



Deposition of:
County Council Meeting

November 23, 2021

In the Matter of:
Talbot County Council Meeting

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TALBOT COUNTY, MARYLAND

COUNTY COUNCIL MEETING

November 23, 2021, 6:00 p.m.

Talbot County Courthouse, Easton, Maryland

COUNCIL MEMBERS:

Chuck Callahan, President

Corey Pack

Frank Divilio

Pete Leshner

Laura Price

REPORTED BY: David Corbin, RPR

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2 MR. CALLAHAN: Okay. Welcome everybody to</p> <p>3 tonight's meeting. So we will go ahead and get</p> <p>4 started with Mr. Divilio doing the prayer. And</p> <p>5 then we'll do a constellation of the flag.</p> <p>6 (Prayer and pledge of allegiance.)</p> <p>7 MR. CALLAHAN: Okay. Thank you,</p> <p>8 Mr. Divilio, that was great. Appreciate it.</p> <p>9 Want to welcome everybody tonight. So let's</p> <p>10 start off with the agenda, the agenda of</p> <p>11 November 23rd. Are there any additions,</p> <p>12 deletions or corrections to the agenda.</p> <p>13 Hearing none, the Chair moves that the agenda</p> <p>14 be accepted as unanimous consent. Okay. Let's</p> <p>15 move down to the minutes for October 26 and</p> <p>16 November 9th. Are there any additions,</p> <p>17 deletions or corrections to the minutes. Okay.</p> <p>18 Council has none. So the minutes -- so hearing</p> <p>19 none, the Chair moves that the minutes be</p> <p>20 accepted by unanimous consent. Okay. So let's</p> <p>21 go to disbursements. Disbursements for</p>	<p>1 MR. CALLAHAN: It was that Council</p> <p>2 recommendation.</p> <p>3 TIM FORD: It was.</p> <p>4 MR. CALLAHAN: That's what it was.</p> <p>5 TIM FORD: So anyway, thank you for having</p> <p>6 us here tonight. The first couple slides I'm</p> <p>7 just going to blow through, seen them a</p> <p>8 thousand times, about the partnership.</p> <p>9 MR. CALLAHAN: No problem.</p> <p>10 TIM FORD: We are one with MES. For those</p> <p>11 that don't know, we'll advance to slide one, we</p> <p>12 will get started on it.</p> <p>13 MR. CALLAHAN: It's -- you have a button</p> <p>14 there. There you go. We knew we needed him</p> <p>15 for something.</p> <p>16 TIM FORD: I'm a certain age so handing</p> <p>17 that stuff over to the young guy. So the</p> <p>18 Maryland Environmental Service is an</p> <p>19 independent state agency. We had that</p> <p>20 reinforced over the last year in terms of our</p> <p>21 status. But we're an independent state agency.</p>
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<p>1 November 16th and November 23rd. Are there any</p> <p>2 additions, deletions or corrections to the</p> <p>3 disbursements. Okay. Hearing none, the Chair</p> <p>4 moves that the disbursements be accepted by</p> <p>5 unanimous consent. Thank you, Council. Okay.</p> <p>6 All right. Okay. So let's move on for our</p> <p>7 first on the agenda tonight, an update from the</p> <p>8 Maryland Environmental Service. Tim Ford. Can</p> <p>9 you guys come on up. That would be great. You</p> <p>10 can have your right-hand person come up too.</p> <p>11 You got to be up here now.</p> <p>12 TIM FORD: He's better looking and younger</p> <p>13 and the future.</p> <p>14 MR. CALLAHAN: How are you guys doing?</p> <p>15 TIM FORD: We're going great.</p> <p>16 MR. CALLAHAN: Good.</p> <p>17 TIM FORD: Last time I was here I was the</p> <p>18 acting managing director. So I got the job.</p> <p>19 MR. CALLAHAN: Congrats.</p> <p>20 TIM FORD: Give it six months and then</p> <p>21 clap.</p>	<p>1 We're not a private entity. The official</p> <p>2 definition of us is that we are a</p> <p>3 not-for-profit corporation entirely owned by</p> <p>4 the State of Maryland. We are not -- we're a</p> <p>5 fee for service. We're not an incorporated</p> <p>6 state agency. We're not in the state pension</p> <p>7 program as employees. But we're the state in</p> <p>8 any other way.</p> <p>9 MR. CALLAHAN: Excuse me, one minute. I</p> <p>10 forgot to say that Mr. Leshner is on the phone.</p> <p>11 Pete, can you hear us okay. Pete, can you hear</p> <p>12 us?</p> <p>13 MR. LESHNER: Yes, I can.</p> <p>14 MR. CALLAHAN: Thank you, Pete, appreciate</p> <p>15 it. Sorry about that, Tim.</p> <p>16 TIM FORD: No problem. We're in effect a</p> <p>17 utility. We offer water and wastewater</p> <p>18 services, environmental service support, and</p> <p>19 waste -- solid waste management support. So</p> <p>20 there are three groups, environmental service,</p> <p>21 the water and wastewater group -- actually</p>

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1 there are four, we split one up, the dredging
 2 group, and then the waste, solid waste group.
 3 We can go to the next slide. So in the 1990's
 4 the three counties, it was Caroline, Talbot and
 5 Queen Anne's, got together and worked on a
 6 regional plan to provide solid waste management
 7 service for the three counties. Later Kent
 8 County joined. So it became a four County
 9 partnership to provide solid waste management
 10 services for an 80 year period. They brought
 11 on Maryland Environmental Services as a
 12 partner. And the first solid waste management
 13 facility that was constructed, because they can
 14 be any type of facility as long as it addresses
 15 the solid waste management needs of the four
 16 counties, was a landfill. And that landfill
 17 was the Mid-Shore One landfill and it was
 18 Talbot County that hosted, as you all know.
 19 That landfill operated successfully for 20
 20 years and has now been closed. And we've
 21 talked about it before, there is some excess

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1 capacity that for whatever reason down the road
 2 the County feels that it would need that space,
 3 it's there. The type of cap that we used is --
 4 not permanent in terms of closure but it can be
 5 easily removed. It's an exposed geomembrane
 6 cap. So as I said, we're -- the Mid-Shore One
 7 landfill was the first regional landfill. We
 8 also operate a homeowner dropoff site and a
 9 transfer station at that site. The transfer
 10 station operations and the homeowner dropoff
 11 operation are funded by Talbot County. And the
 12 transfer fee on waste transferred to Mid Shore
 13 Two. So those two things fund the transfer
 14 station and homeowner dropoff site. The
 15 landfill itself, the closed landfill still
 16 needs to be monitored and maintained. That
 17 cost comes out of the Mid-Shore, any Mid-Shore
 18 operations. As well as the maintenance on the
 19 old Easton landfill. So the overall operations
 20 since the last time we met, there were
 21 21,865 tons of solid waste received. There

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1 were 1523 tons of yard waste. HODO, or
 2 homeowner dropoff, kind of a weird acronym,
 3 isn't it. HODO. Almost Hobo, right. HODO
 4 usage is 14,000 customers. That's 500 tons of
 5 waste received. That's about 70 pounds of
 6 solid waste per person. And then of course
 7 they sell punch cards there. And so there were
 8 29 \$5, 673 \$10, and 1231 \$20 ticket sold, which
 9 proves that the residents of Talbot County know
 10 a deal when they see it. They go for the 20,
 11 get more use out of it. So the transfer
 12 station operations, as I said, was it 14,000.
 13 How many.
 14 GARY LASAKO: 21,000.
 15 TIM FORD: 21,000 tons. So that was a
 16 relatively flat period over period but up
 17 significantly over the third three year period.
 18 A whole lot of factors involved. Obviously
 19 population growth involved in that. We did see
 20 an uptick in the last year because of Covid,
 21 people were home, they were cleaning out their

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1 garages, whatever they were doing, they were
 2 throwing a lot of stuff away. We say an uptick
 3 in traffic at the transfer station there. One
 4 of the things we have done in the last quarter
 5 is added some signage to the transfer station
 6 to increase customer awareness safety. There
 7 are moving vehicles in and out of the transfer
 8 station. Always a concern that somebody could
 9 get hurt. We wanted to raise awareness. We do
 10 have folks that are spotters that help the
 11 residents that come into the transfer station.
 12 We do have a policy in training regarding
 13 safety and particularly working around folks.
 14 But it is a concern of ours, we want to keep
 15 everybody safe at that site so we have added
 16 some signage there. That was Gary's idea. And
 17 we bought -- since then we bought an excavator
 18 loading scale. You want to know how in the
 19 heck does that maximize waste hauling
 20 efficiency. Well, it allows us to load out the
 21 full legal load weight. Rather than guessing

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1 on how many buckets and wait to get to the
 2 scales across the way, we can load off the
 3 excavator. And it reduces loads overall. Go
 4 ahead. Part of our requirement at the landfill
 5 is post closure care. This is a picture of a
 6 crew that are repairing the liner that is there
 7 on the cap. It does have wear over the time
 8 each year, so every year we come to do an
 9 inspection with MDE. And any slight tears or
 10 repairs that are needed we make those repairs.
 11 We have a contract in place for that. It just
 12 maintains the integrity of the closure cap.
 13 MS. PRICE: How many acres does that cap
 14 cover?
 15 TIM FORD: It's about 60 acres up there.
 16 MS. PRICE: Lot to inspect.
 17 TIM FORD: It's a lot of plastic. It's a
 18 big slip and slide. You get out there when a
 19 rain comes down and water will come off. We
 20 had to improve the stormwater controls there
 21 when we built the cap system because of the

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1 amount of water that comes off that cap. And,
 2 yeah, we should make it a slip and slide, be an
 3 attraction.
 4 MR. PACK: What is -- that's a good point,
 5 I never thought about that, you're right.
 6 Where does all that water trench into.
 7 TIM FORD: It goes to the leachate pond.
 8 Not a leachate pond. Bad choice of words.
 9 Stormwater ponds that is in operation and
 10 infiltration.
 11 MR. PACK: And I will say, you know, your
 12 crew, I've dropped off things there as far as
 13 safety wise, the guys you have working there
 14 are very safety conscious. They tell you where
 15 to park, they tell you what bay to come in when
 16 someone else is pulling out. I've never had a
 17 problem trying to drop stuff off there or even
 18 seen a close call. I think the guys do a
 19 really good job of letting you know where to go
 20 and who is coming in and pulling out and things
 21 like that. So they're very good about

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1 directing traffic at the transfer site. I just
 2 wanted to say that.
 3 TIM FORD: Thank you. So you mentioned
 4 the stormwater. It's not impacted storm,
 5 meaning it doesn't come in contact with trash.
 6 It's a plastic surface, so it's stormwater,
 7 rainwater.
 8 MR. PACK: But if you got 60 acres of
 9 water moving, that's a lot of water.
 10 TIM FORD: It's something so see when it
 11 really rains.
 12 MR. PACK: I bet it is.
 13 TIM FORD: Next slide. Again, we've
 14 already covered this. We also have a landfill
 15 gas system out there. We're currently flaring
 16 the gas. We were at one point supplying
 17 methane to Easton Utilities to generate
 18 electricity. We're now over ten years post
 19 closure, the amount of gas is starting to trail
 20 off, amount of gas produced is starting to
 21 trail off, and Easton Utilities has elected to

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1 discontinue the use of that.
 2 MS. PRICE: So what will you do with that
 3 available energy.
 4 TIM FORD: So it's flared off. So it's
 5 burned off. But you're destroying carbon when
 6 you are doing that. So when you look at a
 7 carbon impact, it's destroying that carbon. In
 8 fact part of the cost of the -- or part of the
 9 program we have for carbon credits, we get
 10 carbon credits for that flaring operation that
 11 we put back into the maintenance of the
 12 landfill.
 13 MS. PRICE: But if it generates
 14 electricity, why wouldn't --
 15 TIM FORD: Well, it's the quality and the
 16 quantity of gas is no longer sufficient to
 17 power a one megawatt generator there
 18 consistently. Without a lot of effort and
 19 maintenance on the part of Easton Utilities.
 20 It was not cost effective for them to continue
 21 the operation, to continue maintaining it. It

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1 required a man operation, a lot of tuning that
 2 had to be done, a lot of variations because of
 3 the quantity of gas depending on the time of
 4 year. In the wintertime the pressure
 5 differentials would reduce the quantity of gas
 6 available for that generator, pick it up again
 7 in the summertime. It became too much of a
 8 dynamic and it wasn't cost effective for them.
 9 So we've moved to flaring it. It was always a
 10 flaring operation.
 11 MS. PRICE: But I assume it generated a
 12 little bit of revenue for the County or MES.
 13 TIM FORD: We are doing that through the
 14 carbon credit. We get carbon credits for that.
 15 How much was it this year, Gary.
 16 GARY LASAKO: 46,000.
 17 TIM FORD: There you go. And then we use
 18 that, that goes towards the closure care. So
 19 it stays with the operation. Any more
 20 questions on that. Good questions. We want to
 21 make energy when we can. We will do the same

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1 when we get to Midshore Two and we'll
 2 generate -- attempt, if it works for us,
 3 attempt to generate electricity or some use of
 4 that gas. Gary has got all kind of ideas to
 5 compress it and hybrid vehicles and stuff.
 6 We'll let him keep working at that. But we do
 7 want to beneficially use that gas while we can.
 8 We're getting to the point where we need to
 9 start thinking about that at Mid-Shore Two. So
 10 anyway, Mid-Shore Two solid waste facility is
 11 over in Ridgely. This is one of the management
 12 units that we use to service -- that we use for
 13 servicing Talbot County. So there we had
 14 72,000 and 7 tons, brush was 2,000 tons, scrap
 15 tires, 24 tons. Mattresses recycled, 31 tons.
 16 And there is 1077 tons at the homeowner dropoff
 17 facility. All landfilling operations are
 18 occurring in the cell three, which opened in
 19 2020. And the completion timeline for the
 20 landfill gases, that I just talked about, we're
 21 now constructed to the point we can put in a

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1 central collection facility, we've been
 2 building it all along, but we need to put in
 3 the main collection facility and that is
 4 scheduled for December 2021. Design. Design.
 5 The actual construction will be into the next
 6 fiscal year. The budgets are being developed
 7 for the Mid-Shore regional facilities. We do
 8 share that with the counties. Obviously we
 9 have an agreement with all four counties. We
 10 share the overall Mid-Shore budgets with the
 11 counties just as we do with Talbot County when
 12 we -- at the end of the year when we're moving
 13 into the new fiscal year. We do expect a
 14 slight increase in tipping fees next fiscal
 15 year. And there's a reason for that. We are
 16 in a compressed timeline now for completion for
 17 the end of the 20 year period for Mid-Shore
 18 Two. We are trying to project forward now what
 19 other capital costs we're going to have between
 20 now and the end of the closure for Mid-Shore
 21 Two. But based on where we are in the

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1 schedule, we don't expect that we'll be able to
 2 successfully do a bond offering for that
 3 because of the time involved. So we're
 4 going -- it will have to be cash. So we'll
 5 have to accrue for that remaining construction
 6 that has to be done at the landfill. We might
 7 need one more cell.
 8 MR. PACK: So you think the increase in
 9 the tip fee will help offset that construction
 10 cost.
 11 TIM FORD: Part of the accrual for that
 12 cash, that construction cost for that remaining
 13 cell. And any other capital we have to expend,
 14 which is equipment mostly at this point between
 15 now and the end of the term.
 16 MS. PRICE: So should citizens in the four
 17 counties expect a little bit of an increase in
 18 their trash collection.
 19 TIM FORD: That depends. It all
 20 depends -- because that's a competitive market,
 21 right. So that doesn't always necessarily

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1 translate directly to a cost increase to the
 2 citizens because they are competitive and they
 3 need to look at the number of firms out there
 4 offering subscription collection services need
 5 to compete --
 6 MS. PRICE: I guess will it affect
 7 municipalities.
 8 TIM FORD: The municipalities, yes,
 9 probably have a slight increase. I don't know
 10 how that will translate to how they handle
 11 basically --
 12 MS. PRICE: Property tax.
 13 TIM FORD: Your costs through the
 14 homeowner dropoff. No, it's through the
 15 homeowner dropoff and your probably taxes.
 16 MS. PRICE: For example, the Town of
 17 Easton is collecting trash and they get that
 18 through the property taxes, and so it's
 19 possible, I guess, if the tipping fee goes up
 20 they would possibly have to raise the taxes to
 21 pay for that. But it's up to them.

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1 TIM FORD: That I can't answer. We're not
 2 talking about five or \$6 a ton, we're talking
 3 about a slight increase in tipping fees.
 4 Again, that is just to offset what we expect to
 5 be the additional cash outlay between now and
 6 the end of the current Mid-Shore Two landfill
 7 life.
 8 MR. PACK: Which is 20 what?
 9 TIM FORD: 2030.
 10 MR. PACK: 2030.
 11 TIM FORD: Sounds a ways off but it's not
 12 really.
 13 MR. PACK: It's not.
 14 TIM FORD: I just had a birthday and I
 15 don't like --
 16 MR. PACK: Happy belated birthday to you.
 17 TIM FORD: Getting closer to that wall on
 18 the other end. Next slide. So Mid-Shore
 19 Three. So that's the next phase and that's in
 20 Queen Anne's County, scheduled to be in Queen
 21 Anne's County. We have developed a multiphase

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1 permitting process and it takes we're figuring
 2 about seven years at this point. Used to be
 3 thinking it was about ten but this site is next
 4 to an existing landfill and we might be able to
 5 accelerate the time on that. The seven or
 6 eight years, we're right where we need to be.
 7 The County is currently evaluating the draft
 8 application prior to submitting it to MDE. And
 9 that will start that ball rolling on the
 10 permitting process for that new landfill.
 11 MR. PACK: I know I've asked this question
 12 before and I'll ask it again for the record,
 13 should Mid-Shore Two come 2029 be at 85 percent
 14 of capacity, could it be extended past 2030.
 15 TIM FORD: Sure, that would require a
 16 agreement of the four counties, and
 17 particularly an agreement between Caroline
 18 County and MES.
 19 MS. PRICE: I think you and I bounced back
 20 and forth between who asked that question every
 21 quarter. What was -- I didn't think the

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1 projections they were going to get close to
 2 85 percent.
 3 TIM FORD: Generous.
 4 MS. PRICE: Yeah, I thought it was going
 5 to be a lot less.
 6 TIM FORD: Sixty-five, 70 percent
 7 capacity. So we could about another 15 year,
 8 20 years.
 9 GARY LASAKO: Approximately in early
 10 2040's.
 11 TIM FORD: It depends. It's a crap shoot.
 12 Because you really don't know what the
 13 population projections are going to be and
 14 there is all kinds of movement on reducing --
 15 sustaining responsibility, or producing
 16 responsibility, single use plastic, multiuse
 17 materials. It all kind of changes in terms of
 18 how we generate solid waste and they are hard
 19 to predict in the future. But we know 15 years
 20 at this point.
 21 MS. PRICE: Legislatively they may not

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1 allow you to move a landfill if there's
 2 capacity in an existing landfill.
 3 TIM FORD: Yeah, that was a concern at one
 4 point. Under Governor Hogan that was reversed.
 5 Who knows. Who knows.
 6 MS. PRICE: We have an election next year.
 7 TIM FORD: Yes, we do. Yes, we do. For
 8 those that are hovering on the political
 9 appointee side of things, you're very well
 10 aware there is an election.
 11 MR. PACK: And I think all the counties
 12 came together, I'm going back five plus years
 13 ago talking about recycling efforts as well,
 14 and how to work together for recycling, make
 15 sure we were hitting -- I forgot what the
 16 matrix was regarding the number of tons you had
 17 to recycle per year. So you're probably seeing
 18 less material coming into the landfill because
 19 it maybe being diverted into the recycling bin.
 20 So, you know, I think that if you know
 21 projected out that 65 percent capacity is where

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1 you're going to probably end up somewhere in
 2 2030 for region two, those discussions may be
 3 happening sooner than later.
 4 TIM FORD: Well, we are having
 5 discussions. We have quarterly meetings with
 6 each of the administrators. In fact it was a
 7 rather robust discussion at the last
 8 administrators meeting. So we're not shying
 9 away from it. We have asked. Our position is
 10 that we have an 80 year agreement with the four
 11 counties, and the agreement says that a
 12 landfill will be open for 20 years and we're
 13 prepared to close this landfill at the end of
 14 the term. There are advantages to extending.
 15 That's something that will need to be decided
 16 upon by the counties, the independent county.
 17 They're sovereign, it's their decision to make
 18 in terms of what happens within their borders.
 19 But it will be a continued discussion,
 20 continuing discussion. I don't think anything
 21 is going to happen until after that election in

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1 terms of any real discussion.
 2 MS. PRICE: It may Talbot County cost more
 3 to -- after -- when we were receiving, it was
 4 more cost effective once it closed. I remember
 5 the first couple of budget years after that and
 6 the subsidiary that goes into the homeowner
 7 dropoff when you're selling \$20 punch cards
 8 doesn't begin to cover the expense of
 9 transferring it to another place. Yeah, I
 10 think we will be happy to have a conversation
 11 to let the counties thinking about letting it
 12 go to have a reality check of what it may end
 13 up costing them and in turn their citizens when
 14 you have to transfer to another landfill. It's
 15 expensive.
 16 TIM FORD: Yes, we understand that. We do
 17 everything we can to be as competitive and as
 18 cost effective as we can. It's not only the
 19 impact to you but we have a lot of private
 20 haulers that come into the landfill that are
 21 not required to do so. They do so because it

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1 makes sense for them economically, right. So
 2 we have to be really aware of what those are.
 3 We try to be as competitive as we can. In fact
 4 if we do have an increase, and we haven't
 5 decided that entirely yet. We have to get
 6 through this year. We do a flyover, we look at
 7 where we sit in terms of volume, we make our
 8 projections going forward in terms of where we
 9 think we're going to be and what we need to
 10 build, and then we will come to that decision.
 11 But we haven't had an increase in what.
 12 GARY LASAKO: This will be the first
 13 increase in five years if it happens next
 14 fiscal year.
 15 TIM FORD: We're very aware of it. We
 16 can't drive away volume from the landfill
 17 because that exacerbates the problem in terms
 18 of cash flow. So we're very aware of it. So
 19 we're not your grandfather's state agency, we
 20 have solid private sector experience in terms
 21 of how to manage a facility competitively and

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1 we do so. All right. Winding down. The
 2 recycling program you just talked about,
 3 Mr. Pack. We have an agreement with Talbot
 4 County MES for recycling management services,
 5 and that's set to expire June 30, 2020. We
 6 have already started drafting what the new
 7 agreement would look like. It falls in line
 8 with the other counties as well. And we'll be
 9 presenting that for review soon. That's up to
 10 Gary, so he'll tell you what the deadline is on
 11 it.

12 GARY LASAKO: April.

13 TIM FORD: April. And I didn't properly
 14 introduce Gary Lasako. Gary, he is a resident
 15 of Talbot County. He is our project manager
 16 for the Upper Eastern Shore. He also has now
 17 the ECI cogeneration facility operations in
 18 Princess Anne, so he's a busy guy. But anyway,
 19 Gary Lasako and I'm happy to have him. So
 20 mixed metal and plastic, there was 293 tons
 21 collected. Mixed paper is 371 tons, cardboard

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1 is 500 tons, glass 513, for a total of
 2 1677 tons of recycling collected in that
 3 timeframe, that April through September
 4 timeframe. Pricing is up dramatically. For
 5 one thing this is clean material. It's
 6 separated at the collection point. So it tends
 7 to be very clean and it's a higher value
 8 material in its own right. And the market
 9 right now is crazy. The recycling market is
 10 up. It is a -- you're subject to whipsaw
 11 effect in this market. It's ruined many a man
 12 as the old song says, the people that are
 13 entirely in recycling because it's hard to
 14 predict. It's a commodity market. It's up now
 15 and we're happy for that. That money goes back
 16 in to subsidize the recycling and it's
 17 separately accounted for. In fact we just
 18 submitted the results last year to the counties
 19 for that program. Next. So used oil. We work
 20 with Maryland Department of the Environment all
 21 across the state to collect used oil. There

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1 are six used oil collection sites in the
 2 County. People still do change their own oil,
 3 they still do use those facilities, and we
 4 still collect it. That material is collected
 5 and recycled. Actually it's returned to
 6 baseload. So the company that collects it now
 7 has a refinery, they refine it, and turn it
 8 back into oil for your car basically. Contract
 9 221405 was executed between MES and Talbot
 10 County to remove improperly discarded waste or
 11 recyclables from the recycling sites. People
 12 tend to drop trash at these sites. In
 13 particular Talbot County has seen some movement
 14 in terms of where we have these facilities set
 15 up because of it. Trash concerns people have
 16 asked us to move. The County is very much
 17 aware of it. They have asked us to help in
 18 terms of cleaning the place up, and we have a
 19 contract in place for that. We submitted a
 20 contract for a request in November, this month,
 21 so we did that. Last but not least, we

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1 participated this year again as we do every
 2 year in the Waterfowl Festival and we collected
 3 300 pounds of recyclable materials, which is
 4 primarily mixed plastic over that plastic beer
 5 cups. Anyway, it was a fun time by all
 6 apparently and we were happy to provide the
 7 recycling services for that. That's it.

8 MR. CALLAHAN: Okay. That's great.

9 TIM FORD: Did I take more than ten
 10 minutes. I'm sorry.

11 MR. CALLAHAN: No problem. Council,
 12 anything else. Good. Okay. Thank you, Tim
 13 and Gary. Doing a good job. Appreciate the
 14 update.

15 TIM FORD: Thank you.

16 MR. CALLAHAN: Okay. Next up, an update
 17 for the Talbot Soil Conservation District to
 18 request an increase for erosion and sediment
 19 control fees. And guys, come on up. So
 20 Mr. Smith, Mr. Swain, come on up.

21 SHAWN SMITH: Good evening.

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1 MR. CALLAHAN: Mr. Smith, District
 2 Manager, and Mr. Swain is in charge of the
 3 Talbot Soil Conservation. How are you doing
 4 guys?
 5 SHAWN SMITH: Good.
 6 JOHN SWAINE: Good.
 7 MR. CALLAHAN: Good.
 8 SHAWN SMITH: Thanks for having us.
 9 MR. CALLAHAN: No problem.
 10 SHAWN SMITH: So hopefully everyone has
 11 received the letter dated November 17th that we
 12 submitted. So a little bit of background.
 13 Soil conservation -- Talbot Soil Conservation
 14 District was formed in 1958. We are a quasi
 15 governmental agency with certain political
 16 powers. One of them is to review and improve
 17 erosion and sediment control plans. That's
 18 just one of the functions that the district
 19 provides to the County residents. This program
 20 started in 1992, and ever since 1992 we've had
 21 to come back in front of the County, John in

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1 particular since he's been here since 1989,
 2 correct. And so he's been around since the
 3 beginning. So we have been coming back roughly
 4 seven to eight years and taking a look at where
 5 we are with our fees, our structure, and see if
 6 they are in line with current economic market
 7 and what we're able to provide with those fees.
 8 So the district itself does not receive a
 9 County budget. So we use these fees for
 10 district activities, for education and outreach
 11 to the schools. To our land owners we provide
 12 technical assistance in the form of surveys and
 13 designs for a wide variety of problems that
 14 exist on our properties. So these -- these
 15 fees were last looked at in 2014, and that's
 16 the process. So we bring them in front of the
 17 Council. We have already discussed them at
 18 length during our monthly board meetings. We
 19 think these are in line with neighboring
 20 counties and we think these will help offset
 21 some of the responsibilities that we have to

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1 try to promote soil conservation within Talbot
 2 County. So if you would like, we can go
 3 through some of them, or if you have any
 4 general questions on the background of why
 5 we're here. Did I miss anything?
 6 MR. LESHER: Mr. Callahan?
 7 MR. CALLAHAN: Yes, Mr. Vice President.
 8 MR. LESHER: I had the privilege of going
 9 on the farm tour with this agency, with the
 10 Soil Conservation District, and got to look at
 11 a number of the projects that they had
 12 engineered and financed. And it's pretty
 13 impressive what they are doing. And my
 14 understanding from that tour was they were
 15 flooded with applications. This is -- this is
 16 a program that's very much in demand by Talbot
 17 County farmers and I think that we should -- I
 18 think we should support this request.
 19 MR. CALLAHAN: Okay. Thank you.
 20 SHAWN SMITH: So just to be -- appreciate
 21 that, Councilman. The tour that we looked at,

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1 we looked at some agricultural practices in the
 2 field. This is kind of along the same lines
 3 but a little bit different. These are erosion
 4 and sediment control plans for any activity,
 5 construction activities, within the County. So
 6 essentially if you disturb more than 5,000
 7 square feet you're going to be required to have
 8 an approved erosion sediment control plan.
 9 Non-ag. Correct. That's non-ag. That's any
 10 type of construction within the County. So
 11 there's a fee structure, which is the one on
 12 the second page of the letter that was
 13 provided. It has our current structure, which
 14 we have a standard plan which is essentially a
 15 small home on a smaller lot, less than
 16 two acres. An engineer plan is those full
 17 plans that provide -- that requires a little
 18 bit more design and engineering along with a
 19 stormwater component. We have forest harvest
 20 plans. That's whenever there is any forest
 21 logging or a thin activity, we require an

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1 approved erosion and sediment control plan.
 2 Obviously we have quite a few of these
 3 shoreline plans which are anywhere from the
 4 typical rip-rap to living shorelines. We
 5 approve and review all those plans as well. An
 6 agricultural plan, that's kind of typically
 7 meant for a barn or some type of facility to
 8 support an ag operation. And then we have a
 9 Town municipality and a County plan. That's
 10 typically for anything obviously that's
 11 submitted when the Town or County is the
 12 applicant on a project. A revision and a
 13 renewal. So those are what's typically in
 14 our -- that's what in our group structure right
 15 now. Throughout the schedule we're looking at
 16 an increase in an application fee moving from
 17 50 to 100. And then you can see the other
 18 fees. And I'm happy to answer any questions
 19 you may have. These are kind of just -- real
 20 quick, these are more in line based on our
 21 internal analysis of what we project for the

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1 next few years so we don't have to come back
 2 again for another eight years hopefully. But
 3 we're not sure where we're going to be, but
 4 this will be helpful on our activities.
 5 MR. CALLAHAN: That sounds good. Okay.
 6 Council, do we have any questions, Council.
 7 MR. DIVILIO: The only question that I
 8 had. Excuse me, sorry. If you could clarify a
 9 little bit on the one increase to -- from a
 10 flat \$150 per project or \$100 an acre review
 11 fee for the Government, for municipalities.
 12 Which seems in line, you show that they are
 13 between 75 and 300 an acre.
 14 SHAWN SMITH: Correct.
 15 MR. DIVILIO: But that could get pretty
 16 substantial.
 17 SHAWN SMITH: Sure. So the way our review
 18 for the system works right now, it's on a per
 19 acre basis. And we have seen quite a few -- an
 20 increase in County projects, Town projects,
 21 which are quite large and take up a lot of

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1 time. So we're just trying to offset the cost
 2 of those projects. And so we're offering a
 3 reduced rate instead of the full 225 per acre,
 4 just at least 100. And that should --
 5 typically most projects are under an acre, so
 6 we're looking at 150 flat to up to a \$200 for
 7 the majority of the projects. That's sidewalks
 8 and simple things in town, smaller projects.
 9 But they do, they take up quite a bit of time
 10 and that's what we're trying to offset that.
 11 MR. DIVILIO: I can only imagine it has
 12 got to be a lot more involved with the
 13 municipality than a farmer trying to do the
 14 right thing.
 15 SHAWN SMITH: Absolutely.
 16 MR. DIVILIO: Thank you.
 17 MR. PACK: With that one, that's an
 18 engineering plan, correct, gentlemen.
 19 SHAWN SMITH: Yes, sir.
 20 MR. PACK: Right now your application fee
 21 for that is \$50. You're asking to increase

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1 that to \$100.
 2 SHAWN SMITH: Yes, sir.
 3 MR. PACK: An increase. The review fee,
 4 as it currently stands, is 175 per acre.
 5 SHAWN SMITH: Correct.
 6 MR. PACK: And you're talking about taking
 7 that up another \$50 to 225 per acre, right?
 8 SHAWN SMITH: Yes, sir. So the majority
 9 of our applicants are the one acre or less. So
 10 we're typically at 225. So we're going to see
 11 an increase up to 325. It's going to be
 12 probably 90 percent of the applications that we
 13 see in our office.
 14 MR. PACK: Is there a right to notice
 15 during a period for an increase in fees. Are
 16 you required to send out a notice of an
 17 increase or how does -- how is the public made
 18 aware of any increase. You're not in our
 19 County budget so we have budget hearings,
 20 people petition to us and come to us and here
 21 our budget meetings. But how are the people

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1 that you're dealing with here in the County
 2 made aware of your fee increases.
 3 SHAWN SMITH: Yeah, I don't believe
 4 there's a formal process in place. I don't
 5 think there is a requirement to let them know
 6 of the timeframe when this would be enacted.
 7 I'm not positive.
 8 MR. PACK: So you're not required to put
 9 anything in the local papers or anything of
 10 that nature.
 11 SHAWN SMITH: I believe we're going to.
 12 MR. PACK: But you're not required to.
 13 SHAWN SMITH: Correct. We have a list of
 14 developers that we work with on a consistent
 15 basis, most of the engineering firms in town
 16 who primarily handle a majority of these
 17 requests, so we'll have a conversation with
 18 them to let them know of our fee.
 19 MR. PACK: Will the schedule be printed up
 20 that we're looking at. I was going to ask you
 21 to read each increase but I won't have you do

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1 that, for the sake of time. But will the
 2 schedule that we're looking at, Council, will
 3 this schedule also be placed in the local
 4 papers.
 5 SHAWN SMITH: It will be published on our
 6 web site, and we can definitely take that into
 7 consideration and put something out.
 8 MR. PACK: I think that would be a good
 9 idea. I just think the public should have a
 10 right to notice of the fee increase. I mean
 11 you may not be under any type of state
 12 requirement to do so, but just for clear -- so
 13 it's clear disclosure of the increase. I mean,
 14 again, this is not within the county's purview
 15 per se as far as the fees, but I think the
 16 public should be made aware.
 17 SHAWN SMITH: It's a fairly expensive
 18 update from 2014, absolutely.
 19 MR. PACK: Yes, it is.
 20 SHAWN SMITH: From where we went from 2008
 21 to '14, it was one fee increase, and we're kind

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1 of looking at the whole structure.
 2 MR. PACK: And they may all be just fine,
 3 I'm not saying they aren't, but just make sure
 4 the public is made aware.
 5 MR. CALLAHAN: Okay. Ms. Price, you good?
 6 MS. PRICE: I'm good.
 7 MR. CALLAHAN: Okay. Let's see. Is there
 8 a motion and a second to approve the --
 9 MR. THOMAS: I'm sorry, just to clarify.
 10 So the Council would do this by -- there would
 11 be another hearing which you would introduce
 12 the appropriate document to approve this under
 13 state law. You can't just make a motion to
 14 approve the fee schedule.
 15 MR. CALLAHAN: Okay. So --
 16 MR. THOMAS: It's done by resolution
 17 previously.
 18 MR. STAMP: Historically it was done by
 19 hand voting, and the last time it was done by
 20 resolution. I think it could be either. I
 21 don't think there was anything driving the

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1 numbered resolution.
 2 MR. PACK: There was a request made by a
 3 member of Council to have a numbered
 4 resolution, but previously it was done by
 5 Council vote, public vote.
 6 MR. STAMP: The only thing I had was if
 7 you could share when these would take effect
 8 for Council.
 9 SHAWN SMITH: To make things easy on our
 10 accounting would be nice for January 1st is
 11 when we would like to have these take effect.
 12 MR. CALLAHAN: January 1.
 13 SHAWN SMITH: Yes, sir.
 14 MR. CALLAHAN: Okay.
 15 MR. PACK: And I'm going to take your word
 16 on that public notice, right.
 17 SHAWN SMITH: We will take care of it.
 18 MR. CALLAHAN: Good.
 19 SHAWN SMITH: Got my boss.
 20 MR. PACK: Mr. Callahan, I'll make a
 21 motion that you're seeking for Council to

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<p>1 approve the fee increases as set forth by</p> <p>2 Mr. Smith, District Manager.</p> <p>3 MR. CALLAHAN: Thank you, Mr. Pack.</p> <p>4 MS. PRICE: Second.</p> <p>5 MR. CALLAHAN: Ms. Price, I appreciate it.</p> <p>6 Madam Secretary, I got a motion and second.</p> <p>7 Could you call the roll, please.</p> <p>8 SECRETARY: Mr. Callahan.</p> <p>9 MR. CALLAHAN: Aye.</p> <p>10 SECRETARY: Mr. Divilio.</p> <p>11 MR. DIVILIO: Aye.</p> <p>12 SECRETARY: Mr. Leshner.</p> <p>13 MR. LESHER: Aye.</p> <p>14 SECRETARY: Ms. Price.</p> <p>15 MS. PRICE: Aye.</p> <p>16 SECRETARY: Mr. Pack.</p> <p>17 MR. PACK: Aye.</p> <p>18 MR. CALLAHAN: Okay, guys.</p> <p>19 SHAWN SMITH: Appreciate your time.</p> <p>20 MR. CALLAHAN: Look forward to it. Thank</p> <p>21 you. Let's move on to introduction of a new</p>	<p>1 information. So this resolution is setting</p> <p>2 forth the districts that they propose, which</p> <p>3 are largely the same as they currently are with</p> <p>4 a few slight modifications to, I think it's the</p> <p>5 district one. One of the districts is under</p> <p>6 state law -- at least one of the districts is</p> <p>7 required to have a majority --</p> <p>8 MR. PACK: Minority majority.</p> <p>9 MR. THOMAS: Minority majority of over 18.</p> <p>10 MR. CALLAHAN: Great.</p> <p>11 MR. THOMAS: And that would accomplish</p> <p>12 that.</p> <p>13 MR. CALLAHAN: Okay. All right. Then --</p> <p>14 thank you. So let's -- you want to go ahead.</p> <p>15 I was going to say raise your hand if you would</p> <p>16 like to introduce this resolution.</p> <p>17 MS. MORRIS: You might want to call it out</p> <p>18 so Mr. Leshner hears.</p> <p>19 MR. CALLAHAN: Pete.</p> <p>20 MR. LESHER: I will join as a sponsor.</p> <p>21 MR. CALLAHAN: That's fine. Madam</p>
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<p>1 resolution. At this time we'll ask Madam</p> <p>2 Secretary to read the resolution into the</p> <p>3 record, please.</p> <p>4 SECRETARY: A resolution to adopt a</p> <p>5 redistricting plan for Board of Education</p> <p>6 election districts pursuant to section 312-A01</p> <p>7 of the Education Article of the Annotated Code</p> <p>8 of Maryland.</p> <p>9 MR. CALLAHAN: Thank you, Madam Secretary.</p> <p>10 Mr. Thomas, could you help us in understanding</p> <p>11 this resolution, please.</p> <p>12 MR. THOMAS: Yes. So under state law with</p> <p>13 every decennial census the County appoints a</p> <p>14 redistricting commission to redraw the election</p> <p>15 districts for the Board of Education members.</p> <p>16 You appoint a redistricting committee, in this</p> <p>17 case consists of four nominees from the</p> <p>18 Republican Central Committee, four nominees</p> <p>19 from the Democratic Central Committee, and an</p> <p>20 at-large member, and then they prepare proposed</p> <p>21 districts based on the decennial census</p>	<p>1 Secretary, would you announce the resolution</p> <p>2 number, public hearing date and time, please.</p> <p>3 SECRETARY: This will be known as</p> <p>4 Resolution 312, and the public hearing will be</p> <p>5 on Tuesday, December 14th at 6:30 p.m.</p> <p>6 MR. CALLAHAN: Okay. That's good. Okay.</p> <p>7 Did you hear that, Pete.</p> <p>8 MS. PRICE: Did you say December 14th?</p> <p>9 MR. CALLAHAN: Yeah. At 6:30.</p> <p>10 MS. PRICE: I did this last time. Do we</p> <p>11 want to announce that. We have so many public</p> <p>12 hearings.</p> <p>13 SECRETARY: We have to get this done.</p> <p>14 MS. PRICE: That's true.</p> <p>15 MR. LESHER: Could you repeat when the</p> <p>16 hearing is going to be.</p> <p>17 MR. CALLAHAN: Yeah, it will be</p> <p>18 December 14th at 6:30. Resolution 312.</p> <p>19 MR. LESHER: Great. Thank you.</p> <p>20 MR. CALLAHAN: Okay. Let's -- everybody</p> <p>21 good. Okay. We're going to move on to Council</p>

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<p>1 election of officers. So Mr. Thomas, turn it</p> <p>2 over to you and walk through the process,</p> <p>3 please.</p> <p>4 MR. THOMAS: Do you want to wait for</p> <p>5 Council Member Pack to come back while we're</p> <p>6 all here.</p> <p>7 MR. CALLAHAN: We're waiting on you. So</p> <p>8 Mr. Thomas is going to explain the process to</p> <p>9 us, Mr. Pack.</p> <p>10 MR. THOMAS: So under section 209 of the</p> <p>11 County Charter, the Council annually selects a</p> <p>12 President and a Vice President among its</p> <p>13 members. And this is my first time doing this,</p> <p>14 but my understanding of the process is you will</p> <p>15 each cast a ballot for President and I will</p> <p>16 tally up the ballots and announce the</p> <p>17 President, and we'll do the same process for</p> <p>18 the Vice President. Mr. Leshner gave his notice</p> <p>19 of his intent to cast an absentee ballot and I</p> <p>20 have his sealed ballots for each. And Ms.</p> <p>21 Morris is going to distribute to each of you</p>	<p>1 several items for you this evening. The first</p> <p>2 one are board and committee appointments, and</p> <p>3 the first one is recommending the appointment</p> <p>4 to the Weed Control Committee, Mr. Levin</p> <p>5 Schwaniger Junior.</p> <p>6 MR. PACK: So moved.</p> <p>7 MR. DIVILIO: Second.</p> <p>8 MR. CALLAHAN: Madam Secretary, could you</p> <p>9 call the roll.</p> <p>10 SECRETARY: Mr. Callahan.</p> <p>11 MR. CALLAHAN: Aye.</p> <p>12 SECRETARY: Mr. Divilio.</p> <p>13 MR. DIVILIO: Aye.</p> <p>14 SECRETARY: Mr. Leshner.</p> <p>15 MR. LESHER: Aye.</p> <p>16 SECRETARY: Ms. Price.</p> <p>17 MS. PRICE: Aye.</p> <p>18 SECRETARY: Mr. Pack.</p> <p>19 MR. PACK: Aye.</p> <p>20 SECRETARY: Mr. Callahan.</p> <p>21 MR. STAMP: The next item I have is a</p>
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<p>1 the ballots for Council President now.</p> <p>2 MR. PACK: Can I write in a name?</p> <p>3 MR. THOMAS: Congratulations Council</p> <p>4 President Callahan.</p> <p>5 MR. CALLAHAN: Thank you, Council.</p> <p>6 Appreciate it. Thank you, Pete. Did you hear</p> <p>7 that, Pete?</p> <p>8 MR. LESHER: I did. Thank you very much.</p> <p>9 And congratulations, Mr. Callahan.</p> <p>10 MR. CALLAHAN: Thank you.</p> <p>11 MR. THOMAS: Congratulations Council Vice</p> <p>12 President Leshner.</p> <p>13 MR. CALLAHAN: Congratulations, Pete.</p> <p>14 MR. LESHER: Thank you all very much.</p> <p>15 Thank you, Council.</p> <p>16 MR. DIVILIO: That's what happens when you</p> <p>17 don't show up.</p> <p>18 MR. CALLAHAN: Okay. Council. Let's go</p> <p>19 to County Manager's report.</p> <p>20 MR. STAMP: Good evening, Mr. Council</p> <p>21 President, members of the Council. I have</p>	<p>1 request from the Roads Department to purchase a</p> <p>2 screener for use at the repurposing facility.</p> <p>3 As you read in your agenda packet, the Roads</p> <p>4 Department is requesting Council approval to</p> <p>5 purchase a 2016 power screen Warrior 800</p> <p>6 track-mounted screen from Aggregate Screens and</p> <p>7 Crushers for the price of 115,000. This is a</p> <p>8 piece of equipment that has been demonstrated</p> <p>9 and has been on site, and you'll read in your</p> <p>10 packet a memo from your Roads Superintendent</p> <p>11 that he strongly recommends that you authorize</p> <p>12 the purchase of this piece of equipment.</p> <p>13 MR. CALLAHAN: And it's in the budget?</p> <p>14 MR. STAMP: I'm sorry, yes, the money is</p> <p>15 in the budget that you appropriated to the</p> <p>16 enterprise fund for the repurposing facility.</p> <p>17 MR. CALLAHAN: Great.</p> <p>18 MR. PACK: I'm going to make this motion</p> <p>19 just because I like the name of it, 2016 Power</p> <p>20 Screener Warrior 800.</p> <p>21 MR. DIVILIO: And I'll second it because</p>

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1 it's used. We're getting a deal.
 2 MR. CALLAHAN: Okay. Madam Secretary,
 3 could you call the roll.
 4 SECRETARY: Mr. Callahan.
 5 MR. CALLAHAN: Aye.
 6 SECRETARY: Mr. Divilio.
 7 MR. DIVILIO: Aye.
 8 SECRETARY: Mr. Leshner.
 9 MR. LESHER: Aye.
 10 SECRETARY: Ms. Price.
 11 MS. PRICE: Aye.
 12 SECRETARY: Mr. Pack.
 13 MR. PACK: Aye.
 14 MR. STAMP: The next item I have is
 15 recommendation to award Bid 21-12. This is a
 16 request for proposal for the removal of a
 17 County owned Confederate monument from the
 18 Talbot County Courthouse Green, 11 North
 19 Washington Street, Easton, Maryland, Talbot
 20 County. In follow-up to your direction given
 21 by the majority of Council September 14, 2021,

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1 County staff worked to issue an RFP for the
 2 relocation of the Talbot Boys monument. The
 3 RFP was advertised and one bid was submitted.
 4 As you read in your agenda packet, I am
 5 requesting the award of Bid 21-12 to the sole
 6 bidder, Stratified Incorporated out of
 7 Washington D.C. in the amount of \$67,000,
 8 contingent upon the project being fully funded
 9 by the Mid-Shore Regional -- Mid-Shore
 10 Community Foundation. No County funds are
 11 required and I have confirmed that the funds
 12 are in place to cover the request tonight.
 13 MR. CALLAHAN: Thank you, Mr. Stamp. Open
 14 that for discussion.
 15 MR. PACK: I make a motion before we take
 16 the discussion we award the bid --
 17 MS. PRICE: Hang on.
 18 MR. PACK: No, you can't hold on while I
 19 make the motion.
 20 MS. PRICE: I know, but we had some
 21 discussion. So let's not do this again.

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1 MR. PACK: We can discuss it after the
 2 motion is made.
 3 MS. PRICE: Correct. We wanted to talk
 4 about some flexibility. So before you jump the
 5 gun, there are some members --
 6 MR. PACK: Procedurally, procedurally,
 7 procedurally, I can make the motion, discussion
 8 can take place after the motion is made and
 9 seconded. That's just procedure.
 10 MR. DIVILIO: And I will second it. So
 11 it's open for discussion.
 12 MR. PACK: Now it's open for discussion.
 13 MS. PRICE: We have some possibilities
 14 within the County to relocate the monument.
 15 Nobody is trying to keep it here any more,
 16 okay. But there are people who would like it
 17 to stay in the County. And that needs to be
 18 given an opportunity. So all we're talking
 19 about here is to allow the County Manager some
 20 flexibility that if a location within the
 21 County, or even possibly if it's not in County

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1 within the State, rather than moving it to
 2 Virginia becomes available during the process,
 3 because the RFP will take a little bit of time,
 4 to allow the County Manager some flexibility
 5 that if a location is appropriate and if the
 6 Council chooses to do that, it just gives some
 7 flexibility. It does not stop the RFP process
 8 it allows it to be moved elsewhere in the
 9 County other than to Virginia if that
 10 opportunity presents itself in the next month
 11 or so.
 12 MR. CALLAHAN: Okay. Mr. Leshner.
 13 MR. LESHER: Well, so I could support -- I
 14 could certainly support that flexibility to
 15 explore this. I don't know that I'm
 16 optimistic. You know, we got dropped these two
 17 proposals just this afternoon at the last
 18 minute past the deadline that we requested so
 19 that this could be included in our Council
 20 packet for this evening. That was
 21 irresponsible and unfortunate, but here we are.

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1 I would be -- you know, I would be willing to
 2 give the opportunity to vet these options, as
 3 skeptical as I am of that, should the Council
 4 majority wish to proceed in that direction.
 5 MR. CALLAHAN: Okay. Thank you,
 6 Mr. Leshner. So are we putting a timeframe on
 7 that. So I like the flexibility of the
 8 resolution that we are going to stay open --
 9 we're going to -- so as of right now, okay, we
 10 are going to ask the contractor to hold tight.
 11 MR. PACK: Mr. Callahan, point of order.
 12 We have a motion and a second on the floor.
 13 That's what you have before you right now.
 14 MR. CALLAHAN: To -- so I want to
 15 understand.
 16 MR. PACK: To accept this contract that's
 17 before you.
 18 MS. PRICE: To go straight to Virginia
 19 with no opportunity --
 20 MR. PACK: To accept the contract.
 21 MR. LESHER: So Mr. President?

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1 MR. CALLAHAN: Yes, sir.
 2 MR. LESHER: If I could clarify.
 3 MR. CALLAHAN: Yes.
 4 MR. LESHER: I'm ready to support the
 5 motion on the table. I would also be willing
 6 to support an amendment to this motion if we
 7 proceed tonight that would provide some
 8 flexibility to negotiate, but provided we vote
 9 on this big -- on awarding this bid package
 10 tonight. I would be willing to amend that and
 11 leave the flexibility for -- amend the motion
 12 on the table and leave the flexibility for the
 13 staff to negotiate an alternate location as
 14 part of this bid package.
 15 MS. PRICE: I would support that
 16 amendment.
 17 MR. DIVILIO: I am not really interested
 18 in extending the deadline that's already passed
 19 for local individuals to come up with a
 20 solution. I am disappointed in the two that
 21 came in after the deadline. I feel that it was

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1 a bit disingenuous when individuals say that
 2 there are locations and people that would take
 3 it without giving thought to their neighbors,
 4 their homeowners associations, and the idea of
 5 it being at a private place with public
 6 accessibility at all times. I don't see how
 7 extending the deadline will make anyone who has
 8 reservations of coming forward, as have been
 9 expressed, come forward any faster. We gave
 10 that opportunity, we were approached and told
 11 that many individuals who are willing to accept
 12 it are afraid to come forward and voice that.
 13 And to me that doesn't show the full commitment
 14 to the community that they would be willing to
 15 do it. So therefore I'm prepared to make the
 16 hardest decision that I have made to date up
 17 here.
 18 MS. PRICE: So I don't think anybody is
 19 talking about slowing down the process. But if
 20 in the next several weeks something comes
 21 forward -- and look, I can understand why

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1 someone might be a little hesitant to go public
 2 with it. This is a very divisive issue, and
 3 for someone to raise their hand and say, hey,
 4 I'll take it, you know, there might be people
 5 that say bad things about them. So I can
 6 certainly understand their hesitancy given the
 7 divisive nature of this. I don't think anybody
 8 is talking about slowing down the process, but
 9 it's clear --
 10 MR. LESHER: Ms. Price.
 11 MS. PRICE: Yes.
 12 MR. LESHER: Ms. Price. Are you willing
 13 to move forward with this tonight provided we
 14 give that flexibility to the staff?
 15 MS. PRICE: Yes. So -- but only with the
 16 amendment. And I think it's clear --
 17 MR. LESHER: Not extend any deadlines. So
 18 keep to the time table, but as we -- as we
 19 execute this, obviously the planning needs --
 20 is going to need to take first before the
 21 action. But --

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1 MR. PACK: Let me just -- can you hear me,
 2 Pete.
 3 MS. PRICE: We lost you a little bit,
 4 Pete. You might want to repeat the last two
 5 sentences.
 6 MR. CALLAHAN: Can you hear us, Pete?
 7 MR. LESHER: I didn't catch what Laura
 8 said.
 9 MS. PRICE: We lost your last couple
 10 sentences.
 11 MR. PACK: Let me just say, Mr. Callahan,
 12 just a point of clarification. There is
 13 nothing here to amend basically. You have a
 14 bid before you, 21-12. If the Council votes
 15 tonight to accept the bid, we move forward with
 16 the bid. Now, should something come in in
 17 between today and the time this bid is
 18 executed, there is nothing preventing this
 19 Council from going back and modifying the bid
 20 or even rejecting the bid, you know. There is
 21 nothing stopping the Council from doing so. Am

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1 I correct, if we wanted to go back and --
 2 MR. CALLAHAN: That's not what it says.
 3 MR. THOMAS: Once you've awarded the bid,
 4 we're proceeding with the contract.
 5 MR. PACK: Could the bid be modified after
 6 the date?
 7 MS. PRICE: Then why not give the
 8 flexibility now.
 9 MR. PACK: That's your flexibility. I'm
 10 just pointing out, the bid could be modified.
 11 MR. CALLAHAN: That's what I was saying --
 12 MR. STAMP: So you could, if you chose to
 13 modify your motion to award the bid to begin
 14 the removal planning process from the
 15 courthouse green, and authorize the County
 16 Manager to negotiate the scope as to
 17 destination, you could direct me to do that.
 18 And we can come back with the County Attorney,
 19 if the Council so determines that another
 20 destination is appropriate, to amend the
 21 resolution that you had passed to reflect the

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1 new destination. And that negotiation, if you
 2 allow me to do that as County Manager, we could
 3 do that. But, again, if you vote to award the
 4 contract tonight, you begin the process of
 5 removal.
 6 MS. PRICE: Which is why we should have
 7 had this discussion before you jumped in and
 8 made the motion so we could have given the
 9 flexibility, which I believe there are three
 10 Council members who would like to have that
 11 flexibility. So being that there appears,
 12 based on conversation, that there are three
 13 members who would like the flexibility,
 14 Mr. Pack, are you willing to amend your motion.
 15 MR. PACK: I am not willing to amend the
 16 motion. The flexibility still stands there.
 17 MS. PRICE: No, it doesn't. I don't think
 18 so. You just said if we vote to award the bid
 19 that's where it goes. We don't have
 20 flexibility.
 21 MR. PACK: It moves forward, but that's

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1 not to say that you don't have the right to
 2 come back in --
 3 MR. THOMAS: The contract can be amended.
 4 I mean it's not set in stone once you do that,
 5 but that becomes more cumbersome.
 6 MS. PRICE: Of course. Why would you make
 7 it more difficult when it's very simple just to
 8 give the County Manager flexibility to amend
 9 the location should one present itself shortly.
 10 MR. DIVILIO: I would not want to put this
 11 on one individual's shoulders to come up with a
 12 local location to come back to the County.
 13 MS. PRICE: We would still approve the
 14 location, but it just allows him to negotiate
 15 with the contractor.
 16 MR. DIVILIO: Again, I don't care if it's
 17 two or three or a dozen individuals who say
 18 that they want it and they want to put it in
 19 their yard of their townhouse community or
 20 something that just makes no sense, I don't see
 21 us getting into a bidding war --

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1 MS. PRICE: It still would be up to us to
 2 choose that location. We would still be the
 3 ones who would vet that out.
 4 MR. PACK: And let me say this as well. I
 5 mean there were individuals, instead of taking
 6 the time to come up and meet the deadline date,
 7 they chose to sue the Council over the
 8 procedure --
 9 MS. PRICE: That's one person.
 10 MR. PACK: That's my point of view. It's
 11 my time to give it. They chose to sue the
 12 Council over our procedure and our right to
 13 move the statue instead of going about the fact
 14 of finding, if they had such a local location,
 15 and meeting our deadline. And that wasn't
 16 done. The deadline came and went.
 17 MR. DIVILIO: Mr. Leshner, how would you
 18 amend this to allow flexibility. What would --
 19 I'm not sure how we would do that.
 20 MR. LESHER: I think I would offer -- I
 21 would suggest an amendment to the motion that

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1 is already on the table that simply said that
 2 staff is empowered to negotiate on that one
 3 article on the destination with the contract
 4 awardee, and that we would then -- we could
 5 amend -- we could then further amend this bid
 6 based on those findings. It wouldn't
 7 necessarily get amended, this would simply
 8 provide us the space, the opportunity to do so.
 9 Is that -- Mr. Stamp, is that --
 10 MR. STAMP: The only thing I would add to
 11 that is staff -- you would give authority to
 12 staff to negotiate something for Council's
 13 consideration. Council would have to make that
 14 decision. I would propose that it would be
 15 done at the meeting in December. And, again,
 16 that would be the opportunity to amend -- you
 17 could direct the County Attorney to amend the
 18 resolution if you chose to do so.
 19 MR. LESHER: So at that time, based on
 20 what you learn between now and December 14,
 21 staff either would or would not have a

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1 recommendation at that time for an amendment to
 2 the bid as already awarded.
 3 MR. PACK: So is somebody writing that
 4 down.
 5 MR. CALLAHAN: So right now we have been
 6 told there is a new location. Right now.
 7 MR. PACK: No.
 8 MS. PRICE: I'm getting texts right now
 9 that we're supposed to have a letter from a
 10 specific person and I don't have it in my
 11 packet, and I'm not going to say the person's
 12 name.
 13 MR. PACK: What date did Mister --
 14 MS. PRICE: All we want is some
 15 flexibility.
 16 MR. PACK: You had flexibility. The date
 17 came and went. We gave flexibility. We gave a
 18 deadline for last Friday. We did.
 19 MS. PRICE: Mr. Divilio, you want to go on
 20 the record you would rather have this in
 21 Virginia than an appropriate location here in

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1 Talbot County where the ancestors can at least
 2 go --
 3 MR. PACK: We made that vote months ago.
 4 MS. PRICE: Yeah, without a lot -- with a
 5 lot of information missing that the preference
 6 is for it to stay in Talbot County. We all
 7 know it's moving.
 8 MR. PACK: There was flexibility given.
 9 First you got an argument on procedure from
 10 them, then you said Mr. Divilio was out of
 11 order, so then we gave the flexibility to leave
 12 it open to last Friday. Then that day came and
 13 went. What's going to be next?
 14 MS. PRICE: Well.
 15 MR. PACK: Every month it's something
 16 different.
 17 MS. PRICE: Yeah, when somebody jumps in
 18 and makes a motion before you even have anybody
 19 else open their mouth to try something else
 20 because you had to be first so that we have to
 21 have this argument.

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1 MR. PACK: I'm just a point of order --

2 MS. PRICE: Three of us made a motion to

3 flexibility. So I guess you call the vote and

4 see what happens.

5 MR. PACK: You can still -- listen,

6 Ms. President of MACO, you can still amend a

7 motion. A motion still can be amended even if

8 it's made to the floor, procedurally you can

9 still amend a motion.

10 MS. PRICE: Didn't Mr. Leshner do that.

11 MR. PACK: Just because I made a motion

12 doesn't mean it has to go forward unamended.

13 You can still amend a motion.

14 MS. PRICE: You said we didn't need to.

15 Mr. Leshner, have you amended the motion?

16 MR. CALLAHAN: Mr. Leshner, did you -- do

17 you want to amend the motion that's on the

18 floor now.

19 MR. LESHER: I think procedurally that

20 would be the way to do it, yes.

21 MR. CALLAHAN: Okay.

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1 MR. PACK: So did anyone write his

2 amendment down. Because you got to have the

3 amendment before someone can second it.

4 MR. CALLAHAN: We have already got one on

5 the floor, so --

6 MR. PACK: He's making an amendment to the

7 motion, okay. If the amendment is seconded,

8 then you have a motion amended, then you take a

9 vote on that. I'm saying, what's his

10 amendment.

11 SECRETARY: My notes say that Mr. Leshner

12 would allow flexibility to staff to empower

13 staff to negotiate. And then Mr. Stamp said

14 for a destination for Council's consideration.

15 MR. PACK: His amendment is to amend the

16 motion to allow staff to empower the staff --

17 SECRETARY: To negotiate.

18 MR. PACK: -- to negotiate.

19 SECRETARY: A location or locations for

20 Council's consideration.

21 MR. PACK: Okay. That's the amendment.

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1 Got that.

2 SECRETARY: That's what I had.

3 MR. PACK: Okay. That's the amendment.

4 He made an amendment.

5 MR. LESHER: So I'm offering that as an

6 amendment now.

7 MR. PACK: He's offering the amendment.

8 MS. PRICE: Yeah, which five minutes ago

9 you said you don't need to do that.

10 MR. PACK: He's offering an amendment.

11 MS. PRICE: Yeah, you didn't want to

12 allow --

13 MR. PACK: He's offering the amendment.

14 MS. PRICE: Just make the amendment. I

15 guess we'll take it.

16 MR. PACK: He's offering the amendment.

17 MS. PRICE: Oh, you need a second.

18 MR. PACK: Thank you.

19 MS. PRICE: Second.

20 MR. PACK: The amendment has been

21 seconded. Discussion on the amendment.

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1 MR. DIVILIO: So this is just for

2 clarification. We would be entering into an

3 agreement with this company, accepting this bid

4 to relocate the statue while waiting for final

5 approval on the location that it's being

6 relocated to. Is that -- or --

7 MR. LESHER: Mr. Divilio, the way I see it

8 is that without further Council action, this

9 will go forward. However, if staff learns of a

10 viable option and comes to us with a

11 recommendation for a change to the location in

12 December, we can at that point vote to amend

13 this bid package. But what we would be voting

14 on right now, with this amendment, simply

15 provides that opportunity in December. If

16 there is no staff recommendation, if none of

17 these prove viable, it simply goes forward. If

18 we do have a compelling case for a change of

19 location that comes to us in the form of a

20 staff recommendation in December, then a

21 Council majority could go ahead and amend the

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1 bid with regard to final destination.
 2 MR. CALLAHAN: Mr. Leshner, I don't see
 3 where staff should be making the
 4 recommendation, it should be Council making the
 5 recommendation.
 6 MS. PRICE: They just need to bring us the
 7 location.
 8 MR. CALLAHAN: They just need to bring us
 9 the information and let us make the
 10 recommendation. Do you agree with that?
 11 MR. LESHER: I can support that.
 12 MR. PACK: The first meeting in December.
 13 MR. DIVILIO: So in the first meeting in
 14 December we're essentially calling all
 15 interested parties to the room to go on public
 16 record to tell us who would like it and justify
 17 why for us to debate and decide.
 18 MS. PRICE: Well, or if we're having a
 19 December 21st meeting, have that week because
 20 we have such a busy calendar on the 14th. So I
 21 would at least leave it open to the 21st.

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1 MR. PACK: No, no, no. First meeting in
 2 December. No.
 3 MS. PRICE: We already have like four
 4 public meetings.
 5 MR. PACK: This will take a minute because
 6 you're not going to get any bids.
 7 MR. CALLAHAN: Well, we got some on the
 8 table now by ourselves. We do have some on the
 9 table.
 10 MR. DIVILIO: But is that how we're all
 11 seeing this play out, that this would then
 12 become an agenda item for that meeting, I
 13 assume in the County Manager's report, and we
 14 would call up all interested parties to --
 15 MR. LESHER: No. I don't see us going
 16 that route. I think that we need to have these
 17 things in writing in advance.
 18 MR. CALLAHAN: No different than what we
 19 have now.
 20 MR. LESHER: We need time for either
 21 Council or staff in supporting Council to vet

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1 these offers to understand any particular
 2 advantages or disadvantages over the existing
 3 offer. We have a perfectly viable offer on the
 4 table at Cross Keys and we'll have to weigh any
 5 of these. But I do not see calling anybody up.
 6 This is a -- this would be under County
 7 Manager's report for modification of the bid,
 8 and we better have that information in time for
 9 us to vet before that Council meeting.
 10 MS. PRICE: And I think that because, you
 11 know, people might have some hesitancy, that
 12 any information that Council was given on
 13 locations will be treated privately. We're not
 14 going to go out and say so and so and so and so
 15 have all offered their land, which is why you
 16 would not bring them all up publically and
 17 parade them out in front of people, that this
 18 would be considered something confidential and
 19 we can consider it at least first which ones
 20 are viable.
 21 MR. LESHER: Look, anybody who is so shy

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1 or thin skinned about this shouldn't tender an
 2 offer.
 3 MR. PACK: Thank you.
 4 MR. STAMP: So staff's recommendation is
 5 if you were to have a proposal, we would need
 6 the take the work back on the proposal by the
 7 6th of December to prepare Council for the
 8 15th. 14th.
 9 MS. PRICE: Well, what I thought we were
 10 talking about, since we have such a packed
 11 schedule on the 14th, vote on the 21st.
 12 MR. PACK: No. You were talking about.
 13 We weren't talking about. You were talking
 14 about that.
 15 MS. PRICE: I suggested it. And I'm
 16 seeing nods that we have a very packed agenda
 17 on the 14th.
 18 MR. STAMP: We do, but I suspect Council
 19 would want to resolve this matter.
 20 MR. PACK: This is another date that we're
 21 given. We gave it last Friday, and now we're

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1 giving them another.

2 MR. CALLAHAN: Mr. Pack, would you --

3 could you show a little bit of -- I'm asking

4 you, because it's such an important situation

5 here, okay. To two weeks could make a

6 difference on the location. So would you

7 please be a little flexible.

8 MR. PACK: I think we are being flexible,

9 Mr. Callahan.

10 MR. CALLAHAN: I know you are.

11 MR. PACK: The date was last Friday. Now

12 we're going from last Friday to December the

13 6th. How many weeks is that as far as

14 flexibility? Four weeks.

15 MR. CALLAHAN: I'm asking for six.

16 MR. PACK: Now. Come on, Mr. Callahan.

17 MR. CALLAHAN: I'm just asking that. We

18 all got this stuff today.

19 MR. PACK: We got nothing today.

20 MR. CALLAHAN: We did get something today.

21 We got a location in Maryland and we got a

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1 private citizen that wants it. So can we --

2 MR. PACK: Again, I think --

3 MR. CALLAHAN: Bear with me now. So

4 knowing that was the ninth hour, knowing it was

5 a ninth hour, I'm just asking can we just put

6 this package together in the next several

7 weeks. And if it's real, it will happen. If

8 not, we're going to move on the 21st.

9 MR. PACK: I think today is the 23rd. You

10 don't think staff in the matter -- mind you

11 Thursday and Friday are holidays, you don't

12 think staff has enough time to review this and

13 give us something by the 6th.

14 MS. PRICE: After one hundred -- 200,

15 whatever hundred years it's been, what's

16 another --

17 MR. CALLAHAN: I just -- if there is a

18 location, I want to make sure that we vet the

19 location. And the stuff that has come to us

20 today, you know, there is two possibilities

21 here. And I can tell you, I want to keep it

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1 here in Talbot County.

2 MR. DIVILIO: But one of the options

3 isn't. One of them is in St. Mary's, right, or

4 Southern Maryland.

5 MR. CALLAHAN: Yeah, I know.

6 MS. PRICE: Obviously we would prefer

7 Talbot County. But if --

8 MR. DIVILIO: So there are two options

9 that came in at the last hour, an hour before

10 we went into closed session. One was in

11 Southern Maryland and another one is an

12 individual who wants to put it in their yard.

13 How do we pick which individual gets it?

14 MR. CALLAHAN: That's up to us.

15 MS. PRICE: And there are others that have

16 not come forward and I would venture to say

17 that after this conversation this evening that

18 those other people who have expressed an

19 interest will now come forward if they are

20 serious about it.

21 MR. LESHER: What on earth are they

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1 waiting for. We have been acting for over a

2 year.

3 MR. DIVILIO: I echo that exact

4 exhaustion. No, I am. I'm taking this very

5 seriously here. I am taking -- this delay --

6 for somebody to say that they are afraid to put

7 their name out there to the public that they

8 would take the statue for perpetuity, I don't

9 agree -- you either need to stand up and say,

10 yes, I will take care of this forever and make

11 this accessible to the public, or you have to

12 say, disingenuously, I'm related to it and I

13 think it looks best in my front yard. And I

14 don't know how to pick that person out of any

15 others.

16 MS. PRICE: Do you remember how certain

17 council members have been treated over this

18 whole issue.

19 MR. DIVILIO: I know exactly how I have

20 been treated throughout this entire process.

21 MS. PRICE: Correct. Yes. Both against

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1 it and for it. And you changed your mind and
 2 other people have changed their mind. It is
 3 not easy. People get attacked over this issue.
 4 So please have a little compassion for --
 5 MR. DIVILIO: I have a lot of compassion.
 6 And now I'm asking for you to have some
 7 compassion for me. We've gone through the
 8 process.
 9 MS. PRICE: And nobody really wants it to
 10 go to Virginia except for you, Mr. Divilio.
 11 MR. DIVILIO: I don't want it to go to
 12 Virginia but I have yet to find anything
 13 better.
 14 MS. PRICE: So give it a couple weeks.
 15 MR. DIVILIO: How many more weeks?
 16 MR. LESHER: Mr. President.
 17 MR. CALLAHAN: Yes, Mr. Vice President.
 18 MR. LESHER: One, I believe -- I believe
 19 actually Mr. Divilio has been consistent in his
 20 position from the start. Mr. Divilio said from
 21 the start that he could not support moving the

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1 monument without having a suitable destination
 2 for it. So I do not believe he's been
 3 inconsistent, it's just that the circumstances
 4 have changed because for a while we did not
 5 have that location. But let's -- I will set
 6 forth what I would regard as my criteria for
 7 changing the destination location. There were
 8 two attributes that I think Cross Keys location
 9 has that another location would have to
 10 provide. One is that it is owned and operated
 11 by an organization that is organized for that
 12 purpose in perpetuity. In other words there is
 13 no -- the land will not be bought and sold by
 14 other entities. It is owned by a
 15 preservational organization and there is no
 16 prospect, no foreseeable prospect, that that
 17 will change in any foreseeable timeline. So
 18 there is an element of perpetuity here. You
 19 know, if this goes to a private landowner, the
 20 land could be sold and then what. So I don't
 21 see -- I don't see a private landowner being a

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1 responsive prospect for this destination.
 2 Second is that there is an authenticity to this
 3 location. A lot of Talbot County boys fought
 4 in this location. People who are named on this
 5 monument. There is something that is true
 6 about that location. That authenticity of
 7 location I think is something that has a
 8 particular advantage. Perhaps there are other
 9 places that would meet -- I'm sorry, and most
 10 important is that this location also ensures
 11 public access for the indefinite future. If
 12 there are other locations perhaps that are
 13 closer that could fulfill all of those
 14 requirements, I'm ready to support that. If --
 15 particularly if one could be found perhaps
 16 closer. But there is a lot of -- there are a
 17 lot of advantages to the location that
 18 Mr. Divilio has identified, and that is why I'm
 19 ready to support this. I'm willing to explore
 20 alternatives, but right now I'm skeptical that
 21 there is one that will exceed the advantages of

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1 the one that is on the table.
 2 MS. PRICE: I would like to reiterate one
 3 thing that's in the letter from battlefield in
 4 Virginia, and that is keeping it in its current
 5 location, which we know now is not an option.
 6 But the second stipulation they on there was if
 7 there is a location in Talbot County that it
 8 must go there first. I read the letter, that
 9 is what it says. So if there is an opportunity
 10 for it to be in Talbot County, the
 11 battlefield's own letter states that it should
 12 stay in Talbot County. It stays that they
 13 really don't want it if there is a place for it
 14 in Talbot County. So I think we owe it to the
 15 citizens of Talbot County to keep the monument
 16 in its home County.
 17 MR. DIVILIO: I assume you spoke to them
 18 and found out -- to get clarification of what
 19 they were referring to.
 20 MS. PRICE: No, because you didn't
 21 disclose your conversations with them. All I

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1 have is the letter that was presented to us
 2 like about an hour before we voted on it and
 3 that none of us ever saw in advance
 4 unfortunately. But all I have is that letter.
 5 No, I didn't speak to them, Mr. Divilio. Maybe
 6 they should have put that in writing.
 7 MR. DIVILIO: And the follow-up
 8 conversations and since that letter was written
 9 have you taken the opportunity to speak with
 10 them.
 11 MS. PRICE: Conversations, no. I only
 12 take what I see in writing. That's all we've
 13 got. If you don't have it in writing, you
 14 don't have it. So private conversations
 15 between you and battlefield I don't think
 16 really was fair. I think if they had something
 17 different in mind other than them stating that
 18 they wanted it in its current location and if
 19 that was not an option, to stay in Talbot
 20 County, and only then if it couldn't stay in
 21 Talbot County would they take it, that's what I

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1 saw in writing.
 2 MR. PACK: I did speak to members of --
 3 representatives of Cross Keys and had a very
 4 pleasant conversation with them. I think they
 5 want to just make sure that things were
 6 proceeding up here, they knew about the
 7 lawsuit, just wanted to make sure that the
 8 resolution was going to move forward. I
 9 assured them that it would be. And we heard
 10 from our County Attorney earlier today that the
 11 court ruled in our favor regarding the lawsuit
 12 that was filed against the County regarding the
 13 administrative resolution of how this Council
 14 proceeded. So it appears that they are
 15 prepared to take the monument. They just
 16 wanted to again speak with me. I did speak
 17 with them about it. So I think that, again,
 18 the resolution as is drafted, the destination.
 19 Some of the points that Mr. Leshner pointed out,
 20 it is a public area. They are in the business
 21 of having these types of statues, monuments in

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1 their purview. They know how to take care of
 2 them. They know how the ground should be laid
 3 out. So it would be I believe a great addition
 4 to what they already have there at the
 5 battlefield. So with that being said,
 6 Mr. Leshner, as you laid out your requirements,
 7 I don't think you're going to find any of that
 8 over the next two weeks that's going to meet
 9 those requirements. But nonetheless,
 10 Mr. Chairman, you have a motion and an
 11 amendment and a second before you. So I'll
 12 yield the floor for your vote.
 13 MR. CALLAHAN: Okay. Are we flexible on
 14 the time on the 21st. Can we do the 21st.
 15 MR. PACK: I'm not flexible. That was
 16 part of his motion. His amendment.
 17 MR. CALLAHAN: Mr. Leshner, could you
 18 extend it to the 21st, please.
 19 MR. LESHER: I think -- I suspect the time
 20 is of the essence in terms of the planning that
 21 is being done by our bidder here.

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1 MR. CALLAHAN: The bidders don't tell us
 2 what to do. We're telling the bidder what to
 3 do. So the bidder is going to be there one way
 4 or the other.
 5 MS. PRICE: It is Christmas for Pete's
 6 sake. I don't think he's going to do a whole
 7 lot that last week of December anyway.
 8 MR. CALLAHAN: He's not even starting
 9 until the first of the year anyway.
 10 MR. PACK: No, he has to start with the
 11 planning process -- Mr. Callahan, you're --
 12 MR. STAMP: He will immediately begin the
 13 planning process in December to work out -- the
 14 work plans, it's set in the bid to begin the
 15 planning process for the removal immediately in
 16 December with a move, physical move, in
 17 January, correct.
 18 MR. CALLAHAN: Physical move.
 19 MR. STAMP: The physical move in January
 20 with the planning and all the details for
 21 planning in December.

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<p>1 MR. CALLAHAN: Okay. Madam Secretary, you</p> <p>2 want to call the vote.</p> <p>3 MR. PACK: This is on the amendment.</p> <p>4 MR. DIVILIO: So just to clarify, this</p> <p>5 is --</p> <p>6 MR. PACK: On Pete's amendment. On the</p> <p>7 amendment only.</p> <p>8 MR. DIVILIO: Okay.</p> <p>9 SECRETARY: Mr. Callahan.</p> <p>10 MR. CALLAHAN: No.</p> <p>11 SECRETARY: Mr. Divilio.</p> <p>12 MR. DIVILIO: No.</p> <p>13 SECRETARY: Mr. Leshner.</p> <p>14 MR. LESHNER: Aye.</p> <p>15 SECRETARY: Ms. Price.</p> <p>16 MS. PRICE: Aye.</p> <p>17 SECRETARY: Mr. Pack.</p> <p>18 MR. PACK: No. Now you have the motion</p> <p>19 before you as set forth.</p> <p>20 SECRETARY: Mr. Callahan.</p> <p>21 MR. CALLAHAN: No.</p>	<p>1 this County. And we all know it's going to</p> <p>2 move. We all know that, Mr. Pack. I just</p> <p>3 want --</p> <p>4 MR. PACK: So the amendment -- he changed</p> <p>5 his vote to yes. The amendment passes three to</p> <p>6 two. Okay. So the amendment passes. Now you</p> <p>7 have the matter fully as amendment. Please</p> <p>8 call the vote, Madam Secretary.</p> <p>9 MR. CALLAHAN: Wait a minute now.</p> <p>10 MR. PACK: You voted on the amendment.</p> <p>11 Now you have a matter before you as amended.</p> <p>12 MS. PRICE: I think we have a chairman who</p> <p>13 is supposed to call the roll.</p> <p>14 MR. CALLAHAN: Now we have true amendment</p> <p>15 now, correct.</p> <p>16 MR. PACK: Yes.</p> <p>17 MR. CALLAHAN: Okay.</p> <p>18 MS. PRICE: As amended.</p> <p>19 MR. CALLAHAN: Right.</p> <p>20 SECRETARY: Mr. Callahan.</p> <p>21 MR. CALLAHAN: Yes.</p>
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<p>1 MR. DIVILIO: Did you want to change --</p> <p>2 MR. CALLAHAN: I can clarify, I mean so --</p> <p>3 I can clarify my vote if I would like. I want</p> <p>4 it to stay here, I want to look at a new place.</p> <p>5 MS. PRICE: Right. That's the amendment.</p> <p>6 MR. PACK: You said no.</p> <p>7 MR. CALLAHAN: Well, I can change my vote.</p> <p>8 I can change my vote.</p> <p>9 MR. DIVILIO: Do you want to change that</p> <p>10 for the record.</p> <p>11 MR. CALLAHAN: Yeah, I'll change it for</p> <p>12 the record to yes.</p> <p>13 MS. PRICE: Well, it's a little confusing.</p> <p>14 MR. CALLAHAN: It is confusing. It's not</p> <p>15 a laughing matter. I want to make the right</p> <p>16 decision.</p> <p>17 MR. PACK: We talked about this amendment</p> <p>18 for the last ten minutes.</p> <p>19 MR. CALLAHAN: Yeah, I just don't trust</p> <p>20 the whole thing. It's in a lot of motions in a</p> <p>21 lot of ways and I want to do what's best for</p>	<p>1 SECRETARY: Mr. Divilio.</p> <p>2 MR. DIVILIO: Aye.</p> <p>3 SECRETARY: Mr. Leshner.</p> <p>4 MR. LESHNER: Aye.</p> <p>5 SECRETARY: Ms. Price.</p> <p>6 MS. PRICE: Aye.</p> <p>7 SECRETARY: Mr. Pack.</p> <p>8 MR. PACK: Aye.</p> <p>9 MR. CALLAHAN: Okay.</p> <p>10 MR. PACK: Good?</p> <p>11 MR. CALLAHAN: Okay.</p> <p>12 MR. PACK: Move on.</p> <p>13 MR. STAMP: So just a point of</p> <p>14 clarification on the timeframe. Is it your</p> <p>15 expectation, Council, that staff brings this</p> <p>16 back for your decision at the December 14th</p> <p>17 meeting or the December 21st meeting if you</p> <p>18 chose to have a meeting on the 21st.</p> <p>19 MR. PACK: According to what he said, time</p> <p>20 is of the essence. So what I took that as</p> <p>21 meaning, and based on your clarification, is</p>

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1 that you wanted all bids back to you by
 2 December 6th so you can have them in the packet
 3 by December 14th. That's what we just voted on
 4 was that understanding.
 5 MR. STAMP: Thank you.
 6 MR. PACK: That's what we just voted on.
 7 MR. STAMP: Thank you. The only other
 8 item that I have under County Manager report is
 9 just to announce County offices are closed on
 10 Thursday, November 25th, and Friday,
 11 November 26th in honor of Thanksgiving.
 12 MR. CALLAHAN: That sounds good. Okay.
 13 Go ahead.
 14 MR. DIVILIO: Sign-up sheet.
 15 MR. CALLAHAN: No. Okay. There is no
 16 public comment. Okay. I was getting ready,
 17 nobody is written. Anybody out in the audience
 18 want to come up for public comment. Come on
 19 up.
 20 RIDGLEY KNOX: Hi. I'm Ridgely Knox from
 21 Bozman. We're raising money to move this

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1 monument. We made a pledge that taxpayers
 2 wouldn't pay for it. We just -- we understand
 3 this is a complicated process. I don't care
 4 where it goes. I certainly think that what
 5 Mr. Divilio has tried to do is honor it, and I
 6 think that's an important thing to do. So if
 7 it's stuck in somebody's backyard, I'm not
 8 sure that's what it will do. I just want to
 9 say since we're raising the money we have a
 10 seat at this table and we want to be part of
 11 this process. So we want to be -- this to be
 12 transparent. We don't want to ask people to
 13 give money to something and not quite know what
 14 it is. So that's just all I want to say.
 15 MR. CALLAHAN: Okay. Thank you.
 16 Appreciate it. Anybody else. Come on up.
 17 MICKEY TERRONE: Good evening. Mickey
 18 Terron from Oxford. I'm concerned that any
 19 last minute, last hour applications to maintain
 20 the statue here in this County won't come
 21 anywhere near meeting the integrity that the

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1 Cross Keys battlefield organization would offer
 2 it. Placing it in someone's private property
 3 is seriously problematic because I don't know
 4 how they could possibly ensure its maintenance
 5 in perpetuity. That's -- it's just not
 6 following through with the decision, which I
 7 think is a good decision. Mr. Divilio, you've
 8 done I think a fabulous job, a mature job, a
 9 serious job in finding of the right place for
 10 that statue, which does not belong on the
 11 County courthouse lawn. I think that, you
 12 know, if there is a place it seems to me in
 13 this County it would have been at a cemetery
 14 where some of those men are buried, the men
 15 whose names are on the monument. That
 16 notwithstanding -- with that out of the
 17 question, then it's -- there is hardly a
 18 fitting place, a place that's more fitting,
 19 than a battlefield where those men fought.
 20 That is the place where those names will have
 21 the true integrity that they perhaps deserve.

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1 I don't believe in their cause but if there was
 2 anything that would speak to an integrity for
 3 their position and their effort, that would be
 4 the place for it. In a state that was the
 5 confederacy. This was not the confederacy. We
 6 seem to forget that sometimes.
 7 MR. CALLAHAN: Thank you. Appreciate it.
 8 Yup. Okay.
 9 MR. DIVILIO: Mr. Leshar would have read
 10 off or memorized a statement. Please try to
 11 keep the comments directed to the Council at
 12 large.
 13 VICKIE WILSON: Vickie Wilson, Easton. I
 14 certainly sat in here you know several times
 15 and we had this conversation. And I said to
 16 myself I'm not going to say anything. But
 17 tonight it seemed like you had a last minute
 18 bid come in, past your deadline, which is a
 19 little kind of strange there that I thought we
 20 would adhere to the deadlines, because I know
 21 Mr. Divilio took a great deal of time in

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1 researching. And my question is where are the
 2 folks who all of a sudden now brings in a bid
 3 or brings in a request to take the statue and
 4 have someplace to move it. Why weren't they
 5 doing their due diligence as Mr. Divilio was
 6 doing during that time. We certainly had had a
 7 long period of time. It hasn't been two weeks,
 8 it hasn't been a month, it's been a while. And
 9 I think that folks have had time to bring that
 10 forth. As you said, if people are hesitant
 11 about showing who they are, they can't stand up
 12 and say I'm the person that wants it in my back
 13 yard, then I think there is a problem. Thank
 14 you for listening. I appreciate your time.
 15 MR. CALLAHAN: Thank you, Ms. Wilson.
 16 Okay.
 17 JIM RICHARDSON: Council, I'm Jim
 18 Richardson from Claiborne.
 19 MR. CALLAHAN: How are you doing,
 20 Mr. Richardson.
 21 JIM RICHARDSON: I have to say I'm

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1 disappointed in this Council. To change the
 2 rules at the end of the game is not fair. We
 3 have a group of citizens who have worked very
 4 hard to get this statue out of the courthouse
 5 grounds, and now it sounds like we're kicking
 6 the can down the road again.
 7 MS. PRICE: Not at all.
 8 JIM RICHARDSON: You had your chance. We
 9 had -- people had years to think this through,
 10 and now at the last minute we're going to honor
 11 those people who somehow have a dream of
 12 putting it in their back yard. We have a very
 13 good location for this statue. It's already
 14 there, we have someone to move it. Why
 15 complicate things. We elected you, all of you,
 16 to make decisions, and that includes hard
 17 decisions. And I realize this is not an easy
 18 decision. But the decision was made by your
 19 last vote to remove that statue. And it was
 20 Mr. Divilio who found the place -- thank you
 21 Mr. Divilio -- to have it relocated. And now

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1 all of a sudden, and it doesn't really surprise
 2 me, that's why we're here tonight, that you
 3 would do something like this. Well, I'm
 4 disappointed in this Council. And I wish we
 5 could just have this story over with.
 6 MR. CALLAHAN: Thank you, Mr. Richardson.
 7 Anybody else. Okay. Let's move on. Council
 8 comments. Start off with you, Mr. Divilio.
 9 MR. DIVILIO: With me. All right. So not
 10 many know all of the different boards and
 11 committees that we sit on. The Neighborhood
 12 Service Center is one I sit on now. Mr. Pack
 13 has been on it previously before and
 14 instrumental in it. It's one organization in
 15 town that if you have some extra canned goods,
 16 you have some extra warm clothing, you have
 17 some -- they can't raise money until
 18 December 1st, but that -- there's a growing
 19 need in this community that have a gross income
 20 that is above their threshold to fund. And
 21 it's not a lot. These aren't people obviously

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1 making millions of dollars, these are
 2 individuals with decent careers, maybe starting
 3 out and stumbled and they are just over that
 4 threshold that they are able to receive
 5 assistance. And that's when the private
 6 donations are able to be given to them to pay
 7 the electric bills, keep the lights on. And
 8 with Doctor Griffith coming in a couple weeks
 9 ago and telling us about the 164 homeless
 10 children in our schools that have been
 11 identified, there is a need. So it's got a new
 12 Facebook page that's been active, a new web
 13 site that's active. If you have the
 14 opportunity to go on and like it, share it,
 15 please do. Help get the word out. Because
 16 those are individuals who are in that need,
 17 don't know where to go. They have never been
 18 in that position before. So please just help
 19 get the word out to help them.
 20 MR. CALLAHAN: Thank you, Mr. Divilio.
 21 Mr. Leshner.

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1 MR. LESHER: Thank you. Just one note in
 2 reflecting on our proceedings this evening.
 3 This Council just voted unanimously to award a
 4 bid to move the monument. That is something
 5 that I did not expect and I think it's pretty
 6 extraordinary and I thank you for it.
 7 MR. CALLAHAN: Thank you, Mr. Leshner.
 8 Mr. Pack.
 9 MR. PACK: That's very astute of you, Mr.
 10 Leshner. I did not pick that up. I guess I was
 11 so busy broiling about with all the confusion.
 12 Yes, there was a unanimous vote to move the
 13 statue. So for point of clarification, the
 14 statue will be moved. The award -- the bid
 15 will be awarded as Mr. Stamp read out. If we
 16 get no location, viable location, other than
 17 the Cross Keys location, which I wholeheartedly
 18 agree is probably the best location for this
 19 type of monument. And again hats off to
 20 Mr. Divilio for all of his astute seeking and a
 21 conversation with them. The battlefield,

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1 again, is an appropriate place for this type of
 2 monument. They have monuments from all over
 3 the country, you know, from various states.
 4 So, yes, they have monuments from North
 5 Carolina of men who died fighting in North
 6 Carolina, but that monument is now at the Cross
 7 Keys location. So there is nothing super
 8 unusual to have a battlefield with monuments of
 9 persons who were born in another state. It
 10 happens. So this is not out of the ordinary.
 11 We have a bidder, the bid will be awarded, he
 12 will be notified that his bid has been
 13 accepted, he will start his preliminary
 14 planning process for removal of the statue. We
 15 want it done respectfully, we want it done with
 16 the utmost of care, so he needs to start
 17 working with County staff as far as how to do
 18 that. Do the trees have to be trimmed, does
 19 fencing have to be moved. So that process will
 20 go under way. Should we not hear anything on
 21 December the 14th, we're going to proceed with

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1 the Cross Keys location. So rest assured, rest
 2 assured, that things are going to proceed as
 3 the vote indicated. So I just want you not to
 4 leave here tonight disillusioned that we did
 5 anything differently than what you came here
 6 expecting. The statue will be moved. For the
 7 first time you heard, as Mr. Leshner pointed
 8 out, a unanimous vote to move the statue. That
 9 should be the front page story, that this
 10 Council had voted unanimously to move the
 11 Confederate statute. So with that being said,
 12 I just want to say to the citizens to look at
 13 the County web site. We have a number of
 14 vacancies for our boards and committees. We
 15 can't do, and Mr. Divilio pointed out the
 16 Neighborhood Service Center, which is one of
 17 the boards he sits on, I sit on the Department
 18 of Social Service board, as well as the TFN
 19 board. Mr. Callahan sits on the Golf board as
 20 well as the Board of Education board. So we
 21 all sit on boards and committees, but we need

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1 you, your input, just like you're here today
 2 your input along this process. So if you would
 3 not mind please looking at the County website,
 4 we have a number of openings on boards and
 5 committees that we need your help with. We
 6 need your help with. I'm making a desperate
 7 plea to all of you to look on there, see if
 8 there is something on there you might want to
 9 get involved with that strikes your fancy.
 10 Contact Ms. Moran, let her know you're
 11 interested, give her name and resume and we'll
 12 gladly put you to work. With that being said,
 13 again thank you Council for your vote this
 14 evening. I'm very excited about the direction
 15 that we're moving into. I want to wish
 16 everybody, staff and everyone at home, a happy
 17 and joyous and safe Thanksgivings. Hopefully
 18 you're still getting vaccinated. We still need
 19 to promote that. We still need to promote
 20 that. So as our friends and family are
 21 gathering, you might want to ask the question,

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1 have you had your shot. I know I had my
 2 booster and my flu shot both on the same day.
 3 Something I know -- I must have been really
 4 crazy that day. But anyway, how to -- I'm
 5 fully inoculated.
 6 MR. THOMAS: Immunized.
 7 MR. PACK: Immunized. That's all I have.
 8 MR. CALLAHAN: That's it. Thank you,
 9 Mr. Pack. Ms. Price.
 10 MS. PRICE: I think everything has been
 11 said. I just hope that everybody has a joyous
 12 and very, very happy and safe Thanksgiving.
 13 MR. CALLAHAN: Okay. Thank you,
 14 Ms. Price. Up to me. So like it's -- like
 15 Mr. Pack said, you know, we all tried to get to
 16 a place tonight, and I'm sorry, sir, that you
 17 were disappointed in the Council. And, you
 18 know, you're right, it is a tough job up here.
 19 But we're making very, very crucial decisions
 20 and, you know, we voted on the -- Laura and I
 21 voted against moving that statue, so that's

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1 number one I want to make sure we understand
 2 that. Number two is we tried to create a
 3 situation to keep it here, okay. So that's the
 4 reason we voted the way we did, okay. So you
 5 can think what you want, but, you know, hey,
 6 it's over, it's done with. The people that
 7 maybe have a place for it have another couple
 8 weeks to go ahead and, you know, see what
 9 that's all about. And all we try to do is
 10 create a situation to try to please everybody
 11 to keep it here. That's all we're trying to
 12 do. It's all about compromise, exactly. So
 13 that's where we went with it, okay. And
 14 Mr. Pack, I know you're smiling, but you did
 15 bend the rules and you let us amend the
 16 resolution. You let us amend it.
 17 MR. PACK: I didn't bend the rules.
 18 MR. CALLAHAN: Yeah, you did. Yeah, you
 19 did. Because you jumped out of the gate first
 20 and you wanted --
 21 MR. PACK: That was a legal amendment made

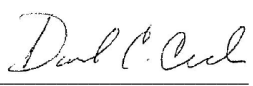
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1 and a second. I'm just going by procedure, Mr.
 2 President, and that's procedurally how it's
 3 done.
 4 MR. CALLAHAN: But Mr. Leshner, President
 5 Leshner, Vice President Leshner, got us through
 6 it. And I appreciate that.
 7 MR. PACK: That is procedurally how it's
 8 done.
 9 MR. CALLAHAN: That's fine. So we all got
 10 through it. Staff, I appreciate it. I was
 11 supposed to do this in about an hour and 15
 12 minutes. I know, I'm over. Other than that,
 13 Mr. Divilio.
 14 MR. DIVILIO: The County Council's next
 15 meeting will be held on Tuesday, December 14th,
 16 beginning at 6:00 p.m. The Council will be
 17 convening in a work session at 4:00 p.m. with
 18 Planning and Zoning to discuss their strategic
 19 planning efforts. The work session is open to
 20 the public and will be held in the Bradley
 21 Meeting Room. The Council will adjourn into

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1 closed session to discuss real estate, legal
 2 and personal matters as listed on the statement
 3 of closing for that meeting. Stomach got upset
 4 here sorry. On Monday, December 13th from 5:00
 5 to 7:00 the Council will continue the public
 6 hearing on Resolution Number 308, the purpose
 7 of which is solely for the petitioner, Daniel
 8 Watson, to complete his presentation to the
 9 Council. All other public comments on
 10 Resolution Number 308 will be received during
 11 the December 14th portion of the public
 12 hearing. Thank you.
 13 MR. CALLAHAN: Thank you, Mr. Divilio.
 14 MR. DIVILIO: With that, I'll make a --
 15 MR. CALLAHAN: Make a motion.
 16 MR. DIVILIO: Make a motion to adjourn.
 17 MS. PRICE: Second.
 18 MR. CALLAHAN: All right. Madam
 19 Secretary.
 20 SECRETARY: Mr. Callahan.
 21 MR. CALLAHAN: Aye.

1 SECRETARY: Mr. Divilio.
 2 MR. DIVILIO: Aye.
 3 SECRETARY: Mr. Leshner.
 4 MR. LESHER: Aye.
 5 SECRETARY: Ms. Price.
 6 MS. PRICE: Aye.
 7 SECRETARY: Mr. Pack.
 8 MR. PACK: Aye.
 9 (Meeting concluded at 7:45 p.m.)
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 21

1 STATE OF MARYLAND
 2 I, David Corbin, a Notary Public in and
 for the State of Maryland, do hereby certify
 3 that the within named, TALBOT COUNTY COUNCIL
 MEETING, personally appeared before me at the
 4 time and place herein set according to law.
 5 I further certify that the meeting was
 recorded stenographically by me and then
 6 transcribed from my stenographic notes to the
 within printed matter by means of
 7 computer-assisted transcription in a true and
 accurate manner.
 8
 I further certify that the stipulations
 9 contained herein were entered into by counsel
 in my presence.
 10
 I further certify that I am not of counsel
 11 to any of the parties, not an employee of
 counsel, nor related to any of the parties, nor
 12 in any way interested in the outcome of this
 action.
 13
 AS WITNESS my hand and Notarial Seal this
 14 29th day of November, 2021, at Centerville,
 Maryland.
 15
 16 
 17 _____
 David C. Corbin
 Notary Public
 18
 19
 20
 21 My commission expires November 13, 2023

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