



Deposition of:  
**Talbot County Council Meeting**  
*May 14, 2019*

In the Matter of:  
**Talbot County Council Meeting**

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

May 14, 2019; 6:00 p.m.

Council Chambers, Easton, Maryland

COUNCIL MEMBERS:

Corey W. Pack

Chuck F. Callahan

Frank Divilio

Pete Leshner

Laura E. Price

Reported by

Diane Houlihan

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. PACK: Hello. If you wouldn't mind</p> <p>4 standing with us for opening prayer followed by</p> <p>5 Pledge of Allegiance.</p> <p>6 (Prayer and Pledge of Allegiance.)</p> <p>7 MR. PACK: Thank you all. And thank you</p> <p>8 all for coming out and being with us today.</p> <p>9 Council has an agenda before us. We had a</p> <p>10 chance to go through it. The chair would ask</p> <p>11 are there any additions, deletions, or</p> <p>12 corrections to the agenda? Hearing none, we</p> <p>13 move that agenda be accepted with unanimous</p> <p>14 consent.</p> <p>15 We also have minutes from the April 9th</p> <p>16 meeting. We also had a chance to go through</p> <p>17 those. Are there any additions, deletions, or</p> <p>18 corrections to those minutes? Hearing none,</p> <p>19 the chair moves that they also be accepted with</p> <p>20 unanimous consent.</p> <p>21 Moving on, we have disbursements from May</p>	<p>1 seat and tell us a little bit about this before</p> <p>2 we go through reading the proclamation.</p> <p>3 MR. GUNTHER: Good evening. Say thank you</p> <p>4 to the Council for recognizing the contribution</p> <p>5 of older Americans, for investing in programs</p> <p>6 and services that assist older adults.</p> <p>7 Talbot County is blessed to have over</p> <p>8 15,000 older adults. That's individuals over</p> <p>9 the age of 60. That's almost 37 percent of the</p> <p>10 population of Talbot County.</p> <p>11 Since 1992, there have been each year</p> <p>12 certain designated topics for Older Americans</p> <p>13 Month, which is May. It really focuses on the</p> <p>14 contributions of our oldest citizens. We</p> <p>15 recognize that many older adults continue to</p> <p>16 work, stay in the workforce in their 60s, their</p> <p>17 70s, their 80s, even into their 90s. Still</p> <p>18 contributing, volunteering.</p> <p>19 We recognize the contributions of</p> <p>20 caregivers to many of our older adults. We see</p> <p>21 the work of caregivers, sometimes it's 24-hour</p>
Page 3	Page 5
<p>1 the 14th. We had a chance to contact Ms. Lane,</p> <p>2 and fiscal officer, and go through those. Are</p> <p>3 there any additions, deletions, or corrections</p> <p>4 to those disbursements? Hearing none, the</p> <p>5 chair moves that they also be accepted with</p> <p>6 unanimous consent. Thank you.</p> <p>7 Moving on, Council, you next have on your</p> <p>8 agenda a proclamation for Older Americans</p> <p>9 Month, month of May. And we have here with us</p> <p>10 Mr. Gary Gunther.</p> <p>11 And Gary, who do you have with you as</p> <p>12 well, sir?</p> <p>13 MR. GUNTHER: Lauren Harding and Jenna</p> <p>14 Marchi, Commission on Aging.</p> <p>15 MR. PACK: Come on up. If we need some</p> <p>16 additional chairs, we can provide those as</p> <p>17 well.</p> <p>18 SPEAKER: We can just stand.</p> <p>19 MR. PACK: You can just stand?</p> <p>20 SPEAKER: Yeah.</p> <p>21 MR. PACK: All right. Well, Gary, have a</p>	<p>1 a day, seven-day a week contribution that</p> <p>2 they're giving to the person that they're</p> <p>3 caring for.</p> <p>4 We certainly want to look at the work</p> <p>5 that's done in our senior centers, especially</p> <p>6 at Brooklet's Place, the Talbot County Senior</p> <p>7 Center. We want to encourage people to stay</p> <p>8 active. And the center provides kind of a wide</p> <p>9 ranges of activities from fitness classes to</p> <p>10 arts and crafts to educational programs to</p> <p>11 computer classes to volunteer opportunities so</p> <p>12 folks can come in and assist other people</p> <p>13 through Meals on Wheels. Our Wheels on Meals</p> <p>14 volunteers are central to our programming and</p> <p>15 to us assisting people that are homebound.</p> <p>16 We're looking forward to the opening of</p> <p>17 the Bay Hundred Senior Center on June the 3rd,</p> <p>18 just a few weeks away. We'll be able to expand</p> <p>19 services in the Bay Hundred area of the county.</p> <p>20 Just want to encourage people to I guess</p> <p>21 look to our oldest adults and kind of recognize</p>

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1 and listen to their stories. I was just  
 2 thinking about that the other day, about the  
 3 opportunities that I may have missed to write  
 4 down some of those memories of older family  
 5 members that I wish I had today. So if you  
 6 have the opportunity, certainly connect with  
 7 some of your older family members and get those  
 8 gems from your history.  
 9 But again, I want to thank the Council for  
 10 seeing the contributions of our older adults  
 11 here in Talbot County and certainly recognizing  
 12 what they do to make Talbot County a great  
 13 county to live in.  
 14 MR. PACK: Thank you, Gary.  
 15 SPEAKER: I just wanted to thank the  
 16 County Council on behalf of the Commission on  
 17 Aging. We're an ever changing population, this  
 18 new population. And we thank you for your  
 19 support of the ever changing needs as well as  
 20 the needs of the providers in the area. We  
 21 appreciate your input and your involvement.

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1 Thank you.  
 2 MR. PACK: Thank you. Anyone else?  
 3 SPEAKER: No.  
 4 MR. PACK: All is well.  
 5 SPEAKER: Awesome. Yeah. Thanks, guys.  
 6 MR. PACK: Madam Secretary, if you  
 7 wouldn't mind reading the proclamation.  
 8 SECRETARY: Proclamation, Older Americans  
 9 Month, May 2019, Connect, Create, Contribute.  
 10 Whereas, the Talbot County community  
 11 includes a growing number of older Americans  
 12 who enrich the community through their diverse  
 13 life experiences.  
 14 And whereas, Talbot County is committed to  
 15 strengthening the community by connecting with  
 16 and supporting older adults, their families and  
 17 caregivers, and acknowledging their many  
 18 valuable contributions to society.  
 19 And whereas, Talbot County recognizes the  
 20 importance of bringing together all generations  
 21 to engage in activities that promote physical,

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1 mental, and emotional wellbeing for the benefit  
 2 of all.  
 3 And whereas, Talbot County can enhance the  
 4 lives of older Americans in our community by  
 5 promoting home and community-based services  
 6 that support independent living, involving  
 7 older adults in community events and other  
 8 activities, and providing opportunities for  
 9 older adults to work, volunteer, learn, lead,  
 10 and mentor.  
 11 Now, therefore, we, the County Council of  
 12 Talbot County, do hereby proclaim May 2019 as  
 13 Older Americans Month in Talbot County and urge  
 14 every resident to take time during this month  
 15 to acknowledge older adults and the people who  
 16 support them as essential and valuable members  
 17 of our community.  
 18 Given under our hands in the great seal of  
 19 Talbot County this 14th day of May in the year  
 20 of our Lord 2019.  
 21 MR. PACK: Thank you, Madam Secretary.

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1 Is there a motion by Council to accept the  
 2 proclamation?  
 3 MR. CALLAHAN: So moved.  
 4 MR. LESHER: Second.  
 5 MR. PACK: Moved by Mr. Callahan.  
 6 Seconded by Mr. Leshner. Any further discussion  
 7 on the motion?  
 8 Hearing none, Madam Secretary, please call  
 9 your roll.  
 10 SECRETARY: Mr. Pack.  
 11 MR. PACK: Aye.  
 12 SECRETARY: Mr. Divilio.  
 13 MR. DIVILIO: Aye.  
 14 SECRETARY: Mr. Callahan.  
 15 MR. CALLAHAN: Aye.  
 16 SECRETARY: Ms. Price.  
 17 MS. PRICE: Aye.  
 18 SECRETARY: Mr. Leshner.  
 19 MR. LESHER: Aye.  
 20 MR. PACK: And Gary, if you and the ladies  
 21 wouldn't mind meeting Mr. Divilio down front.

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1 Can you hand that to Frank, please? He's going  
 2 to present this proclamation to you.  
 3 SPEAKER: Thank you.  
 4 MR. DIVILIO: Thank you. Thank you for  
 5 all you do. Really appreciate it. This is I  
 6 guess one of my committees that I'm on, and I'm  
 7 happy to do it. It's been very eye opening,  
 8 all the services that are out there.  
 9 We all know Talbot County is a great place  
 10 to retire, and you guys are the ones to look to  
 11 to find things to do. Thank you.  
 12 SPEAKER: Thank you.  
 13 MR. PACK: So next, Council, you have a  
 14 presentation by Partners in Care Maryland. We  
 15 have Ms. Mandy Arnold. Ms. Arnold, are you  
 16 here with us? Ms. Mandy Arnold, president and  
 17 CEO of Partners in Care. There we go.  
 18 Hello, ladies. How are you? And also  
 19 Ms. Pam O'Brien, the program coordinator.  
 20 Ms. O'Brien.  
 21 MS. O'BRIEN: Thank you very much.

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1 MR. PACK: I'LL turn it over to you all.  
 2 MS. ARNOLD: Okay. So first I want to  
 3 just ask for forgiveness before I say anything  
 4 because I am not familiar with politics. So  
 5 I'm not sure exactly how all of this plays out.  
 6 But as the president and the CEO of  
 7 Partners in Care, I feel it's very important to  
 8 let the community know what our organization  
 9 does for the community. We've been in the  
 10 community for a little over ten years. Pam is  
 11 a resident of the community. And not only are  
 12 we in this county, we're in Caroline County.  
 13 But the fact that we are a community-based  
 14 organization. We serve the senior citizens of  
 15 the county and this is the older. . .  
 16 MS. O'BRIEN: Don't look at me.  
 17 MS. ARNOLD: That, too. But Partners in  
 18 Care serves ages 50 and up. So I fall in that  
 19 category, too.  
 20 But this is the older month. What were  
 21 you saying?

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1 SECRETARY: Older Americans Month.  
 2 MS. ARNOLD: Older Americans Month. So  
 3 there we go.  
 4 But what I wanted to let the Council be  
 5 aware of is what we do for the community and  
 6 let you know what we have planned for the  
 7 community and the impact that we have had thus  
 8 far and where we're looking to go in the  
 9 future.  
 10 And we currently, we are a volunteer-based  
 11 organization. Our mission is to allow older  
 12 adults to remain in their home independently as  
 13 well as to be an active part of the community.  
 14 By doing that, it's based on a time exchange  
 15 services and the individuals -- it's we base  
 16 everyone on their gifts and talents. And that  
 17 allows the seniors to remain in their homes but  
 18 to keep their dignity and respect as they age.  
 19 So when someone calls for a ride, a  
 20 volunteer is matched with a ride. They take  
 21 the person wherever they need to go. They earn

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1 time in a time bank. We have a database that  
 2 monitors and collects the information. So we  
 3 track all of the hours, the miles, who is  
 4 providing the services, who is receiving the  
 5 services.  
 6 We also do background checks for both the  
 7 volunteer, the providers, and the receivers.  
 8 So we make sure that both the provider and the  
 9 receiver are safe.  
 10 And they build time.  
 11 But what we feel is the most important  
 12 part is the senior who is receiving the  
 13 transportation, the services, we say well, how  
 14 can they give back to the organization that  
 15 will allow them to remain independent but to  
 16 also keep their dignity and their respect. And  
 17 what the members normally they can do is they  
 18 can write the birthday cards for the month,  
 19 they can bake goods for an event that we have,  
 20 they can donate a bag of -- they can clean out  
 21 a closet or they have something that they can

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1 donate to our boutique, and they earn time in a  
 2 time bank. That allows them to feel like when  
 3 they call up for a ride or they call up for a  
 4 handyman service, that they are part of the  
 5 community that they give back. Again, they're  
 6 not calling and asking for charity.  
 7 And that's something that Partners in Care  
 8 prides themselves on so that when you come in  
 9 the organization, you go through an orientation  
 10 and everyone is based on, their value is based  
 11 on an hour of time. We don't look at  
 12 individuals as what they have. So whether you  
 13 come into an organization with \$5 or  
 14 \$5 million, everyone is equal because  
 15 everyone's hour of time is the same.  
 16 MS. O'BRIEN: I was just going to say  
 17 we're parody, not charity.  
 18 MS. ARNOLD: Right. That's what she says.  
 19 What it is -- and we just have a few  
 20 statistics that I want to give you before we go  
 21 into where we're looking to go from here and

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1 then in our next fiscal year.  
 2 So from 2015 to 2018, we've gone from 106  
 3 active receivers. So people that have called  
 4 that constantly, that are repeat. . .  
 5 MS. O'BRIEN: Our regulars.  
 6 MS. ARNOLD: Our regular customers or  
 7 regular members. So from 106 to 195 regular  
 8 members that need services. And what they're  
 9 calling for mainly is to receive transportation  
 10 to their doctor appointments.  
 11 But the benefits of getting a ride to a  
 12 doctor appointment with Partners in Care is we  
 13 don't just take someone to their doctor  
 14 appointment. On their way home or to, we stop  
 15 at the pharmacy, we stop at the grocery store,  
 16 we do whatever else that they need along the  
 17 way.  
 18 We are arm in arm. We make sure that they  
 19 get in, we go in with them to the doctors. And  
 20 when they come home, we make sure what we take  
 21 them in their home, set up. If they get

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1 groceries, put their groceries away for them  
 2 and whatever else it is that they need.  
 3 Our member care services, we help them  
 4 advocate through the systems, whether it's  
 5 Social Services, whether it's health care  
 6 systems, do their paperwork. Whatever the  
 7 advocates see, whatever the paperwork that they  
 8 need, we help them do that. Social Security,  
 9 Medicare paperwork, whatever it is that they  
 10 need, we help them with that.  
 11 Handyman services, they call up, they have  
 12 a leaky faucet, they have a step, you know.  
 13 MS. O'BRIEN: Sticky doors, we get lots of  
 14 sticky doors.  
 15 MS. ARNOLD: Or a step that's broken, a  
 16 railing. Something where they're unsafe in  
 17 their home. A volunteer handyman goes out and  
 18 fixes the faucet, the toilet, the step, the  
 19 railing.  
 20 These are things that we do surveys for  
 21 that allows individuals that they don't need --

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1 the question on our survey is does Partners in  
 2 Care services allow you to have funds, where  
 3 we're providing a service to you so that you  
 4 have financial means for the other things that  
 5 you need. So you don't have to pick and choose  
 6 to get this type of service or pay for a  
 7 medication.  
 8 That's not the only things that we do, but  
 9 the biggest thing is transportation. But our  
 10 main thing that what I feel that we do is we do  
 11 friendly phone calls, we do friendly visits.  
 12 We're finding and we're collecting data on --  
 13 we have a huge impact on social isolation.  
 14 So now with the health care industry is  
 15 talking about the impact that social isolation  
 16 has on seniors of being alone and they're  
 17 comparing it with alcoholism, with heart  
 18 disease. That is a big impact.  
 19 What Partners in Care is trying to do in  
 20 this county as well as all the other counties  
 21 that we serve is to be able to grow and to be

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1 able to meet the needs of the rapidly growing  
 2 aging population.  
 3 And unfortunately, Medicare for the first  
 4 time in the next year or so is going to pay out  
 5 more than they have, for the first time in  
 6 history pay out more than they brought in.  
 7 Social Security for the first time is going to  
 8 pay out more than they brought in.  
 9 So it's even more important that the  
 10 community is made aware of these type of  
 11 services that are out there that's available to  
 12 them that are free to the community, but we  
 13 need the support of the community such as  
 14 yourselves to help us grow.  
 15 MR. PACK: Yes, Ms. O'Brien. Go ahead.  
 16 MS. O'BRIEN: I just wanted to say as  
 17 working in the county here, we have recognized  
 18 that the majority of the people who call us  
 19 have visual problems. So they have macular  
 20 degeneration. So we've started a support group  
 21 two years ago. We meet at the Senior Center

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1 and we bring in speakers from the National  
 2 federation of the Blind or VISIM. Or we  
 3 sometimes just have fun.  
 4 Our focus this year is going to be on  
 5 isolation, social isolation. We've already had  
 6 a picnic in the park and we're planning a tea  
 7 party. But we're all close. We're about  
 8 relationships here.  
 9 MR. PACK: Well, we certainly appreciate  
 10 you coming in and giving us an update on  
 11 Partners in Care here in Maryland. It sounds  
 12 very, very similar to the Maryland Community  
 13 For Life program that we hear so much about.  
 14 Some different nuances. I know they have I  
 15 think a fee for service, where you're an  
 16 exchange time for service.  
 17 MS. O'BRIEN: It's not based on their  
 18 income, either.  
 19 MR. PACK: Okay. Well, is there any  
 20 information you want to leave with us, any  
 21 handouts?

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1 MS. ARNOLD: Just that I appreciate you  
 2 allowing us to come to let you know. It's  
 3 important for us to be able to get the word  
 4 out. And actually the secretary has sent, the  
 5 director that runs the Community of Life grant  
 6 sent the individual to Partners in Care for my  
 7 advice on how to run that program. So that's  
 8 because that is what we do. We just don't do a  
 9 fee for service.  
 10 MR. PACK: Do you have a pamphlet with  
 11 you?  
 12 MS. ARNOLD: We will send you the  
 13 information, yes.  
 14 MR. PACK: Okay.  
 15 MS. ARNOLD: But no disrespect to that  
 16 program. We appreciate it. It is, though, a  
 17 fee for service.  
 18 MR. PACK: Right.  
 19 MS. ARNOLD: But it's word of mouth. We  
 20 don't have an advertising budget. So it's  
 21 important for us to let everyone know what we

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1 do, and word of mouth is the best. So we just  
 2 want our seniors to be able to have the  
 3 services that they need and know that we're  
 4 here.  
 5 MR. CALLAHAN: Thank you.  
 6 MR. PACK: Thank you very much,  
 7 Ms. Arnold.  
 8 MS. ARNOLD: Thank you so much for the  
 9 opportunity.  
 10 MR. CALLAHAN: Thank you.  
 11 MR. LESHAR: Thank you.  
 12 MR. PACK: Thank you. The one great thing  
 13 about it is that if you have a menu of  
 14 different options that the senior population  
 15 can select from, whether it be Partners For  
 16 Care or the Maryland Community For Life, as  
 17 Gary pointed out as he's leaving, with 15,000  
 18 residents over 60 years of age.  
 19 MR. CALLAHAN: Right.  
 20 MR. PACK: Forty-seven percent did he say  
 21 of the population? So the more different --

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1 MS. ARNOLD: It is important to have a  
 2 variety of services.  
 3 MR. PACK: The more variety you have, I  
 4 think that's the better.  
 5 MS. ARNOLD: Absolutely.  
 6 MR. PACK: So we certainly appreciate you  
 7 all coming back and giving us some information.  
 8 MS. ARNOLD: Thank you.  
 9 MR. PACK: So Council, moving on, you have  
 10 a presentation now regarding Oyster Futures  
 11 Research Program. We have Ms. Elizabeth North.  
 12 She's a PhD from the University of Maryland  
 13 Center for Environmental Science at Horn Point.  
 14 How are you?  
 15 DR. NORTH: Fine. Thank you.  
 16 MR. PACK: Good seeing you.  
 17 SECRETARY: It's the bottom one.  
 18 DR. NORTH: I see it. Thank you so much  
 19 for your interest in this research program.  
 20 I'll tell you about it and then answer some  
 21 questions.

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1 MR. PACK: And before you get started,  
 2 Dr. North. I may cut you off. We have a  
 3 public hearing at 6:30. But if I have to push  
 4 it back, I will.  
 5 DR. NORTH: Sure. How much time would you  
 6 like me to stick to?  
 7 MR. PACK: You have 23 slides?  
 8 DR. NORTH: I can go fast.  
 9 MR. PACK: There you go.  
 10 DR. NORTH: So I was told ten minutes for  
 11 slides.  
 12 MR. PACK: Okay.  
 13 DR. NORTH: So oysters, as you know, are  
 14 important for food, for cultural heritage, for  
 15 industry and economy, and also for water  
 16 quality and recreation.  
 17 But there's a lot of contention about how  
 18 to bring the oyster back. Everyone wants to  
 19 bring oysters back, but how we get there is a  
 20 source of contention. And the question is  
 21 could stakeholders, the diverse stakeholders in

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1 the oyster resource agree on a package of well  
 2 thought out ideas for how to achieve an  
 3 economically viable and healthy and sustainable  
 4 oyster fishery and ecosystem in the Choptank  
 5 and Little Choptank Rivers. They already did.  
 6 These guys did.  
 7 This was in a research program called  
 8 Oyster Futures. And how could this have  
 9 happened? Well, they used the consensus  
 10 solutions process to come to agreement on  
 11 oyster regulations and restoration policies.  
 12 Here are the stakeholders, the research  
 13 team. This was a federally funded research  
 14 program. And they tested the consensus  
 15 solution process. It's a type of process  
 16 that's been used in Florida for ground water  
 17 issues, building codes, red snapper, other  
 18 issues that can be contentious.  
 19 And what it does is it brings the  
 20 stakeholders, environmental groups, industry,  
 21 agencies, together with managers and

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1 scientists. And that group then comes up with  
 2 recommendations for regulations and policies  
 3 that they submit to the government.  
 4 The stakeholders are at the center of this  
 5 process. They decide on the objectives. They  
 6 decide on what options to use to get towards  
 7 those objectives and want performance measures  
 8 they want to test with the model that  
 9 scientists help build and incorporate their  
 10 knowledge.  
 11 And through a series of multiple meetings,  
 12 we had nine of them, we built a model for the  
 13 stakeholders. They tested it and used it to  
 14 help them come to evidence-based options that  
 15 performed well. And the options that had  
 16 75 percent agreement of the stakeholders moved  
 17 forward towards this consensus that they were  
 18 building towards. There was one vote on a  
 19 consensus package of recommendations at the end  
 20 of this process.  
 21 So the stakeholder workgroup had 16



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1 members; six watermen, one oyster buyer, two  
 2 aquaculturists, five citizen and nonprofit  
 3 groups, and two agency representatives. And  
 4 they were selected after a telephone interview,  
 5 talking to people in each stakeholder group  
 6 asking who was well respected, knowledgeable,  
 7 and cooperative.

8 And these are the stakeholders who ended  
 9 up at our table at the end. We had 60 percent  
 10 of people from industry and 40 percent from  
 11 citizens, nonprofit, and government groups.

12 And you can see we had -- we tried to balance  
 13 the representation from Talbot and Dorchester  
 14 Counties, watermen from down river and up  
 15 river, watermen who use power dredges and hand  
 16 tongs, people who are in the watermen groups,  
 17 senior officials, senior members of the  
 18 watermen groups as well as people who were  
 19 young and had a 30 to 40-year career ahead of  
 20 them. And aquaculturists from Talbot and  
 21 Dorchester County and citizens groups for both

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1 regional, local, and national.

2 So this is the group of Oyster Futures  
 3 stakeholders at the beginning. And their goal  
 4 that they decided was to try to find options  
 5 for an economically viable, healthy, and  
 6 sustainable Choptank and Little Choptank Rivers  
 7 oyster, fishery, and ecosystem.

8 And here is the group at the end. Two  
 9 years later after nine meetings, and most of  
 10 the people are the same. We had a few people  
 11 leave and then be replaced, but most of that  
 12 core group remained the same.

13 And this is what it looked like. When I  
 14 first started going trying to talk people into  
 15 helping out with this research program, people  
 16 didn't think it was going to work and that  
 17 there would be a lot of yelling and screaming.  
 18 And there was none of that. Not a single voice  
 19 was raised. The facilitators at the top left  
 20 are experts and they moderated the discussion,  
 21 which was respectful, thoughtful, productive.

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1 The whole process is designed to have the  
 2 group work towards consensus. There's  
 3 60 percent industry, and there's a 75 percent  
 4 agreement threshold, which really encourages  
 5 people to collaborate and compromise on options  
 6 that work across the board. Some work better  
 7 for one group versus another, but the idea was  
 8 to come up with a package of recommendations  
 9 that would work well enough for everybody.

10 MS. PRICE: Can you define industry?  
 11 Because that is including obviously the  
 12 watermen themselves but also aquaculturists.

13 DR. NORTH: Yes. So 60 percent of the  
 14 group was watermen, the aquacultural  
 15 representatives, and the seafood buyers. So  
 16 that's what we call 60 percent industry. Thank  
 17 you for that question.

18 And then it was science based. So we took  
 19 our latest knowledge of the oyster in the  
 20 Choptank River, its biology, its (inaudible)  
 21 transport. Also, the knowledge of the

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1 economics of the profit of the watermen, and  
 2 combined that with what our stakeholders knew  
 3 to be true and built that into the model to  
 4 help them evaluate different options.

5 So this is what the model, a little slide  
 6 about the model. The options that they  
 7 recommended were many, like changing or  
 8 rotating fishing areas, planting shell or  
 9 planting spat on shell, restoring reefs. The  
 10 computer model that we built included  
 11 economics, oyster biology, oyster habitat, and  
 12 water quality.

13 And our stakeholders asked us to predict  
 14 what was the oyster abundance going to be if  
 15 you did X, Y, and Z. What would oyster habitat  
 16 be, what would harvest revenue be, and how much  
 17 pollution you would reduce. And that was how  
 18 much nitrogen was removed or how clear the  
 19 water would get.

20 And we did all these model simulations,  
 21 over 100. And each one of these dashboards at

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1 these tables, we would give them each a meeting  
 2 after we got the model together.  
 3 And over time we started to see -- first  
 4 of all, we saw some options that were bad  
 5 across the board and then some options that  
 6 were great across the board and some options  
 7 that worked well for the oyster but not for the  
 8 industry, worked great for the environment but  
 9 not so well for the industry.  
 10 But by the last meeting, the stakeholders  
 11 really came up with a package of ideas that  
 12 worked well for the oyster, for the industry,  
 13 and for the environment.  
 14 MR. LESHHER: Dr. North, can you drop in a  
 15 note here about how you adjusted the model  
 16 input from some of the stakeholders?  
 17 DR. NORTH: Yes. So what we would do is  
 18 we would show a part of the model and ask them  
 19 what they thought of it, and they would rate it  
 20 as being good or not good enough or really poor  
 21 and needed work. And we would go back between

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1 the meetings and try to get the information  
 2 that they thought we needed to improve the  
 3 model.  
 4 So that included information from what it  
 5 cost to go fishing, what the bottom habitat was  
 6 like and where it was located and places where  
 7 there wasn't side scan sonar.  
 8 So we did a lot of different things to try  
 9 to ensure that the model would pass the sniff  
 10 test I would say.  
 11 MR. LESHHER: And the scientists were  
 12 taking input from the watermen --  
 13 DR. NORTH: Absolutely.  
 14 MR. LESHHER: -- this model?  
 15 DR. NORTH: Yes, absolutely. Yes.  
 16 I think that was one of the parts of the  
 17 process that I enjoyed the most. And it was  
 18 also a little stressful for me to have people  
 19 voting on the part of the model that was mine.  
 20 Fortunately, after some making it better, it  
 21 passed and they used it. Yeah.

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1 So there's a lot of depth to this, but I  
 2 just want to give you the summary of what we  
 3 learned from the model and that win, win, win  
 4 options exist. A win for the oyster, more  
 5 oysters. Win for the industry, more harvest  
 6 revenue. And win for the environment, greater  
 7 pollution reduction.  
 8 It didn't fall off a tree easily. It took  
 9 nine meetings, but the group of stakeholders  
 10 really worked hard and they found these options  
 11 that really worked well across the board.  
 12 The models show that the strong positive  
 13 benefits -- the model projected 25 years in the  
 14 future. And the strong positive benefits that  
 15 we saw in the model didn't really come online  
 16 for about ten years.  
 17 Combining different options, like  
 18 enhancing enforcement, finishing restoration in  
 19 the sanctuaries, putting more shell out in  
 20 Broad Creek, opening portions of the Little  
 21 Choptank tributaries to limited, to hand

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1 tonging. These kind of combined options really  
 2 performed well.  
 3 After 20 years, harvest revenues could be  
 4 twice that of annual public investment. So the  
 5 stakeholders were very cost conscious and we  
 6 kept track of how much each option would cost  
 7 and then how much was the harvest return. And  
 8 after 20 years, the annual investment of a  
 9 million dollars would reach return more than  
 10 \$2 million.  
 11 And then after 20 years, there could be  
 12 more than an eight-fold return on public  
 13 investments in nutrient pollution. And that's  
 14 based on what it would cost to do nutrient  
 15 pollutions for the WIPs, the water quality  
 16 implementation plans for Talbot and Dorchester  
 17 County.  
 18 So that was really encouraging, that we  
 19 could find these win-win options. And what the  
 20 stakeholders did and what I really appreciate  
 21 Secretary Mark Belton of Maryland DNR is that

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<p>1 he said he would consider, he would accept a</p> <p>2 package of recommendations from this research</p> <p>3 program and listen carefully to what the</p> <p>4 stakeholders recommended.</p> <p>5 So they came up with 27 separate</p> <p>6 recommendations. And this was e-mailed to you,</p> <p>7 and I have hard copies if you would like of</p> <p>8 what they agreed on, their consensus package of</p> <p>9 recommendations.</p> <p>10 And they agreed on all of them. Not one</p> <p>11 or another, but the whole package of</p> <p>12 recommendations. And they also recommended</p> <p>13 that DNR continue working with stakeholders.</p> <p>14 They found the process quite useful.</p> <p>15 And so there's 27 of them. I'm just going</p> <p>16 to highlight a broad brush. I really encourage</p> <p>17 reading their own words because each sentence</p> <p>18 was went over carefully like a treaty.</p> <p>19 The changes needed was their first</p> <p>20 recommendation. Status quo doesn't work and</p> <p>21 there are ways to improve the oyster resource.</p>	<p>1 County Watermen's Association? Did they weigh</p> <p>2 in or sign off?</p> <p>3 MR. LESHER: Jeff Harrison was one of the</p> <p>4 participants.</p> <p>5 MR. PACK: With all due respect, did it go</p> <p>6 to the association itself?</p> <p>7 DR. NORTH: This was not formally</p> <p>8 submitted to the association. I don't -- I</p> <p>9 offered to give a presentation to all the</p> <p>10 groups who participated in Oyster Futures. I</p> <p>11 would go to their association and give a talk</p> <p>12 about the outcome of the research program.</p> <p>13 And I would be very happy to do that</p> <p>14 should I --</p> <p>15 MR. PACK: Have you already made that</p> <p>16 offer to those associations?</p> <p>17 DR. NORTH: Well, I made it to our</p> <p>18 stakeholders. I did not formally make it to</p> <p>19 the association itself.</p> <p>20 MR. PACK: I would really like to see the</p> <p>21 associations' review of this.</p>
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<p>1 They recommended ways to enhance enforcement,</p> <p>2 They recommended completing restoration, and at</p> <p>3 the same time allowing hand tonging, and this</p> <p>4 is in the sanctuaries, with federal funds.</p> <p>5 Allow hand tonging in limited portions of</p> <p>6 sanctuaries where no federal investment is</p> <p>7 planned or has occurred, plant shell and spat</p> <p>8 on shell, place privately funded reef balls,</p> <p>9 explore a limited entry program, combine the</p> <p>10 above options, use the consensus solution</p> <p>11 process in Maryland, develop cost effective</p> <p>12 strategies, coordinate marketing and business</p> <p>13 plans, consider increasing fees and taxes on</p> <p>14 the fishery itself to enhance the -- I believe</p> <p>15 it was to return funds for planting shell and</p> <p>16 spat on shell because it's like a fertilizer</p> <p>17 for the fishery. And then promote education,</p> <p>18 training, and research.</p> <p>19 MR. PACK: Dr. North, has this</p> <p>20 recommendations been circulated to the Talbot</p> <p>21 County Watermen's Association and Dorchester</p>	<p>1 DR. NORTH: Sure, absolutely.</p> <p>2 MR. PACK: And their input.</p> <p>3 Because with all due respect for what you</p> <p>4 all have done, my fear is that some of these</p> <p>5 recommendations would be implemented. And then</p> <p>6 we will hear, this body will hear in two months</p> <p>7 that they didn't have a voice, they didn't know</p> <p>8 anything about it.</p> <p>9 And I'm sure you probably have done your</p> <p>10 due diligence to reach out to them.</p> <p>11 DR. NORTH: I would be happy to.</p> <p>12 MR. PACK: I just would like to have that</p> <p>13 box checked that the association has seen this,</p> <p>14 that they are aware of it.</p> <p>15 DR. NORTH: Yeah.</p> <p>16 MR. PACK: And if they have any input,</p> <p>17 that they would know how to deliver that to</p> <p>18 you.</p> <p>19 DR. NORTH: Yeah. I also just want to say</p> <p>20 that we did the shell committees, that each</p> <p>21 county has a shell committee that Maryland</p>

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1 Department of Natural Resources puts together.  
 2 And we sent a copy of this to all members of  
 3 the shell committee. We did not ask for their  
 4 feedback on it, but we did try to inform them.  
 5 MS. PRICE: If I'm not mistaken, this  
 6 wonderful study was basically tossed out the  
 7 window in Annapolis this year. That they had  
 8 worked together.  
 9 Because when we had our meeting with the  
 10 watermen, and they talked about this very  
 11 thing. And one of the pieces of legislation  
 12 this year did not finalize this, continue it  
 13 on. Like we've done all this work, we've come  
 14 to a consensus, and Annapolis just went.  
 15 And as far as the sanctuaries, they were  
 16 made absolutely 100 percent permanent this  
 17 year. So I don't know about this piece of  
 18 allowing hand tonging, limited --  
 19 DR. NORTH: Correct.  
 20 MS. PRICE: -- sanctuaries because the  
 21 legislature just made three sanctuaries in

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1 Talbot and Dorchester 100 percent permanent  
 2 forever with nothing to be fished in.  
 3 So I don't know if what you guys did  
 4 summer of last year, if Annapolis undid some of  
 5 it. It sounds like from what we've heard from  
 6 the 15 different pieces of legislation on  
 7 oysters this year.  
 8 DR. NORTH: Yeah. I did get a call from  
 9 someone in Annapolis asking about that specific  
 10 recommendation of the Oyster Futures, did the  
 11 Oyster Futures stakeholder group recommend to  
 12 open part of the Little Choptank sanctuary.  
 13 So I don't know. I think that there was a  
 14 lot of debate going on in Annapolis.  
 15 And I just want to say the fact that they  
 16 were -- they finished this in May, and I think  
 17 that this research program has had an impact on  
 18 how people think about policy and think about  
 19 how oyster regulations can happen.  
 20 And to me, that is a huge success for a  
 21 research program. And I would like to -- I

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1 believe very deeply in the hard work of our  
 2 stakeholders, and I would like to see their  
 3 recommendations as a package --  
 4 MS. PRICE: I thought this was continuing  
 5 on. They weren't going to -- anyway, the  
 6 conversation. But there were like 15 pieces of  
 7 legislation that were very anti-watermen.  
 8 And with more research always needing to  
 9 be done to finalize certain things. And to say  
 10 something is closed forever when there is still  
 11 a lot of conversation going on, that you have  
 12 reached out. And it just didn't seem like a  
 13 consensus that you all reached here, I don't  
 14 think that message necessarily reached  
 15 Annapolis to the extent that it should have.  
 16 DR. NORTH: And if you can make  
 17 recommendations on how to help communication of  
 18 what our stakeholders were able to do, I would  
 19 appreciate it.  
 20 MR. PACK: And that's where I would think  
 21 the association would come into play in working

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1 with some of the other MACo and the Rural  
 2 Counties Coalition to help promote some of  
 3 these agreements that you all have come to.  
 4 And I agree with you. Don't let all your  
 5 hard work go to waste. Build those coalitions  
 6 so that you can make those real changes in  
 7 Annapolis for the betterment of the rivers.  
 8 As an oyster connoisseur myself, the more  
 9 oysters, the better for me.  
 10 So with that being said, do you have any  
 11 closing remarks? Because we have one more  
 12 presentation behind you, then I have a lot of  
 13 people waiting for a public hearing.  
 14 DR. NORTH: There's a lot. It's the best  
 15 process I've ever experienced. I think it's --  
 16 I hope the State of Maryland will find it  
 17 useful.  
 18 MR. PACK: Thank you very much, Dr. North.  
 19 Appreciate it.  
 20 DR. NORTH: Thank you. Would you like the  
 21 hard copies?

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1 MR. PACK: Yes, we would. Yes,  
 2 absolutely. Mr. Hollis will take those from  
 3 you.  
 4 MR. HOLLIS: We'll get them.  
 5 MR. PACK: And we certainly appreciate  
 6 your presentation and all your hard work.  
 7 DR. NORTH: Thank you.  
 8 MR. DIVILIO: Regardless of the way the  
 9 State feels, I appreciate it.  
 10 DR. NORTH: Thank you.  
 11 MR. PACK: We have another presentation.  
 12 I'm going to have to hold you to a fast  
 13 clock here, Matt.  
 14 MR. PLUTA: Yes, sir.  
 15 MR. PACK: Come on up. This is a  
 16 presentation on the state of the Choptank and  
 17 Miles River.  
 18 And I'm going to apologize upfront for  
 19 you, Matt, because I'm going to have to cut you  
 20 short. It probably would have been best to put  
 21 you guys on a date when we weren't so

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1 compressed.  
 2 But with that being said, the floor is  
 3 yours.  
 4 We have Matt Pluta here with us. He's  
 5 from the Choptank Riverkeepers and director of  
 6 the riverkeepers programs.  
 7 You want to introduce is this Ms. Bassett  
 8 with you?  
 9 MS. BASSETT: Yes. My name is Elle  
 10 Bassett. I'm the Miles-Wye riverkeeper.  
 11 MR. PACK: Ms. Bassett, good seeing you.  
 12 MR. PLUTA: Great. So you've got the two  
 13 Talbot County riverkeepers here and we want to  
 14 give you an update on what the water quality  
 15 conditions are within the Talbot County rivers.  
 16 MR. PACK: Ten minutes?  
 17 MR. PLUTA: Sure.  
 18 MR. PACK: All right.  
 19 MR. PLUTA: So real quick, we work for  
 20 ShoreRivers. We're a nonprofit organization  
 21 here in Easton. And we've got a staff of 20

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1 people that are working to protect our  
 2 waterways here, four riverkeepers on staff.  
 3 But what's most important, what's the  
 4 topic of tonight is our water quality  
 5 monitoring program. So we've got over 50  
 6 monitoring sites throughout the Choptank and  
 7 the Miles River. And we hit those sites about  
 8 twice a month and we collect data from them.  
 9 And with that data we produce this report  
 10 card, which I handed out to you all before the  
 11 meeting.  
 12 Real quick, you can see -- I think you've  
 13 got this slide show as a handout as well. I'll  
 14 kind of walk through the slide show, if that's  
 15 okay.  
 16 MR. PACK: Yeah, we have it.  
 17 MR. PLUTA: But real quick. You'll see  
 18 the big map with all the blue dots. Those are  
 19 all the sampling sites that we hit every two  
 20 weeks throughout the watershed.  
 21 And what we're testing for there are your

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1 nutrients of concern, nitrogen and phosphorus  
 2 which create our dead zones and cause a lot of  
 3 problems in our waterways. And then some of  
 4 the basic things like dissolved oxygen,  
 5 salinity, temperature, and other of the basic  
 6 chemistry that all of our fish and other  
 7 species need in the waterways.  
 8 I want to point out that last year was an  
 9 interesting year. Speaking with the county  
 10 engineer here, we received over seven feet of  
 11 rain in Talbot County alone, when on average we  
 12 receive about 42 inches. So rain was kind of  
 13 the theme of last year.  
 14 And this one graph that I have in my  
 15 presentation, this is our discharge data from  
 16 the Choptank. And that yellow line is average.  
 17 Our flow in the Choptank only went below  
 18 average six times in the entire year of 2018.  
 19 And so what that says to us is there's a lot of  
 20 stuff that came from our land into our rivers  
 21 and that's what we're seeing in our water

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1 quality data.  
 2 So real quick, I'm going to turn it over  
 3 to Elle who is going to talk to you about the  
 4 Miles River.  
 5 MS. BASSETT: So unfortunately, this large  
 6 amount of rainfall definitely had a significant  
 7 impact on our rivers last year. Looking at the  
 8 Miles River, we did see a decline in pretty  
 9 much all of the parameters that we tested for.  
 10 We dropped from a B minus last year to a C  
 11 plus.  
 12 And specifically what we saw major decline  
 13 in in the upper portions of the Miles Rivers  
 14 was a decline in clarity and an increase in  
 15 phosphorus. And what we all know is too many  
 16 nutrients can become a bad thing, and we see  
 17 this fueling of (inaudible) growth in our  
 18 rivers which can result in dead zones.  
 19 I do want to briefly talk about the Wye  
 20 River for a minute. The Wye East River  
 21 received the lowest score it has ever received

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1 since we began sampling in 2013. Not only  
 2 that, but it also was our worst scoring river  
 3 of all of the shore rivers.  
 4 So that tells me that we definitely have  
 5 some work to do in the Wye East watershed,  
 6 which is primarily everywhere south of Wye  
 7 Miles.  
 8 We did include some charts in here for you  
 9 to look at. The darker colors indicate poor  
 10 scores. I do think it's interesting to compare  
 11 clarity and phosphorus particularly because  
 12 phosphorus enters our system by binding to  
 13 sediment. So that indicates that we had a lot  
 14 of erosion this past year which negatively  
 15 impacted our water clarity.  
 16 And again, this points back to as we go  
 17 upstream, our water quality tends to decrease.  
 18 That tells us that this pollution is coming  
 19 from our land. To me this is actually  
 20 encouraging because that means that we can do  
 21 something to change that trend.

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1 MR. PLUTA: So jumping over to the  
 2 Choptank, you'll see the image here of the  
 3 river on one of the slides. And the Choptank  
 4 did similarly bad in 2018 compared to previous  
 5 years. All of the sites decreased in terms of  
 6 water quality conditions. They all got worse.  
 7 Notably water clarity got a C everywhere.  
 8 And that's a degradation down from a B in most  
 9 cases to a C.  
 10 And Broad Creek, which you all hear a lot  
 11 about in terms of oysters, actually had the  
 12 lowest nutrient levels. That was one of the  
 13 success stories there. We had a lot of  
 14 nutrient processing in Broad Creek.  
 15 And then Harris Creek, which is also a hot  
 16 topic in Talbot County here, had the best  
 17 dissolved oxygen levels. So I wanted to point  
 18 out some of the positives that we did see  
 19 relative to the whole system.  
 20 But what is to note there, we put in these  
 21 heat maps which kind of show you the red being

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1 the worst areas and the green being the better  
 2 areas. Just as Elle said, all of our trends  
 3 show that the farther up river you get, the  
 4 worse the water quality gets.  
 5 So we often see a lot of finger pointing  
 6 at the Conowingo Dam and the Baltimore Harbor  
 7 sewage overflows. And those are problems in  
 8 the Chesapeake Bay system, but the pollution  
 9 that's impacting the Choptank River, Tred Avon  
 10 River, Broad Creek, Harris Creek is what we're  
 11 doing on our land and what is being washed into  
 12 our waterways when it rains.  
 13 So we've got about seven years of data  
 14 that support that exact trend. And as Elle  
 15 said, that's encouraging because that means  
 16 there's opportunity that we have to clean that  
 17 up and to reverse those trends over time.  
 18 So there's a lot of information over  
 19 there. We don't want to overwhelm you guys,  
 20 but just generally, more rain, worse water  
 21 quality conditions. We're doing a lot on the

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1 ground to figure out how we can reverse those  
 2 trends, even in these high rainfall years.  
 3 And Elle is going to talk about some of  
 4 those other initiatives in just a minute or  
 5 two.  
 6 MS. BASSETT: A great program that we have  
 7 expanded here in Talbot County specifically is  
 8 our bacteria monitoring program, which we  
 9 actually are starting next week. We will  
 10 continue that throughout the swimming or summer  
 11 months.  
 12 So we are testing for enteric oxide, which  
 13 is related to E. coli. So this is for safe  
 14 swimming for those in our county. And we have  
 15 added this year we're going to have five sites,  
 16 including the Oxford Strand and Claiborne  
 17 Beach, among some others.  
 18 This we feel is particularly important  
 19 because the county does not test for this. And  
 20 we do this on behalf of the county and we make  
 21 all of our results public every week on Friday,

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1 which you can see on our social media pages or  
 2 through our website, [swimguide.org](http://swimguide.org).  
 3 But also specifically for the Miles River,  
 4 we have a pump-out boat program, which is a  
 5 free opportunity for boaters in the Miles and  
 6 Wye Rivers to properly dispose of their boat  
 7 waste for free into our pump-out boat system.  
 8 So again, we are promoting to reduce the amount  
 9 of bacteria and nutrients that are entering  
 10 that system.  
 11 This past year, we pumped over  
 12 15,000 gallons, which is a record for us, even  
 13 with all that rain on our weekends. So it was  
 14 a great year. We're looking to expand upon  
 15 that. That also starts this weekend.  
 16 MR. PLUTA: And that's 15,000 gallons of  
 17 you know what that would have made it into our  
 18 waterways if we didn't offer this free service  
 19 that we pay for through ShoreRivers.  
 20 And then finally, the brochure that I gave  
 21 you guys here is our project brochure. And if

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1 you open that up, real quick I just want to  
 2 point out all these dots on the map here are  
 3 all of our restoration projects that we went  
 4 and we searched for and obtained outside  
 5 funding in the numbers of the multi-million  
 6 dollars' worth to bring into our communities to  
 7 work mainly with our farmers because we know  
 8 that farming is the biggest land use in the  
 9 watershed.  
 10 But working with our towns, our  
 11 communities, and our farmers to put in  
 12 practices that reduce runoff going into our  
 13 waterways.  
 14 And what is worth noting here is all these  
 15 practices that we've put in actually contribute  
 16 towards the county's watershed implementation  
 17 plan goals, their WIP goals. And so we work  
 18 with Ray, we work with all the other counties  
 19 in making sure that the projects that we're  
 20 putting in are being accounted for within the  
 21 county's WIP so you guys can get credit for

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1 that in the bay model.  
 2 And just putting some numbers to it, we  
 3 have got over 90,000 pounds of nitrogen that's  
 4 removed every year from these projects.  
 5 15,000, over 15,000 pounds of phosphorus and  
 6 then 2,745 tons of sediment that these projects  
 7 are holding back on our land and not allowing  
 8 them to impact our waterways.  
 9 So we want to just give you an opportunity  
 10 to hear about the work we're doing and the  
 11 conditions of our local waterways, and we hope  
 12 to continue to provide you guys with updates  
 13 every year when we put out our report card.  
 14 Hopefully that was --  
 15 MR. DIVILIO: I'm sorry, what was that  
 16 last part that you said? What are you  
 17 implementing to stop the runoff?  
 18 MR. PLUTA: So we implement mainly  
 19 agricultural practices with farmers. And so we  
 20 get funding from outside the community to bring  
 21 in and we do practices like tree buffers,

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1 wetland restorations, grass waterways, all  
 2 different techniques that help farmers keep  
 3 nutrients on their fields so they continue to  
 4 get agronomic benefit from farming and not have  
 5 that pollution coming off their properties or  
 6 those nutrients that would leak off into the  
 7 waterways.  
 8 I mean we probably have at least a couple  
 9 of dozen different types of projects that we  
 10 do, but the key is that we're working with the  
 11 agricultural community to put these practices  
 12 in.  
 13 MR. DIVILIO: Do you have any of those on  
 14 your board also, any farmers?  
 15 MR. PLUTA: Yeah, we do. Actually our  
 16 board president is a farmer in Chestertown and  
 17 we've got two other farmers, Trey Hill being  
 18 one of them who works for the State Department  
 19 now. He's on our board as well.  
 20 So we find the best opportunity to clean  
 21 up pollution in our watershed is to work with

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1 our watershed partners in our communities.  
 2 MR. DIVILIO: Do you enter any of the  
 3 shorelines to see how much is washing away?  
 4 MR. PLUTA: Yes, we do.  
 5 MR. DIVILIO: Where are you seeing that  
 6 the most?  
 7 MR. PLUTA: We're seeing that more in the  
 8 lower part of the counties. So the Neck  
 9 District in Dorchester County or the Bay  
 10 Hundred area, we're seeing a lot of shoreline  
 11 erosion there. And that's also where we have  
 12 very high phosphorus levels. As Elle said,  
 13 phosphorus and sediment bind together. So when  
 14 you get a lot of erosion, you get a lot of  
 15 nutrients that come into our rivers as well.  
 16 MR. DIVILIO: The phosphorus, where would  
 17 it be coming off of down there if there's not  
 18 farmland?  
 19 MR. PLUTA: Primarily farmland.  
 20 MR. DIVILIO: I mean in the Neck District  
 21 down there, are there other contributing

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1 factors for that?  
 2 MR. PLUTA: Phosphorus is usually coming  
 3 from a fertilizer. So lawn fertilizers as  
 4 well. It doesn't have to necessarily just be  
 5 agricultural fertilizers, but residential lawn  
 6 fertilizers carry phosphorus in it.  
 7 But a lot of the land, even though it's  
 8 not being farmed now, we had a situation many  
 9 years ago where we over applied a lot of  
 10 nutrients to our fields. So there was a lot of  
 11 legacy phosphorus that's still in the ground  
 12 that is still seeping into the waters.  
 13 MR. DIVILIO: Are you mining any of that  
 14 or working with anybody on those?  
 15 MR. PLUTA: We're working more on the  
 16 front of preventing over application of  
 17 nutrients moving forward.  
 18 We can't necessarily mine it. I don't  
 19 know if that's a feasible practice or not.  
 20 MR. DIVILIO: Yeah. There is a company in  
 21 Easton that is working on that or in Talbot

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1 County. I'll follow up with you.  
 2 MR. PLUTA: Yeah, please do.  
 3 MR. PACK: We took a tour, a farm tour  
 4 last year. And I'm trying to think which farm  
 5 we went on. They had a ditch that they have  
 6 put in place to catch the water runoff from  
 7 their field. I can't remember which farm we  
 8 went on.  
 9 Ray, do you remember? Were you with us?  
 10 MR. CLARKE: We've done a lot of  
 11 bioreactors.  
 12 MR. PACK: This was a very large ditch  
 13 they had put in place and rocks and things that  
 14 would catch.  
 15 MR. PLUTA: I don't know if that was one  
 16 of our projects back when.  
 17 MR. PACK: I think it was. Mr. Harrison's  
 18 farm we were on?  
 19 MR. CALLAHAN: John Swaine?  
 20 MR. PACK: Swaine?  
 21 MR. CALLAHAN: Down there. I know we did



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1 one down there.

2 MR. PACK: It was quite an extensive

3 project. We took a tour of it.

4 So again, I think that you do have the

5 attention of the local farmers who are looking

6 for innovative ways to properly mitigate

7 nutrient and phosphorus runoff from the farming

8 community. So appreciate you reaching out to

9 them and working with them in any way that you

10 can.

11 I know I met with Alan Gerard earlier this

12 year myself and Ms. Verdery and just talked

13 about some best practices regarding, again,

14 water quality and what the county can do to

15 continue working with his organization as well.

16 So if you all have any tours that you want

17 Council to come out this spring, this summer

18 and ride along with you. I extended the same

19 thing to Mr. Gerard, to let us know.

20 We do an annual tour with the farming

21 industry, and we find, at least I find it very,

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1 very beneficial to see what practices they're

2 currently putting into place and to see, again,

3 as we described to you, this large ditch that

4 was put into place to help with some of the

5 runoff. So if any of those opportunities come

6 into play, contact Mr. Hollis and let us know.

7 We'd be glad to see which Council members will

8 be willing to come out and do a tour with you.

9 MR. PLUTA: Yeah. We appreciate that.

10 MR. PACK: Sure.

11 MR. PLUTA: We'll take you up on that.

12 MR. PACK: Absolutely, absolutely.

13 We want to thank you both for coming out

14 and sharing with us. We appreciate it. We

15 have your materials. And again, stay in

16 contact.

17 Thank you so much for your work.

18 MR. PLUTA: Thank you.

19 MS. BASSETT: Thank you for the

20 opportunity.

21 MR. CALLAHAN: Thank you.

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1 MR. PACK: Thank you.

2 I'm going to make a quick change in our

3 agenda in this way. I'm doing to do the public

4 hearing now, and then we're going to come back

5 to the introduction of these bills, Madam

6 Secretary. I don't think the public hearing is

7 going to be that extensive.

8 So Ms. Verdery, if I can call you up,

9 please. So if there's no objection, we're

10 going to move for public hearing on Bill 1411

11 now. For those who are gathered here that's

12 been waiting for that, I do appreciate your

13 patience. So we'll do that now and then we'll

14 spring back, Council, to item number nine.

15 Is that okay?

16 MR. CALLAHAN: Sounds good.

17 MR. PACK: Ms. Verdery, this is a public

18 hearing.

19 Madam Secretary, would you please read the

20 title of the bill.

21 SECRETARY: Bill Number 1411, a bill to

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1 address remaining comments and conditions of

2 approval imposed by the Maryland Critical Area

3 Commission, the Commission, for Talbot County

4 Bills 1376 and 1401, by amending certain

5 critical area provisions in chapter 190 of the

6 Talbot County Code, the zoning ordinance,

7 related to growth allocation, forest clearing,

8 buffer establishment and standards,

9 conservation areas, natural resource-oriented

10 activities and lot line reconfiguration.

11 Amending the catalog of limited development

12 areas of Talbot County, Maryland, the Catalog,

13 specifically limited development area map 58,

14 and authorizing submission of an application to

15 the Commission pursuant to Talbot County Code

16 section 190-15.3J for the comprehensive review

17 and reclassification of 29 parcels or portions

18 of parcels totaling 35.35 acres from resource

19 conservation area, RCA, designation to limited

20 development area, LDA, as shown in the catalog.

21 MR. PACK: Thank you, Madam Secretary.

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1 In layman's terms, Ms. Verdery.  
 2 MS. VERDERY: The title pretty much  
 3 explained it. But just to note that this is a  
 4 consolidation of conditions that came  
 5 specifically from the Critical Area Commission  
 6 as we forwarded Bills 1376 and 1401 to them for  
 7 review and approval.  
 8 Those bills were the approval of chapter  
 9 190, the zoning subdivision and land  
 10 development ordinance. And they had a few  
 11 clarification, consistency, and minor  
 12 procedural amendments that they wanted to  
 13 address.  
 14 There are no zoning map amendments  
 15 associated with this. But they did return a  
 16 portion of Bill 1376 associated with the 29  
 17 parcels to be reclassified from RCA, resource  
 18 conservation area, to LDA, the limited  
 19 development area, through a comprehensive map  
 20 amendment process.  
 21 We established that process under Bill

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1 1401 and have provided an application for  
 2 submittal to the Critical Area Commission.  
 3 There was one inconsistency in one of the  
 4 maps that we are taking care of with this  
 5 application that we have provided within the  
 6 application. The table is within the  
 7 application as well that will cover those 29  
 8 maps.  
 9 Just because I have had a few questions  
 10 from the public and for the clarity of the  
 11 Council, it was a question as to in the bill it  
 12 says, it lists a catalog of limited development  
 13 and IDAs. This is the "catalog". When the  
 14 critical area was developed within the county,  
 15 that's the 1,000-foot boundary around the  
 16 entire shoreline of the county.  
 17 That is split into three designations by  
 18 the critical area; the resource conservation  
 19 area, the limited development area, and the  
 20 intensely developed area. And we were required  
 21 to map the LDAs and the IDAs. And we did so in

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1 this catalog.  
 2 The first time it was done in 1989, it was  
 3 black and white maps that you could hardly read  
 4 the parcel information. So when we updated the  
 5 maps in 2014, we updated the catalog. And so  
 6 we are updating this catalog by updating these  
 7 29 maps. So that's why we reference it in this  
 8 bill.  
 9 MR. PACK: Did the Critical Area  
 10 Commission give any reasoning for changing  
 11 these 29 parcels from RCA to an LDA? Was there  
 12 any reasoning given?  
 13 MS. VERDERY: We did that through the  
 14 amendments in Bill 1376 when the county chose  
 15 to amend the boundaries of the villages. When  
 16 we did that through Bill 1376, we amended the  
 17 village boundaries. By amending those village  
 18 boundaries and taking in more land into the  
 19 village, our village zoning is a limited  
 20 development area critical area designation.  
 21 MR. PACK: So the maps in the catalog

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1 needed to reflect what had already taken place  
 2 in 1376?  
 3 MS. VERDERY: Correct. For consistency.  
 4 So the critical area only has three land  
 5 designations. You're either an RCA, LDA, or  
 6 IDA. They don't have zoning.  
 7 MR. PACK: Right.  
 8 MS. VERDERY: The County has multiple  
 9 zoning districts. So we have to plug one of  
 10 our zoning districts into those three  
 11 categories.  
 12 MR. PACK: So we didn't update our maps.  
 13 MS. VERDERY: So when we updated our  
 14 zoning map and we took some land that was just  
 15 outside of a village and reclassified it into a  
 16 village zoning, we had to adjust the village  
 17 zoning boundary. Of course, I won't open this  
 18 up to a village.  
 19 But when we amended a parcel and included  
 20 it into a village, we had to amend this LDA  
 21 boundary. And so we're just for consistency

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<p>1 between this critical area maps and the village</p> <p>2 zoning maps, we had to make them consistent</p> <p>3 with one another.</p> <p>4 MR. PACK: Okay. I understand. Thank</p> <p>5 you. Anything further you want to add before</p> <p>6 we move into our public hearing?</p> <p>7 MS. VERDERY: I talked with the Critical</p> <p>8 Area Commission. And once we approve this</p> <p>9 legislation through the county process, we will</p> <p>10 take the 35.35 acres forward to them for growth</p> <p>11 allocation through their process. They</p> <p>12 anticipate that it will be a program</p> <p>13 refinement, not a program amendment. So it</p> <p>14 should be a relatively quick process, but they</p> <p>15 won't meet again until August. So it will take</p> <p>16 us some time to get there. But once we get</p> <p>17 there, it should be just a refinement, not a</p> <p>18 program amendment.</p> <p>19 MR. PACK: Great. Thank you, Ms. Verdery.</p> <p>20 Appreciate it.</p> <p>21 Well, we're going to go ahead and start</p>	<p>1 figuring out what it was. I couldn't find the</p> <p>2 catalog online. I couldn't find it when I went</p> <p>3 into the office and spoke with the staff.</p> <p>4 It would be helpful if this kind of thing</p> <p>5 could get digitized and put up on the web. The</p> <p>6 underlying information that allows someone to</p> <p>7 understand what this bill is, we should have it</p> <p>8 available.</p> <p>9 Thank you.</p> <p>10 MR. PACK: Thank you, Ms. Stein.</p> <p>11 Appreciate it.</p> <p>12 Anyone else on the left side of the room?</p> <p>13 Okay.</p> <p>14 Moving over to the right side of the room.</p> <p>15 Anyone on the right side of the room? No.</p> <p>16 Before I close the public hearing,</p> <p>17 Ms. Verdery, on those digitized maps, are they</p> <p>18 located anywhere for the public to see? Are</p> <p>19 they in your office, library, county manager's</p> <p>20 office?</p> <p>21 MS. VERDERY: They are now available under</p>
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<p>1 our public hearing now on the matter. This is</p> <p>2 a public hearing on Bill 1411. Madam Secretary</p> <p>3 has already read it for the record.</p> <p>4 When you come to the table, would you</p> <p>5 please give us your name and your address. If</p> <p>6 you're speaking for yourself, Mr. Callahan will</p> <p>7 give you three minutes. If you're speaking for</p> <p>8 a group, he'll give you five. Please indicate</p> <p>9 what group you're speaking for so he'll know</p> <p>10 how to appropriately set the time.</p> <p>11 So again, public hearing is now open on</p> <p>12 Bill 1411. We'll start on my left, your right</p> <p>13 side of the room. Anyone for Bill 1411?</p> <p>14 Ms. Stein come on up, please. Hello. Good</p> <p>15 seeing you.</p> <p>16 MS. STEIN: Hello. Good evening.</p> <p>17 MR. PACK: Good evening.</p> <p>18 MS. STEIN: I'm Leslie Stein. Just one</p> <p>19 brief comment.</p> <p>20 When I saw this come through, I was trying</p> <p>21 to figure out what it was and had difficulty</p>	<p>1 the legislation that adopted them.</p> <p>2 MR. PACK: They are now available?</p> <p>3 MS. VERDERY: Right. They're available</p> <p>4 online.</p> <p>5 MR. HOLLIS: Are they available in the</p> <p>6 office?</p> <p>7 MS. VERDERY: The catalogs are available,</p> <p>8 the hard copies are available in our office.</p> <p>9 MR. PACK: At Bay Street?</p> <p>10 MS. VERDERY: Yes, at Bay Street. Yes,</p> <p>11 yes.</p> <p>12 MR. PACK: I thought that they were.</p> <p>13 That's why I wanted to make sure.</p> <p>14 MS. VERDERY: Yes. They're always</p> <p>15 available in our office.</p> <p>16 I'm not sure. No one specifically came to</p> <p>17 me asking for the information. So I'm not</p> <p>18 sure. I'll certainly check with the office.</p> <p>19 They are always available.</p> <p>20 MR. PACK: Check with the front desk to</p> <p>21 make sure they know where those maps are so</p>

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1 when the public comes in.  
 2 MS. VERDERY: Yes, absolutely.  
 3 MR. PACK: Thank you.  
 4 MS. PRICE: It would be good if we also  
 5 know what catalog they're referring to since  
 6 it's a terminology you just had to explain to  
 7 us. Maybe they didn't know what to look for.  
 8 MS. VERDERY: Right. We'll make sure that  
 9 they're available. And the legislation is  
 10 online. I'll make sure that they are.  
 11 MR. PACK: Thank you. Appreciate it.  
 12 MS. VERDERY: Yes, absolutely.  
 13 MR. PACK: Leslie, thank you for bringing  
 14 it to our attention. We'll make sure the front  
 15 office knows where those maps are. Thank you.  
 16 I'm going to go ahead and close this  
 17 public hearing if there's no objection. Okay.  
 18 Public hearing on 1411 is now closed.  
 19 It will be eligible for vote on what day,  
 20 Madam Secretary?  
 21 SECRETARY: It will be on May 28th or you

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1 can bring it to third reader today.  
 2 MR. PACK: If no objection from the Office  
 3 of Law, move this matter to third reader today.  
 4 No objection? No objection.  
 5 The chair would entertain a motion for  
 6 this body to move Bill 1411 to third reader at  
 7 this time. Is this a motion to do so?  
 8 MR. CALLAHAN: So moved.  
 9 MR. PACK: Moved by Mr. Callahan. Is  
 10 there a second?  
 11 MS. PRICE: Second.  
 12 MR. PACK: Second by Ms. Price. Any  
 13 discussion on moving Bill 1411 to third reader  
 14 today?  
 15 MR. DIVILIO: I just think that it might  
 16 be better to put it off if there are people who  
 17 weren't able to access the information that  
 18 needed it.  
 19 MR. PACK: Okay. Any further discussion  
 20 on that?  
 21 MR. CALLAHAN: I'll withdraw my motion.

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1 think it's a great idea.  
 2 MS. PRICE: How long you want to keep the  
 3 public comment open for, then, if we're not  
 4 going to vote on it for two weeks?  
 5 MR. PACK: We can vote on it by the very  
 6 next meeting. We can keep the public comment  
 7 open through this Friday.  
 8 MS. PRICE: How about next Friday? Since  
 9 it's going to be two weeks before we vote, get  
 10 a chance to get the message out and in the  
 11 paper. You do it this Friday, you might not  
 12 even make the paper by then.  
 13 MR. PACK: I'm fine with that. I have no  
 14 objection to that.  
 15 MS. PRICE: So a week from Friday keep the  
 16 public comment open and then vote the following  
 17 Tuesday?  
 18 MR. PACK: That's good. What date is a  
 19 week from this Friday?  
 20 SECRETARY: That would be the 24th.  
 21 MR. PACK: 24th?

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1 SECRETARY: Yeah, 24th.  
 2 MR. PACK: Mr. Callahan has withdrawn his  
 3 motion to move this matter to third reader  
 4 today. With that withdrawal, Mr. Divilio asked  
 5 Council to not vote on this matter today and --  
 6 MS. PRICE: And since it's not going to  
 7 the Critical Area Commission until August,  
 8 we're good. Right?  
 9 MR. PACK: We have plenty of time.  
 10 So what we're going to do so that persons  
 11 can go view those maps that they weren't able  
 12 to view those maps, we'll keep this matter open  
 13 until a week from this Friday, which would be  
 14 May the 24th. And then we will vote on it the  
 15 28th meeting. 28th meeting, okay.  
 16 So if you view the maps, if you find  
 17 something questionable, please let Ms. Verdery  
 18 know, let us know. We will vote on the matter  
 19 on the 28th meeting.  
 20 MS. PRICE: And if the reporter from the  
 21 Star Democrat can get at least a little tidbit

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1 out there that it's open for the next ten days,  
 2 that would be great.  
 3 MR. PACK: Okay. Thank you very much,  
 4 Council. Thank you, everyone, for coming out  
 5 and speaking on that.  
 6 And what we're going to do, Council, is  
 7 we're going to go back to our item number nine,  
 8 if you would. And this is introduction of  
 9 legislation. We have several matters before us  
 10 for introduction.  
 11 Madam Secretary, I'm going to turn this  
 12 over to you on the first one. This is dealing  
 13 with a resolution on a lease portion of the  
 14 Bellevue Landing Wharf.  
 15 SECRETARY: A resolution to approve  
 16 execution of a lease of a portion of the  
 17 Bellevue Landing Wharf located at 5536 Bellevue  
 18 Road, Royal Oak, Maryland 21662, to OBFY, Inc.  
 19 which operates the historic Oxford Bellevue  
 20 Ferry, for a term of five years with up to five  
 21 one-year renewal terms for good and valuable

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1 consideration, but no monetary consideration,  
 2 including the obligation to run the ferry  
 3 seasonally for the benefit of the public and to  
 4 maintain the ferry slip in good repair.  
 5 MR. PACK: I see we have Captain Judy here  
 6 with us as well. You want to come forward to  
 7 speak on this? Good seeing you.  
 8 MS. JUDY: Thank you very much.  
 9 MR. PACK: Sure.  
 10 MS. JUDY: As you know, the ferry has been  
 11 around for a long time. It's actually 336  
 12 years since the county established the ferry.  
 13 MR. PACK: 336.  
 14 MS. JUDY: So it's exciting that we're  
 15 continuing on in this.  
 16 We want to thank you for all of your  
 17 support in every way.  
 18 This lease is important because we could  
 19 not continue to run the ferry if we didn't have  
 20 the ability to land the ferry in Bellevue.  
 21 MR. PACK: That makes sense.

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1 MS. JUDY: Today has been a very busy day  
 2 for us. The Coast Guard, we had a Coast Guard  
 3 inspection. And I wanted you to know that we  
 4 have 19 perfect years under our term of  
 5 inspection. So if you saw us going in circles  
 6 in the river today, we were doing men  
 7 overboard, fire drills, and all kinds of fun  
 8 stuff. We did have a perfect year again. So  
 9 that's pretty exciting.  
 10 And I want everybody to know how hard  
 11 Captain Tom works to make that happen.  
 12 MR. PACK: Congratulations to you.  
 13 MS. JUDY: And we want to ask that you  
 14 approve this lease so that we can continue to  
 15 protect the heritage of the ferry.  
 16 I'm chairman of the State Tourism  
 17 Development Board, and I get to go all over the  
 18 state. And I want to say that coming back to  
 19 Talbot County, it's our gem. We are blessed to  
 20 live in an area like this. The state offers a  
 21 lot, but Talbot County really stands out. And

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1 the ferry is part of that outstanding part of  
 2 our area.  
 3 I remember a long time ago when we came  
 4 here to buy the ferry, and folks told us we  
 5 were buying the ability to have the ferry but  
 6 this is really the county's ferry. So please  
 7 continue to make it the county's ferry and keep  
 8 us going.  
 9 And thank you again for all that you do  
 10 for us. And we do provide an opportunity for  
 11 our young people and our senior Americans to  
 12 work on the ferry. We have a number of seniors  
 13 who do work as crew and it's fun. We consider  
 14 ourselves a family, and we'd like to be able to  
 15 continue that effort.  
 16 MS. PRICE: And that first job, I just got  
 17 to say since my son, that was his first job and  
 18 hopefully -- he's graduating next week. So  
 19 hopefully he'll have another job.  
 20 But that is going to be a conversation  
 21 piece I think for the rest of his life, that

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1 his first job was working on the oldest  
 2 privately-owned ferry in the United States.  
 3 It's just such a cool thing that there's  
 4 certain things that just stay on your resume  
 5 forever, and I definitely think that's one of  
 6 them.  
 7 MR. PACK: Well, thank you. And best to  
 8 Captain Tom. Congratulations on your 19 years  
 9 of stellar performance.  
 10 This is truly a public private  
 11 partnership. I know when many of my relatives  
 12 from the western shore come during the summer  
 13 months, I always want to drive them down and  
 14 take them across the ferry and go onto Oxford.  
 15 And they always get just a big kick out of it.  
 16 So thank you guys for coming in and doing  
 17 that for the citizens and the visitors here in  
 18 Talbot County.  
 19 MS. JUDY: Thank you.  
 20 MR. PACK: If there's no other comment,  
 21 anyone else?

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1 MS. JUDY: Just a warning that Andy and  
 2 Ray have to put up with Tom for another few  
 3 years.  
 4 MR. PACK: I'm sure that won't be a  
 5 problem.  
 6 So Council, I'm going to ask for a show of  
 7 hands to introduce this legislation for lease.  
 8 Madam Secretary has already read it. So by a  
 9 show of hands, who wants to introduce this at  
 10 this time?  
 11 Madam Secretary, it's going to be by  
 12 Council. And this is a numbered resolution?  
 13 SECRETARY: Yes, it is.  
 14 MR. PACK: Do you have the number for me?  
 15 SECRETARY: It will be known as Resolution  
 16 Number 274.  
 17 MR. PACK: 274.  
 18 SECRETARY: And the public hearing will be  
 19 on Tuesday, June 11th, at 6:30 p.m.  
 20 MR. PACK: Thank you, Council.  
 21 Thank you, Judy for coming out.

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1 MS. JUDY: Thank you very much.  
 2 MR. PACK: Madam Secretary, second matter.  
 3 SECRETARY: A resolution to approve  
 4 execution of a lease of approximately 100  
 5 square feet of space inside the terminal at  
 6 Easton Airport, 29137 Newnam Road, Easton,  
 7 Maryland 21601, to Easton Jet Service, LLC, for  
 8 a term of one year with base rent of \$322.91  
 9 per month with the right to renew for up to  
 10 five additional one-year terms.  
 11 MR. PACK: Mr. Micah Risher, our airport  
 12 manager, is here.  
 13 Micah, how are you?  
 14 MR. RISHER: Good evening, Mr. Pack,  
 15 Council. Thank you for having me here this  
 16 evening.  
 17 What we have here is one of our long-term  
 18 tenants, Easton Jet, LLC, has been on the  
 19 airport for over 30 years. And they're just  
 20 looking at new ways to expand their business.  
 21 So one of the things that we're trying is they

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1 want to have a presence in our terminal  
 2 building. So we have worked out a plan where  
 3 we're going to put a counter in there for them.  
 4 And they are one of our full service fixed  
 5 base operators. So they're going to obviously  
 6 have their main location down at their hanger,  
 7 the physical location. But they also want a  
 8 presence up at the terminal. So being that  
 9 we're very fair and impartial and we don't give  
 10 anybody exclusive rights, we feel it's a good  
 11 idea to give them an opportunity to advertise  
 12 their business via a kiosk up at the terminal.  
 13 MR. PACK: Good idea. You have the space  
 14 available and good way for them to use it and  
 15 continue to expand their business. Exactly.  
 16 MR. RISHER: Absolutely.  
 17 MR. PACK: Any other questions on the  
 18 matter, Council, for the lease? Hearing none,  
 19 the chair would ask for a show of hands for  
 20 introduction tonight.  
 21 Madam Secretary, by Council. And I'm

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<p>1 ready when --</p> <p>2 MS. PRICE: Is there a meeting tomorrow</p> <p>3 morning?</p> <p>4 MR. RISHER: There is, nine a.m.</p> <p>5 MS. PRICE: Thank you.</p> <p>6 MR. PACK: Airport board?</p> <p>7 MS. PRICE: Uh-huh.</p> <p>8 MR. PACK: Nine a.m., Ms. Price. Set your</p> <p>9 clock now.</p> <p>10 MR. RISHER: At the new offices.</p> <p>11 MS. PRICE: It's better than the</p> <p>12 eight o'clock we used to.</p> <p>13 MR. RISHER: That was one of my first</p> <p>14 changes.</p> <p>15 MR. PACK: We have a number, Madam</p> <p>16 Secretary?</p> <p>17 SECRETARY: Yes. This will be known as</p> <p>18 Resolution 275.</p> <p>19 MR. PACK: 275.</p> <p>20 SECRETARY: And the public hearing will be</p> <p>21 on Tuesday, June 11th, at 6:30 p.m.</p>	<p>1 employees that were counted within that, that</p> <p>2 was a little too limiting on the number of</p> <p>3 truck trips that you could have. So we would</p> <p>4 like to delete that from the employee count</p> <p>5 from the truck trips.</p> <p>6 MR. PACK: And I do apologize on this</p> <p>7 particular one. Is there a new truck trip</p> <p>8 limit we're imposing or would that limit be</p> <p>9 done away with completely?</p> <p>10 MS. VERDERY: No. We're keeping the ten</p> <p>11 truck trip limit. Say that fast three times.</p> <p>12 But we're striking the --</p> <p>13 MR. PACK: The weight limitation.</p> <p>14 MS. VERDERY: We're excluding the employee</p> <p>15 commuter trips from that ten limit.</p> <p>16 MR. PACK: So the ten would just be for</p> <p>17 deliveries of materials and taking out of goods</p> <p>18 and services.</p> <p>19 MS. VERDERY: Right.</p> <p>20 MR. PACK: Okay.</p> <p>21 MS. VERDERY: And then we are also saying</p>
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<p>1 MR. PACK: Thank you, Micah.</p> <p>2 MR. RISHER: Thank you.</p> <p>3 MR. PACK: Next matter, Madam Secretary.</p> <p>4 SECRETARY: A bill to amend chapter 190 of</p> <p>5 the Talbot County Code, zoning subdivision and</p> <p>6 land development, to revise cottage industry</p> <p>7 truck weight limits on certain roadways.</p> <p>8 MR. PACK: Ms. Verdery is here, our</p> <p>9 planning officer. Ms. Verdery.</p> <p>10 MS. VERDERY: This bill is to revise the</p> <p>11 cottage industry truck limits on certain</p> <p>12 roadways. It deletes the vehicle weight limits</p> <p>13 on certain State roadways because there's</p> <p>14 basically no weight limits, or at least the</p> <p>15 16,000-pound weight limits that we were</p> <p>16 imposing on cottage industries on State</p> <p>17 highways was a little too restrictive. So we</p> <p>18 would like to delete that.</p> <p>19 And the vehicle truck limits, count</p> <p>20 limits, you're only allowed to have ten vehicle</p> <p>21 truck trips. And if you have five to seven</p>	<p>1 unless you're on a State highway, you have the</p> <p>2 limit of the 16,000 pounds. But on a State</p> <p>3 highway, you would not have the 16,000-pound</p> <p>4 limit for your vehicles.</p> <p>5 MR. PACK: Okay. Well, we'll certainly</p> <p>6 hear more about this as we go along. Council,</p> <p>7 any additional questions on this particular</p> <p>8 matter?</p> <p>9 MR. CALLAHAN: I just have one, Mary Kay.</p> <p>10 On the 16,000, is that the truck only or the</p> <p>11 truck and the trailer?</p> <p>12 MS. VERDERY: As it's written, it is the</p> <p>13 gross vehicle weight rating.</p> <p>14 MR. PACK: So it would be both.</p> <p>15 MS. VERDERY: It would be both.</p> <p>16 MR. PACK: Any other questions? Chair</p> <p>17 would ask for a show of hands who wants to</p> <p>18 introduce this at this time.</p> <p>19 Madam Secretary, it will be by myself,</p> <p>20 Mr. Leshner, and Ms. Price. And you have a</p> <p>21 number for me when you're ready.</p>

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<p>1 SECRETARY: It will be Bill Number 1412,                  2 and the public hearing would be on Tuesday,                  3 June 11th, at 6:30 p.m.                  4 MR. PACK: Bill Number 1412. Okay. Thank                  5 you.                  6 And we also have an amendment, again,                  7 another amendment to 190.                  8 SECRETARY: A bill to amend chapter 190 of                  9 the Talbot County Code, zoning subdivision and                  10 land development, to establish that the                  11 building inspector conducting short-term rental                  12 inspections must be International Code Council                  13 certified, to clarify the process for providing                  14 notice of new license hearings, to make the                  15 definition of short-term rental consistent with                  16 the operating guidelines for short-term rentals                  17 set forth in section 190-33.20, which provide                  18 for a three-night minimum stay, and to make                  19 certain grammatical changes for ease of                  20 reading.                  21 MS. PRICE: So that change for three</p>	<p>1 MS. VERDERY: And then the second mailing                  2 that's done, the first notice is your certified                  3 mail that's done where there's a signature                  4 required. And there's a note. That's your                  5 notice of application. That's when everybody,                  6 the surrounding properties are notified that                  7 you have submitted an application for                  8 short-term rental.                  9 And that's the certified mail. That's                  10 when you're required to have the signature, and                  11 you submit a certificate of service showing                  12 everyone that you have submitted that notice                  13 to.                  14 This is a second notice. This is no                  15 sooner than 21 days after you sent out that                  16 first notice, you have to submit a second                  17 notice. That's your agenda when you're going                  18 before the Short-term Rental Review Board. And                  19 that we thought could be done as just a notice                  20 of a regular mail and that could be done with a                  21 certificate of service that you sent it to the</p>
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<p>1 nights, it was one night. So that's a little                  2 bit stronger?                  3 MS. VERDERY: So just to be clear, the                  4 criterias within the zoning ordinance are                  5 already amended by the Council to amend it to                  6 say that you must have a minimum three-night                  7 stay. But the definition was not amended to be                  8 consistent with that.                  9 So the criteria under the land use of                  10 short-term rental was already amended to say                  11 three-night. We are just amending the                  12 definition to be consistent with the criteria.                  13 MR. PACK: That makes sense.                  14 MS. VERDERY: The other amendments was the                  15 ICC, the International Code Council. Just to                  16 be consistent with the inspections that are                  17 done by Talbot County staff, we want the third                  18 party inspections to also follow that same ICC                  19 criteria so that all inspections are consistent                  20 when they're done for safety inspections.                  21 MR. PACK: Okay.</p>	<p>1 same group of people that received the first                  2 mailing, but it didn't have to be under the                  3 same certified mail. That was more restrictive                  4 and cost a little more and a little more                  5 burdensome to follow through with the certified                  6 mail.                  7 MS. PRICE: If this is to be introduced,                  8 I'll be putting a very simple three-word                  9 amendment on this.                  10 First class mail is just a postage stamp.                  11 There is no certificate of service. They're                  12 throwing on a postage stamp. Nobody is going                  13 to know. So there's no way to say that you                  14 sent them out.                  15 So I would just make it simple and say                  16 first class mail with delivery confirmation,                  17 which costs like 50 cents or a dollar. It's                  18 nominal, and there's a way to prove it because                  19 there's going to be a little bar code and you                  20 would have had to have gone to the Post Office                  21 to do your mailing.</p>



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1 Like I said, it's 50 cents or a dollar for  
 2 delivery confirmation because if you throw a  
 3 postage stamp on it, people are going to say I  
 4 didn't get it. There's no proof that you  
 5 mailed it.  
 6 So if this is going to be introduced, I'm  
 7 going to add three words on an amendment  
 8 saying --  
 9 MR. PACK: Costs 50 cents per?  
 10 MS. PRICE: It's like 50 cents or a dollar  
 11 for delivery confirmation.  
 12 MR. PACK: Per letter?  
 13 MS. PRICE: It's not nearly as onerous as  
 14 certified mail, which is that thing that you  
 15 get back in the mail, that little card. This  
 16 is just a bar code. It's a tracking number.  
 17 It's really simple.  
 18 Because this does not exist. If you read  
 19 the memo, and it says the second mailing of the  
 20 meeting notice may be sent via first class mail  
 21 with the filing of a certificate of service.

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1 It's a postage stamp. There is no certificate  
 2 there. It doesn't exist.  
 3 I'm in the industry. So hopefully you'll  
 4 trust me on that one.  
 5 MR. PACK: Okay. This is only for  
 6 introduction at this time. We'll certainly  
 7 hear more about this once we get the matter  
 8 before us for consideration.  
 9 Any further questions of Ms. Verdery on  
 10 the proposed text amendments to 190?  
 11 MR. CALLAHAN: Just one question. I just  
 12 want to make sure I understand.  
 13 So you're crossing out one and going to  
 14 three nights?  
 15 MS. PRICE: That's just the definition.  
 16 MS. VERDERY: In the definitions.  
 17 MR. CALLAHAN: That's just the definition?  
 18 MS. VERDERY: Right. Because three nights  
 19 is already within the legislation.  
 20 MR. CALLAHAN: Okay.  
 21 MS. VERDERY: As a requirement.

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1 MR. CALLAHAN: Okay.  
 2 MS. VERDERY: All of these things that are  
 3 provided to you in these six bills that we're,  
 4 are just refinements. They're not really text  
 5 amendments. We're not trying to make any  
 6 holistic change to any of these requirements.  
 7 We just noticed as we were going through,  
 8 chapter 190 has been in place for about six  
 9 months now. And we were able to do a few  
 10 tweaks as we went through the critical area  
 11 stuff with the 1411 that we're going through  
 12 now.  
 13 So these are our opportunities to make a  
 14 few amendments to the non-critical area  
 15 section. So these we're bringing forward to  
 16 you in these bills.  
 17 MR. PACK: Okay. Anything further? Okay.  
 18 The chair would ask for a show of hands  
 19 who wants to introduce this at this time.  
 20 Madam Secretary, please note by Council.  
 21 SECRETARY: This will be known as Bill

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1 1413, and the public hearing will be on  
 2 Tuesday, June 11th, at 6:30.  
 3 MR. PACK: Next matter when you're ready.  
 4 SECRETARY: A bill to amend chapter 190 of  
 5 the Talbot County Code, zoning, subdivision,  
 6 and land development. To clarify site plan  
 7 standards for parking, driveways, and approvals  
 8 for change in use.  
 9 MR. PACK: Okay. Ms. Verdery.  
 10 MS. VERDERY: This is a bill to clarify  
 11 the site plan standards for parking, driveways,  
 12 and the change of use. It adds a parking  
 13 surface standard that we've had some  
 14 inconsistencies with submittals just to clarify  
 15 for the applicants as they move forward through  
 16 the site plan process, which is our commercial  
 17 development review process.  
 18 It also strikes where we prohibit the  
 19 exterior in section one of the administrative  
 20 site plan process because section two says that  
 21 you're limited to 500 square feet or less of

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1 exterior changes. So it kind of conflicts,  
 2 section one and two, because section one said  
 3 you can't do anything, section two says you can  
 4 do up to 500 square feet of exterior changes.  
 5 So just to be consistent, we're going to allow  
 6 you through the administrative process to do up  
 7 to 500 square feet of exterior site plan  
 8 amendments.  
 9 MR. PACK: Because section one already  
 10 allows you 500 or less?  
 11 MS. VERDERY: Section two allows you to do  
 12 up to five -- section one says you can't do  
 13 anything through the administrative process,  
 14 but section two says you can do up 500 square  
 15 feet. So we thought it was appropriate to  
 16 allow at least up to 500 square feet through  
 17 the administrative process.  
 18 MR. DIVILIO: But it's structures only,  
 19 right? Not fences or paved areas?  
 20 MR. PACK: Parking or driveways.  
 21 MR. CALLAHAN: It's parking.

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1 MR. DIVILIO: By striking those out.  
 2 MS. VERDERY: Right. You can do new or  
 3 expanded accessory structures and outdoor use  
 4 areas with a cumulative total of up 500 square  
 5 feet or less under the administrative process.  
 6 MS. PRICE: You're going to take this to  
 7 the Planning Commission, right?  
 8 MS. VERDERY: Correct, absolutely. Yes.  
 9 All of these will have a Planning Commission  
 10 recommendation.  
 11 We took them all, all of these we took  
 12 just to have a discussion with them prior to  
 13 coming to you. So some of these  
 14 recommendations are based on their discussion.  
 15 But we will take it to them for a formal  
 16 recommendation before we bring it back to you.  
 17 So we will allow the paved areas, but it  
 18 can be no greater than 500 square feet under  
 19 the administrative process.  
 20 MR. PACK: Any further questions?  
 21 MS. PRICE: Just I'm looking down and it

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1 says instead of two types of site plans, major  
 2 and minor, now you're adding administrative.  
 3 MS. VERDERY: It's already in the  
 4 ordinance to have the administrative process.  
 5 It just wasn't in the definition. The  
 6 definition said you couldn't only have two, but  
 7 the process was already in the ordinance.  
 8 MR. PACK: Any other questions?  
 9 Hearing none, the chair would ask for a  
 10 show of hands who wants to introduce this at  
 11 this time. By Mr. Divilio, Mr. Callahan, and  
 12 Mr. Leshner.  
 13 SECRETARY: This will be known as Bill  
 14 Number 1414, and the public hearing will be on  
 15 Tuesday, June 11th, at 6:30 p.m.  
 16 MR. PACK: Next matter.  
 17 SECRETARY: A bill to amend chapter 190 of  
 18 the Talbot County Code, zoning, subdivision,  
 19 and land development. To authorize vertical  
 20 expansion of non-conforming buildings as to  
 21 setbacks without a variance and as to lot

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1 coverage where certain criteria are met,  
 2 including that for a building within a setback,  
 3 it is no closer to the property line than the  
 4 existing walls.  
 5 MS. PRICE: Can you explain that one?  
 6 MS. VERDERY: So the zoning ordinance  
 7 currently allows a structure that's located  
 8 within shoreline development buffer, within  
 9 100 feet of knee high water, to apply for the  
 10 vertical expansion. This would allow a  
 11 structure that's located in other types of  
 12 setbacks, like if you're in a side yard  
 13 setback.  
 14 We encourage vertical expansion over  
 15 creating more of a non-conformity. So instead  
 16 of creating additional lateral expansion and  
 17 creating more of a non-conformity, if you  
 18 create a vertical expansion is encouraged over  
 19 creating additional non-conformity by doing a  
 20 lateral expansion.  
 21 MR. PACK: So if you add a second floor?

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1 MS. VERDERY: Right. It's encouraging the  
 2 second floor over creating additional lateral  
 3 expansions.  
 4 MR. CALLAHAN: Do you see any concern with  
 5 the height? I know you probably went through  
 6 this. But if you're encouraging going up  
 7 instead of out, do you see that being a problem  
 8 with visibility for the neighbors?  
 9 MS. VERDERY: The zoning ordinance has a  
 10 height restriction for certain types of  
 11 buildings. So accessory buildings have a  
 12 certain height limit, primary dwellings have a  
 13 certain height limit. So I mean there's always  
 14 going to be an ultimate restriction on the  
 15 height limit.  
 16 MR. CALLAHAN: And I'm assuming when they  
 17 come in and apply with that application, I  
 18 guess do you take a look at that whole  
 19 situation and the site itself?  
 20 MS. VERDERY: We're going to look at it,  
 21 but if it's permitted and there's no other

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1 non-conformity or nothing else that prohibits  
 2 you from being able to do it, this will then  
 3 allow you to move forward with that type of  
 4 application.  
 5 MR. CALLAHAN: Okay.  
 6 MR. PACK: Any further questions?  
 7 Chair would entertain a motion by a show  
 8 of hands who wants to introduce this at this  
 9 time. By Mr. Divilio, Mr. Callahan, myself,  
 10 and Mr. Leshner.  
 11 SECRETARY: This will be known as Bill  
 12 1415, and the public hearing will be on  
 13 Tuesday, June 11th, at 6:30 p.m.  
 14 MR. PACK: Next matter.  
 15 SECRETARY: A bill to amend chapter 190 of  
 16 the Talbot County Code, zoning, subdivision,  
 17 and land development. To add marine equipment  
 18 services and repair to the table of land uses  
 19 and to establish minimum parking requirements  
 20 for such use.  
 21 MS. VERDERY: So as we were going through

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1 the zoning ordinance, we found that when we  
 2 adopted Bill 1401, the zoning ordinance, we  
 3 inadvertently left this land use, we omitted  
 4 this from the ordinance. It has always been in  
 5 our land use zoning ordinance. But when we  
 6 adopted Bill 1401, somehow we accidentally left  
 7 marine equipment service and repair out of the  
 8 zoning ordinance.  
 9 MR. PACK: Out of the table of use?  
 10 MS. VERDERY: Out of the tables of uses.  
 11 MS. PRICE: Typo.  
 12 MR. PACK: So Mr. Kupersmith, there's no  
 13 flag being thrown for just updating this table,  
 14 right? I mean we don't have to go back in and  
 15 do this bill over again, no?  
 16 MR. KUPERSMITH: No. I think you're just  
 17 adding it now, you're just clarifying --  
 18 MR. PACK: Adding it back in.  
 19 MR. KUPERSMITH: -- that it's in the  
 20 table. The table was modified as part of the  
 21 NextStep 190 update. And so this is just

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1 adding something else to that table to make  
 2 sure that this marine services use is included.  
 3 MR. PACK: It was not supposed to be taken  
 4 out?  
 5 MS. VERDERY: Right. We put it back in  
 6 exactly as it was before. So where it was a  
 7 special exception before, where it was  
 8 permitted before, what the parking criteria was  
 9 before, we put it back in exactly as it was  
 10 before. So there's no change to it from what  
 11 it was before.  
 12 MR. PACK: Was that a printer error? Was  
 13 that. . .  
 14 MS. PRICE: It's a big book. It's a big  
 15 update.  
 16 MS. VERDERY: We tried to go through it.  
 17 Both the consultant and staff tried to go  
 18 through it and double check it and triple check  
 19 it.  
 20 MR. PACK: All right. So we're going to  
 21 put this back onto the table of use. Any other

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1 questions?

2 The chair would ask by a show of hands who

3 wants to introduce this matter. Madam

4 Secretary, please note by Council.

5 SECRETARY: This will be known as Bill

6 Number 1416, and the public hearing will be on

7 Tuesday, June 11th, at 6:30 p.m.

8 MR. PACK: And the last matter.

9 MS. VERDERY: So that one staff will take

10 the hit on. This one we're going to blame on

11 Council.

12 SECRETARY: A bill to amend chapter 190 of

13 the Talbot County Code, zoning, subdivision,

14 land development. To amend the definition of

15 contracting, building trade and construction,

16 to include outdoor maintenance and landscape

17 services and to eliminate the definition of

18 contracting, property maintenance, and

19 landscape.

20 MS. VERDERY: So as we are going through

21 the process, we had created a land use category

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1 specifically for property maintenance and

2 landscape contracting. It was determined that

3 that land use category was not appropriate and

4 Council did not want to create that independent

5 land use category. They didn't want a separate

6 category for land use --

7 MS. PRICE: Is this cottage industry plus

8 that we turned it into?

9 MS. VERDERY: Yeah.

10 MS. PRICE: Okay.

11 MS. VERDERY: It was more than a cottage

12 industry. So we were trying to create this

13 level. So when that was determined --

14 MR. PACK: This was Mr. Bartlett's idea,

15 if I remember correctly.

16 MS. VERDERY: Yeah. Well, Mr. Bartlett

17 didn't want it in the zoning ordinance. So it

18 was struck from the zoning ordinance.

19 So when it was struck, it was never really

20 added back in anywhere else. So now our

21 landscape contractors are not under any other

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1 category because we didn't think to put them

2 back into any other category because we had

3 taken them out before and put them into their

4 own category.

5 So we would like to just add them back

6 into the building trade category where they

7 kind of were before we took them out.

8 MS. PRICE: So if I remember correctly,

9 cottage industry is up to five acres. It's

10 five acres. And this was ten, right?

11 MS. VERDERY: So they still fit under a

12 cottage industry if they want to do it as a

13 cottage industry at a residential property.

14 But if they want to do it at a more

15 commercial business type property, they would

16 fit under the building trade construction and

17 contracting business.

18 MS. PRICE: Doesn't this still require

19 there to be a residence on the property, the

20 ten-acre property?

21 MS. VERDERY: Under a cottage industry --

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1 MR. PACK: Yes.

2 MS. VERDERY: But if you're not doing it

3 at your residence, if you want to do it as a

4 business, you have to put it under a land use

5 category.

6 MR. LESHAR: And be in a zone where that's

7 a permitted use?

8 MS. VERDERY: Where it's allowed as a

9 trade.

10 MS. PRICE: But this isn't creating the

11 thing that we didn't do last summer, right?

12 MS. VERDERY: Right.

13 MR. LESHAR: It's not going to allow any

14 of those places, the more permissive places

15 were cottage industries would be allowed would

16 only be allowed in those places, those, what,

17 commercial or industrial zones.

18 MS. VERDERY: Right, right.

19 What we had created in between was kind of

20 like an opportunity to allow it in some of our

21 agricultural districts and on a larger parcel,

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1 and we allowed it in some of the larger  
 2 districts around some of the properties that  
 3 were closer to Mr. Bartlett and in some of the  
 4 residential neighborhoods.  
 5 This puts it back into the commercial  
 6 districts where the building trades are already  
 7 permitted.  
 8 MR. PACK: This is going before the  
 9 Planning Commission on June the 5th. So who  
 10 wants to introduce this at this time?  
 11 By Mr. Leshner and myself. I'm going to  
 12 punt this over to the Planning Commission for  
 13 them to flush this all out.  
 14 You have a number for me, Madam Secretary?  
 15 SECRETARY: Yes. This will be Bill Number  
 16 1417, and the public hearing will be on  
 17 Tuesday, June 11th, at 6:30 p.m.  
 18 MR. PACK: And am I correct, Ms. Verdery,  
 19 the Planning Commission is going to get all of  
 20 these on the 5th?  
 21 MS. VERDERY: That is correct.

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1 MR. PACK: So I'll wait to get their  
 2 report back on that one in particular.  
 3 MS. PRICE: I just want to make sure it's  
 4 not going back to create -- and I trust that it  
 5 doesn't. When we did that --  
 6 MS. VERDERY: It doesn't create what we  
 7 had before, that is correct.  
 8 MR. LESHNER: What was proposed before?  
 9 MS. VERDERY: That is correct.  
 10 MR. LESHNER: It goes back to what we  
 11 actually had before.  
 12 MS. VERDERY: Right. The more commercial  
 13 just like the other types of contracting  
 14 businesses. It does not create that in between  
 15 business that we were trying to create.  
 16 MR. LESHNER: Precode 190?  
 17 MS. VERDERY: Yeah.  
 18 MS. PRICE: 20,000 square foot or whatever  
 19 in residential with no house.  
 20 MS. VERDERY: Right.  
 21 MR. PACK: Well, Ms. Verdery, you have

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1 successfully confused us to this point.  
 2 Anything further?  
 3 MS. VERDERY: That's all I have for today.  
 4 MR. PACK: Thank you.  
 5 MS. VERDERY: Thank you very much.  
 6 MR. PACK: Council, we now have two  
 7 matters that are eligible for vote.  
 8 The first matter is Resolution 271. And  
 9 this is -- Ms. Verdery, don't go far. This is  
 10 the rules adoption for short-term rentals. I  
 11 do understand there should be two amendments to  
 12 this. I'm sorry, let me go back here.  
 13 MS. VERDERY: I thought I was done.  
 14 MR. PACK: No, you're not.  
 15 MS. PRICE: Look, if we had to suffer  
 16 through that, you have to suffer through this.  
 17 MR. PACK: Right. Council, you do have  
 18 two amendments before we get into that.  
 19 We'll turn to Madam Secretary to read the  
 20 title of the resolution.  
 21 SECRETARY: Resolution 271, a resolution

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1 to adopt rules of procedure governing  
 2 proceedings of the Talbot County Short-Term  
 3 Rental Review Board.  
 4 MR. PACK: Thank you, Madam Secretary.  
 5 We had a public hearing on this last time  
 6 we met two weeks ago actually. And there were  
 7 not many, but there were some public comment,  
 8 and very appropriate public comment I might  
 9 add. And we took that into consideration.  
 10 I think that you're going to hear two  
 11 amendments that are based on that public  
 12 comment that we heard.  
 13 But before we get into that, on the matter  
 14 as introduced for public hearing, Ms. Verdery,  
 15 let's hear back from you, please.  
 16 MS. VERDERY: As previously noted, this is  
 17 the rules of procedure for the Short-Term  
 18 Rental Review Board that is consistent with the  
 19 rules of procedure that we have for other  
 20 boards and commissions.  
 21 It outlines the regular meetings, the

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1 special meetings, quorums and voting  
 2 procedures, and how they issue licenses and  
 3 host hearings.  
 4 I believe the chairman of the board is  
 5 here if you have any particular questions,  
 6 Mr. Scott Cane.  
 7 MR. PACK: Mr. Cane, you were at the  
 8 public hearing. Anything additional from you  
 9 before we take this matter up?  
 10 MR. CANE: Yes, I was.  
 11 MR. PACK: Anything additional? Any  
 12 additional comment that you want to add  
 13 regarding from the public hearing? Council  
 14 left this open a bit longer for public comment  
 15 on these changes. Anything more that you want  
 16 to offer at this time?  
 17 MR. CANE: I didn't find anything very  
 18 compelling about the changes that were  
 19 requested to the special meeting. I didn't  
 20 have a strong feeling one way or the other.  
 21 MR. PACK: Okay.

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1 MR. CANE: We have a requirement to set  
 2 special meetings. And I think the preference  
 3 of the Short-Term Rental Review Board would be  
 4 to leave that power as broad as possible to  
 5 allow for whatever contingencies come up.  
 6 MR. PACK: To leave it as broad as  
 7 possible?  
 8 MR. CANE: As broad as possible. There  
 9 was some discussion as to making it a little  
 10 bit more narrow, as I understood the comments.  
 11 MR. PACK: Okay. All right. Any comment  
 12 to Mr. Cane, question?  
 13 MS. VERDERY: This is potentially a  
 14 change. I have the change, just in case.  
 15 MR. PACK: Yes, please.  
 16 MS. PRICE: Just four days instead of two,  
 17 right?  
 18 MS. VERDERY: Just some examples of some  
 19 of the meetings.  
 20 MR. PACK: Okay. All right. Thank you  
 21 both very much.

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1 Council, don't move, this matter, the  
 2 chair would entertain any amendments at this  
 3 time before we take this matter up for vote.  
 4 Are there any amendments to be introduced at  
 5 this time?  
 6 MR. LESHER: Mr. Pack, I will introduce  
 7 the what is listed in our packet as amendment  
 8 number one, which defines that special meeting  
 9 and increases the notice requirement from two  
 10 to four days.  
 11 MR. PACK: Okay. And that is in  
 12 everyone's packet. And that change would go  
 13 from a 48-hour to a four-day in advance of the  
 14 meeting date.  
 15 There was some additional language that  
 16 was added in here, that a meeting outside the  
 17 regular meeting schedule in section one above,  
 18 postponement or continued meetings, that's the  
 19 added new language, that that meeting should be  
 20 called by the chairperson, Mr. Cane in this  
 21 particular case, or the planning director, and

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1 Ms. Verdery in this particular case.  
 2 And then the additional language that you  
 3 see there is that the change would be listed on  
 4 the county's website by the close of business  
 5 of that meeting. And it will be reset at least  
 6 four days instead of 48 hours, but four days in  
 7 advance. And that meeting date will be set  
 8 also on the website.  
 9 Those are the changes that are being  
 10 introduced by Mr. Leshner.  
 11 Any questions of those changes? Any  
 12 opinion of those changes?  
 13 MS. PRICE: I'll second the motion.  
 14 MR. PACK: Okay. Motion is seconded by  
 15 Ms. Price.  
 16 Again, thank you, Ms. Price, now are there  
 17 any comments of those changes?  
 18 MR. LESHER: Mr. Pack, I'll submit that  
 19 the first of those items is simply clarifying  
 20 language. It's not limiting language. It's  
 21 e.g., meaning for example, and it provides a

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1 couple of examples of why a special meeting  
 2 might be called, but I don't think that that  
 3 limits the board to those reasons for having a  
 4 special meeting. It simply provides examples  
 5 of why we might have a meeting outside of a  
 6 regular meeting date.  
 7 The other one, we did hear in the public  
 8 meeting concern about notice. And I do realize  
 9 that that is certainly going to restrict a  
 10 continuation meeting. If it means if you're  
 11 meeting on, I forget, Thursdays, that you won't  
 12 be able to meet, for example, well, actually it  
 13 probably isn't -- means that you won't be able  
 14 to meet that weekend.  
 15 MR. CANE: Fortunately.  
 16 MR. LESHER: But it wouldn't allow a  
 17 24-hour continuation to the following day. It  
 18 puts you until after the weekend into the  
 19 following Monday.  
 20 I think in practical terms this doesn't  
 21 limit you any farther, but it certainly

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1 demonstrates an intent to increase public  
 2 notice for any opportunity.  
 3 Ordinarily, if you're doing a  
 4 continuation, anybody who is concerned in the  
 5 matter is there for the initial part of the  
 6 meeting and, therefore, is there to witness  
 7 whatever rescheduling is.  
 8 But I think in the interest of general  
 9 public transparency, this shouldn't do any harm  
 10 or overly burdensome restrictions for the  
 11 Short-Term Rental Review Board.  
 12 MR. CANE: I agree with you. We had had  
 13 some concern that we might want to do something  
 14 fairly quickly. But I think that was a  
 15 discussion that we had prior to the last few  
 16 meetings.  
 17 And I feel it seems to me now that we have  
 18 the time to allow for four days' notice. I  
 19 don't think that that's an undue hardship on  
 20 us. Just wanted to be fair to the people that  
 21 would want to have a hearing earlier than that,

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1 some emergency kind of thing.  
 2 So I don't feel like it's a new hardship.  
 3 I think from what I see, most of the  
 4 applications that we're getting, four days is  
 5 fine.  
 6 MR. PACK: Anyone else? Okay.  
 7 The amendment has been introduced. It has  
 8 been seconded.  
 9 If there's no further question on the  
 10 amendment one only, the chair would call for a  
 11 vote on amendment one. Madam Secretary, please  
 12 call your roll.  
 13 SECRETARY: Mr. Pack.  
 14 MR. PACK: Aye.  
 15 SECRETARY: Mr. Divilio.  
 16 MR. DIVILIO: Aye.  
 17 SECRETARY: Mr. Callahan.  
 18 MR. CALLAHAN: Aye.  
 19 SECRETARY: Ms. Price.  
 20 MS. PRICE: Aye.  
 21 SECRETARY: Mr. Leshner.

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1 MR. LESHER: Aye.  
 2 MR. PACK: Okay. We do have a second  
 3 amendment, and I am the author of this  
 4 amendment with Mr. Kupersmith's diligent help.  
 5 Again, this comes out of the public  
 6 hearing that we held dealing with the  
 7 definition of family. You'll find this in the  
 8 blue section of your packet.  
 9 And taking that and working with  
 10 Ms. O'Donnell, we came up with a definition,  
 11 very simple definition, that family is defined  
 12 as a person related by blood, marriage,  
 13 adoption, or guardianship. Again, just to get  
 14 a more clear, if you would, understanding of  
 15 what is family, what does family mean. And so  
 16 we just came up with these four defining points  
 17 of family; by blood, by marriage, adoption, or  
 18 guardianship.  
 19 Mr. Cane, any concern on your part with  
 20 this?  
 21 MR. CANE: I think that's fine. I think

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1 that's excellent clarifying language, and I  
 2 would be in favor of that.  
 3 MR. PACK: Okay. So I'm going to offer  
 4 this amendment up at this time for Council  
 5 consideration.  
 6 MS. PRICE: I'll second it.  
 7 MR. PACK: Seconded by Ms. Price. Any  
 8 further discussion on the amendment?  
 9 MR. LESHHER: Mr. Pack, I am a little  
 10 concerned on this one that by adding a  
 11 definition, we're adding specific language.  
 12 And I worry that it may be overly broad.  
 13 My seventh cousin twice removed who lives  
 14 on Miles River Neck is a relation by blood, but  
 15 I don't think that that's the intent here. And  
 16 I think if you leave it as family unamended, it  
 17 could let people interpret that in a more  
 18 common sense way without being bound by some of  
 19 us don't even know who all we're related to in  
 20 this county, and I --  
 21 MS. PRICE: Come on, it's Talbot County.

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1 We're all related.  
 2 MR. LESHHER: I've encountered this. I've  
 3 encountered this even recently becoming  
 4 surprised that one of my volunteers at the  
 5 museum is kin. It meets the definition of  
 6 blood, but it's not really what I think is  
 7 intended by conflict of interest in here.  
 8 Yet if we read this definition literally,  
 9 I just think it goes a little too far.  
 10 MR. PACK: Well, it doesn't mean that the  
 11 relation in and of itself is a conflict.  
 12 Again, the Ethics Commission, if you have  
 13 a family member who is, again, seven times  
 14 removed and probably haven't seen him or her  
 15 since they were two years old and the matter  
 16 comes before the board, making that known, if  
 17 you even know it, if you are aware that hey,  
 18 this is a cousin seven times removed, making  
 19 that known to the board I think is the  
 20 objective here, is to be as transparent and as  
 21 open as we possibly can to say I just want to

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1 make the board known that this is a blood  
 2 relative.  
 3 If it's someone that you have very little  
 4 contact with at all, if any, perhaps there is  
 5 no ethical concern here. But it's someone that  
 6 you fish with every Saturday, yeah, perhaps you  
 7 should not hear that case.  
 8 So I think what the point is is just to  
 9 make sure that we are acknowledging hey, that's  
 10 an in-law, that's an adopted nephew so that the  
 11 board will know who is in front of them and how  
 12 that person in front of them is related to you  
 13 and whether or not that in and of itself  
 14 creates a conflict I think is where the Ethics  
 15 Commission could always weigh in on.  
 16 MS. PRICE: And it's complicated because  
 17 that could happen, but I don't think you're  
 18 going to know that person. So it's hard to  
 19 define it because it does set it out and say  
 20 well, technically they're related but it really  
 21 isn't.

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1 MR. PACK: Yeah. That in and of itself  
 2 may not be. . .  
 3 MS. PRICE: Did you have -- there's no  
 4 other way to word it, Mr. Kupersmith?  
 5 MR. DIVILIO: Immediate family definition?  
 6 MR. KUPERSMITH: There are other options.  
 7 You could list out all the different types of  
 8 family members.  
 9 MR. PACK: That would be so exhaustive.  
 10 MR. KUPERSMITH: Parents, child, brother,  
 11 cousins, grandparent, that sort of thing. And  
 12 then that would be kind of like defining  
 13 immediate family I think. So it would exclude  
 14 things like second cousins.  
 15 MR. DIVILIO: On our, something that we  
 16 signed for Council or for the Ethics  
 17 Commission, there was a definition of immediate  
 18 family member in there. It was very short. It  
 19 was parents or children that you're directly  
 20 financially responsible for.  
 21 MS. PRICE: Should be grandparents,



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1 parents, and children pretty much. And  
 2 obviously spouse.  
 3 MR. DIVILIO: And spouse.  
 4 MR. KUPERSMITH: So we can offer some  
 5 language on that if you want to or if you'd  
 6 like to proceed.  
 7 We do have some draft language here that  
 8 would address something like that. You could  
 9 say family is defined as spouse, parent, child,  
 10 siblings, grandparent, grandchild, uncle, aunt,  
 11 nephew, niece, father-in-law, mother-in-law,  
 12 daughter-in-law, son-in-law, brother-in-law,  
 13 sister-in-law, or first cousin. That sort of  
 14 thing.  
 15 MR. PACK: Which are all either blood  
 16 related or by marriage.  
 17 MR. KUPERSMITH: You can list them all  
 18 out.  
 19 MR. PACK: I don't think we have to go  
 20 through that list. Again, the objective here  
 21 of what we were getting from the community was

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1 for transparency. And if just letting the  
 2 board know that this person is either a blood  
 3 relative, a marriage, an adoptive relative or  
 4 under guardianship. Again, if you go down and  
 5 read the second paragraph, that the board  
 6 member is encouraged, not must, but is  
 7 encouraged to recuse himself.  
 8 So if the Ethics Commission finds this  
 9 person is seven times removed, you have no  
 10 relationship other than the fact that you're  
 11 cousins, cousins, cousins, cousins, cousins  
 12 married into the family.  
 13 MR. DIVILIO: But the first paragraph. A  
 14 board member shall only participate in matters  
 15 before the board. And then it goes on to --  
 16 MR. PACK: Right. And then you read the  
 17 second paragraph, and it says he is encouraged  
 18 to recuse himself.  
 19 MS. PRICE: But it says shall consult the  
 20 Ethics Commission concerning those matters.  
 21 MR. PACK: Right.

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1 MS. PRICE: And they're going to tell them  
 2 whether or not they need to recuse themselves.  
 3 MR. PACK: Absolutely. So if the finding  
 4 of the Ethics Commission is that the  
 5 relationship -- and I think most reasonable  
 6 people would know if it is an in-law that is  
 7 your brother-in-law that's before you and he's  
 8 trying to get a short-term rental on a piece of  
 9 property, most reasonable people are going to  
 10 know don't hear that case.  
 11 MR. DIVILIO: Wish we were all reasonable.  
 12 MR. PACK: And disclose the fact that the  
 13 person before the board is a relative and how  
 14 that person is related.  
 15 I think that's where, again, what I was  
 16 understanding from the person who brought this  
 17 up is just to make sure that that is disclosed  
 18 and how the relationship is --  
 19 MR. LESHAR: And that is already in the  
 20 draft language just with the word family. And  
 21 it leaves it to interpretation.

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1 MR. PACK: Right. And I think we were  
 2 hearing from the public that they wanted it to  
 3 be more defined. And that's why Ms. O'Donnell  
 4 and I came up with this.  
 5 Again, it was just trying to respond back  
 6 to what we heard and that was it.  
 7 Any further discussion?  
 8 MS. PRICE: You could put the word closely  
 9 related, could you?  
 10 MR. PACK: Any further reasonable  
 11 discussion?  
 12 Hearing none, Madam Secretary, you have a  
 13 motion, you have a second. Please call your  
 14 roll.  
 15 SECRETARY: Mr. Pack.  
 16 MR. PACK: Aye.  
 17 SECRETARY: Mr. Divilio.  
 18 MR. DIVILIO: Nay.  
 19 SECRETARY: Mr. Callahan.  
 20 MR. CALLAHAN: Aye.  
 21 SECRETARY: Ms. Price.

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1 MS. PRICE: Aye.  
 2 SECRETARY: Mr. Lesher.  
 3 MR. LESHEN: Nay.  
 4 MR. PACK: Okay. The amendment passes.  
 5 So we have amendment one and amendment two  
 6 to Resolution 271. Are there any other  
 7 amendments that anyone care to offer up at this  
 8 time?  
 9 Hearing none, Madam Secretary, on  
 10 Resolution 271 as amended, please call your  
 11 roll.  
 12 SECRETARY: Mr. Pack.  
 13 MR. PACK: Aye.  
 14 SECRETARY: Mr. Divilio.  
 15 MR. DIVILIO: Aye.  
 16 SECRETARY: Mr. Callahan.  
 17 MR. CALLAHAN: Aye.  
 18 SECRETARY: Ms. Price.  
 19 MS. PRICE: Aye.  
 20 SECRETARY: Mr. Lesher.  
 21 MR. LESHEN: Aye.

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1 MR. PACK: Okay. Thank you. 271 has been  
 2 amended for the rules and procedures. Thank  
 3 you very much, Mr. Cane, for coming out and  
 4 being with us.  
 5 Thank you very much, Ms. Verdery. I think  
 6 I can let you go now. You're now released.  
 7 MR. CANE: Thank you very much for your  
 8 attention and your help on these rules and  
 9 procedures.  
 10 MR. PACK: Thank you. And thank you for  
 11 all that you guys are doing up there. We  
 12 really appreciate it.  
 13 MR. CANE: Thank you.  
 14 MS. VERDERY: Thank you.  
 15 MR. PACK: I'm going to need Bill 1409,  
 16 Madam Secretary. And I think I'm going to need  
 17 Ms. Lane.  
 18 SECRETARY: Bill Number 1409, a bill to  
 19 amend Bill Number 1387, the 2018-2019 annual  
 20 budget and appropriation ordinance, to make  
 21 additional appropriations for unanticipated

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1 revenues to certain departments in the current  
 2 expense budget to amend the current expense  
 3 budget through fourth quarter transfers and  
 4 supplementary appropriations.  
 5 MR. PACK: Thank you very much, Madam  
 6 Secretary.  
 7 Council, we did have a public hearing on  
 8 this matter, if you remember. It is now back  
 9 before us for vote.  
 10 Ms. Lane, I'll turn it over to you.  
 11 MS. LANE: This bill is a bill that we can  
 12 only do in the last quarter of the fiscal year.  
 13 This bill is amending the current fiscal year  
 14 budget that ends June 30th.  
 15 And this bill is really allowing the  
 16 departments to primarily purchase capital  
 17 outlay items that they had requested in the  
 18 fiscal 20 budget. We're moving some of those  
 19 into the fiscal 19 budget if this is approved  
 20 by Council, and we're using funds that are  
 21 available in the current budget. We are not

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1 increasing the total fiscal 19 budget.  
 2 MS. PRICE: Is it fair to say, though,  
 3 that the vast majority of them are because  
 4 we're not using our contingency, which we  
 5 typically don't?  
 6 MS. LANE: Right.  
 7 MS. PRICE: So it really is an increase  
 8 probably of about a half a million dollars  
 9 because it says 525,000.  
 10 MS. LANE: Is coming from the contingency  
 11 fund, yes.  
 12 MS. PRICE: So if we weren't doing these,  
 13 we would have saved our contingency fund of a  
 14 half a million dollars?  
 15 MS. LANE: Yes.  
 16 MS. PRICE: So technically it's an  
 17 increase.  
 18 MS. LANE: And perhaps we would have  
 19 increased the fiscal 20 budget.  
 20 MR. PACK: To pay for them.  
 21 MS. PRICE: Perhaps, but perhaps not.

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1 MR. PACK: Again, it's the old pay me now  
 2 or pay me later. The particular departments  
 3 had the funds available in current year and  
 4 wanted to go ahead and purchase these items in  
 5 current year.  
 6 MS. PRICE: No, they didn't have them in  
 7 their departments. We used contingency to help  
 8 fund some of them.  
 9 MR. PACK: Well, some of them had the  
 10 money in their departments.  
 11 MS. PRICE: Some of them did.  
 12 MR. PACK: Yes, they did, to pay for them.  
 13 So instead of pushing those items into our  
 14 upcoming FY 20 budget, the decision was made to  
 15 go ahead and pay for them now. So that's where  
 16 we are.  
 17 Any further discussion on them, any of  
 18 them?  
 19 Okay. The chair would entertain a motion  
 20 to proceed with the vote on Bill 1409. Is  
 21 there a motion?

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1 MR. CALLAHAN: So moved.  
 2 MR. PACK: By Mr. Callahan.  
 3 MR. LESHER: Second.  
 4 MR. PACK: Seconded by Mr. Leshner to now  
 5 move Bill 1409 to vote.  
 6 Madam Secretary, please call the roll.  
 7 SECRETARY: Mr. Pack.  
 8 MR. PACK: Aye.  
 9 SECRETARY: Mr. Divilio.  
 10 MR. DIVILIO: Aye.  
 11 SECRETARY: Mr. Callahan.  
 12 MR. CALLAHAN: Aye.  
 13 SECRETARY: Ms. Price.  
 14 MS. PRICE: Aye.  
 15 SECRETARY: Mr. Leshner.  
 16 MR. LESHER: Aye.  
 17 MR. PACK: Bill 1409 is now before the  
 18 Council for final vote. Any further discussion  
 19 on the matter?  
 20 Hearing none, there's no amendments, no  
 21 additional comment, on Bill 1409, Madam

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1 Secretary, please call the roll.  
 2 SECRETARY: Mr. Pack.  
 3 MR. PACK: Aye.  
 4 SECRETARY: Mr. Divilio.  
 5 MR. DIVILIO: Aye.  
 6 SECRETARY: Mr. Callahan.  
 7 MR. CALLAHAN: Aye.  
 8 SECRETARY: Ms. Price.  
 9 MS. PRICE: Aye.  
 10 SECRETARY: Mr. Leshner.  
 11 MR. LESHER: Aye.  
 12 MS. LANE: Thank you.  
 13 MR. PACK: Thank you. And that brings us  
 14 down to county manager.  
 15 MR. HOLLIS: Council, we're going to be  
 16 withdrawing the one item we had under county  
 17 manager. So there's no report tonight.  
 18 MR. PACK: Thank you. Now that brings us  
 19 down to Council comment.  
 20 Mr. Leshner, we'll start with you tonight.  
 21 MR. LESHER: I have nothing further.

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1 MR. PACK: Nothing further. Ms. Price.  
 2 MS. PRICE: Nothing this evening.  
 3 MR. PACK: Nothing this evening. O for  
 4 two.  
 5 Mr. Divilio.  
 6 MR. DIVILIO: I'd just like to say proud  
 7 brother moment. If you notice on Sunday's Star  
 8 Democrat in the end of the business section  
 9 there was a list of the editors who received  
 10 awards from last year. And my brother is the  
 11 editor of the Kent County Times. He received  
 12 four awards last year.  
 13 MR. PACK: There you go.  
 14 MR. DIVILIO: Thank you for all the paper  
 15 does.  
 16 MR. PACK: And of course, Mr. Callahan.  
 17 MR. CALLAHAN: I'm good. Thank you.  
 18 MR. PACK: You are good. All right.  
 19 County Council, just for public knowledge,  
 20 will have our final work session on budget  
 21 deliberations on May the 16th. And that final

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1 work session will be held here at three p.m.  
 2 MR. LESHER: Did we change that to 2:30?  
 3 MR. PACK: Is it two p.m.?  
 4 MR. HOLLIS: 2:30.  
 5 MR. PACK: 2:30. Okay. To 2:30. That  
 6 final work session will take place here at  
 7 2:30. So if you care to come out to hear that  
 8 work session, there will be a public work  
 9 session on the budget deliberation.  
 10 With that being said, we have a special  
 11 legislative day on the 21st has been withdrawn?  
 12 MR. HOLLIS: Correct. You do not have a  
 13 special legislative day.  
 14 MR. PACK: Okay. So the special  
 15 legislative day on the 21st has been removed.  
 16 Okay.  
 17 I think that's it, then. Okay.  
 18 County Council, your next meeting will be  
 19 held on Tuesday, May 28th. It will be at  
 20 six p.m. Council will be convening in open  
 21 session at 4:30 and immediately adjourning into

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1 closed session to discuss real estate, legal,  
 2 personnel matters as listed on the statement  
 3 for closing that meeting.  
 4 Therefore, is there a motion to adjourn  
 5 this meeting?  
 6 MR. LESHER: So moved.  
 7 MR. CALLAHAN: Second it.  
 8 MR. PACK: Moved by Mr. Leshler, seconded  
 9 by Mr. Callahan.  
 10 Madam Secretary, please call your roll.  
 11 SECRETARY: Mr. Pack.  
 12 MR. PACK: Aye.  
 13 SECRETARY: Mr. Divilio.  
 14 MR. DIVILIO: Aye.  
 15 SECRETARY: Mr. Callahan.  
 16 MR. CALLAHAN: Aye.  
 17 SECRETARY: Ms. Price.  
 18 MS. PRICE: Aye.  
 19 SECRETARY: Mr. Leshler.  
 20 MR. LESHER: Aye.  
 21 MR. PACK: Thank you.

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1 (Meeting concluded at: 8:06 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 Notorial Seal this 20th  
 day of May, 2019, at Easton, MD.

  
 \_\_\_\_\_  
 Diane Houlihan  
 Notary Public

17  
 18  
 19  
 20 My commission expires September 16, 2021  
 21

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