the lot.
 13 MR. LESHER: Mr. Pack, is it currently S-1
 14 W-1 or is it now S-2 W-2?
 15 MR. PACK: I think right now the whole lot
 16 is S-1 W-1.
 17 MR. CALLAHAN: No.
 18 MR. KUPERSMITH: Mr. Leshner is correct.
 19 The whole area is S-2 W-2.
 20 The resolution would make it S-1 W-1, all
 21 of it. And then the amendment changes that to

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1 make part of it S-1, part of it S-2 W-2.
 2 MR. PACK: Okay. Mr. Showalter, do you
 3 wish to be heard on the amendment or any parts
 4 of Resolution 281?
 5 MR. SHOWALTER: Just very briefly,
 6 Mr. Pack, members of the Council. Thank you
 7 very much, Mr. Pack, members of the Council.
 8 Just very briefly. I just want to
 9 reiterate that what is proposed before you
 10 today, what you're being asked to adopt as an
 11 amendment is an amendment to update your plan,
 12 which already reflects this project. It
 13 already includes a standalone wastewater
 14 treatment plant for Lakeside. It already
 15 contemplates ground water disposal through
 16 spray irrigation of the treated wastewater.
 17 It takes what your plan currently permits
 18 as a BNR quality plant and it imposes a
 19 requirement for ENR level treatment, which is
 20 state-of-the-art level treatment for that
 21 plant.

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1 If you don't adopt the amendment, your
 2 current plan permits that plant to be
 3 constructed today with a BNR quality plant.
 4 That's not my client's intention, and
 5 that's why we've asked for an amendment to
 6 update --
 7 MR. LESHHER: What would MDE allow at this
 8 point? Would they allow a new BNR plant of
 9 this scale?
 10 MR. SHOWALTER: Absolutely. And the draft
 11 permit that MDE issued in connection with the
 12 wastewater disposal application was a BNR
 13 plant.
 14 We've responded to MDE and indicated our
 15 intention to build an ENR plant and requested
 16 that they update the permitting, the discharge
 17 limits to ENR quality. But the draft permit
 18 issued by MDE with a tentative determination
 19 was for a BNR quality plant.
 20 MR. PACK: Any further questions of
 21 Mr. Showalter or Mr. Clarke on the resolution

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1 or the amendment?
 2 Madam Secretary, I'll call the vote on --
 3 thank you very much, Ryan. I'll call the vote
 4 on amendment one to Resolution 281.
 5 I need a motion on amendment one.
 6 MR. CALLAHAN: So moved.
 7 MR. PACK: Moved by Mr. Callahan.
 8 MR. DIVILIO: Second.
 9 MR. PACK: Seconded by Mr. Divilio. Any
 10 further questions on amendment one?
 11 Hearing none --
 12 MS. PRICE: Can you hear me?
 13 MR. PACK: Yes.
 14 MS. PRICE: Okay. I'm uncomfortable with
 15 this being on a BNR plant and allowing more
 16 discharge into a (inaudible) waterway.
 17 I would be far comfortable if this was
 18 upgraded to ENR before the houses are built, as
 19 are -- a member of the Board of Health, I
 20 believe that it is what we need to do for the
 21 health, safety, and welfare of the developer to

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1 hook up to a sewer plant that is substandard.
 2 MR. PACK: I don't believe that the
 3 wastewater treatment plant is substandard. I
 4 believe it is discharging according to its MDE
 5 permit. The levels are within its permitted
 6 MDE applications. So I wouldn't say that the
 7 plant is substandard at all.
 8 Any further comment on amendment number
 9 one?
 10 MR. LESHHER: I have the same worry, that
 11 allowing the first 120 units to have their
 12 waste diverted over the existing Trappe plant,
 13 that plant has, in fact, violated its discharge
 14 permit conditions.
 15 It is an old, outdated plant. It is due
 16 to be upgraded. They are now in a preliminary
 17 engineering report that should be completed
 18 this year. They're in process right now.
 19 We should wait until -- we should not
 20 permit this to go forward until that plant is
 21 upgraded for the length. And amendment one

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1 would do that. If this could be changed such
 2 that there's a delay in this until -- such that
 3 that hookup would not happen until Trappe's
 4 plant is upgraded, I can support this.
 5 MR. PACK: I don't think the plant is
 6 currently facing any type of violation at this
 7 time.
 8 MR. LESHHER: They have a history, without
 9 improvements, without upgrades that have
 10 corrected those.
 11 MR. PACK: Anything further from
 12 Mr. Clarke or Mr. Showalter? Okay.
 13 On Resolution 281, the amendment as
 14 introduced, Madam Secretary, please call your
 15 roll.
 16 SECRETARY: Mr. Pack.
 17 MR. PACK: Aye.
 18 SECRETARY: Mr. Divilio.
 19 MR. DIVILIO: Aye.
 20 MS. LANE: Mr. Callahan.
 21 MR. CALLAHAN: Aye.

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1 SECRETARY: Mr. Lesher.
 2 MR. LESHER: Nay.
 3 SECRETARY: Ms. Price.
 4 MS. PRICE: Aye.
 5 MR. PACK: Resolution 281 passes as
 6 amended. Thank you very much.
 7 Moving now into our public hearing, of
 8 course, we are not at the 6:30 mark.
 9 SECRETARY: Mr. Pack, that was just the
 10 amendment.
 11 MR. PACK: I was distracted by the crowds
 12 of the angry mob outside in the lawn.
 13 So that is for the amendment now. 281 is
 14 before Council as amended. Any further
 15 discussion on 281 as amended?
 16 Hearing none, Madam Secretary, please call
 17 the roll on 281 as amended.
 18 SECRETARY: Mr. Pack.
 19 MR. PACK: Aye.
 20 SECRETARY: Mr. Divilio.
 21 MR. DIVILIO: Aye.

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1 MS. LANE: Mr. Callahan.
 2 MR. CALLAHAN: Aye.
 3 SECRETARY: Mr. Lesher.
 4 MR. LESHER: Nay.
 5 SECRETARY: Ms. Price.
 6 MS. PRICE: Aye.
 7 MR. PACK: Does someone want to contact
 8 the sheriff out front and tell him he needs to
 9 get outside?
 10 MR. HOLLIS: He's aware.
 11 MR. PACK: 281 passes at amended.
 12 Madam Secretary, give me a read back of
 13 the vote on 281.
 14 SECRETARY: Excuse me?
 15 MR. PACK: Give me a read back of the
 16 vote.
 17 SECRETARY: The vote on 281 as amended was
 18 four to one. Mr. Lesher was the nay vote.
 19 MR. PACK: Thank you.
 20 We have several public hearings we're
 21 about to go into. We're going to try to get

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1 through this. Hopefully I won't have to call
 2 for a recess at this time.
 3 Before I go into the public hearing, for
 4 the people at home, I'm going to ask if you
 5 want to speak at the public hearing, you need
 6 to call the number (833)491-0327. Please be
 7 advised that you're going to need to press the
 8 number zero if you want to speak. You'll be
 9 placed into a queue in which Mr. Parker will
 10 then get your name and bring you up to speak to
 11 Council.
 12 So again, do not press zero as soon as you
 13 call in. That's going to put you into the
 14 queue. If you want to speak, then you press
 15 zero. You'll be placed into the queue and
 16 you'll be able to speak. So just want to make
 17 sure you understand that.
 18 Again, you're going to dial (833)491-0327.
 19 You can stay on the line and listen if you
 20 choose to. If you wish to speak, then you're
 21 going to press zero and you'll be placed into

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1 the queue. Thank you.
 2 So we're going to start off the public
 3 hearing on Resolution 291.
 4 SECRETARY: Resolution 291. A resolution
 5 concerning the proposed rezoning by the Town of
 6 Easton, Maryland, the town, of real property
 7 located at 29328 Dutchman's Lane, Easton,
 8 Maryland 21601. Further described as tax map
 9 34, parcel 91, consisting of approximately
 10 1.696 acres, the property. Finding that the
 11 proposed rezoning from Talbot County's town
 12 residential, TR, zoning district to the town's
 13 R10A zoning district upon annexation will
 14 result in substantially different uses or
 15 substantially higher density, exceeding
 16 50 percent, than could be granted for proposed
 17 development under the pre-annexation county
 18 zoning, and waiving the five-year hold in
 19 accordance with local government article
 20 section 4-416 of the Maryland Annotated Code.
 21 MR. PACK: Thank you, Madam Secretary.

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1 Madam Secretary, do we have a map of
 2 Exhibit E? Could we bring that up? Do we have
 3 that map?
 4 SECRETARY: We do.
 5 MR. PACK: Okay. So the area that we're
 6 looking at for annexation is the yellow area
 7 there that's coming off of 50 going back past
 8 Corbin Parkway and going into the subdivisions
 9 there.
 10 So just for a reference point, that's
 11 where we're talking about the annexation into
 12 the Town of Easton.
 13 This is the public hearing. Is Mr. Len
 14 Thomas, is Len on hold?
 15 MR. THOMAS: I am here, Mr. Pack.
 16 MR. PACK: Yes, Len. Do you wish to be
 17 heard, sir?
 18 MR. THOMAS: Just briefly. I don't
 19 (inaudible) I can add much.
 20 (Inaudible) circumstance, the county is a
 21 party to the annexation. And I think the

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1 actual request is a lot simpler than
 2 (inaudible) out to be. (Inaudible)
 3 circumstances within the applications and that
 4 it (inaudible) transfer of ownership of
 5 jurisdiction of the road and also the
 6 annexation of property, which I (inaudible),
 7 but it is essentially the same (inaudible)
 8 other Council members (inaudible), I'll be glad
 9 to attempt to answer them.
 10 I can report that our Town Council
 11 (inaudible) associated with this request and
 12 the mayor has signed (inaudible) ordinance.
 13 MR. PACK: Thank you very much, Len, for
 14 that update that the Town of Easton has already
 15 and also the mayor has already taken this
 16 matter up and approved the transfer of the
 17 roadway into the Town of Easton.
 18 Mr. Parker, is anyone else on the call on
 19 hold for this resolution?
 20 MR. DURHAM: There are ten callers on the
 21 line. No one has queued to speak.

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1 MR. PACK: If you wish to speak on
 2 Resolution 291, this is the public hearing.
 3 You need to press zero and then you'll be
 4 placed into the queue. Mr. Parker will then
 5 bring you up and bring you onto the line to be
 6 heard.
 7 Okay. Council, sounds like we don't have
 8 anyone else on the line. We thank Mr. Thomas
 9 for his input on this.
 10 Staff, anyone from you all? Miguel,
 11 anyone from you or from Mr. Clarke on this
 12 transfer? Okay. Office of Law, anyone on this
 13 transfer of this property?
 14 Hearing none, Council, I'm closing the
 15 public hearing on the Resolution 291.
 16 This is a resolution. It has been read a
 17 second time. It is eligible for vote tonight.
 18 The chair would entertain a motion to move it
 19 to vote.
 20 MR. DIVILIO: So moved.
 21 MR. PACK: Moved by Mr. Divilio.

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1 MR. CALLAHAN: Second it.
 2 MR. LESHER: Second it.
 3 MR. PACK: Seconded by Mr. Leshler. Any
 4 further discussion on Resolution 291?
 5 Hearing none, Madam Secretary, call your
 6 vote on Resolution 291.
 7 SECRETARY: Mr. Pack.
 8 MR. PACK: Aye.
 9 SECRETARY: Mr. Divilio.
 10 MR. DIVILIO: Aye.
 11 MS. LANE: Mr. Callahan.
 12 MR. CALLAHAN: Aye.
 13 SECRETARY: Mr. Leshler.
 14 MR. LESHER: Aye.
 15 SECRETARY: Ms. Price.
 16 MS. PRICE: Aye.
 17 MR. PACK: Thank you very much.
 18 Resolution passes.
 19 Second matter for public hearing is
 20 Resolution 292. And Madam Secretary, when you
 21 get a chance, please read that one.

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1 SECRETARY: Resolution Number 292. A
 2 resolution authorizing the transfer of a
 3 portion of Dutchman's Lane to the Town of
 4 Easton and authorizing the execution of a
 5 quitclaim deed to effect the transfer.
 6 MR. PACK: Okay. Mr. Kupersmith, I think
 7 this just goes in partnership with Resolution
 8 291. Is there anything further we need to
 9 gather from 292?
 10 MR. KUPERSMITH: Nothing further.
 11 MR. PACK: Okay. We do have a public
 12 hearing for 292. Any callers on the line for
 13 292? Mr. Parker, just bring those up, please.
 14 MR. DURHAM: We have two callers on the
 15 line. The first one is a Benjamin.
 16 I'll go ahead and unmute him.
 17 BENJAMIN: Hi. Can you hear me?
 18 MR. PACK: I can hear you, Benjamin. Go
 19 ahead.
 20 BENJAMIN: Is this about anything?
 21 MR. PACK: Benjamin, no. This is not the

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1 public comment portion yet, sir. This is a
 2 public hearing on Resolution 292. That is the
 3 bringing Dutchman's Lane into the Town of
 4 Easton. Do you wish to be heard on that, sir?
 5 BENJAMIN: No. I'll wait for the public
 6 comment portion concerning the decision from
 7 earlier.
 8 MR. PACK: Thank you, Ben. Please stay on
 9 hold then. We appreciate it.
 10 Do we have another caller, Parker, for
 11 292?
 12 MR. DURHAM: Our next caller is a
 13 Mr. Dapper.
 14 MR. PACK: Mr. Dapper, we're having a
 15 public hearing on Resolution 292. Do you wish
 16 to be heard, sir?
 17 MR. DAPPER: No. I'm in the same boat as
 18 the other person. I'll wait on hold until
 19 public comment.
 20 MR. PACK: Thank you very much, sir.
 21 We'll see you on the other side.

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1 Council, it doesn't appear we have any
 2 other public on hold or here to speak on 292.
 3 I'm going to call 292 to an end.
 4 This matter is eligible for vote. It has
 5 been read a second time. The chair would
 6 entertain a motion to move it to vote.
 7 MR. LESHER: I will so move.
 8 MR. PACK: Moved by Mr. Leshar.
 9 MR. DIVILIO: Second.
 10 MR. PACK: Seconded by Mr. Divilio.
 11 Madam Secretary, please call the roll to
 12 move 292 to vote, please.
 13 SECRETARY: Mr. Pack.
 14 MR. PACK: Aye.
 15 SECRETARY: Mr. Divilio.
 16 MR. DIVILIO: Aye.
 17 MS. LANE: Mr. Callahan.
 18 MR. CALLAHAN: Aye.
 19 SECRETARY: Mr. Leshar.
 20 MR. LESHER: Aye.
 21 SECRETARY: Ms. Price.

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1 MS. PRICE: Aye.
 2 MR. PACK: 292 is now before Council for
 3 final vote. Any further comment on 292?
 4 Hearing none, Madam Secretary, please call
 5 the final vote on 292.
 6 MR. LESHER: Mr. Pack, just a brief
 7 comment. This has been a long time coming.
 8 This is a long time work with the Town of
 9 Easton to finally get this roadway turned over
 10 to the town to make it a town street and not a
 11 county road.
 12 We've had to jump through a lot of hoops.
 13 The staff has had to work a lot to make this
 14 happen to bring the road up to town standards
 15 and to negotiate this.
 16 This started back when I was on the Town
 17 Council, a while while I was on the Town
 18 Council. This has been a long time coming.
 19 This is a really important thing. And
 20 we're going to be better for it. So thank you
 21 for all involved for making this happen.

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1 MR. PACK: I agree with you completely.
 2 Madam Secretary, please call the vote on
 3 292, please.
 4 SECRETARY: Mr. Pack.
 5 MR. PACK: Aye.
 6 SECRETARY: Mr. Divilio.
 7 MR. DIVILIO: Aye.
 8 MS. LANE: Mr. Callahan.
 9 MR. CALLAHAN: Aye.
 10 SECRETARY: Mr. Leshner.
 11 MR. LESHER: Aye.
 12 SECRETARY: Ms. Price.
 13 MR. PACK: Ms. Price, I need your vote on
 14 Resolution 292, please.
 15 MS. PRICE: Aye.
 16 MR. PACK: Thank you.
 17 Next matter before public hearing tonight
 18 is Bill 1462. Madam Secretary, when you get a
 19 chance, please read that bill.
 20 SECRETARY: Bill Number 1462. A bill to
 21 repeal official zoning map 34 of Talbot County

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1 and reenact the same with an amendment
 2 designating the zoning district of a parcel of
 3 land shown on tax map 34 and described as Third
 4 Street on a plat titled de-annexation plat Town
 5 of Easton Third Street right of way in the Town
 6 of Easton, Talbot County, Maryland. Tax map
 7 34, grid N/A, parcel N/A, prepared by Lane
 8 Engineering, Inc. and dated April 28, 2020.
 9 Such parcel consisting of 0.579 acres, more or
 10 less, from the R10A Town of Easton zoning
 11 district to town residential, TR, Talbot County
 12 zoning district in part and town conservation,
 13 TC, Talbot County zoning in part, which zoning
 14 designation is contingent upon the
 15 de-annexation of Third Street by the Town of
 16 Easton, Maryland.
 17 MR. PACK: Thank you very much, Madam
 18 Secretary.
 19 I don't believe we have a -- do we have an
 20 exhibit of this one, of this?
 21 MS. MORRIS: I don't believe so.

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1 SECRETARY: I do not.
 2 MR. PACK: Parker, do we have anyone on
 3 the line for 1462?
 4 MR. DURHAM: There are 11 callers on the
 5 line. No one has queued to speak.
 6 MR. HOLLIS: They're waiting for public
 7 comment.
 8 MR. PACK: Okay. I'm going to go ahead
 9 and call the public hearing for 1462 to a close
 10 since there's no one here to speak on that.
 11 This bill can be moved to a third reader
 12 tonight. The chair would entertain a motion to
 13 move this to third reader.
 14 MR. DIVILIO: So moved.
 15 MR. LESHER: Second.
 16 MR. PACK: Moved by Mr. Divilio, seconded
 17 by Mr. Leshner. Any comment on the motion to
 18 move to third reader?
 19 Madam Secretary, please read the bill.
 20 I'm sorry. Madam Secretary, please call
 21 the vote, please.

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1 SECRETARY: Mr. Pack.
 2 MR. PACK: Aye.
 3 SECRETARY: Mr. Divilio.
 4 MR. DIVILIO: Aye.
 5 MS. LANE: Mr. Callahan.
 6 MR. CALLAHAN: Aye.
 7 SECRETARY: Mr. Leshner.
 8 MR. LESHER: Aye.
 9 SECRETARY: Ms. Price.
 10 MS. PRICE: Aye.
 11 MR. PACK: Thank you. Bill 1462 is now
 12 before Council for third reader.
 13 Madam Secretary, please read the bill.
 14 SECRETARY: Bill Number 1462. A bill to
 15 repeal official zoning map 34 of Talbot
 16 County --
 17 MR. PACK: Council, I ask that so much be
 18 considered a reading of the bill. Is there any
 19 objection?
 20 Hearing none, Bill 1462 is now before
 21 Council for final vote. Any additional

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1 comment?

2 Hearing none, Madam Secretary, please call

3 the roll on Bill 1462.

4 SECRETARY: Mr. Pack.

5 MR. PACK: Aye.

6 SECRETARY: Mr. Divilio.

7 MR. DIVILIO: Aye.

8 MS. LANE: Mr. Callahan.

9 MR. CALLAHAN: Aye.

10 SECRETARY: Mr. Leshner.

11 MR. LESHER: Aye.

12 SECRETARY: Ms. Price.

13 MS. PRICE: Aye.

14 MR. PACK: Thank you. Bill 1462 passes.

15 Next matter before Council is the

16 introduction of Council discussion on the

17 administrative resolution.

18 This first resolution, Mr. Kupersmith, I

19 believe we're going to table as we made some

20 changes to it after the governor's July 28th

21 report. So I'm asking for that to be tabled.

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1 And then we'll go ahead and consider the

2 introduction of the second administrative

3 resolution.

4 So Council, the first resolution after the

5 governor made his address regarding face

6 masking basically made this particular

7 resolution mute. So I'm asking for it to be

8 tabled.

9 And we'll be asking for the introduction

10 of a second resolution, which does incorporate

11 some of the language that the governor had

12 placed in his address on the 28th.

13 And Madam Secretary, if you would please

14 read the administrative resolution that's being

15 introduced this evening.

16 SECRETARY: Second Emergency Resolution,

17 COVID-19 enforcement, superseding and replacing

18 the emergency resolution on COVID-19

19 enforcement adopted by the Talbot County

20 Council on July 28, 2020. Requiring all

21 persons in Talbot County to comply with the

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1 governor's executive order on face coverings

2 and retail establishments issued on July 29,

3 2020, prohibiting service and congregating in

4 bar areas, requiring the submission and review

5 of a COVID-19 safety plan for certain large

6 outdoor gatherings, establishing civil monetary

7 fines for violations of the second emergency

8 resolution, and authorizing the Talbot County

9 Health Department and the Talbot County Office

10 of Code Enforcement to enforce the requirements

11 herein.

12 MR. PACK: Thank you very much, Madam

13 Secretary.

14 I have a lot of things going on up here.

15 Shifting papers from one pile to the next.

16 It's hard work up here trying to keep this

17 thing moving.

18 Council, there is one amendment I'm asking

19 us to consider tonight. And this was after

20 some conversation that I had with the health

21 officer regarding face shields and face

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1 masking. I believe you do have the amendment.

2 Mr. Kupersmith did hand that out to Council

3 earlier today during our closed session

4 meeting.

5 The amendment basically, as it reads, is

6 in the body of the introduction of the

7 emergency resolution. It reads except that in

8 Talbot County, the use of face shields should

9 not be sufficient to satisfy the face covering

10 requirement in the governor's order.

11 There was some concern that just the use

12 of face shields would not give the protection

13 that we need to prevent transmission.

14 We do know that the governor did in his,

15 again, July address, did speak about the use of

16 face shields, but we felt again in conversation

17 with the health officer just solely the use of

18 face shields would create the possibility of

19 transmission.

20 You can certainly wear the face mask and

21 the face shield. That would give you adequate

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1 protection.

2 I know I read the recent emergency

3 declaration that was issued out by Chief Judge

4 Barber for the Maryland courts, and she also

5 has indicated that the use of face shields

6 alone would not be permitted in any of

7 Maryland's courts.

8 So I think that we are consistent with her

9 order. And to be on good ground with this, I'm

10 offering up also this amendment to the

11 emergency resolution.

12 If there's no further discussion, I'm

13 going to ask for the vote just for the

14 amendment alone. You all have the amendment in

15 front of you. Again, I just explained it --

16 MR. LESHHER: Mr. Pack, should we -- I know

17 we've gotten (inaudible) written. Do we want

18 to hear from our health officer on this

19 particular amendment and the need for it?

20 MR. PACK: Dr. Wadley, I saw that you had

21 come into the room. Do you wish to be heard on

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1 the face masking or face shields?

2 DR. WADLEY: Just to say that the CDC also

3 says that the shield is not a replacement for a

4 mask.

5 MR. PACK: Okay. I'm going to translate.

6 Dr. Wadley, that's fine. Dr. Wadley said the

7 CDC also has said that the face shields alone

8 are not an effective way of preventing the

9 transmission of COVID-19. So we just want to

10 make sure that we heard from our health

11 officer.

12 Dr. Wadley, thank you for being with us.

13 Anything further from Council?

14 MR. DIVILIO: This is on the amendment?

15 MR. PACK: Yes, this is just on the

16 amendment.

17 Madam Secretary, the chair would ask for a

18 vote on the amendment only, for introduction of

19 the amendment by a show of hands. By

20 Mr. Leshher and myself.

21 Is there any further discussion on the

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1 amendment to the emergency resolution?

2 Hearing none, the chair --

3 MR. LESHHER: Mr. Pack, this is an area

4 where I lack professional expertise. And so

5 for matters like this, I do rely on the

6 professional expertise that we have in our

7 health officer, and I really defer to that

8 expertise in making this vote.

9 MR. PACK: As well as I. Again, she's

10 welcome to come, if she wishes to be heard.

11 She did give us her input regarding the CDC. I

12 don't want to drag her to the table.

13 Dr. Wadley, you will have to push the

14 button and hold it. All the mikes have been

15 muted.

16 DR. WADLEY: Yes, okay. So I just wanted

17 to say that this is not my opinion alone, that

18 it has been said that you do not get the same

19 protection as from a mask. Okay.

20 Not only that, but you need to clean that

21 mask frequently or it's even a greater risk for

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1 the person.

2 So more and more they're doing studies on

3 the masks and how it can protect the others as

4 well as protect the individual. And we know

5 that the face shield cannot be substituted for

6 the mask and be equal. It is less than.

7 And so that's all I wanted to say. Okay.

8 And it's not just one individual. It is

9 multiple individuals that have said that and

10 shown that.

11 MR. PACK: Thank you, Dr. Wadley.

12 Anything further for Dr. Wadley?

13 MR. DIVILIO: I'd like her to stay. I'm

14 going to have one more question after the

15 amendment.

16 MR. PACK: Are you satisfied, Mr. Leshher?

17 MR. LESHHER: Indeed.

18 MR. PACK: The chair would now entertain a

19 motion on the amendment to the emergency

20 resolution.

21 MR. LESHHER: I'll move the amendment.

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1 MR. PACK: Moved by Mr. Lesher.
 2 MR. DIVILIO: Second.
 3 MR. PACK: Seconded by Mr. Divilio. Any
 4 further discussion on the amendment?
 5 Hearing none, Madam Secretary, please call
 6 your roll on the amendment.
 7 SECRETARY: Mr. Pack.
 8 MR. PACK: Aye.
 9 SECRETARY: Mr. Divilio.
 10 MR. DIVILIO: Aye.
 11 MS. LANE: Mr. Callahan.
 12 MR. CALLAHAN: No.
 13 SECRETARY: Mr. Lesher.
 14 MR. LESHER: Aye.
 15 SECRETARY: Ms. Price.
 16 MS. PRICE: No.
 17 MR. PACK: The amendment passes. Okay.
 18 So you now have your emergency declaration
 19 amended. Is there any comment or question on
 20 the emergency declaration that we have before
 21 us this evening?

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1 MR. DIVILIO: I have a question. So I
 2 reached out to Dr. Wadley with this, and we had
 3 a little bit of a communication back and forth.
 4 And I was hoping to get a little clarification.
 5 We had listed the 50 for purposes of this
 6 section, large outdoor gathering, meaning a
 7 gathering more than 50 people held outdoors in
 8 an unincorporated area of Talbot County.
 9 And you had a couple of questions about if
 10 this includes a wedding caterer with 50 with
 11 the caterer or the wedding reception with 100
 12 inside without a permit and those kinds of
 13 things --
 14 DR. WADLEY: And I recognize that you're
 15 dealing with outside, and that's good. Push
 16 the button. I recognize that you're dealing
 17 with leaving the governor's for inside and
 18 dealing with just outside because there was
 19 nothing there. So I recognize that.
 20 But yes, the outside is better as far as
 21 if you have the same number.

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1 MR. DIVILIO: Okay.
 2 MR. PACK: Thank you. Any further
 3 questions?
 4 MR. LESHER: We had also gotten some
 5 advice from you about the enforcement provision
 6 suggesting that we drop the one that calls for
 7 on a fourth offense, the suspension of the food
 8 service license, because you already have the
 9 authority to do that and you do not necessarily
 10 need to wait for one, two, three, fourth
 11 offense to be able to do so. But by not doing
 12 this, we would leave you that discretion that
 13 you already have.
 14 DR. WADLEY: Repeat that again.
 15 MR. LESHER: That by not including that in
 16 this, you would have the discretion to do
 17 that --
 18 DR. WADLEY: Yes.
 19 MR. LESHER: -- an authority that you
 20 already have --
 21 DR. WADLEY: On the food service thing,

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1 yup, that's already there.
 2 MR. PACK: Any further questions? Okay.
 3 The chair would now entertain a motion --
 4 MR. DIVILIO: Sorry. One more
 5 clarification.
 6 So we were referring to civil penalties to
 7 cover Talbot County. So that was a
 8 clarification you were asking me.
 9 So this would do civil penalties over the
 10 entire unincorporated portions of Talbot
 11 County. That was our intention with this. Is
 12 that correct?
 13 MR. PACK: Is your question to me? I
 14 thought you were talking to Dr. Wadley. I
 15 apologize. I was reading. What did you say?
 16 MR. DIVILIO: Just making sure that these
 17 were civil penalties to cover all of Talbot
 18 County, not just the incorporated portions?
 19 MR. PACK: Yes. The civil penalties will
 20 cover all of Talbot County, yes.
 21 MR. DIVILIO: Okay.

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1 MS. PRICE: Guys?

2 MR. DIVILIO: I would be okay deleting

3 letter D under section 11, just out of

4 redundancy. The fourth offense, if the

5 violator holds a food service license, that

6 would have already been done.

7 MR. LESHHER: I'll second the motion.

8 MR. PACK: Yeah. Because Dr. Wadley

9 already has that authority.

10 MS. PRICE: Can you all hear me?

11 MR. PACK: Yes, Ms. Price.

12 You have a motion to remove letter D on

13 page four regarding the food service license.

14 Dr. Wadley already has that under her food

15 service article to do that. So there's no

16 sense in putting that into the emergency

17 declaration.

18 Motion made Mr. Divilio. Seconded by

19 Mr. Leshher.

20 You have comment?

21 MS. PRICE: Just general comment. As

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1 we've gotten news from the governor's office

2 since the incident of COVID-19 cases is

3 dropping and our data is exactly the same as

4 the State, I cannot support adopting more

5 stringent restrictions than the governor has

6 imposed.

7 As Dr. Wadley states, that there's no

8 magic number of people that is safe, I see no

9 justification to ensure people's lives any more

10 than (inaudible).

11 The governor has imposed restrictions, and

12 I believe we should follow both.

13 In the absence of data related to age

14 groups that are being affected or hospitalized

15 in Talbot County, I am not prepared to impose

16 any due measures stricter than the State. And

17 we need the same level of detail for Talbot

18 County that is listed on the State website.

19 MR. PACK: Anything further?

20 MR. LESHHER: Do we have a motion to delete

21 letter 11B?

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1 MR. PACK: Yeah. I'm going to go back to

2 that. Thank you very much.

3 We have a motion and a second to omit

4 letter D on page four.

5 Since no further discussion, Madam

6 Secretary, please call your roll to omit letter

7 D on page four.

8 SECRETARY: Mr. Pack.

9 MR. PACK: Aye.

10 SECRETARY: Mr. Divilio.

11 MR. DIVILIO: Aye.

12 MS. LANE: Mr. Callahan.

13 MR. CALLAHAN: Aye.

14 SECRETARY: Mr. Leshher.

15 MR. LESHHER: Aye.

16 SECRETARY: Ms. Price.

17 MS. PRICE: Aye.

18 MR. PACK: Letter D has been omitted from

19 the document. Any further discussion on the

20 emergency resolution?

21 MR. DIVILIO: I just had one question from

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1 our parks and recs director. If this would be

2 the 50, the gathering outside, if that would

3 take into account the parks and rec camp

4 programs or outside activities. So if he was

5 over 50 and there's paid admission, so

6 obviously --

7 DR. WADLEY: We'd just talk about it to

8 make sure that they stayed safe.

9 MR. DIVILIO: Right. So they're going to

10 put together -- they should put together their

11 own plan first.

12 DR. WADLEY: Right.

13 MR. DIVILIO: And come to see you with how

14 they would like to show that it will be --

15 DR. WADLEY: That's right.

16 MR. DIVILIO: -- safe. Okay.

17 MR. PACK: Anything further?

18 MR. CALLAHAN: Yeah. I got a question for

19 Dr. Wadley. So last week you made a couple of

20 decisions on a couple of businesses to pull

21 their license. Am I correct?

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1 DR. WADLEY: You're right. Two businesses
 2 we suspended, temporary suspension of their
 3 license for non-compliance of COVID
 4 precautions.
 5 MR. CALLAHAN: Yeah. I got you.
 6 DR. WADLEY: And let me just say that was
 7 done, as I said, with a COMAR regulation now
 8 giving the health officer delegated authority
 9 from the secretary that if health threat
 10 exists, that they can summarily suspend the
 11 license.
 12 I want you to know, though, that on these
 13 two, I have had well over ten complaints on
 14 each and well over five contacts by staff
 15 trying to discuss and talk them into using the
 16 mask. That's not the only complaints we've
 17 had, but definitely by far these are the
 18 greatest.
 19 Both of them requested, as their right, to
 20 be reinspected. And one was done today, and
 21 the other one requested Wednesday because the

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1 Amish market is not open until Thursday. They
 2 had a right to appeal, but definitely wanted to
 3 go that route.
 4 And so yes, we started that. We wanted
 5 those that were very flagrantly saying I'm not
 6 going to wear a mask, that others were doing it
 7 and that was their responsibility also to do
 8 it.
 9 MR. CALLAHAN: Thank you.
 10 I want to stress that this is a stressful
 11 time for you. And you're making these very
 12 difficult decisions with these businesses.
 13 So I'm struggling a little bit with this
 14 emergency order because I sort of feel like
 15 you're already doing the job, why would we need
 16 this on top of because it seems --
 17 DR. WADLEY: I think that we were trying
 18 to do the job. But when people know there's
 19 absolutely nothing you can do but come back and
 20 ask again and educate and educate, they tend to
 21 just brush you off. And that's where we have

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1 gotten with these two businesses.
 2 And so you're hopeful if this happened in
 3 Worcester County, where there was a lot of
 4 problems and it only took one or two, the rest
 5 of them also believed that it could happen.
 6 And as I said, we're not going in and you
 7 find one person with a mask off and you take
 8 their license. No. It is the persistent
 9 violations and refusal to comply, that that's
 10 the ones that we're interested in.
 11 MR. CALLAHAN: I really appreciate that.
 12 I feel like I'm not on board with this because
 13 I feel like you're doing a good job now, and
 14 you've already got the power to shut somebody's
 15 business down.
 16 DR. WADLEY: I think that a lot of them
 17 look at the way that the governor's order says
 18 that you can do this, that criminal citation.
 19 That's rougher than the other one, okay, and
 20 much more involved. It is a criminal citation,
 21 goes through the court. And I would hate to

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1 use that one. Okay.
 2 I think this is milder but still enough to
 3 get their attention.
 4 MR. PACK: Okay. If there's nothing
 5 further, the chair would now call the vote on
 6 the amended emergency declaration. Madam
 7 Secretary, please call your roll.
 8 SECRETARY: Mr. Pack.
 9 MR. PACK: Aye.
 10 SECRETARY: Mr. Divilio.
 11 MR. DIVILIO: Aye.
 12 MS. LANE: Mr. Callahan.
 13 MR. CALLAHAN: No.
 14 SECRETARY: Mr. Leshner.
 15 MR. LESHER: Aye.
 16 SECRETARY: Ms. Price.
 17 MS. PRICE: No.
 18 MR. PACK: Dr. Wadley, thank you very
 19 much.
 20 DR. WADLEY: Thank you.
 21 MR. PACK: Appreciate it.


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1 Council, I need to call a five-minute
 2 recess. Please join me in the silent room.
 3 We're going to step out for five minutes.
 4 (Recess taken.)
 5 MR. PACK: Okay. Council is now back in
 6 session.
 7 Going to be suspending the balance of the
 8 Council meeting this evening. And we
 9 understand that citizens are quite upset over
 10 the earlier vote taken today. So Council is
 11 going to go ahead and suspend the balance of
 12 this meeting. Basically we're at the end of
 13 the meeting.
 14 I know there has been a number of people
 15 online for public comment. We'll certainly
 16 take any comment in writing that persons will
 17 have.
 18 The issues that the county manager had on
 19 the county manager report, none of those issues
 20 are time sensitive. So they can wait to be
 21 addressed at the Council's next meeting.

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1 So with that being said, Madam Secretary,
 2 we're going to suspend the meeting at this
 3 portion, if there's no objection from Council.
 4 The chair would call for an adjournment. The
 5 Council is adjourned.
 6 (Meeting concluded at: 9:06 p.m.)
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1 STATE OF MARYLAND
 2 I, Diane Houlihan, a Notary Public in and
 3 for the State of Maryland, County of Anne Arundel,
 4 do hereby certify that the within named, Talbot
 5 County Council Audio, personally appeared before me
 6 at the time and place herein set according to law,
 7 was interrogated by counsel.
 8
 9 I further certify that the examination was
 10 recorded stenographically by me and then transcribed
 11 from my stenographic notes to the within printed
 12 matter by means of computer-assisted transcription
 13 in a true and accurate manner.
 14
 15 I further certify that the stipulations
 16 contained herein were entered into by counsel in my
 17 presence.
 18
 19 I further certify that I am not of counsel
 20 to any of the parties, not an employee of counsel,
 21 nor related to any of the parties, nor in any way
 interested in the outcome of this action.
 AS WITNESS my hand Notarial Seal this 17th
 day of August, 2020, at Easton, MD.

 Diane Houlihan
 Notary Public
 My commission expires September 16, 2021

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