



Deposition of:  
**Talbot County Council Meeting**  
*September 24, 2019*

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

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

September 24, 2019; 6:00 p.m.

Council Chambers, Easton, Maryland

COUNCIL MEMBERS:

Corey W. Pack

Chuck F. Callahan

Frank Divilio

Pete Leshner

Laura E. Price

Reported by

Diane Houlihan

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. PACK: If you all wouldn't mind</p> <p>4 standing with us for an opening prayer followed</p> <p>5 by the Pledge of Allegiance.</p> <p>6 (Prayer and Pledge of Allegiance.)</p> <p>7 MR. PACK: Thank you all. Certainly</p> <p>8 appreciate you all coming out.</p> <p>9 Council has before it an agenda. Are</p> <p>10 there any additions, deletions, or corrections</p> <p>11 to the agenda? Hearing none, the chair moves</p> <p>12 that it be accepted with unanimous consent.</p> <p>13 We also have minutes from our July 23rd</p> <p>14 meeting as well as our October 13th meeting.</p> <p>15 We all had a chance to go through those</p> <p>16 minutes. Are there any additions, deletions,</p> <p>17 or corrections to those minutes?</p> <p>18 MR. DIVILIO: August. You said October.</p> <p>19 MR. PACK: August 13th, excuse me. Are</p> <p>20 there any additions, deletions, or corrections</p> <p>21 to those minutes? Hearing none, the chair</p>	<p>1 tell us a little bit about Senior Center Month</p> <p>2 here in Talbot County.</p> <p>3 MS. BROOKS: My name is Childlene Brooks,</p> <p>4 and I'm the manager at Brookletts Place, the</p> <p>5 Talbot County Senior Center.</p> <p>6 Every year the National Association of</p> <p>7 Senior Centers has what they call a Senior</p> <p>8 Center Month and they focus on something that</p> <p>9 is of interest to seniors. And this year it's</p> <p>10 on fall prevention.</p> <p>11 We, as we get older, we are all more</p> <p>12 susceptible to falls and risk injury. So we</p> <p>13 have to be very, very careful.</p> <p>14 MR. PACK: Why are you looking at me?</p> <p>15 MS. BROOKS: Oh, I'm sorry. I wasn't</p> <p>16 particularly talking about you, Mr. Pack. I</p> <p>17 was talking about myself.</p> <p>18 But every year they ask that the</p> <p>19 organizations do something in recognition of</p> <p>20 whatever activity that they're having. And</p> <p>21 most of our fall prevention is coordinated</p>
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<p>1 moves that they also be accepted with unanimous</p> <p>2 consent.</p> <p>3 Moving on, we have disbursements from</p> <p>4 September the 17th and September the 24th. We</p> <p>5 had a chance to go over them, talk with our</p> <p>6 finance officer, Ms. Lane. Do we have any</p> <p>7 additions, deletions, or corrections to those</p> <p>8 disbursements? Hearing none, the chair moves</p> <p>9 that they also be accepted with unanimous</p> <p>10 consent.</p> <p>11 Council, next thing of your agenda is you</p> <p>12 have a proclamation for National Senior Center</p> <p>13 Month, September. Ms. Brooks is here.</p> <p>14 Ms. Brooks, you want to come forward with</p> <p>15 us please and whomever is with you from your</p> <p>16 board.</p> <p>17 Gary, I didn't see you back there, Gary.</p> <p>18 Come on up.</p> <p>19 MS. BROOKS: Good evening.</p> <p>20 MR. PACK: Good evening. Please have a</p> <p>21 seat, introduce yourself to the audience, and</p>	<p>1 through the enhancement fitness classes, which</p> <p>2 is evidence-based program that builds strength</p> <p>3 and helps people become more resistant to</p> <p>4 falling.</p> <p>5 MS. PRICE: Is there anything about going</p> <p>6 to the home and making sure the home is fall</p> <p>7 resistant or as best you possibly can?</p> <p>8 MS. BROOKS: We haven't done anything</p> <p>9 along that line. I guess that is something we</p> <p>10 could probably look into. I'm sure that when</p> <p>11 the Health Department does the assessments with</p> <p>12 some of our seniors, they probably look at</p> <p>13 those things, but we have not specifically done</p> <p>14 anything along that line.</p> <p>15 MR. PACK: I know when my father was at</p> <p>16 home, we moved all the scatter rugs from the</p> <p>17 house.</p> <p>18 MS. BROOKS: And I also have Ms. Clairdean</p> <p>19 Black, who is on our advisory committee.</p> <p>20 MR. PACK: Ms. Black, good to see you.</p> <p>21 MS. BROOKS: And Mr. Gunther.</p>

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<p>1 MR. GUNTHER: Good evening.</p> <p>2 MS. BROOKS: Who is our executive</p> <p>3 director.</p> <p>4 MR. PACK: Yes. Anything more regarding</p> <p>5 this special month and fall prevention?</p> <p>6 MS. BROOKS: No. We've just been busy</p> <p>7 with a lot of other things. So we haven't had</p> <p>8 time to do a lot, anything extra other than</p> <p>9 what we've done --</p> <p>10 MS. PRICE: How is everything going at the</p> <p>11 Senior Center in St. Michaels, the YMCA?</p> <p>12 MS. BROOKS: I'm sorry?</p> <p>13 MS. PRICE: How is everything going at the</p> <p>14 Senior Center?</p> <p>15 MS. BROOKS: Oh, things are going great in</p> <p>16 St. Michaels. I hoped that Ann would have</p> <p>17 been here this evening.</p> <p>18 But people are constantly coming in,</p> <p>19 they're constantly signing up. Somebody was</p> <p>20 saying today it was like okay, we're probably</p> <p>21 going to run out of space real soon. It's</p>	<p>1 keep our senior population healthy and safe.</p> <p>2 So certainly want to applaud you for all that</p> <p>3 you're doing with this, Gary and Childlene.</p> <p>4 And with that being said, Council, if</p> <p>5 there's nothing further, I'm going to ask Madam</p> <p>6 Secretary to read the proclamation.</p> <p>7 SECRETARY: Proclamation, Senior Center</p> <p>8 Month, September 2019.</p> <p>9 Whereas, older Americans are significant</p> <p>10 members of our society, investing their wisdom</p> <p>11 and experience to help enrich and better the</p> <p>12 lives of younger generations.</p> <p>13 And whereas, senior centers act as</p> <p>14 catalysts for mobilizing the creativity,</p> <p>15 energy, vitality, and commitment of the older</p> <p>16 residents of our communities through a wide</p> <p>17 array of services, programs, and activities.</p> <p>18 And whereas, senior centers affirm the</p> <p>19 dignity, self-worth, and independence of older</p> <p>20 individuals by facilitating their decisions and</p> <p>21 actions, tapping their experiences, skills, and</p>
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<p>1 really booking up. And thank you all for your</p> <p>2 support of that.</p> <p>3 Also, while I'm here, I've been talking</p> <p>4 about our national accreditation. I'm happy to</p> <p>5 report that our book has been accepted, and</p> <p>6 we're waiting for someone to come on site to</p> <p>7 review the book. When the person that audited</p> <p>8 the book that we have to send in, she said we</p> <p>9 really should be very proud of our team because</p> <p>10 they've done an exceptional job. So I'm hoping</p> <p>11 that means that they're going to come in and</p> <p>12 say yeah, you passed without any real issues.</p> <p>13 MR. PACK: I'm sure they will, I'm sure</p> <p>14 they will. Senior Center here in Talbot County</p> <p>15 is very heavily used by our senior population.</p> <p>16 You all do a number of activities there at the</p> <p>17 center and also trips outside the center to</p> <p>18 make sure our senior population get as much</p> <p>19 socialization as they possibly can.</p> <p>20 So I think this is just another step in</p> <p>21 the litany of things that you all are doing to</p>	<p>1 knowledge, and enabling their continued</p> <p>2 contributions to the community.</p> <p>3 And whereas, Brookletts Place, the Talbot</p> <p>4 County Senior Center, and the Bay Hundred</p> <p>5 Senior Center empower the older residents of</p> <p>6 our community to contribute to their own health</p> <p>7 and wellbeing, as well as the health and</p> <p>8 wellbeing of their fellow community members of</p> <p>9 all ages.</p> <p>10 Now, therefore, we, the County Council of</p> <p>11 Talbot County, do here proclaim September 2019</p> <p>12 as Senior Center Month in Talbot County and</p> <p>13 call upon all residents to recognize the</p> <p>14 tremendous contributions that senior centers</p> <p>15 make toward the betterment of our communities,</p> <p>16 and in particular the outstanding efforts of</p> <p>17 the staff and volunteers at the Talbot County</p> <p>18 Senior Center who work every day to enhance the</p> <p>19 wellbeing of the older members of our</p> <p>20 community.</p> <p>21 Given under our hands in the great seal of</p>

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<p>1 Talbot County this 24th day of September in the 2 year of our Lord, 2019.</p> <p>3 MR. PACK: Thank you, Madam Secretary. 4 The chair would entertain a motion.</p> <p>5 MR. LESHER: I move for the proclamation.</p> <p>6 MR. PACK: Moved --</p> <p>7 MR. CALLAHAN: Second.</p> <p>8 MR. PACK: Moved by Mr. Leshar, seconded 9 by Mr. Callahan. Is there any further 10 discussion on the proclamation? 11 Hearing none, Madam Secretary, please call 12 your roll.</p> <p>13 SECRETARY: Mr. Pack.</p> <p>14 MR. PACK: Aye.</p> <p>15 SECRETARY: Mr. Divilio.</p> <p>16 MR. DIVILIO: Aye.</p> <p>17 SECRETARY: Mr. Callahan.</p> <p>18 MR. CALLAHAN: Aye.</p> <p>19 SECRETARY: Ms. Price.</p> <p>20 MS. PRICE: Aye.</p> <p>21 SECRETARY: Mr. Leshar.</p>	<p>1 Jack, maybe.</p> <p>2 But gentlemen, good to see both of you.</p> <p>3 Again, very successful day on Saturday. I 4 think you had cars parked all the way down 5 going down towards Glebe.</p> <p>6 MR. RISHER: Finding more parking is 7 definitely on the list for next year.</p> <p>8 MR. PETTITT: A real community happening. 9 For those of you who were there or even close 10 by, you just could not believe the crowds that 11 we had. They were parked everywhere. We had 12 planes fly in from far away. Many more than we 13 expected. In fact, we ran out of an area 14 actually to park the planes we had so many.</p> <p>15 MR. RISHER: Definitely a victim of our 16 own success.</p> <p>17 MS. PRICE: You may have to move those 18 classic cars out of the way.</p> <p>19 MR. RISHER: It's funny. We actually 20 narrowed their space this year. We already 21 kind of cut them down a little bit. And they</p>
<p>1 MR. LESHER: Aye.</p> <p>2 MR. PACK: And if you all wouldn't mind 3 coming forward, Ms. Price is going to present 4 you with your proclamation. 5 Thank you very much for all that you do.</p> <p>6 MS. PRICE: I don't know how many times we 7 can say thank you. It is so important 8 considering the fact that we have the highest 9 number of seniors in the entire state. What 10 you do is extra important. 11 So thank you very, very much.</p> <p>12 MS. BROOKS: Thank you, Laura, for your 13 support. Thank you.</p> <p>14 MR. PACK: Thank you, Gary. Appreciate 15 it. 16 Council, next on your agenda, coming off 17 of a very successful Airport Day, we have here 18 Mr. Micah Risher, our airport manager, for our 19 update. And the ever present, Mr. Jack 20 Pettit. I think Jack has only missed maybe a 21 meeting over the last ten years here with us,</p>	<p>1 had 80 cars show up. So it was just a big day. 2 But we have plans to tweak it around a little 3 bit.</p> <p>4 MR. PACK: Congrats, congrats.</p> <p>5 MR. RISHER: So let's get started here. 6 So like we're talking about, Airport Day 2019, 7 it roared in with a lot of success. We 8 estimate we had up to about 3,000 people 9 attend. I know we parked about 1,300 cars on 10 and around the airport. So very busy. 11 But we got a lot of great feedback. Our 12 ACE tent was very busy. So we had a lot of 13 people visiting. We had three flight schools 14 there that were showcased. So a lot of people 15 visiting and asking how can they learn to fly. 16 So that's a good thing for the airport. 17 We're going to start planning next year's 18 event. Our first meeting is Friday. So we'll 19 debrief and look forward to 2020. 20 So moving on to capital improvements. I'm 21 happy to submit that the FAA has accepted the</p>

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1 grant, the official application. And we are in  
 2 the process of submitting the required  
 3 documents for upload to the FAA Delphi's  
 4 system. And we do expect to actually receive  
 5 monies here in the county within the next two  
 6 to three weeks. So that's the hope. So we are  
 7 in the process of doing that right now.  
 8 We're also in the process of getting the  
 9 fair market rental value appraised, which is  
 10 something that the FAA requires. We need two  
 11 independent fair market rental value  
 12 appraisers. That way we can ensure that we're  
 13 collecting the proper rents for the property.  
 14 So we don't think we're far off. We think that  
 15 the values are right there. But it's still a  
 16 requirement for the FAA compliance office. So  
 17 that's underway.  
 18 And the wetland mitigation, the 10.79  
 19 wetland mitigation project that we had going is  
 20 now complete. And we are actually in the final  
 21 stages of completing the financial assurances

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1 between us and the contractor. That's actually  
 2 going to be signed tomorrow. So the county can  
 3 be finishing up that here in the very near  
 4 future.  
 5 Just another slide here. Our obstacle  
 6 removal program has slowly churned along. This  
 7 is something that's been going on for actually  
 8 a couple of years where we're negotiating with  
 9 property owners in the vicinity of the airport  
 10 for access and removal rights or navigation  
 11 easements or in some cases outright purchasing  
 12 the property if it impacts operations of the  
 13 existing or the future runway threshold.  
 14 So we're still working that slowly in the  
 15 background. It's a long, daunting process.  
 16 There's a lot of properties involved. But  
 17 eventually the reason that I wanted to put this  
 18 slide in here tonight is we are close to  
 19 getting to the point where we will start  
 20 cutting trees, quite honestly. Probably in the  
 21 year 2020.

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1 So it's one of those things where the  
 2 community has been hearing about it, and it's  
 3 like when we acquired the former Black & Decker  
 4 property. We've been hearing about it and  
 5 hearing about it. By next year, the community  
 6 is actually going to see trees be topped or  
 7 removed in properties around the airport.  
 8 Some operational highlights. The Navy's  
 9 powered flight program was successful again.  
 10 They ran approximately 160 students through.  
 11 And also, I reported earlier in the year that  
 12 we were upgrading our radar, and that is now  
 13 complete. The radar coverage is actually down  
 14 to the surface now. So that is very good news.  
 15 It was varying anywhere from about 500 to  
 16 800 feet, depending on the weather conditions  
 17 and the way the aircraft approached the  
 18 airport. But with this latest upgrade, our  
 19 tower can now see aircraft all the way down to  
 20 landing on the runway. So that's a big safety  
 21 improvement for the airport.

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1 And our traffic, year to date. Well,  
 2 through July. That's what we have all the  
 3 numbers tabulated for. We are up about  
 4 5.3 percent through the end of July. We did a  
 5 little over 44,000 ops. We're calling that an  
 6 average summer here.  
 7 Our flight training did decrease by  
 8 approximately 3,000 operations. That's of no  
 9 great concern. It's just what that is is  
 10 Trident has found efficiencies in their  
 11 program, which is good. Basically they're not  
 12 doing all the pattern work at Easton. They're  
 13 all based out of here and they do the bulk of  
 14 it out of here. But a lot of them depart and  
 15 they go over to Cambridge and they go over to  
 16 Ridgely and do some pattern work.  
 17 So it's kind of finding the efficiencies  
 18 in their operations is why our ops count went  
 19 down by a little bit. But we see that as a  
 20 good thing because it's not as overwhelming for  
 21 our tower and our local pilots.

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1 And the forecast for this year, by the end  
 2 of the calendar year we should be around 73,000  
 3 operations.  
 4 Moving on to fuel, this is a fiscal year  
 5 2019 year-end review. So our jet A sales  
 6 declined by six percent, and we don't have any  
 7 quantifiable reason why. We realized back in  
 8 January that we were getting fewer jets at the  
 9 airport. Some of this is always tied back to  
 10 runway length. Because we have 4,775 feet  
 11 available for departure, and the magic number  
 12 for jet users is 5,000, which is one of the  
 13 reasons we're looking to make our improvements  
 14 out there. So we're always looking for the  
 15 reason why this has happened.  
 16 But I've talked to our FBO managers, and  
 17 they don't have any hard evidence for why the  
 18 sales are down, either. It's just the jets  
 19 just aren't coming this year as much as they  
 20 have in years past. So it's something that  
 21 we're continuing to watch.

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1 The avgas decline was due to the slight  
 2 decline in flight training at the airport as  
 3 well.  
 4 But the good news is this is the second  
 5 year in a row that we've done over  
 6 700,000 gallons of fuel combined. We did  
 7 709,000 and some change. Last year we did  
 8 748,000. So overall we were down five percent.  
 9 But still, to sell over 700,000 gallons is  
 10 still our second best year of fuel sales within  
 11 the last 20 years. So we're still in a good  
 12 spot.  
 13 And our aviation career education program  
 14 is continuing to grow. Next Wednesday night we  
 15 actually kick off our first fall training  
 16 session. So every Wednesday in October from  
 17 five to seven, we're going to hit on a  
 18 different topic. It's open to everybody. So  
 19 we have an event invite out there on Facebook  
 20 and we're spreading the news. Next Wednesday  
 21 we kick it off with a basic overview of

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1 aviation and air traffic control where folks  
 2 can come out and learn how controllers do their  
 3 job and visit the air traffic control tower.  
 4 Also of note, on October the 19th we are  
 5 taking part in the Maryland STEM Festival,  
 6 where we're going to have a four-hour open  
 7 house where we're going to have multiple  
 8 aviation experts from varying fields.  
 9 Controllers, pilots, mechanics, and people with  
 10 a lot of experience where students can stop in  
 11 and discuss aviation career opportunities.  
 12 And I will say that I've actually had a  
 13 lot of people interested in getting into  
 14 aviation jobs. I had a young man stop me just  
 15 this afternoon downtown when he saw Easton  
 16 Airport on my shirt and he asked me how he  
 17 could get in to learn how to fly. So the  
 18 message is starting to get out there. And once  
 19 again, it's good for our industry, it's good  
 20 for our airport.  
 21 MS. PRICE: What age range is that geared

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1 towards? High school students?  
 2 MR. RISHER: Middle and high school is  
 3 what it's geared towards. But we really leave  
 4 it open to the parent to decide. We're not  
 5 going to turn anybody away. If somebody has a  
 6 mature sixth grader in elementary school --  
 7 MS. PRICE: -- college students?  
 8 MR. RISHER: Yeah, absolutely. A college  
 9 student who wants to come out, yeah,  
 10 absolutely. We didn't want to put any hard  
 11 limits on it because everybody can benefit from  
 12 it.  
 13 Any questions?  
 14 MR. PACK: I don't have anything come to  
 15 mind.  
 16 Again, thank you very much for giving us  
 17 the update. It looks like things are just  
 18 trending along well there at the airport.  
 19 The only one thing that I would say as far  
 20 as Airport Day is more trash receptacles.  
 21 MR. RISHER: I agree. We definitely -- I

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<p>1 made a lot of notes at the end of the day. And 2 I'm like yeah, we need -- it certainly was our 3 busiest one.</p>	<p>1 Ferullo. I'm the new human resources director 2 for Talbot government. This is my third week 3 here.</p>
<p>4 MR. PACK: It was.</p>	<p>4 I'm really excited to join the team here,</p>
<p>5 MR. RISHER: Everybody who has organized 6 this within the last decade had said wow, this 7 was three or four times size the crowd that 8 we've ever had.</p>	<p>5 work with Andy, Jessica, the department heads, 6 Council, etc. 7 I come to you with over 20 years 8 progressively responsible human resource</p>
<p>9 MS. PRICE: Well, and you missed it last 10 year. So I wonder if people were just -- it 11 had been two years.</p>	<p>9 experience. Approximately ten years' management 10 experience. Have worked for a variety of 11 industries, a variety of roles. Every day has 12 been different in my career.</p>
<p>12 MR. RISHER: Exactly. I think it was a 13 perfect storm of a couple of things. We missed 14 it last year, the marketing was very good, and 15 the weather was awesome.</p>	<p>13 I'm a resident of Neavitt. I live there 14 with my husband and two children. And I'm 15 really excited to be joining the organization</p>
<p>16 And then it was like we had two Mustangs 17 show up, P51s. And once people found out we 18 were going to get these cool airplanes flying, 19 they were like we're there.</p>	<p>16 here and getting to know everybody and getting 17 to know my role and how I can make an impact. 18 MR. PACK: You already have made a very 19 tremendous impact. We certainly welcome you to</p>
<p>20 We had a lot -- I talked to a gentleman 21 from West Virginia who drove over just to watch</p>	<p>20 the family. 21 MS. FERULLO: Thank you.</p>
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<p>1 our show. So we definitely have some reach, 2 which is a good thing for the county.</p>	<p>1 MR. PACK: Looking over your resume during 2 the interview process, saw nothing but good</p>
<p>3 MR. PACK: And I did bump into your 4 predecessor there, Mr. Henry.</p>	<p>3 things from your presentation with the board. 4 We're looking forward to just working with</p>
<p>5 MR. RISHER: So did I. He looks well.</p>	<p>5 you for many years to come.</p>
<p>6 MR. PACK: Had a chance to speak to Mike. 7 He did. Mike looked very well.</p>	<p>6 Anything else from the members of Council? 7 MR. CALLAHAN: Welcome.</p>
<p>8 Gentlemen, thank you very much. 9 Appreciate the update.</p>	<p>8 MS. PRICE: Looking forward to the 9 non-commute and be able to stay right in the</p>
<p>10 MR. RISHER: Thank you.</p>	<p>10 county?</p>
<p>11 MR. PACK: Okay. Council, we now have a 12 introduction of your new human resources 13 director.</p>	<p>11 MS. FERULLO: Yes, very much so. 12 MR. HOLLIS: I just wanted to add,</p>
<p>14 Kim, you want to come on up and introduce 15 yourself to the audience and to the listening 16 audience at home.</p>	<p>13 Mr. Pack, it's a real blessing to have somebody 14 of Kim's caliber. We're fortunate that she was 15 tired of commuting to northern Virginia from</p>
<p>17 MS. FERULLO: (Inaudible) the back of my 18 head.</p>	<p>16 Neavitt. I think it was just perfect timing. 17 I just think she has a depth and</p>
<p>19 MR. PACK: Just pull yourself up to the 20 table and take a . . .</p>	<p>18 understanding of human resources that is going 19 to just be a real wonderful addition for us. 20 So I am very pleased about this.</p>
<p>21 MS. FERULLO: Sure. My name is Kim</p>	<p>21 MR. PACK: I certainly would echo that</p>



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1 sentiment.

2 MS. PRICE: And that's who you need to

3 keep happy.

4 MS. FERULLO: Of course. Thank you.

5 MR. PACK: Kim, thank you very much for

6 introducing yourself.

7 MR. HOLLIS: Council, I hope you'll excuse

8 Kim. She has family obligations at home,

9 instead of sitting here.

10 MR. PACK: Absolutely.

11 MS. FERULLO: Thank you.

12 MR. PACK: You have some little ones there

13 to attend to.

14 MS. FERULLO: Yup.

15 MR. PACK: Kevin, where are you? I know

16 you snuck in here somewhere.

17 Council, you may have noticed on your

18 agenda, we got Kevin Shafer here again.

19 Plant -- excuse me. He's here to give us an

20 update on the public school capital improvement

21 program. Kevin is the manager of the plant

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1 operation maintenance at Talbot County Public

2 Schools.

3 Kevin, good to see you again.

4 MR. SHAFER: Good to see you, President

5 Pack. Thank you. Good evening, members of the

6 Council. Thank you, Susan.

7 So I have a very brief presentation for

8 the Council this evening. But I do come before

9 the Council to request consideration and

10 support of the FY21 Talbot County Public

11 Schools Capital Improvement Plan.

12 The format of the CIP submission and of

13 this presentation is to provide a prioritized

14 list and description of the capital projects to

15 be submitted to the Interagency Commission for

16 Public School Construction.

17 So our first priority is the request for

18 the remaining funds associated with the

19 completion of the Easton Elementary School

20 replacement project. The request for funding

21 utilizes the Public School Construction Program

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1 form 102.2. I'm sorry, 102. They changed that

2 recently. And is on pages 12 and 13 of your

3 CIP document.

4 Second priority is the complete roof

5 replacement at Easton High School, which the

6 plan anticipates taking place in FY22 and 23.

7 The roof continues to perform well and is

8 stable but requires ballasts to prevent wind

9 damage to the roofing membrane. Our

10 maintenance staff will continue to monitor its

11 performance and make repairs as we move towards

12 replacement.

13 You can see the pictures there that

14 display the ballasts that we use to maintain

15 the roof.

16 Third priority listed, plans request

17 funding in FY24 for a complete roof replacement

18 at Chapel District Elementary School. The most

19 recent maintenance inspection performed by the

20 Public School Construction Program in March of

21 2017 recommended that we consider replacement

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1 due to its age and numerous repairs. And once

2 again, our maintenance staff continues to

3 monitor its performance and make repairs as we

4 move towards replacement.

5 Final slide is 102.4, which provides a

6 Public School Construction Program estimated

7 cost summary of the projects included in the

8 plan.

9 Priority number one on the slide there is,

10 of course, the Easton Elementary School. Those

11 numbers have remained consistent from the

12 previous two iterations of the Capital

13 Improvement Plan. And FY21, this coming fiscal

14 year, we're requesting 3.7 million from the

15 State, and that is a sole State responsibility

16 at this point, or at that point. Once we get

17 to FY21, the county's responsibility with the

18 project would be fully funded at that time.

19 Priority number two is two lines there,

20 the Easton High School roof replacement in

21 FY22. We're looking for a \$960,000 request

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1 from the State, with \$1,032,000 request from  
 2 the county for the first year of roof  
 3 replacement. FY23, the same numbers for  
 4 completion of that roof replacement.  
 5 And then our third priority is the Chapel  
 6 District Elementary School for a \$477,000 State  
 7 request, \$608,000 county request to replace  
 8 that roof in one summer.  
 9 So the projects will, of course, require  
 10 Council and State approval in the respective  
 11 fiscal year. The CIP is intended to identify  
 12 our needs and allows the county and State to  
 13 plan for future expenditures.  
 14 So at this time, that does conclude the  
 15 summary of the CIP. And I can certainly try  
 16 and answer any questions that the Council may  
 17 have.  
 18 MR. PACK: Kevin, the only one that I  
 19 have -- appreciate you going through the  
 20 numbers with us. The only one that I had is  
 21 under the county line. This is dealing with

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1 priority number one, which is the Easton  
 2 Elementary School. The Council number is  
 3 31.6 million. I thought the Council's number  
 4 for the school was around 30 million.  
 5 So can you show us where the 1.6,  
 6 additional 1.6 comes into play?  
 7 MR. SHAFER: Yes. So to start, the  
 8 Council has been very clear from the inception  
 9 of the expectation of that \$30 million limit  
 10 for the county's portion of the project.  
 11 And as I said in the presentation, the  
 12 numbers up there are estimated costs. Maybe I  
 13 didn't say that, but those numbers listed there  
 14 are estimated costs. And there are some costs  
 15 included that's been previously shared with the  
 16 Council that kind of inflate that county  
 17 portion a little bit.  
 18 Number one, the Critchlow Adkins  
 19 reimbursement for their portion of the building  
 20 is included in that number.  
 21 Also, there is a local contingency

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1 included in that number, which does inflate the  
 2 local cost. And that also in order to get the  
 3 State contingency participation, we obviously  
 4 had to provide local contingency as well.  
 5 And I just want to assure the Council that  
 6 the project management team is very aware of  
 7 the Council's expectation to limit the county's  
 8 portion to that 30 million. And we are making  
 9 every effort and every decision made in that  
 10 project is to meet that goal that's been set by  
 11 the Council.  
 12 And just to be clear, President Pack, I  
 13 don't see any reason at this time, barring some  
 14 serious issue, that we would not be able to  
 15 meet that.  
 16 MR. PACK: Thank you, Kevin. The  
 17 Critchlow Adkins amount, how much is that?  
 18 MR. SHAFER: So the reimbursement that  
 19 would be coming back to the county is their  
 20 Community Development Block Grant portion for  
 21 800,000.

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1 MR. PACK: 800,000. That's half of the  
 2 1.6.  
 3 And the other 800,000 is from contingency  
 4 you said?  
 5 MR. SHAFER: Correct. So the county  
 6 contingency. So I'm going to phrase it this  
 7 way. All contingencies within the project,  
 8 which includes the State, county, and the  
 9 construction contingency, which is within the  
 10 contract, total about 1.5 million.  
 11 So we've used about ten percent of that at  
 12 this point. And that is all strictly  
 13 construction management contingency, which is  
 14 within the contract currently.  
 15 The only exception to that rule or that  
 16 statement is the previously approved by the  
 17 Council change for the door hardware.  
 18 MR. PACK: Right.  
 19 MR. SHAFER: That was an unforeseen  
 20 requirement that was recommended by the  
 21 Maryland Center for School Safety.

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<p>1 MR. PACK: Right.</p> <p>2 MR. SHAFER: So that was approximately</p> <p>3 \$75,000. So of the 177,000 we've spent in</p> <p>4 contingency money, 75 of that was for the door</p> <p>5 hardware. So that ten percent is even inflated</p> <p>6 because of that unforeseen issue with the door</p> <p>7 hardware.</p> <p>8 MR. PACK: Okay. Council have any further</p> <p>9 questions on the Capital Improvement Plan?</p> <p>10 MR. LESHER: So just to clarify, that door</p> <p>11 hardware, that came out of construction</p> <p>12 contingency or that's under the local</p> <p>13 contingency?</p> <p>14 MR. SHAFER: So that's a good question.</p> <p>15 And I don't want to get too far into the weeds.</p> <p>16 But to answer the question, currently it</p> <p>17 is in the construction contingency. So for the</p> <p>18 process of approving the change order, that is</p> <p>19 where we took that money from initially. But</p> <p>20 what we're looking for, and I think I advised</p> <p>21 the Council of this previously, we are looking</p>	<p>1 We've got a lot of students here in this</p> <p>2 part of the county, Easton in particular, to</p> <p>3 serve. And I think they're going to be well</p> <p>4 served with the excellent faculty in this new</p> <p>5 facility.</p> <p>6 MR. SHAFER: Yes. Absolutely, Mr. Leshner.</p> <p>7 Once again, I know I say this when I come</p> <p>8 up in front of Council every time, but I</p> <p>9 appreciate the support that the Council has</p> <p>10 displayed for this project.</p> <p>11 And I especially have to thank</p> <p>12 Mr. Callahan for his participation throughout</p> <p>13 this entire process and the support that he's</p> <p>14 given. So I always try to recognize him</p> <p>15 because he's been very good to me in this</p> <p>16 process and to the Talbot County Public Schools</p> <p>17 for seeing this move forward.</p> <p>18 MR. PACK: Anything further?</p> <p>19 MR. CALLAHAN: Same here, too. You and</p> <p>20 Chuck have really done a great job. Logan, the</p> <p>21 one that's running the whole White &amp; Turner, I</p>
<p>Page 35</p> <p>1 for State participation in that. So we would</p> <p>2 get half of that back. But ultimately that</p> <p>3 would be coming out of the local contingency</p> <p>4 money if approved.</p> <p>5 But to assure the Council we're working</p> <p>6 towards that goal, we went ahead and included</p> <p>7 it in the construction contingency.</p> <p>8 MR. LESHER: Just want to thank you very</p> <p>9 much for keeping us informed on this project</p> <p>10 and for the very insightful tour that you gave</p> <p>11 us and the school board and others, what was</p> <p>12 that, just last week I think.</p> <p>13 MR. SHAFER: Yes.</p> <p>14 MR. LESHER: Really impressive work going</p> <p>15 on. And this is going to be I think a terrific</p> <p>16 facility. It is to my eye staggeringly large.</p> <p>17 You can't get appreciation from that from</p> <p>18 plans, or I can't anyway. But getting the</p> <p>19 scale of this, what will be, as I understand</p> <p>20 it, the largest elementary school in the state</p> <p>21 when completed.</p>	<p>Page 37</p> <p>1 can say that you and Chuck brief me every two</p> <p>2 to three weeks. If something pops up, you guys</p> <p>3 sort of strategize. If you come up with a</p> <p>4 problem, you've handled it.</p> <p>5 So people got to realize there's between</p> <p>6 130 and 140 people there every day working. So</p> <p>7 it's a massive amount of work going on.</p> <p>8 Great facility, like Mr. Leshner said.</p> <p>9 It's going to be top notch. It's going to be</p> <p>10 really something for the Council and the school</p> <p>11 system and the county to really be proud of.</p> <p>12 You're doing a phenomenal job. And it's</p> <p>13 going great. The weather is perfect. Pretty</p> <p>14 much all closed in.</p> <p>15 Now, like you say, it's pretty much just</p> <p>16 set sail now. Should be able to start moving</p> <p>17 people in in April.</p> <p>18 MR. SHAFER: Correct.</p> <p>19 MR. CALLAHAN: You might want to tell</p> <p>20 everybody when people are moving in.</p> <p>21 MR. SHAFER: Yeah. So the current plan,</p>

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<p>1 assuming that everything continues to go as                  2 planned, we would be looking to move the Moton                  3 students and staff into the new building in                  4 April, just prior to the spring break. Talbot                  5 County Public Schools with the help of                  6 Dr. Griffith got a waiver from the State to                  7 allow Moton students to be excused for two days                  8 prior to our spring break so that we can                  9 facilitate the move and all the stuff that goes                  10 with it.                  11 Now, there are a lot of hurdles to get                  12 through. Obviously things are going well. I                  13 just put the cautionary note out there that                  14 there's a lot of things that have to happen in                  15 order to meet that deadline. And I think the                  16 team is well prepared to do that as we move                  17 forward.                  18 MR. CALLAHAN: Good job.                  19 MR. LESHHER: Anyone else?                  20 Kevin, thank you again for coming in.                  21 MR. SHAFER: Yes. Just one request. I</p>	<p>1 SECRETARY: Ms. Price.                  2 MS. PRICE: Aye.                  3 SECRETARY: Mr. Leshher.                  4 MR. LESHHER: Aye.                  5 MR. PACK: We'll get that drafted for you,                  6 Kevin.                  7 MR. SHAFER: Thank you.                  8 MR. PACK: Thank you.                  9 Council, next on your agenda we have                  10 introduction of legislation. As Ms. Verdery is                  11 making her way to the table, I'm going to have                  12 Madam Secretary read the title of the                  13 legislation, please.                  14 SECRETARY: A bill to amend Chapter 190 of                  15 the Talbot County Code, zoning, subdivision,                  16 and land development, to allow a replacement                  17 pier beyond 150 feet from mean high water for                  18 direct access to legal nonconforming                  19 boathouses.                  20 MR. PACK: Thank you very much, Madam                  21 Secretary.</p>
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<p>1 would need, not a vote or anything like that,                  2 but I would need a letter of support from --                  3 MR. PACK: Absolutely. Forgot about that.                  4 MR. SHAFER: Yeah.                  5 MR. PACK: The chair would entertain a                  6 motion for a letter of support for the Capital                  7 Improvement Plan as expressed by Mr. Safer. Is                  8 there a motion to do so?                  9 MR. LESHHER: I move for the letter.                  10 MR. CALLAHAN: Second.                  11 MR. PACK: Moved by Mr. Leshher. Seconded                  12 by Mr. Callahan. Any further discussion on the                  13 CIP?                  14 Hearing none, Madam Secretary, please call                  15 your roll.                  16 SECRETARY: Mr. Pack.                  17 MR. PACK: Aye.                  18 SECRETARY: Mr. Divilio.                  19 MR. DIVILIO: Aye.                  20 SECRETARY: Mr. Callahan.                  21 MR. CALLAHAN: Aye.</p>	<p>1 Ms. Verdery, hear from you.                  2 MS. VERDERY: This legislation is                  3 something that we have been working with the                  4 applicant and their agent, Ryan Showalter.                  5 There's a very unique situation that required                  6 that we work with them to find a unique                  7 solution how to address this.                  8 So we developed language that would be in                  9 an addition to section 190.31.2D7 that would                  10 have us put a new section C, which would                  11 include language to say a pier that does not                  12 meet the State standard of conforming at least                  13 85 percent of the designed purpose may be                  14 replaced beyond the 150-foot maximum allowed                  15 length, standards provided in section 19031.2D1                  16 at a maximum width of six feet to provide                  17 direct access to a legal nonconforming                  18 boathouse that remains functional and was                  19 historically accessed by the pier to be                  20 replaced.                  21 This was reviewed by the Planning</p>

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1 Commission earlier this month and received a  
 2 four to zero vote in support of this  
 3 legislation.  
 4 MR. PACK: Excellent. I don't know  
 5 whether we saw the photographs of this. I was  
 6 hoping that we would have them as well along  
 7 with it.  
 8 This boathouse is just sitting out in the  
 9 middle of the river by itself. The previous  
 10 owner, for reasons we don't know, whether it  
 11 was a storm or just due to neglect, a portion  
 12 of that pier connecting the boathouse washed  
 13 away.  
 14 It exceeds our limit of 150 feet. But it  
 15 didn't seem reasonable to me to leave the  
 16 boathouse there which the owner couldn't get  
 17 to.  
 18 So I think this legislation would at least  
 19 allow us to allow the owner to reach his  
 20 boathouse with a six-foot wide pier, no finger  
 21 piers attached to it. Just a plank, if you

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1 would, just a walking plank to get out to the  
 2 boathouse. So there would be no finger piers  
 3 off this, this particular portion. Just allow  
 4 him a safe access to his boathouse.  
 5 So I thought it made sense. I did speak  
 6 to Mr. Showalter about it. So I'm hoping that  
 7 we would introduce this this evening and move  
 8 forward with it at the appropriate time.  
 9 We don't do this all the time, but it  
 10 appeared to me to be somewhat of a safety  
 11 feature as well. You have a boathouse sitting  
 12 out there beyond 150 that's not lit. And to  
 13 me, it could create more of a hazard for  
 14 boaters traveling at night not expecting to see  
 15 anything sitting out there in the water and  
 16 here you go running into a boathouse. So at  
 17 least this way it would allow the homeowner to  
 18 reach the boathouse and hopefully run some  
 19 lighting there as well so it will be  
 20 illuminated at night.  
 21 So that's my take on it. I think it's

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1 very reasonable legislation, Ms. Verdery, to  
 2 include section C to 190.  
 3 Anybody else?  
 4 MR. CALLAHAN: The only thing I was  
 5 curious, the 85 percent. Can you explain that?  
 6 MS. VERDERY: So it's consistent with the  
 7 State standard that any pier that's to be  
 8 replaced is required to meet an 85 percent  
 9 functional requirement. So it has to be  
 10 performing at least 85 percent of its intended  
 11 purpose when it was built. So it has to be at  
 12 least 85 percent of the pier has to still be  
 13 remaining and in place.  
 14 So 85 percent of the length and the  
 15 pilings and the platform still need to be in  
 16 place in order for it to be replaced. It has  
 17 to be at least 85 percent functional to meet  
 18 that criteria. Otherwise, it's a bland new --  
 19 MR. PACK: Right. Can be a total washout.  
 20 MS. VERDERY: -- under a brand new pier.  
 21 MR. CALLAHAN: I got you. So would that

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1 be an issue if there was a storm come through  
 2 there and tore a lot of it out and it was  
 3 50 percent?  
 4 MS. VERDERY: No. We have provisions for  
 5 things such as that.  
 6 MR. CALLAHAN: I got you.  
 7 MS. VERDERY: This is only because it's  
 8 not meeting that criteria and it hasn't been  
 9 replaced within one year since the time of the  
 10 damage.  
 11 MR. CALLAHAN: Got you, got you.  
 12 MS. VERDERY: So they had one year to  
 13 replace it once it was damaged, but it's been  
 14 more than 12 months since the time it was  
 15 damaged.  
 16 MR. CALLAHAN: I see.  
 17 MS. VERDERY: And they didn't do the  
 18 replacement.  
 19 MS. PRICE: Is it a new owner?  
 20 MS. VERDERY: Yes, it is. It's also a new  
 21 owner.

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1 MR. CALLAHAN: Okay.

2 MR. LESHER: Ms. Verdery, usually the

3 rational for exceeding the 150 feet length is

4 because deep water is not accessible within the

5 150 feet from the waterline. Some of our

6 waterways indeed have a lot of shoaling along

7 the shoreline.

8 I'm curious what waterway we're dealing

9 with in this particular case.

10 MS. VERDERY: I was going to look that

11 information up. I'm sorry, I did not find that

12 information prior to coming here today. So I

13 will find that information before we come back

14 for the next, once we introduce this

15 legislation.

16 MR. LESHER: Thank you.

17 MS. VERDERY: I'll make sure I have that

18 information.

19 MR. PACK: Anyone else? Okay. Council

20 need a show of hands who wants to introduce

21 this bill at this time.

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1 Madam Secretary, by Council. We do have a

2 bill number, 1435, Madam Secretary?

3 SECRETARY: That's correct.

4 MR. PACK: And this would be set in for --

5 do we have a hearing date for it yet?

6 SECRETARY: Thursday, October 22nd, at

7 6:30.

8 MR. PACK: 6:30 will be the public

9 hearing. Okay. Ms. Verdery will bring any

10 information back that we'll need at that time.

11 MS. VERDERY: Okay. Thank you.

12 MR. PACK: Thank you. Hold on here. We

13 are just 15 minutes over our public hearing

14 portion. We do have a public hearing on Bill

15 1434 at this time.

16 MR. DIVILIO: Mr. Pack, I would like to

17 offer an amendment to that.

18 MR. PACK: Okay. Let me pull this up in

19 front of me.

20 Before you offer your amendment, we will

21 take that. I'm going to ask Madam Secretary to

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1 just read the title of the bill into the

2 record. And then we'll hear from you,

3 Mr. Divilio.

4 SECRETARY: Bill Number 1434, a bill to

5 amend section 190-33.20 of the Talbot County

6 Code to allow for the issuance of provisional

7 licenses to certain short-term rental

8 applicants whose licenses have expired but who

9 are diligently pursuing renewal under the

10 revised short-term rental provisions

11 established as a part of the Next Step 190

12 zoning ordinance update.

13 MR. PACK: Thank you, Madam Secretary.

14 We'll hear from you now, Mr. Divilio.

15 MR. DIVILIO: So when you're looking in

16 Granicus here on page three, section A, my goal

17 is to make us match what we discussed at the

18 last meeting. September 1st is the date.

19 So when you're looking at the section, if

20 the applicant filed the renewal application

21 before September 1, 2019. Be scratching

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1 March 1st and changing that to September 1st.

2 That will include the three additional

3 applicants that we were discussing at the last

4 meeting.

5 MR. PACK: Okay. So everyone see where

6 that is, page three of the bill. Page three of

7 the bill, if you look at section number four,

8 it reads the applicant filed for renewal

9 application before March 1, 2019.

10 If you remember, last time we were

11 together, there was a motion to include three

12 additional properties and that date was changed

13 to September 1st.

14 So what Mr. Divilio is motioning here, is

15 amending here is that this bill stays

16 consistent with that resolution, which

17 certainly makes sense to me. So his amendment

18 would be to change it from March 1st to

19 September 1, 2019.

20 MR. DIVILIO: So I make that motion that

21 we strike March 1st and switch that to

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1 September 1st.  
 2 MR. PACK: Okay. Is there a second on the  
 3 motion?  
 4 MR. CALLAHAN: I'll second it.  
 5 MR. PACK: Seconded by Mr. Callahan.  
 6 Any further discussion on the amendment?  
 7 MR. LESHER: Mr. Pack, I have an alternate  
 8 amendment to offer. Do we need to dispense  
 9 with this amendment before we offer the other?  
 10 MR. PACK: Since it's been seconded, yes.  
 11 And then we can proceed.  
 12 MS. PRICE: How do we know which one we  
 13 want to vote for if we haven't heard the other  
 14 amendment?  
 15 MR. PACK: We'll do A, B, or C and move  
 16 through it in that manner. We do have a second  
 17 on the table and a motion.  
 18 MS. PRICE: I find it difficult to move  
 19 forward if we can't even hear what the other  
 20 amendment is since it might be an either-or,  
 21 from what I understand.

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1 Is there no way to hear that,  
 2 Mr. Kupersmith?  
 3 MR. LESHER: Can I simply amend the  
 4 amendment offered?  
 5 MR. PACK: You can.  
 6 MR. LESHER: Well, I will offer this  
 7 further amendment to Bill 1434. In the  
 8 preliminary -- in the underlying language in  
 9 this section, it starts reading the planning  
 10 director shall issue provisional short-term  
 11 rental licenses valid until.  
 12 Deleting the next six words, until renewal  
 13 of the license is approved. Delete those six  
 14 words, and add in the following: Rather than  
 15 until the renewal of the license is approved,  
 16 substitute until a decision by the approving  
 17 authority is made on the license application or  
 18 March 1, 2020. And then continue on with the  
 19 language whichever occurs first.  
 20 So I have copies of those, of this further  
 21 amendment as well.

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1 So this would address the same date and  
 2 consistency that Mr. Divilio's motion offers,  
 3 but because -- essentially this shortens the  
 4 deadline for license applicants under these  
 5 provisional licenses to resolve their issues.  
 6 Instead of letting these go on for a longer  
 7 period of time, it gives a distinct deadline.  
 8 Now, I grant that sometimes obtaining  
 9 permits for these changed egress  
 10 requirements -- I'm sorry, I'm getting into  
 11 discussion. You probably want a second before  
 12 we do that.  
 13 MR. PACK: That's okay. Continue.  
 14 MR. CALLAHAN: Yup, yup.  
 15 MR. LESHER: That it can be difficult to  
 16 get permits and a contractor to effect the  
 17 egress requirements, but everybody who now has  
 18 an application in already knows about these  
 19 requirements. They already need to demonstrate  
 20 under this provision, they would already need  
 21 to demonstrate to the planning director that

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1 they're making diligent efforts toward this.  
 2 This would still give them, what, better  
 3 than six months from now or from the enactment  
 4 of this legislation to complete all of those  
 5 requirements. It puts a sunset on this so that  
 6 we're not issuing provisional licenses for  
 7 lengthy periods and getting this resolved,  
 8 getting back into compliance for all the  
 9 short-term rental license holders.  
 10 MR. PACK: Okay. So it would incorporate  
 11 the motion we just heard from Mr. Divilio to  
 12 capture those three --  
 13 MR. LESHER: Essentially it furthers --  
 14 MR. PACK: But you want everyone to sunset  
 15 on March 1st of 2020 or once approved by --  
 16 MR. LESHER: So until a decision by the  
 17 approving authority is made. In other words --  
 18 MR. PACK: Or March '20.  
 19 MR. LESHER: -- if the Short-Term Rental  
 20 Review Board or the staff, whoever is  
 21 responsible for this decision, approves, then

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1 the new license goes into effect.  
 2 If they disapprove, they don't get to keep  
 3 their provisional license. Once it's turned  
 4 down, that's the end of the process.  
 5 MR. PACK: Right.  
 6 MS. PRICE: I think there was some  
 7 discussion two weeks ago.  
 8 Do you want a second? Does that help?  
 9 MR. PACK: Yeah. We need a second on the  
 10 amendment.  
 11 MS. PRICE: You got one on the floor.  
 12 MR. PACK: He amended the amendment. So  
 13 which he's allowed to do. We have a second to  
 14 his amendment by Ms. Price.  
 15 So further discussion on the bill as  
 16 amended by Mr. Leshner.  
 17 MS. PRICE: So we had some conversation.  
 18 And one of the things that I had suggested in  
 19 listening to some of the citizen groups was  
 20 since everybody's license technically expired  
 21 December 31st of 2018, to not let this go on

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1 longer than a year on provisional license. And  
 2 I had said December 31st of 2019, which had  
 3 given them technically a year.  
 4 I think Mr. Leshner's move to go to  
 5 March 1st then captures all those people who  
 6 applied in January and February, which was our  
 7 application time frame. And so they really had  
 8 a year from applying on time.  
 9 Again, I was not in favor of extending  
 10 everything until September because the deadline  
 11 was the end of February.  
 12 Anyway, so I think this March 1st is  
 13 consistent with when they were supposed to have  
 14 applied for their new 2019 license. In fact,  
 15 these people basically got a free pass. Now  
 16 this gives the provisional license, which  
 17 would, in effect, give them a license for one  
 18 year, not the year and a half. And it puts a  
 19 period on the end of it.  
 20 That's it. You guys have had -- again, we  
 21 all know about the -- yeah. That they've had

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1 over a year to get those done.  
 2 MR. PACK: Anyone else on his amendment?  
 3 It makes sense to me, Mr. Leshner. I mean  
 4 it still brings in the individuals that you  
 5 all, the majority voted for last time. So  
 6 those persons with the change of September 1st,  
 7 they're included in the provisional period.  
 8 And ending everybody on March 1st of '20  
 9 would certainly help Ms. Verdery's staff that  
 10 she has an end date instead of trying to trace  
 11 down 11, 12 different end dates. It will  
 12 certainly help her staff out.  
 13 And it would give all the people in that  
 14 first grouping, those nine residents in that  
 15 the first grouping, would basically give them  
 16 the entire year because all of them --  
 17 MR. LESHER: Correct.  
 18 MR. PACK: All of them had registered  
 19 between December 31st and March 1st. So they  
 20 will have that full year. So that takes care  
 21 of that grouping.

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1 And this third grouping, those three, they  
 2 would just have the March 1st to get it done.  
 3 MS. PRICE: Because they were late anyway.  
 4 MR. PACK: They were late anyway, they  
 5 were late anyway.  
 6 Not bad. All right.  
 7 Anybody else?  
 8 It still gets your guys in there.  
 9 MR. DIVILIO: Right. I'm just thinking  
 10 through. Okay. I was just thinking.  
 11 MR. PACK: You good?  
 12 MR. DIVILIO: Yeah.  
 13 MR. PACK: So we're going to take  
 14 Mr. Leshner's since his was the last amendment  
 15 that was offered up.  
 16 If there's no additional amendments at  
 17 this time, we'll call the roll on Mr. Leshner's  
 18 amendment. You all had a chance to look at it.  
 19 It does incorporate your March 1st date.  
 20 MR. LESHER: Well, I think effectively  
 21 we'll vote on that second. We can vote on



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<p>1 these additions to his amendment first and 2 then -- 3 MR. PACK: Right. We may not need his 4 once this goes around, but I'll leave that up 5 to Mr. Divilio when I get to him. 6 So on Mr. Leshher's amendment, Madam 7 Secretary, I believe you should have a copy of 8 that. 9 MR. LESHER: I'm not sure that she does 10 yet. We can fix that issue. I've got more 11 copies here. 12 SECRETARY: Thank you. 13 MR. PACK: Could you also make sure the 14 Office -- okay. And these aren't substantive 15 changes to the bill. 16 MR. KUPERSMITH: No. But I would note 17 Mr. Leshher is correct that you're amending, the 18 motion is to amend Mr. Divilio's amendment. 19 MR. PACK: Correct. 20 MR. KUPERSMITH: You'd do that. Then 21 there would be a second vote on the whole</p>	<p>1 MR. PACK: No. It will be incorporating 2 both. 3 If you notice on Mr. Leshher's amendment, 4 he already includes the September 1st date. 5 MS. PRICE: That's what I wanted to get 6 clarification on. 7 MR. PACK: Right. 8 MR. KUPERSMITH: If you just want to 9 withdraw your motion to amend and then just go 10 with Mr. Leshher's total amendment, then you'll 11 have covered everything in one fell swoop. 12 MR. PACK: Which is, yeah, what we're 13 doing. 14 I just want to point to Ms. Price that 15 Mr. Leshher's amendment already includes the 16 September 1st date, which was Mr. Divilio's 17 amendment. That's already covered. 18 MR. DIVILIO: So AAA going in circle, I 19 will withdraw my amendment. 20 MR. PACK: There you go. Which is what I 21 was going to get to after we took this vote.</p>
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<p>1 package. 2 MR. PACK: Right, as amended. 3 MS. PRICE: So this vote is just the green 4 part. 5 MR. PACK: Just the green and the date on 6 the back side, which was Mr. Divilio's 7 amendment. 8 MS. PRICE: Is it both, Mr. Kupersmith? 9 MR. DIVILIO: It's all included. 10 MR. PACK: Yeah. His was -- 11 MR. LESHER: Although it's reflected here, 12 I think because of procedurally where we are, 13 effectively that's not a new amendment that I'm 14 offering. You already offered that. So it's 15 just what's new in my proposal I've passed 16 around that. . . 17 MR. PACK: You amended his amendment, 18 which is perfectly fine. 19 MS. PRICE: So what we're voting on now is 20 the March 1st deadline and then we'll vote on 21 second is the September 1st date.</p>	<p>1 But I'm trying to do things in a particular 2 order. 3 So we have Bill 1434 before us with an 4 amendment. Madam Secretary, just to the 5 amendment, which you now have a copy of offered 6 up by Mr. Leshher, seconded by Ms. Price I 7 believe, right, okay. Madam Secretary, would 8 you please call the vote on the amendment. 9 SECRETARY: Mr. Pack. 10 MR. PACK: Aye. 11 SECRETARY: Mr. Divilio. 12 MR. DIVILIO: Aye. 13 SECRETARY: Mr. Callahan. 14 MR. CALLAHAN: Aye. 15 SECRETARY: Ms. Price. 16 MS. PRICE: You don't need me now. So no. 17 SECRETARY: Mr. Leshher. 18 MR. LESHER: Aye. 19 MR. PACK: The bill has now been amended. 20 If there's no further amendments, Bill 21 1434 is now before the Council as amended.</p>

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1 Chair would entertain a motion to --

2 MS. PRICE: You have a public hearing

3 first.

4 MR. PACK: We do have a public hearing. I

5 apologize. I'm way ahead of myself.

6 We have an amended bill before us for

7 public hearing. Sorry for the delay. We're

8 about almost 30 minutes late.

9 You come to the table. Please give us

10 your name and your address. Mr. Callahan will

11 keep record of your time. We'll give you two

12 minutes if you're speaking for yourself. We'll

13 give you three minutes if you're speaking for a

14 group.

15 And so if you need a copy of the

16 amendment, can we get a copy of the amendment,

17 just lay it on that? Do you have another copy

18 of your amendment? Can you just lay that on

19 the table in case persons come up and wish to

20 do a gather at it before they speak. Thank

21 you, okay.

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1 We'll start on anyone to my left on Bill

2 1434 as amended? Anyone on my left? No.

3 Anyone on my right on Bill 1434 as

4 amended? Come up, sir, to the table. Give us

5 your name and your address.

6 MR. SHIMKO: I have copies of my

7 testimony.

8 MR. PACK: To Mr. Kupersmith. Thank you.

9 MR. SHIMKO: Good evening. My name is

10 Steve Shimko. I reside at 225 Madison Avenue

11 in St. Michaels, Maryland.

12 The way I understand it, this bill has

13 been introduced because, and this is directly

14 from the text of the bill, following the

15 adoption of Next Step 190, the time it takes to

16 secure a new license and/or a renewal has

17 increased substantially as the STR Board,

18 county staff, and applicants are learning to

19 navigate the new application process.

20 This sounds good on the face of it, but in

21 some cases, the increased time comes about

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1 because the new or previous STR license holder

2 needs to make physical changes to their

3 property to comply with International Building

4 Code, specifically fire requirements. These

5 requirements, including those for fire

6 extinguishers, emergency ingress, egress, and

7 including things such as window openings, have

8 always been needed in order to obtain an STR

9 license.

10 The big difference now under Step 190, as

11 I understand it, is that the county now

12 inspects the properties to see if it is in

13 compliance with fire code and other

14 requirements.

15 Previously, before Step 190, the county

16 took the applicant's word that the property met

17 those requirements. In essence, the STR

18 license applicant was self-certifying their

19 property met fire code and other IBC,

20 International Building Code, requirements.

21 If this is the case, that the properties

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1 in question do not meet and have never met fire

2 code requirements, then that means that the

3 property owners never had a validly-issued

4 short-term rental license due to false or

5 incomplete information provided on the STR

6 license application.

7 STR license applicants that fall into this

8 category should not be given a

9 get-out-of-jail-free card and allowed to rent

10 until their properties are brought into

11 compliance. They should never have been

12 renting in the first place. To do so is unfair

13 to those STR license holders and applicants

14 that have played by the rules.

15 Furthermore, while I understand that

16 granting such a waiver is well within the

17 purveyance of the County Council, I feel that

18 doing so undercuts the STR Review Board. The

19 proper venue for this would be for the STR

20 Review Board to reject the license request

21 based on failure to meet the requirements of

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1 section 190-33.20 and then have the applicant,  
 2 if they choose, to appeal that decision to the  
 3 Board of Appeals, as is allowed under Talbot  
 4 County statutes.  
 5 There is no need, and essentially bad  
 6 precedence in my mind, to carve out an  
 7 exception to a process and rules that were over  
 8 two years in the making for the benefit of a  
 9 few. Thank you.  
 10 MR. PACK: Thank you, Mr. Shimko.  
 11 Anyone else on my right side on the bill  
 12 as amended? Come up, please. Give us your  
 13 name.  
 14 MR. HAASE: My name is Bob Haase. I live  
 15 at 936 Riverview Terrace in St. Michaels,  
 16 Maryland.  
 17 A lot of what Mr. Shimko just said I have  
 18 in my mine, but I'm just going to go over it  
 19 again.  
 20 First I'd like again to thank you guys for  
 21 taking the public hearing on this information.

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1 I mean it's very, very important.  
 2 It seems the purpose of the bill is to  
 3 give special consideration to a few. The  
 4 public was promised strict enforcement of the  
 5 law, that it would be carried out. In fact, it  
 6 was reinforced at several public hearings by  
 7 the then-president and vice president of the  
 8 Council.  
 9 A couple of weeks ago I spent about six  
 10 hours at the county through a PIA request and  
 11 reviewed nine of the applications. Should be  
 12 no question that most of these 2018 issued  
 13 license were based on incorrect information  
 14 given in their application. Inaccurate  
 15 affidavits were signed stating compliance with  
 16 the safety egress requirements.  
 17 Whether knowingly or not, the law is  
 18 clear. As soon as this was discovered when  
 19 that inspector came back, those licenses should  
 20 have been revoked or at least suspended.  
 21 The bill states that these previous

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1 license were valid. Based on the Talbot County  
 2 law, they certainly were not. In fact, they  
 3 fall short in at least three out of the five  
 4 conditions that you listed in there.  
 5 I believe if the provisional license are  
 6 permitted, knowing -- I believe if the  
 7 provisional license are permitted, the county,  
 8 knowing that they do not meet the required  
 9 safety codes, may assume liability should  
 10 someone get hurt. I don't know if the county  
 11 wants to take that risk.  
 12 The provision requiring safety egress or  
 13 allowing a firefighter to rescue a renter from  
 14 an unfamiliar, smoke-filled STR is a life  
 15 safety issue. Certainly the safety of Talbot  
 16 County firefighters should not be less in  
 17 importance than a failing septic system, which  
 18 would have been the number five on the list.  
 19 I hope the Council will consider this.  
 20 Thank you for listening.  
 21 MR. PACK: Thank you.

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1 Anyone else on my right on Bill 1434 as  
 2 amended? Okay.  
 3 MS. OTTE: Good evening, and thank you for  
 4 the opportunity to speak about Bill 1434.  
 5 1434, of course, is related --  
 6 MR. PACK: Your name and address, please.  
 7 MS. OTTE: Oh, I'm sorry. Monica Otte is  
 8 my name, and my address is 229 Madison Avenue,  
 9 St. Michaels.  
 10 MR. PACK: Thank you.  
 11 MS. OTTE: And 1434 is related to the  
 12 administrative resolution that was adopted on  
 13 September 10th.  
 14 And at that meeting, there was public  
 15 testimony and there was also considerable  
 16 discussion by the Council. And one of the  
 17 points that was made was if the resolution were  
 18 to be passed, it should be a very limited and  
 19 one-time measure only. And I think that's also  
 20 true of Bill 1434.  
 21 Yesterday Mr. Haase, who just spoke, and

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1 Ms. Dupont and I submitted a letter to the  
 2 Council. And we propose some changes to the  
 3 language of 1434 to make this clear. Now, of  
 4 course, we were dealing with the version before  
 5 it was just amended.  
 6 We proposed two changes. One, that any  
 7 provisional license that's issued should be  
 8 valid no longer than December 31, 2019.  
 9 And secondly, we suggested adding some  
 10 language at the end of section A to say that  
 11 the category of applicants eligible for  
 12 provisional license will not be expanded, that  
 13 any provisional license won't be extended, and  
 14 that there is no other authority granted to  
 15 issue provisional licenses.  
 16 And we believe these changes are  
 17 consistent with the comments made by Council  
 18 members on September 10th and what we  
 19 understand to be the bill's intent, which is  
 20 that to grant relief from short-term rental  
 21 requirements for a very limited period of time

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1 and to a very specific subset of existing  
 2 short-term rental applicants.  
 3 Thank you.  
 4 MR. PACK: Thank you, Ms. Otte.  
 5 Anyone else on the bill as amended?  
 6 MR. CALLAHAN: One more.  
 7 MR. PACK: Okay.  
 8 MS. DUPONT: Good evening.  
 9 MR. PACK: Good evening.  
 10 MS. DUPONT: I'm Susan Dupont, and I am  
 11 speaking with the proxy of my husband, Howard  
 12 Snyder, who submitted a letter to you all that  
 13 I hope you have received. Much of what we've  
 14 heard evening was addressed in this letter as  
 15 well.  
 16 My husband, being an attorney, was  
 17 particularly concerned about the practical and  
 18 legal impact that this resolution and bill  
 19 would have, but we've all covered and are aware  
 20 that these operations have been illegal, they  
 21 are unsafe, and that they will be shortly taken

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1 care of, and so be it.  
 2 Howard says if I were in your shoes and  
 3 issuing these provisional licenses, as Bob  
 4 Haase did also say, I would be concerned about  
 5 the liability exposure of the county, the  
 6 County Council, and the P&Z Office. Any type  
 7 of license issued to an unsafe dwelling is a  
 8 risk.  
 9 My final comment, his final comment is the  
 10 role of the Short-Term Rental Review Board,  
 11 created by you and now nine months into  
 12 service. When discussing a few weeks ago the  
 13 parameters that you carefully considered of  
 14 public comments, you stated that those with an  
 15 issue about a swing and a playground should  
 16 talk to Park & Recs, that those with concerns  
 17 about the Liquor Board license should talk to  
 18 the Liquor Board.  
 19 What you've chosen to become involved in  
 20 here, seems to me it should have been handled  
 21 by the STR board. Please let them do their

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1 job. Good first steps toward that would be to  
 2 require that any property impacted by  
 3 provisional license or the resolution should  
 4 have a hearing in front of the Short-Term  
 5 Rental Review Board to ensure what all aspects  
 6 of their applications are considered.  
 7 Thank you for listening.  
 8 MR. PACK: Thank you, Ms. Dupont.  
 9 Anyone else on Bill 1434 as amended? Come  
 10 on up, please.  
 11 MS. ELLISON: Good evening. My name is  
 12 Rebecca Ellison. I've been a resident of  
 13 Talbot County all my life.  
 14 I just wasn't planning to speak. I have  
 15 nothing written. I'd be glad to submit  
 16 something, but I want to say that I am fully  
 17 100 percent behind all of the recent speakers.  
 18 I had prepared something for your last  
 19 meeting, and it didn't seem appropriate. But  
 20 my concern was exactly that about the  
 21 liability. Say there was a fire in some house

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<p>1 and somebody is seeking some kind of like go to 2 court.</p> <p>3 They're not going to go to the owner 4 necessarily. The owner is going to just pass 5 the buck. It would be like a third claim or 6 whatever you might call it officially. The 7 owner is going to say hey, whoa, this is all 8 okay by the Council. And that's me, my taxes 9 and all these other people and you. It would 10 just really be not good.</p> <p>11 And secondly, I would like to address the 12 issue of 4895 Judith's Garden Road. It's the 13 next to the bottom of top nine. My family 14 bought that house in 1946. There is not one 15 thing about it that I am not intimately aware 16 of. I lived there with my mother until her 17 death in 1996. And that's 50 years.</p> <p>18 And it's the only house in your colored 19 printout, your spreadsheet that has all three 20 violations. The smoke detectors are out to 21 lunch, they're not there, they're not</p>	<p>1 their second floor. They have no third floor.</p> <p>2 The paperwork that I've looked at has the 3 floor plan of the three floors, and --</p> <p>4 MR. PACK: Ms. Ellison, I'm going to have 5 to ask you to refrain your comments to 1434, 6 not a particular application.</p> <p>7 MS. ELLISON: Two stairways that are there 8 that are just not mentioned. They're --</p> <p>9 MR. PACK: Ms. Ellison, I'm going to ask 10 to have you --</p> <p>11 MS. ELLISON: Should I go sit down?</p> <p>12 MR. PACK: No. I'm just asking for your 13 comments on 1434 that's put forth.</p> <p>14 MS. ELLISON: I would -- last week the 15 people who spoke, Mr --</p> <p>16 MR. PACK: Out of time?</p> <p>17 MS. ELLISON: Yes. He said that -- he 18 gave the impression, and this is not anything 19 against him, but the impression was given, 20 let's put it that way, that these fixes can be 21 done. Just like you get smoke detectors, go put</p>
<p>Page 75</p> <p>1 coordinated. I don't think the attempt was 2 ever made. The egress and the access are both 3 problematic. None of the other nine have both 4 egress and access impaired.</p> <p>5 This house was, the main section is from 6 1830. It's variously listed as 1830 on the 7 sign by the road, for example, and in the 8 literature. But it was extended in both 9 directions in 1945. The man doing that work 10 died and my family bought it. We finished the 11 extensions.</p> <p>12 This house has a very, very beautiful 13 1830s stairwell. I don't know if you'd call it 14 a hanging staircase. I suppose so. You go up 15 steps, across a landing, up steps, second floor 16 landing, go up steps, go across a landing, go 17 up steps, third floor landing.</p> <p>18 And there are two bedrooms in the third 19 floor that they intend to use. There's nothing 20 but dormers in the third floor of this main 21 section. The two wings also have dormers on</p>	<p>Page 77</p> <p>1 in some new windows.</p> <p>2 To tear out a three-story stairwell in a 3 historic house and skip the other two 4 stairwells as being hopeless, I think that 5 that's very -- it shows bad faith on the part 6 of the person who is applying.</p> <p>7 MR. PACK: I think your time has already 8 elapsed, Ms. Ellison. Thank you very much for 9 your comments.</p> <p>10 MS. ELLISON: -- anybody can do this work 11 in six months. It would involve sort of 12 destroying the house.</p> <p>13 You're welcome.</p> <p>14 MR. PACK: Thank you.</p> <p>15 Anyone else on 1434 as amended? Come on 16 up, sir.</p> <p>17 MR. KANE: Good evening.</p> <p>18 MR. PACK: Good evening.</p> <p>19 MR. KANE: Scott Kane. I'm speaking for 20 myself. I live at 26233 Eagleton Court West. 21 As chair of the Short-Term Rental Board,</p>

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<p>1 the board, as I've indicated --</p> <p>2 MR. PACK: Well, Mr. Kane, if you're</p> <p>3 speaking for yourself, don't start off by</p> <p>4 saying as chair of the board.</p> <p>5 MR. KANE: I amend my remarks.</p> <p>6 MR. PACK: Thank you.</p> <p>7 MR. KANE: But I did want to state that</p> <p>8 the board has taken no position. So I'm only</p> <p>9 speaking for myself.</p> <p>10 MR. PACK: Okay.</p> <p>11 MR. KANE: It seems to me that when we</p> <p>12 look at this, the facts that are being</p> <p>13 presented here, we have some 19 applicants.</p> <p>14 And those applicants, as has been testified, a</p> <p>15 variety of violations, some one, some two, some</p> <p>16 more, that set forth a different set of facts</p> <p>17 for each case.</p> <p>18 So I would just ask that the Council may</p> <p>19 wish to consider remanding these back to the</p> <p>20 Short-Term Rental Board. The Short-Term Rental</p> <p>21 Board has been empowered to hear these cases,</p>	<p>1 to the Short-Term Rental Board. It's easily</p> <p>2 done. And the Short-Term Rental Board is a</p> <p>3 very effective way to handle decisions of fact</p> <p>4 in a matter of law, rather than grouping</p> <p>5 everybody into some arbitrary procedure.</p> <p>6 The other thing that I would say is that</p> <p>7 there's been testimony that there's</p> <p>8 \$4.4 million of revenue that's coming in from</p> <p>9 short-term rentals each year. The average, if</p> <p>10 you do the division, from the Department of</p> <p>11 Environment and Tourism, Economic Development</p> <p>12 Tourism, it turns out that that's around</p> <p>13 \$75,000 that's coming in to each short-term</p> <p>14 rental.</p> <p>15 So rather than allowing the short-term</p> <p>16 rentals to continue with a provisional license,</p> <p>17 perhaps they can do that, but maybe implement a</p> <p>18 fine, which is something that I haven't heard</p> <p>19 that you've been considering.</p> <p>20 MR. PACK: Most, if not all, have already</p> <p>21 paid their \$500 fine.</p>
<p>Page 79</p> <p>1 and we feel certainly that we're capable of</p> <p>2 hearing each one of these cases.</p> <p>3 The other thing I would say is that we've</p> <p>4 already heard two cases that are very similar.</p> <p>5 One is a case that's already on the docket here</p> <p>6 in '19, the Hemmings case, and made a decision</p> <p>7 on that. We made a decision with --</p> <p>8 MR. PACK: Mr. Kane, you said when you</p> <p>9 came to this table that you were here to speak</p> <p>10 as Scott Kane.</p> <p>11 You've made three references now to the</p> <p>12 Short-Term Rental Review Board. The board has</p> <p>13 not rendered a decision that this body is aware</p> <p>14 of at this time. Correct?</p> <p>15 MR. KANE: No. It's public, matter of</p> <p>16 public record.</p> <p>17 MR. PACK: So could you please contain</p> <p>18 your remarks of 1434 as you see it? Thank you.</p> <p>19 MR. KANE: I'm attempting to do, Mr. Pack.</p> <p>20 And what I would state is that the Council</p> <p>21 may wish to consider remanding these 19 cases</p>	<p>Page 81</p> <p>1 MR. KANE: That's not my understanding.</p> <p>2 MR. PACK: The spreadsheet is somewhere on</p> <p>3 this desk. I'll be glad to share it with you</p> <p>4 later. Okay.</p> <p>5 MR. KANE: The other thing I would say is</p> <p>6 that the Short-Term Rental Board is empowered</p> <p>7 to impose a larger fine, if they want.</p> <p>8 MR. PACK: Anything further?</p> <p>9 MR. KANE: No.</p> <p>10 MR. PACK: Thank you, Mr. Kane.</p> <p>11 Anyone else on 1434 as amended? No.</p> <p>12 Okay.</p> <p>13 Hearing no one further at the table, I'm</p> <p>14 going to call the public hearing to a close.</p> <p>15 Just grabbing that chart to make sure I</p> <p>16 have that in front of me.</p> <p>17 1434 is -- we haven't had third reader</p> <p>18 yet, right? Okay.</p> <p>19 SECRETARY: You want me to read it now?</p> <p>20 MR. PACK: I need a motion to do so. Any</p> <p>21 further discussion of Council before the chair</p>

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<p>1 asks for a motion to move this to third reader?</p> <p>2 MR. LESHER: Does debate on this go on now</p> <p>3 or after the third reader?</p> <p>4 MR. PACK: You can take it either way. So</p> <p>5 I'll accept a motion to go to third reader at</p> <p>6 this time if there's one.</p> <p>7 MR. CALLAHAN: So moved.</p> <p>8 MR. PACK: Moved by Mr. Callahan. Is</p> <p>9 there a second?</p> <p>10 MR. DIVILIO: I'll second.</p> <p>11 MR. PACK: Madam Secretary, on moving Bill</p> <p>12 1434 to third reader, please call the roll.</p> <p>13 SECRETARY: Mr. Pack.</p> <p>14 MR. PACK: Aye.</p> <p>15 SECRETARY: Mr. Divilio.</p> <p>16 MR. DIVILIO: Aye.</p> <p>17 SECRETARY: Mr. Callahan.</p> <p>18 MR. CALLAHAN: Aye.</p> <p>19 SECRETARY: Ms. Price.</p> <p>20 MS. PRICE: Aye.</p> <p>21 SECRETARY: Mr. Leshner.</p>	<p>1 concern is that the administrative resolution</p> <p>2 in the absence of this allows us to sort of</p> <p>3 turn a blind eye to continued operation without</p> <p>4 further enjoining the operation of these.</p> <p>5 And so while I am -- I share the concern</p> <p>6 with the potential liability and the tolerance</p> <p>7 of non-compliant rentals continuing to operate</p> <p>8 under these proposed provisional licenses, I'm</p> <p>9 not sure that we should leave the</p> <p>10 administrative resolution standing without this</p> <p>11 paired action.</p> <p>12 Concerning the change in date between the</p> <p>13 December 31st cutoff as proposed by one of the</p> <p>14 written comments versus the amended March 1st</p> <p>15 cutoff that has been offered in my amendment</p> <p>16 tonight, I would suggest that really there's</p> <p>17 not much substance. This tourism business in</p> <p>18 Talbot County is a very seasonal one. And the</p> <p>19 amount of this activity that would be taking</p> <p>20 place in those cold weather months is not</p> <p>21 significant. This still resolves this issue</p>
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<p>1 MR. LESHER: Aye.</p> <p>2 MR. PACK: Okay. Madam Secretary, please</p> <p>3 read Bill 1434.</p> <p>4 SECRETARY: Bill Number 14 --</p> <p>5 MS. PRICE: I ask that so much be</p> <p>6 considered a reading.</p> <p>7 MR. PACK: Any objection? Hearing none,</p> <p>8 Bill 1434 is now before the Council for</p> <p>9 discussion before vote. The chair would</p> <p>10 entertain any comment.</p> <p>11 MR. LESHER: Mr. Pack, I want to address</p> <p>12 some of what we've heard both in the spoken</p> <p>13 testimony tonight and the very thoughtful</p> <p>14 written testimony that we've received on this,</p> <p>15 in light of both the amendment that's been</p> <p>16 offered to this motion as well as the concept</p> <p>17 as originally proposed.</p> <p>18 And it is clear, as some of those who have</p> <p>19 testified, this is paired very much so with the</p> <p>20 administrative resolution that was passed the</p> <p>21 last time. And my understanding is that the</p>	<p>1 before the onset of the next tourism season as</p> <p>2 warm weather arrives next year.</p> <p>3 I think the intent remains largely the</p> <p>4 same, which is why I offered that as a</p> <p>5 compromise with my colleagues in the Council</p> <p>6 here.</p> <p>7 It is not my intention or hope that with</p> <p>8 this action we would be doing any kind of end</p> <p>9 run around the Short-Term Rental Review Board.</p> <p>10 I think we do need to empower that board to act</p> <p>11 on these items. And hence, the purely</p> <p>12 temporary nature of this with its clear sunset.</p> <p>13 This is intended to be a narrow</p> <p>14 circumscribed and temporary measure. And it is</p> <p>15 my hope that this compromise will be just that.</p> <p>16 One further remark. It had been suggested</p> <p>17 in one of the pieces of written testimony that</p> <p>18 there be a clarification offered that there's</p> <p>19 no authority on the part of the staff to</p> <p>20 further extend the license. And I didn't offer</p> <p>21 such a provision in the amendment that I put</p>

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1 forth because I felt assured that the staff, as  
 2 it now reads the code, does not feel empowered.  
 3 In fact, that is why the staff approached us  
 4 with some of the language for this amendment so  
 5 narrowly circumscribed because the staff was  
 6 not empowered to do so without express further  
 7 legislation, without this legislation.  
 8 I think that we can feel that this process  
 9 will not be prolonged and that the deadlines in  
 10 this compromise legislation are quite clear.  
 11 MR. PACK: Okay. Thank you, Mr. Leshner.  
 12 Anyone else on the bill?  
 13 MS. PRICE: Yes, sir.  
 14 MR. PACK: Okay.  
 15 MS. PRICE: I agree with every single  
 16 speaker that came up here, but what really  
 17 struck home with me was Mr. Shimko's written  
 18 comments that I think really encapsulate (sic.)  
 19 what is wrong with all of this.  
 20 The properties in question do not meet and  
 21 have never met the requirements. The

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1 requirements are not new. They have been in  
 2 the building codes. They're not new  
 3 regulations. And therefore, as he stated, they  
 4 never had a validly-issued short-term rental  
 5 license. Whether that was false or incomplete  
 6 affidavits, I've been saying that for several  
 7 meetings here.  
 8 Like I said, the only difference is we  
 9 inspect now. And everybody should have known  
 10 what they were signing, and I think that they  
 11 had adequate opportunities.  
 12 It does, you know, while we're doing the  
 13 \$500 fine, if the average truly is \$75,000 per  
 14 short-term rental, they had a free pass this  
 15 entire summer. And while I might not want to  
 16 prevent them and have that 12-month waiting  
 17 period, I think the reason now in hindsight,  
 18 for 12-month waiting period is they should lose  
 19 a season.  
 20 I don't want to be harsh about it, but  
 21 there are so many people who are following the

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1 rules. And a 12-month time where you can't  
 2 rent out, that is your fine. Because nobody  
 3 cares about \$500 when you're making 50, 75,  
 4 \$100,000 in a short-term rental season.  
 5 It's the end of September. It's done. So  
 6 really what difference does it make whether  
 7 it's December 31st, March 1st, or  
 8 September 1st. They got their money for the  
 9 season. They'll be back up and running one  
 10 would assume next summer. And there's been no,  
 11 anything onerous that's been done to prevent  
 12 people from continue doing that.  
 13 And of course, I was on the Council.  
 14 There were amendments that I wanted last year  
 15 that didn't go through when we went through  
 16 Chapter 190. But I do remember every single  
 17 person here saying that we were going to follow  
 18 these regulations. And we're not.  
 19 And it's not that I don't have some  
 20 sympathy here. A historic home. Maybe we do  
 21 need to have a waiver process for a stairwell

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1 and allow that. But they should have thought  
 2 about that before they started renting out  
 3 their house and not after the fact, sending us  
 4 letters now.  
 5 So yeah, maybe there needs to be a waiver  
 6 possess for some historic homes that are there  
 7 or maybe those historic homes shouldn't be  
 8 rented out at all. But you shouldn't start  
 9 renting it out if you know you don't meet the  
 10 requirements.  
 11 So obviously I've never been supportive of  
 12 this to begin with. I wanted to advance the  
 13 amendment to at least get an end date on it,  
 14 but I wouldn't be supporting the bill.  
 15 MR. PACK: Anyone else on 1434?  
 16 Well, I will just say that the Bill 1434,  
 17 as Mr. Leshner pointed to, is a part of the  
 18 resolution that was passed last term where we  
 19 allowed some of those property owners, I think  
 20 there were nine property owners who had filed  
 21 or had previous license who had some issues



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1 with their home, allowing them to continue  
 2 operating while they were getting those things  
 3 done.  
 4 In order to do that, they must have a  
 5 license, they must have a license number. What  
 6 this provisional license basically does is give  
 7 them that license number so that they could  
 8 stay in compliance with the code.  
 9 They have to use the license number when  
 10 they advertise. We have a company that  
 11 monitors websites looking for anyone who is  
 12 advertising their properties here in Talbot  
 13 County. We certainly didn't want these  
 14 homeowners to continually being swept up in  
 15 that search if they did not have the license  
 16 number.  
 17 So the provisional license gives them that  
 18 license number that they can now put on their  
 19 advertisements for their home.  
 20 It does have now a sunset provision of  
 21 March 1st. I thought that was a good idea,

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1 Mr. Lesher, to do that. Of course, I wasn't in  
 2 favor of bringing the other three or four  
 3 properties over in the last resolution. But I  
 4 think to the point that Mr. Divilio made, if  
 5 those properties are now being included, then  
 6 this bill should match that. So that's why I'm  
 7 supporting the September 1st date as a start  
 8 date.  
 9 So all in all, I think that the resolution  
 10 and the bill now gives us a way of dealing with  
 11 these I believe 11, my count 11, 12 properties.  
 12 They have until now, hopefully this bill will  
 13 pass, that will give them until March of 2020  
 14 to get those doors and windows and other items  
 15 fixed. And as soon as they do so, they need to  
 16 report to Ms. Verdery and her office showing  
 17 proof that it's been done.  
 18 So we're talking about 11 homes here I  
 19 believe. I don't have the list in front of me.  
 20 So as soon as they get those things done and  
 21 taken care of, they need to report that in.

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1 So that's my comment on the bill.  
 2 And if there's no further comment --  
 3 MS. PRICE: One more sentence I forgot  
 4 about.  
 5 MR. PACK: One more sentence you forgot  
 6 about.  
 7 MS. PRICE: Yup.  
 8 MR. PACK: Okay.  
 9 MS. PRICE: Mr. Lesher said that it was  
 10 important to pair this bill with the  
 11 administrative resolution.  
 12 But I'm going to go back to what a lot of  
 13 people said, it's the liability. I believe  
 14 that by issuing the license, we are now taking  
 15 on some of that liability should an accident,  
 16 God forbid, happen.  
 17 So maybe it's better that we don't  
 18 actually go with the bill. We have the  
 19 administrative resolution changing the fines or  
 20 the 12-month requirement. But we're endorsing  
 21 bad behavior, and maybe that's not such a good

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1 idea, to be issuing licenses even if they're  
 2 temporary to things that we know are not in  
 3 compliance. How can we do that?  
 4 I think it's a bad idea.  
 5 MR. PACK: Anything further? Okay.  
 6 The bill has been read a second time.  
 7 There was a motion by Mr. Divilio, seconded by  
 8 Mr. Callahan. Did I get that backwards? Well,  
 9 you got it straight.  
 10 If there's no further comment, Madam  
 11 Secretary, on Bill 1434 as amended, please call  
 12 the roll.  
 13 SECRETARY: Mr. Pack.  
 14 MR. PACK: Aye.  
 15 SECRETARY: Mr. Divilio.  
 16 MR. DIVILIO: Aye.  
 17 SECRETARY: Mr. Callahan.  
 18 MR. CALLAHAN: Aye.  
 19 SECRETARY: Ms. Price.  
 20 MS. PRICE: No.  
 21 SECRETARY: Mr. Lesher.

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1 MR. LESHHER: Aye.  
 2 MR. PACK: Okay. Bill 1434 as amended  
 3 passes. Thank you very much.  
 4 Council, moving on, you now are going to  
 5 have an update of Healthy Waters Working Group.  
 6 We have Mr. Alan Girard here with us. There is  
 7 Alan, Eastern Shore director of the Chesapeake  
 8 Bay Foundation.  
 9 Alan, good to see you.  
 10 MR. GIRARD: Good to see you.  
 11 Mr. President, members of Council, my name  
 12 is Alan Girard. I'm the Eastern Shore director  
 13 with the Chesapeake Bay Foundation. Next to me  
 14 is Tom Leigh. He's the regional watershed  
 15 specialist with the Healthy Waters Working  
 16 Group. And then I've got behind me Joanna  
 17 Ogburn. She's with JBO & Associates. She is  
 18 the facilitator for Envision the Choptank.  
 19 Both Tom and Joanna in a moment are going  
 20 to talk about some local projects and  
 21 initiatives that are benefiting Talbot County.

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1 I wanted to open with just a few remarks on the  
 2 state of the Bay, local water quality, and what  
 3 it means for the residents of this region.  
 4 We've been reading a lot about low oxygen  
 5 dead zones this summer. These are caused by  
 6 nitrogen phosphorus sediment pollution that's  
 7 coming from our landscape, controllable sources  
 8 of pollution that are threatening wildlife in  
 9 the Bay, the economy of this community, and the  
 10 quality of life in our region.  
 11 These dead zones have been a little bit  
 12 larger than usual this summer. That's the bad  
 13 news.  
 14 The good news is that over the long term,  
 15 we have been seeing these dead zones shrink  
 16 over time. There's been some analysis that  
 17 shows over the last several decades low oxygen  
 18 dead zones in the summer have been declining in  
 19 size, and that is good for water quality. It's  
 20 a testimony to the fact that what we call the  
 21 Chesapeake clean water blueprint is working.

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1 This is the multi-state bipartisan  
 2 science-based program to get the Bay off the  
 3 Federal Dirty Waters List. Maryland and the  
 4 five other states that drain to the Chesapeake  
 5 have committed to this blueprint to have water  
 6 quality programs and policies in place by 2025  
 7 that are capable of meeting water quality  
 8 standards for the Chesapeake.  
 9 Maryland recently submitted what is called  
 10 the watershed implementation plan, or WIPs.  
 11 This is part of the Chesapeake clean water  
 12 blueprint, part of Maryland's commitment to  
 13 meet that 2025 deadline. They submitted their  
 14 phase three WIP just back at the end of August  
 15 up to EPA. And it includes some important  
 16 commitments.  
 17 Maryland is primarily relying on  
 18 wastewater treatment plant upgrades to get us  
 19 to this 2025 deadline. I think the Town of  
 20 Easton here was sixth in the state back in the  
 21 early 2000s to have its plant upgraded. It is

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1 one of 66 major wastewater treatment plants  
 2 that are all about to come online. They're  
 3 either online or are about to come online. And  
 4 they are -- those upgrades are a major reason  
 5 why you're seeing water quality improvements in  
 6 the Chesapeake.  
 7 Where Maryland's WIP falls short is  
 8 primarily in the storm water sector. The WIP  
 9 actually calls for about half of the level of  
 10 effort that's been applied over the last eight  
 11 years to try and get us to the 2025 deadline.  
 12 That is simply going to be an insufficient  
 13 level of commitment to make the investments in  
 14 storm water management that are needed to  
 15 ensure that the storm water sector does its  
 16 part for clean water, not only up until the  
 17 2025 deadline, but going beyond. We want to  
 18 make sure that when wastewater gets us there,  
 19 local communities and the State are putting us  
 20 in a position to continue with the progress  
 21 going forward. Right now those commitments in

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1 our opinion are not sufficient in Maryland's  
 2 WIP.

3 In the agriculture side, there has been a  
 4 lot of progress from farmers throughout the  
 5 state right here in Talbot County in the  
 6 Eastern Shore. A lot of cover crops are being  
 7 installed. Those are done primarily with tax  
 8 payer dollars to the tune of around \$22 million  
 9 annually. That's annual cash outlays to  
 10 Maryland farmers to help them with conservation  
 11 practices, but that is cash that is outlaid  
 12 year after year after year.

13 We have communicated to the Maryland  
 14 Department of the Environment, EPA, and others  
 15 that it is important to be smart with tax  
 16 payers' resources, invest in permanent  
 17 practices, like warm season grasses, trees  
 18 along streams that are capable of buffering  
 19 pollution as it comes off the farmland. That  
 20 is a one-time cash investment that pays  
 21 dividends over time. So there's room for

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1 improvement in the agricultural sector as well.  
 2 We get a lot of questions about where  
 3 Pennsylvania is. Pennsylvania is a partner in  
 4 the Chesapeake clean water blueprint.  
 5 Pennsylvania also submitted its WIP at the end  
 6 of August. That WIP is \$320 million short in  
 7 its capacity to be able to meet its  
 8 commitments. It is 27 percent short of where  
 9 it needs to be to meet water quality  
 10 commitments for the state and its commitment to  
 11 EPA. It's important that Pennsylvania do more.

12 We are working with our partners in  
 13 Pennsylvania and see the position on the PA  
 14 WIP. And where it needs to go is more  
 15 resources for farmers to make sure that  
 16 conservation practices are implemented and are  
 17 working over time. State resources from state  
 18 government, also federal government has a role  
 19 to play here as well.

20 And it's also important that EPA makes  
 21 sure that it honors its commitment to hold

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1 Pennsylvania accountable just like it holds all  
 2 of other Bay states accountable to ensure that  
 3 the progress continues in this cooperative  
 4 effort to get the Bay off the federal dirty  
 5 waters list.

6 I want to turn it over to Tom and Joanna,  
 7 and then I'll close with an opportunity for you  
 8 all to see some of the progress that's being  
 9 made. We have a healthy waters briefing and  
 10 boat trip scheduled for October 25th. I think  
 11 there might be a note on that in your packet,  
 12 which I'll reference a little bit later after  
 13 Tom and Joanna go.

14 MR. LEIGH: Good evening, Council people,  
 15 Council members. My name is Tom Leigh. I am  
 16 your circuit rider and representative on the  
 17 Healthy Waters Working Group.

18 By way of a brief history, back in 2015  
 19 Chesapeake Bay Foundation, Eastern Shore Land  
 20 Conservancy, Pew Center for (inaudible)  
 21 Ecology, and the University of Maryland Sea

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1 Grant Extension invited all the Eastern Shore  
 2 counties and their associated municipal  
 3 jurisdictions to convene to discuss and provide  
 4 ideas on how they can reduce their loading to  
 5 the Chesapeake Bay, their pollution loadings to  
 6 the Bay and what gaps were needed to be filled  
 7 over the course of time to meet the  
 8 recommendations handed down by the State and  
 9 federal governments.

10 For the next two years, that convening,  
 11 that group of Eastern Shore representatives  
 12 came up with 120 concepts that they felt they  
 13 needed help with. Out of those 126, six core  
 14 practices were distilled or aggregated. And  
 15 before you sits one of those in the circuit  
 16 rider program.

17 I am the technical assistance provider  
 18 here to actively seek through existing studies,  
 19 nothing new being done here, going back to the  
 20 libraries and your Departments of Public Works,  
 21 Planning Departments, watershed organizations

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1 to look for projects that have been identified  
 2 that could be implemented and bundled with a  
 3 subset of that round table, which is the work  
 4 group that employs me. Talbot County is one of  
 5 those. Easton and Oxford, two of your  
 6 jurisdictions, are also members of the  
 7 workgroup. So out of the six, this  
 8 jurisdiction encompasses three. So hats off to  
 9 that group.

10 And so what we approach here is, that I'm  
 11 tasked with is can we use the purchase power of  
 12 buying in bulk to save money and improve  
 13 efficiencies in government in delivery of best  
 14 management practices to reduce our pollution  
 15 loading.

16 All of us in theory can go to a large bulk  
 17 store, buy a year's worth of product, and save  
 18 money. So long as we have space to store it,  
 19 that's the approach that I am attempting to  
 20 test and take with this aggregate of  
 21 jurisdictions.

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1 Can we, for example, buy trees in bulk and  
 2 save money in that purchase. Can we also, by  
 3 combining efforts and improving efficiencies,  
 4 run one bidding process versus all six of those  
 5 jurisdictions going through that same  
 6 administrative burden.

7 Can we also apply for grants and increase  
 8 our purchasing power and delivery of those same  
 9 products to the environment in the sake of  
 10 efficiency and Bay restoration efforts.

11 To that end, I was able to cobble through  
 12 those six jurisdictions, sorry for not  
 13 mentioning them earlier, Talbot County, Queen  
 14 Anne County, two counties, two towns, Oxford  
 15 and Easton, two cities, Cambridge and  
 16 Salisbury, partnering with Chesapeake Bay  
 17 Foundation, Talbot County Soil Conservation  
 18 District, matched collectively their financial  
 19 investment by the Maryland Department of the  
 20 Environment, which was then doubled again by  
 21 the federal government in the form of the

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1 National Fish and Wildlife Foundation.  
 2 So there's a significant partnership level  
 3 of investment here to see if this can be played  
 4 out and tested. And at the end of the day, at  
 5 the end of April, excuse me, through my work in  
 6 reviewing all those existing documents that I  
 7 previously referenced, we pulled out 42  
 8 individual specific best management practices  
 9 spread across the six jurisdictions in the  
 10 workgroup that totaled over almost a million  
 11 and a half dollars' worth of projects in the  
 12 ground. Put that before the Department of  
 13 Natural Resources in a grant program called the  
 14 Chesapeake Bay Restoration and Trust Fund. And  
 15 unfortunately, we were declined.

16 Silver star, asterisk at the end of that  
 17 comment is DNR pulled me aside and made a phone  
 18 call and said wow, you gave us a lot to swallow  
 19 and assimilate, Tom. So what we'd rather do,  
 20 rather than decline you, is invite you to come  
 21 back, but pull it out in pieces. We'll go

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1 through this step wise so that we can assure  
 2 ourselves and the jurisdictions in question,  
 3 i.e., applicants, of better success.

4 That being said, what I'm currently  
 5 working for in the six jurisdictions is we're  
 6 working on trees only, versus the other 25 or  
 7 so practices that were identified initially.  
 8 That they're on hold. They're not getting  
 9 shelved or trash canned at all.

10 So what we're doing, I'm working with the  
 11 Department of Public Works, your Department of  
 12 Planning, your Department of Parks, your tree  
 13 board, and all other relevant jurisdictions  
 14 here in the county to put trees in the ground.

15 Specifically, Talbot County property is  
 16 the bio-solids facility out on Klondike Road.  
 17 It's a stream buffering enhancement property  
 18 opportunity to reduce loadings from that  
 19 facility as well as the Cordova Community Park  
 20 that was recently actually identified by the  
 21 community during their comprehensive planning

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1 exercise that they'd like to see more trees in  
 2 their park. So they're nicely feeding into one  
 3 another.

4 I've also been working with jurisdictions  
 5 in Talbot and Oxford to increase their tree  
 6 canopy. And what essentially for Talbot County  
 7 specifically, there's about \$50,000 worth of  
 8 trees we're proposing to put together in this  
 9 grant, combined with probably another 30 to 40  
 10 from Easton and Oxford. And you're looking at  
 11 significant reduction in your loading and  
 12 watershed implementation plan credits, as well  
 13 as in the jurisdiction of Easton for their  
 14 storm water MS4 credit or MS4 permit, that  
 15 there will be a direct benefit to the Bay, a  
 16 benefit to the community, as well as to  
 17 reducing your storm water loadings, increasing  
 18 aesthetics in your community amenities and  
 19 habitat throughout.

20 So what I'd like to -- and most recently  
 21 actually that I do not have a number on yet, I

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1 was contacted by the Department of Public Works  
 2 about ten days ago. The recent expansion of  
 3 Goldsborough Neck Road for your new access to  
 4 the business park, they're widening the road.  
 5 And they were very much interested in planting  
 6 some of the shoulder of that expanded ditch and  
 7 agricultural field to further enhance that. So  
 8 there may be additional practices that come out  
 9 of this.

10 The grant application or the grant  
 11 application RFP is due at the end of this year  
 12 and the deadline early January. So I  
 13 anticipate on behalf of the county putting in  
 14 at least approximately \$50,000 worth of  
 15 practices that you should see a significant  
 16 improvement in your investment in myself and  
 17 the efforts for the other jurisdictions in the  
 18 county.

19 And I very much appreciate your support in  
 20 my work and continued efforts to improve the  
 21 Bay and receding waters of Talbot County. And

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1 with that, I will pass it to my right to  
 2 Ms. Ogburn to talk to you about Envision the  
 3 Choptank.

4 MS. OGBURN: Thanks, Tom. Good evening,  
 5 Mr. Chairman and commissioners.

6 I'm particularly excited to be here  
 7 tonight. I grew up here in Talbot County. I  
 8 feel fortunate to still do quite a bit of work  
 9 here in Talbot County. So thank you again for  
 10 letting me speak to y'all tonight.

11 As Alan mentioned, I serve as the  
 12 facilitator for the Envision the Choptank. And  
 13 I wanted to tell you a little bit about that  
 14 initiative, where we are, what we've been up  
 15 to, where we're headed, and how we hope to work  
 16 more closely with local governments. For that  
 17 reason, we thought it made sense for us to sort  
 18 of tag team our presentations as both  
 19 initiatives are looking to work more closely  
 20 with Talbot County and many others throughout  
 21 the Mid-shore area.

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1 So Envision the Choptank, we are a  
 2 collaborative initiative. We're not our own  
 3 nonprofit, but a growing network of individuals  
 4 and organizations that we've been building for  
 5 about three and a half years. So in late 2015  
 6 we got started.

7 The National Oceanic and Atmospheric  
 8 Association, otherwise known as NOAA, they  
 9 provide the funding to get this group up off  
 10 the ground. We had ten organizations and  
 11 agencies that came together in the very  
 12 beginning trying to find ways to be more  
 13 effective, more efficient working together to  
 14 conserve and restore the Choptank watershed,  
 15 really lift up the whole movement as a whole.

16 At that time we had nonprofits including  
 17 Chesapeake Bay Foundation, Eastern Shore Land  
 18 conservancy, Shore Rivers, state, federal,  
 19 local government agencies extension,  
 20 agriculture folks, all kinds of good people.  
 21 Those folks have stayed with us and have become

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1 our steering committee for the initiative, and  
 2 it's grown now to 15 members and we have ten or  
 3 so others that serve on various working groups  
 4 and project teams.

5 Together we developed a shared mission,  
 6 which is to provide swimmable, fishable waters,  
 7 enhance the health and productivity of native  
 8 oysters, and do so in a way that best meets the  
 9 needs of surrounding communities. So what that  
 10 basically means is we're looking for ways to  
 11 improve and maintain water quality, habitat  
 12 with on land and in water. And we want to do  
 13 so in a way that takes into account the needs,  
 14 concerns, and interests of those who live in  
 15 and around the Choptank and all the natural  
 16 resources that it provides.

17 We do work throughout all five counties in  
 18 the Choptank watershed, which includes Talbot,  
 19 Dorchester, Caroline, Queen Anne's, and a  
 20 little piece of Kent County, Delaware. And I  
 21 believe the majority probably about 70, 77

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1 percent of Talbot County is within the Choptank  
 2 watershed.

3 In order to meet our shared mission and to  
 4 do so through all five counties of the  
 5 Choptank, we held a stakeholder engagement  
 6 process a couple of years ago where we engaged  
 7 over 800 individuals through a series of focus  
 8 groups, interviews, and phone survey of 730  
 9 residents that live throughout the watershed to  
 10 try and understand what is working on the  
 11 ground in terms of the programs and practices  
 12 we're doing, what's not, and where can the  
 13 collaborative help fill those gaps.

14 We took all of that feedback, worked with  
 15 those stakeholders again, and shaped it into  
 16 what you see here, which is the Envision the  
 17 Choptank common agenda. And we have copies  
 18 here for you that Alan will very kindly pass  
 19 out.

20 It's a set of objectives, goals, and  
 21 strategies to help achieve that shared mission.

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1 Right now we're in the process of developing  
 2 working groups to help take on each of these  
 3 various strategies.

4 We have recently held our first working  
 5 group meeting about the best ways to work  
 6 together with local governments to achieve our  
 7 shared objectives, which Councilman Leshner  
 8 attended, and we really appreciate you being  
 9 there. It was a great session.

10 We've also previously met with staff from  
 11 Talbot County Public Works and planning  
 12 departments to look for ways that we can help  
 13 provide assistance. We found that through all  
 14 that stakeholder engagement that we did,  
 15 there's some great conservation work happening  
 16 throughout the watershed but there's a real gap  
 17 in providing assistance to counties and  
 18 municipalities in terms of technical  
 19 assistance, in terms of research, information,  
 20 and also connections to funders and  
 21 partnerships that may help get some of these

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1 practices in the ground that we're all  
 2 interested in getting accomplished.

3 In addition to those new working groups,  
 4 we have several project teams that have been  
 5 going for a while now. We have several that  
 6 have worked here in Talbot County to put in I  
 7 think around 40 restoration practices on  
 8 residential properties. So that's around  
 9 \$80,000 that have gone into Talbot County  
 10 through that effort. We have two stream  
 11 restoration projects that we helped to get  
 12 started with \$60,000 of funds in the Town of  
 13 Easton that we're hoping to carry out. They  
 14 just recently got a grant to complete those.

15 And we have a new group that just recently  
 16 got a \$1 million grant to really focus on  
 17 getting wetlands, buffers, and ditch retrofits  
 18 into the ground. And those are ditches that  
 19 are county roadside ditches as well as infield.

20 We're really excited. We're working with  
 21 local governments, some of your staff here, to

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1 figure out where the best places to put those  
 2 practices to have the most impact in terms of  
 3 nutrient and sediment reductions. So we'll be  
 4 creating prioritized maps that we're going to  
 5 give to each county. And those should be out  
 6 we think by the end of this year.

7 Then we're also building incentive  
 8 programs to provide funds to either build off  
 9 of or provide in addition to an additional  
 10 option to pay for those inceptives, to pay for  
 11 those practices and incentivize land owners to  
 12 implement them.

13 And we're hoping to get in around 230 to  
 14 250 acres of restoration throughout the  
 15 Choptank and would love to work with you guys  
 16 more to do that here in Talbot County and move  
 17 some of those monies here.

18 I know you guys have done a lot of work as  
 19 a ditch manual. There's a lot of ditch work  
 20 that you guys have done that we're looking to  
 21 build off of and partner with you guys. We're

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1 excited to do that.

2 I hope the next time I meet with you I've  
 3 got more updates and good things to share, but  
 4 thank you so much for working with us, your  
 5 staff and Council. And yeah. We'll see you  
 6 hopefully on October 25th.

7 MR. GIRARD: October 25th is the healthy  
 8 waters briefing and boat trip.

9 These agendas look almost identical.  
 10 There's an important difference. Group one  
 11 begins at 9:30 on the 25th. It runs through  
 12 lunch. We'll do the boat trip in the morning  
 13 and then lunch with I think folks from MDE are  
 14 expected to join us and other speakers.

15 And then group two begins at lunch. We'll  
 16 have the same group speaking piece and then  
 17 there will be the boat trip in the afternoon,  
 18 trying to accommodate schedules.

19 All of the jurisdictions in the Choptank  
 20 watershed that Joanna mentioned, elected  
 21 officials there have been invited to attend.

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1 So you'll be with your colleagues from around  
 2 the region.

3 Tom just let me know that funders from the  
 4 National Fish and Wildlife Foundation, the  
 5 Chesapeake and Atlantic Coastal Bays Trust  
 6 Fund, and the Chesapeake Bay Trust, I think  
 7 those three organizations produce about  
 8 probably close to \$100 million of investment  
 9 and restoration throughout the region, their  
 10 staff will be at this event. And so we  
 11 encourage you to come and show your support for  
 12 the water quality work that's happening here  
 13 and your interest in encouraging them to invest  
 14 in Talbot County.

15 So we'll hope you'll sign up. The RSVP  
 16 deadline is October 16th.

17 MR. PACK: Thank you, Alan, Ms. Ogburn,  
 18 Mr. Leigh. Thank you very much for your  
 19 presentation.

20 And I think I did sign up for one of those  
 21 dates. I'm not for sure. But I'll double-check

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1 my calendar. Okay.

2 Any questions, Council?

3 MR. LESHHER: I want to thank all three of  
 4 you for being here tonight and for not only the  
 5 presentation here, but really all the important  
 6 work that you're doing. The technical  
 7 expertise that you're bringing to Talbot County  
 8 and to other jurisdictions and for some of that  
 9 access to funding that you bring, particularly  
 10 this vision that you've outlined.

11 We're spending a lot of time with the WIPs  
 12 measuring inputs, but I know that you're also  
 13 measuring outcomes and seeing some, finally  
 14 after years of efforts, finally seeing some  
 15 pretty positive signs in those categories.

16 I did attend that one session of Envision  
 17 the Choptank. Thank you, Joanna, for  
 18 organizing that and for leading it so capably.

19 The vision for this is really a  
 20 multi-jurisdictional approach to improving the  
 21 health of waters. And importantly, Talbot

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1 County is downstream. So we benefit from all  
 2 those efforts that take place upstream. Not  
 3 only from our own efforts, but from all those  
 4 upstream partners. So we can be more effective  
 5 in cleaning up our local waters with that  
 6 cooperation that you're helping us to put  
 7 together.  
 8 So thank you so much for making that  
 9 possible. And I look forward to joining you on  
 10 the afternoon of the 25th.  
 11 MR. GIRARD: Thank you.  
 12 MR. PACK: Thank you all. Appreciate it.  
 13 Thanks, Alan.  
 14 Ms. Lane, how are you?  
 15 MS. LANE: Good, thank you.  
 16 MR. PACK: You're awake, okay. Just  
 17 checking.  
 18 Council, next on your agenda, you have  
 19 request for abatement from Talbot real property  
 20 tax. This is an annual request that we get.  
 21 Ms. Lane is our fiscal officer, and she comes

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1 in.  
 2 Seventy-three pages we have here, but  
 3 you're going to give us the condensed version,  
 4 I'm sure.  
 5 MS. LANE: Yes. I will be giving you the  
 6 condensed from the 73 pages that you all have.  
 7 Good evening. Every year, Talbot County  
 8 Council grants real property tax credits to  
 9 various organizations that own property in the  
 10 county. These are all nonprofit or government  
 11 organizations. This isn't open to anybody.  
 12 They do have to meet State criteria, even  
 13 though the county is granting the credit  
 14 against county taxes. And these properties do  
 15 still have to pay State taxes. We're only  
 16 allowed to grant a credit for county taxes.  
 17 But this year for fiscal 2020, the county  
 18 has received requests for property tax credits  
 19 from the following organizations:  
 20 Chesapeake Audubon Society, which operates  
 21 the Pickering Creek site and a marsh in the

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1 High Banks area. They're requesting abatement  
 2 of county taxes for six total parcels, which is  
 3 the same as last year's request.  
 4 Chesapeake Wildlife Heritage, which  
 5 operates wildlife sanctuaries in the county in  
 6 Bailey's Neck, Bozman, and Canterbury Farm.  
 7 They're requesting abatement for nine parcels,  
 8 which, again, is the same as last year's  
 9 request.  
 10 The Commissioners of the Town of  
 11 St. Michaels are requesting abatement of three  
 12 parcels that they have earmarked for future  
 13 town use on Freemont Street and on Talbot  
 14 Street. Again, the same as last year's  
 15 request.  
 16 The Habitat for Humanity has a request in  
 17 for 23 properties for future home sites; ten in  
 18 Easton, 13 in St. Michaels. This is an  
 19 increase from last fiscal year. Last fiscal  
 20 year they had 19 parcels. They have added I  
 21 think a net of -- they've added 11 new

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1 properties, but they sold two properties in  
 2 '19. So the net increase is nine new  
 3 properties. Most of those are actually in  
 4 St. Michaels. And that's in the Brooks Lane  
 5 area.  
 6 Neighborhood Service Center. This is a  
 7 new request this year. They're requesting  
 8 abatement of county taxes for the South Street  
 9 property that they recently acquired, and  
 10 they're renovating that for future housing for  
 11 three housing families, because we do not have  
 12 many opportunities for housing families in more  
 13 of a low income shelter type environment.  
 14 Talbot County Agricultural Center is  
 15 requesting an abatement for their Hiners Lane  
 16 site, which is the same as last year.  
 17 Talbot County, Maryland, is requesting a  
 18 abatement for the four parcels, which is the  
 19 same as our last year's request. This is for  
 20 future park and recreation areas near Oxford  
 21 and on St. Michaels Road and near Queen Anne,



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1 the Town of Queen Anne, and the Public Works  
 2 facility property.  
 3 The Town of Easton has a request for nine  
 4 parcels. Again, the same as last year's  
 5 request. Seven are for the Hill project  
 6 properties, one is a park property, and one is  
 7 the Public Works facility property.  
 8 Tuckahoe Steam & Gas Association has asked  
 9 for a request for their two parcels on Route 50  
 10 grounds, which is the same as last year.  
 11 And the Waterfowl Festival has requested  
 12 abatement of taxes on one parcel for future  
 13 land use, and this parcel is currently vacant.  
 14 And I believe I said it's the same as last  
 15 year's request.  
 16 There are 59 parcels that are requesting  
 17 abatement of county real property taxes, and  
 18 total is \$41,029.62.  
 19 I request that the County Council approve  
 20 these real property tax credits on these  
 21 properties.

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1 MR. PACK: Thank you, Ms. Lane.  
 2 Any questions, comments Council? If not,  
 3 the chair would entertain a motion.  
 4 MR. LESHHER: I move to approve the  
 5 abatement.  
 6 MR. PACK: Motion made by Mr. Leshher. Is  
 7 there a second?  
 8 MR. DIVILIO: I'll second.  
 9 MR. PACK: Seconded by Mr. Divilio. Any  
 10 further discussion on the abatement?  
 11 MS. PRICE: Just a question on the State  
 12 side. Do any of them, or these types of  
 13 organizations, put in a request to the State  
 14 that it gets abated?  
 15 MS. LANE: They do not meet the criteria  
 16 to be made exempt under State rules.  
 17 A good example is any property that can be  
 18 farmed, the State views that as income  
 19 producing, even though in most cases it's less  
 20 expensive to actually farm a property than to  
 21 cut the grass. But in the State's, under the

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1 code that the Assessment Office has to use to  
 2 determine exemptions, because the property is  
 3 farmed, it can't be made exempt. That's  
 4 actually part of why even our county properties  
 5 are in there, because they are farmed.  
 6 MS. PRICE: Do any of these types of  
 7 places put in an application or just none of  
 8 them qualify at all?  
 9 MS. LANE: They don't qualify for  
 10 exemptions. So they have to pay the State tax.  
 11 The majority of these organizations  
 12 actually are in State code to receive county  
 13 abatements.  
 14 MS. PRICE: Isn't that neat?  
 15 MS. LANE: But the State, they don't meet  
 16 the criteria for exemption from the State.  
 17 MR. LESHHER: So for example, the first  
 18 one, Pickering Creek is exempt for its main  
 19 center where it delivers its mission. These  
 20 are other properties that they're holding for  
 21 future purpose and that, therefore, don't need

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1 the requirement for the exception?  
 2 MS. LANE: I would have to actually look  
 3 specifically at each property, but I believe it  
 4 does include their main area because of the  
 5 size of the properties. One is 233 acres.  
 6 That's very small, that's one acre. One is  
 7 32 acres, but I believe the 233 is their main  
 8 area. They have another one at 63 acres and  
 9 one at 47, all on Presquile Road. And then  
 10 they do have 115 acres of marsh.  
 11 MR. LESHHER: Or perhaps another example,  
 12 Waterfowl Festival, which does not -- which  
 13 meets exemption for its headquarters property  
 14 where it delivers --  
 15 MS. LANE: Right. They do.  
 16 MR. LESHHER: -- owns another property that  
 17 is not delivering on its mission but is held  
 18 for future use that meets the exemption.  
 19 MS. LANE: Yes.  
 20 MR. LESHHER: That meets the abatement.  
 21 MS. LANE: Yes. I mean further to that

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<p>1 point, in Talbot County, our Public Works 2 facility, a portion of that has been exempted 3 but not the entire parcel because part of it's 4 farmed. So they will -- the State can exempt a 5 portion of a property but not the entire parcel 6 sometimes.</p> <p>7 MR. PACK: Okay. I believe I have a 8 motion and a second.</p> <p>9 If there's no further discussion, Madam 10 Secretary, please call your roll.</p> <p>11 SECRETARY: Mr. Pack.</p> <p>12 MR. PACK: Aye.</p> <p>13 SECRETARY: Mr. Divilio.</p> <p>14 MR. DIVILIO: Aye.</p> <p>15 SECRETARY: Mr. Callahan.</p> <p>16 MR. CALLAHAN: Aye.</p> <p>17 SECRETARY: Ms. Price.</p> <p>18 MS. PRICE: Aye.</p> <p>19 SECRETARY: Mr. Leshner.</p> <p>20 MR. LESHER: Aye.</p> <p>21 MR. PACK: Thank you very much, Ms. Lane.</p>	<p>1 determination for the discharge permit.</p> <p>2 So ultimately, I think as part of that, 3 MDE had identified that a public hearing, if an 4 applicant -- I'm sorry, not the applicant. If 5 somebody was interested in a public hearing, 6 they had to apply to MDE by September 19th. 7 And then ultimately, as part of their notice, 8 they also have highlighted that comments need 9 to be forwarded to them by September 30th.</p> <p>10 So I think we're here tonight to talk 11 about maybe the comments.</p> <p>12 One of the things I will be upfront is 13 that I think we had the Public Works Advisory 14 Board on September 4th. During that, the 15 Public Works Advisory Board, we reviewed the 16 tentative determination for the discharge 17 permit and we highlighted some questions, 18 comments for you.</p> <p>19 At the same time, we also noted that the 20 Publics Works Advisory Board, and I agreed with 21 them, recommended we go ahead and request a</p>
<p>Page 127</p> <p>1 MS. LANE: Thank you.</p> <p>2 MR. PACK: Council, next on your agenda we 3 have a discussion regarding comment to Maryland 4 Department of the Environment on a tentative 5 determination on the discharge permit. This is 6 on the proposed Trappe Lakeside development 7 down in the Township of Trappe.</p> <p>8 This Council did receive a letter dated 9 September the 23rd from the Town of Trappe, 10 which is in your Granicus. So you might want 11 to refer to that as well as we go through this.</p> <p>12 Mr. Kupersmith, are you or Mr. Clarke 13 going to address this?</p> <p>14 MR. KUPERSMITH: Sure. I'll let 15 Mr. Clarke go for it. He's walking up there.</p> <p>16 MR. CLARKE: Thank you. Appreciate that.</p> <p>17 Well, Council, first off, I guess to let 18 you know, on August 27th the Maryland 19 Department of the Environment forwarded me a 20 letter I guess advising me about the Trappe 21 wastewater treatment plant, the tentative</p>	<p>Page 129</p> <p>1 public hearing.</p> <p>2 So on September 18th, I did request that 3 public hearing with Dr. Tien, and he has 4 responded back. So we're one I think of 5 several applicants that have requested a public 6 hearing for the Trappe wastewater treatment 7 plant related to the notice of tentative 8 determination for the discharge permit.</p> <p>9 With that information, I think we've also 10 met with the Town of Trappe as well as the 11 applicant's attorney. And in addition to that, 12 we also met with George, Miles &amp; Buhr, who is 13 the engineer for the Town of Trappe, and two of 14 their representatives from George, Miles &amp; 15 Burh. And in that meeting, we discussed pretty 16 much the amendment process for the comp water 17 and sewer plan.</p> <p>18 And ultimately I think the town came with, 19 as you noted, the letter yesterday highlighting 20 I guess the intent to amend the comp water and 21 sewer plan I guess in the December cycle. And</p>

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1 that would include both the water and  
 2 wastewater systems.  
 3 With that, I think we have a citizen that  
 4 lives next to the spray irrigation field,  
 5 Dr. Harris. Mr. Harris contacted me this  
 6 morning. We talked a little bit. And I think  
 7 he had raised some concerns related to possible  
 8 setbacks with the spray irrigation field. And  
 9 possibly based upon the maps that were provided  
 10 within the permit application, there were some  
 11 concerns that he had that was related to  
 12 possibly having some of the monitoring wells on  
 13 his property.  
 14 I would have to say that as part of the  
 15 comments --  
 16 MR. PACK: Before we get into Dr. Harris,  
 17 because we're going to come back to that point,  
 18 what I would like to do first is for Council to  
 19 first deal with what, if any, comment we wanted  
 20 to give back to MDE regarding the tentative  
 21 determination.

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1 Me personally, I was very curious to get  
 2 the letter dated September 23rd that the town  
 3 is now willing to come and make application for  
 4 the comprehensive water and sewer plan. I  
 5 think we need to certainly refer to that, their  
 6 willingness to do that.  
 7 I think that's a good step in the right  
 8 direction to make sure that the classification  
 9 of the property, which I think under the last  
 10 comp plan was classified as S2, which is three  
 11 to five years. All indications are that they  
 12 plan to go forward with construction in 2020,  
 13 which is certainly not S2 under our particular  
 14 designation.  
 15 So I think it would be good that we sit  
 16 down with the Town of Trappe and make sure that  
 17 the comprehensive plan reflects appropriately  
 18 their intentions and the classification of this  
 19 property from S2 to S1. So that would be my  
 20 first comment, to make that point.  
 21 Also, because from some of the renderings

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1 that we have taken a look at, it appears that  
 2 this is going to be a staged approach to the  
 3 build-out of the property. I believe somewhere  
 4 in the neighborhood of 2,500 homes in total.  
 5 Of course, probably won't see that in my  
 6 lifetime. But since it is a staged approach  
 7 to the build-out, I think that also needs to be  
 8 notified or at least noted in the comprehensive  
 9 wastewater plan. As well as, Mr. Clarke, the  
 10 discharge. And we'll get to Mr. Harris on this  
 11 point.  
 12 The plant itself I think has differed from  
 13 the original plant that was the first concept  
 14 of Trappe. This is a membrane plant, which I  
 15 don't believe the original plant was at that  
 16 time. So that also needs to be reflected also  
 17 in the comprehensive water and sewer plan.  
 18 So my points that I think that we should  
 19 take back to MDE is that there's consistency in  
 20 this new plan. That the membrane system, the  
 21 pattern by which the build-out will take place

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1 and the reclassification of the property from  
 2 S2 to S1 should be reflected in our response  
 3 back to them.  
 4 So those would be my points that I think  
 5 we should certainly make mention of.  
 6 Am I forgetting anything that we talked  
 7 about?  
 8 MR. LESHER: Well, I agree with you. We  
 9 need to commend the town for coming forward and  
 10 making this request.  
 11 MR. PACK: Absolutely.  
 12 MR. CALLAHAN: Right.  
 13 MR. LESHER: For a comprehensive water and  
 14 sewer plan amendment and their willingness to  
 15 follow the proper process.  
 16 We need to hold their feet to the fire and  
 17 make sure that we do follow through this  
 18 process and ask for MDE's support in ensuring  
 19 that they do not short circuit the process and  
 20 that they fully -- they wait until this has  
 21 been -- this full process is followed before

<p style="text-align: right;">Page 134</p> <p>1 they issue the permit for this.</p> <p>2 And if there are technical concerns as</p> <p>3 well, I think those should be reflected in the</p> <p>4 letter as well.</p> <p>5 MR. PACK: Anything on this side?</p> <p>6 Anything we missed?</p> <p>7 MR. DIVILIO: I would just like to say</p> <p>8 that since this is Trappe's project that Town</p> <p>9 Council is pushing forward and has agreed that</p> <p>10 they want to do, they've already annexed the</p> <p>11 property in, there's two different ways that we</p> <p>12 can go about supporting Trappe.</p> <p>13 We know that they need additional revenue</p> <p>14 to come in. We can either just give them that.</p> <p>15 Or in my opinion, I would like to give you the</p> <p>16 direction to lend your experience and your</p> <p>17 expertise to help them through this process</p> <p>18 because I feel like they're going to need a</p> <p>19 little bit of help and guidance along this</p> <p>20 path, that I would like for this Council to</p> <p>21 support them in this project that they've</p>	<p style="text-align: right;">Page 136</p> <p>1 as well representing the client.</p> <p>2 But I think we should at least hear from</p> <p>3 them and see what position we should take as</p> <p>4 far as asking MDE to look into his concerns.</p> <p>5 Whether they're valid or not is not up to us to</p> <p>6 make that determination.</p> <p>7 MS. PRICE: Since we have public comment</p> <p>8 on our agenda, we might allow a couple of</p> <p>9 people to speak a little earlier.</p> <p>10 MR. PACK: I like your thinking,</p> <p>11 Ms. Price. So yes.</p> <p>12 MR. KUPERSMITH: Mr. Pack, also the Town</p> <p>13 attorney, Ms. Ryan, is here.</p> <p>14 MR. PACK: Oh, she is.</p> <p>15 MS. RYAN: I made it.</p> <p>16 MR. PACK: Nice to see you. Okay.</p> <p>17 Ryan, have you seen this letter?</p> <p>18 MR. SHOWALTER: No.</p> <p>19 MR. PACK: You have not. Okay. Could you</p> <p>20 provide him with a copy of it then? You just</p> <p>21 did. Okay.</p>
<p style="text-align: right;">Page 135</p> <p>1 worked so hard for.</p> <p>2 MR. PACK: Okay. Anything other comments?</p> <p>3 Mr. Kupersmith, was there anything else</p> <p>4 that we wanted to cover? Was that the main</p> <p>5 points?</p> <p>6 MR. KUPERSMITH: I think so.</p> <p>7 MR. PACK: Okay. Mr. Clarke, we did</p> <p>8 receive a statement from Dr. Harris, Dr. Steve</p> <p>9 Harris. He's a veterinarian.</p> <p>10 He's an adjoining property owner to the</p> <p>11 parcels of Lakeside, and he did raise some</p> <p>12 concerns regarding the spray fields. If you</p> <p>13 look at the layout, I believe there are three</p> <p>14 designated spray fields from the plant itself.</p> <p>15 He resides on Wrights Mill Road, which I think</p> <p>16 is the larger spray field of the three spray</p> <p>17 fields. And he did bring up some concerns in</p> <p>18 his letter to us.</p> <p>19 There is not a public hearing, Council.</p> <p>20 And we did receive it in writing. Dr. Harris</p> <p>21 is here, and we also have Ryan Showalter here</p>	<p style="text-align: right;">Page 137</p> <p>1 I know he's a fast reader. I wanted to</p> <p>2 give him time to at least look at that.</p> <p>3 Why don't we ask the town attorney. Do</p> <p>4 you mind coming up and introducing yourself? I</p> <p>5 know you've taken over for Brynja.</p> <p>6 MS. RYAN: Yes.</p> <p>7 MR. PACK: She's off to bigger and better</p> <p>8 things. So thank you for coming and being with</p> <p>9 us. And have a seat. Just introduce yourself.</p> <p>10 And anything you want to add to what the</p> <p>11 discussion is this evening, we'll be glad to</p> <p>12 hear from you.</p> <p>13 MS. RYAN: Good. And I thank you for</p> <p>14 having me. My name is Lyndsey Ryan. I took</p> <p>15 over once Brynja left. We miss her. I'm sure</p> <p>16 you all miss her. She has a lot of the history</p> <p>17 that Ryan has with the project. So I'm sure he</p> <p>18 can chime in whenever you need.</p> <p>19 I'm here if you have any questions.</p> <p>20 This was kind of brought up after Ray</p> <p>21 reached out and wanted to have a meeting. We</p>

<p style="text-align: right;">Page 138</p> <p>1 had that meeting. We kind of realized that the  2 town's intent was always to come to the county  3 and go through that process, and maybe you all  4 weren't aware of that, which is why we decided  5 to draft the letter and indicate where we were  6 right now with the project.</p> <p>7 We understand that the comments you might  8 have, and I ask that if you have any comments,  9 that we be provided copies and a copy of  10 Dr. Harris's letter so we can respond to those  11 concerns.</p> <p>12 But from the town's perspective, they want  13 to work with you all. And sitting down I think  14 is a good idea. And if there's anything we can  15 provide or any information you need, then  16 please feel free to reach out.</p> <p>17 MR. PACK: Absolutely. I think the  18 earliest we can get you all back in for the  19 comprehensive plan is in December.</p> <p>20 MS. RYAN: Right.</p> <p>21 MR. PACK: And we were going through some</p>	<p style="text-align: right;">Page 140</p> <p>1 the spray fields.</p> <p>2 And we have a marsh. The property lines  3 don't necessarily match up to what MDE  4 presented to me. It's a hard map to read. So  5 I just got it surveyed four years ago, and they  6 don't quite match up.</p> <p>7 There's wells on the property. I don't  8 believe any of those are on my property. There  9 is -- the marsh is a mill pond. It's not --  10 and it's a drained mill pond. So I own the  11 entire marsh, the bottom of the creek, I  12 understand I own the water, too, up to the high  13 water mark at the level of the land owned by  14 the development.</p> <p>15 So in one of the sections, Dr. Tien said  16 he was going to put in five monitoring stations  17 for surface water. He can't get to the surface  18 water unless he crosses over my property. So  19 my wife and I are concerned that the leach  20 fields are going to come on into the marshland.  21 It doesn't drain like a regular marsh. It's</p>
<p style="text-align: right;">Page 139</p> <p>1 dates in the back room. I think we were  2 looking at December the 19th was it. Before  3 Christmas.</p> <p>4 MS. MORRIS: December 17th.</p> <p>5 MR. PACK: Seventeenth. So you might want  6 to jot that down, December 17th. Get you back  7 in here on the 17th for that. Okay?</p> <p>8 MS. RYAN: Absolutely.</p> <p>9 MR. PACK: Ryan, you had a chance to look  10 at that. I'm going to ask Mr. Harris to come  11 forward at this time, and then we'll bring you  12 up.</p> <p>13 Dr. Harris, you mind coming up. We did  14 get your letter, and we certainly understand  15 your concerns here. Of course, we're not the  16 body to address them at this time, but we want  17 to hear from you. So we did get the letter.</p> <p>18 And the floors is yours.</p> <p>19 DR. HARRIS: I understand. I know you  20 know I'm Dr. Harris. 4720 Wrights Mill Road,  21 Trappe. We are the adjacent property owners to</p>	<p style="text-align: right;">Page 141</p> <p>1 bottlenecked at Wrights Mill Road.</p> <p>2 We were just concerned. We want to look  3 at property lines. We want to know how they're  4 going to test the water.</p> <p>5 We're actually not against the  6 development. We'd just rather not have the  7 spray fields where they are. I understand that  8 there's some things I can control and some  9 things I can't, but I have to come up and state  10 my case.</p> <p>11 We put a lifetime into buying this farm,  12 and for somebody upstream to change that. We  13 bought this farm, this other parcel, to prevent  14 development and be good stewards to Talbot  15 County and good stewards to future generations.</p> <p>16 And it just doesn't sit right that these  17 spray fields are allowed to go in and ruin  18 without the assurances that MDE, that they're  19 doing the right thing. So I'm just concerned  20 about the wetlands and concerned about the  21 environmental impact.</p>

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1 We just had a great statement by  
 2 Chesapeake Bay and the Choptank watershed.  
 3 This is all going into the Choptank watershed.  
 4 So it's just a big deal.  
 5 So thank you for your time.  
 6 MR. PACK: Okay. Thank you, Dr. Harris.  
 7 MS. PRICE: Question for you, though. So  
 8 there's not a whole lot we can do because it  
 9 goes to MDE.  
 10 So my question is I assume you're going to  
 11 be there at the public hearing.  
 12 DR. HARRIS: Yes. They asked for a  
 13 meeting in, I don't know, beginning of  
 14 September, end of August. And I put in that I  
 15 do want to seek the meeting. I did wish -- my  
 16 understanding is there's two people that have  
 17 asked for a meeting. So my understanding, you  
 18 got a similar question, and that's what  
 19 Mr. Clarke was saying about similar letter.  
 20 So I thought if I could get some of my  
 21 concerns to you, I might help you with some of

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1 your questions also.  
 2 But yeah, I'll be there. I have no  
 3 notification of when the meeting is yet.  
 4 MS. PRICE: Keep us in the loop for that  
 5 because if we do need -- if there is anything  
 6 we can do to help you at least get your  
 7 concerns to them so that they don't get  
 8 overlooked. We can't make them do anything,  
 9 but we just want to make sure that they don't  
 10 get overlooked. And that's good that you have  
 11 a meeting with them.  
 12 DR. HARRIS: I'm just trying to bring  
 13 awareness.  
 14 MS. PRICE: Thank you.  
 15 DR. HARRIS: Thank you.  
 16 MR. PACK: Mr. Showalter, have you had a  
 17 chance to kind of skim through this? You want  
 18 to respond in any way? I'm sorry to put you on  
 19 the spot here.  
 20 MR. SHOWALTER: Sure. Ryan Showalter here  
 21 on behalf of Trappe East Holdings Business

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1 Trust, which is the developer of the Lakeside  
 2 project in Trappe.  
 3 I have had an opportunity to very briefly  
 4 skim the comments and certainly welcome the  
 5 opportunity to understand and address  
 6 Mr. Harris's concerns.  
 7 I'm very comfortable looking at the maps  
 8 that he received from MDE that both the  
 9 monitoring well and the surface water locations  
 10 that are proposed as part this permit are  
 11 identical to those that were imposed as part of  
 12 the permit issued in 2004.  
 13 And so there are five surface water  
 14 monitoring locations. They are points where  
 15 the surface waters cross public space. So they  
 16 are, in two cases, they're private property.  
 17 They're on the Lakeside development project  
 18 site and accessible from the project. The  
 19 others are where there's a stream bridge  
 20 crossing or road crossing.  
 21 MR. PACK: Those are public?

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1 MR. SHOWALTER: They would be taking  
 2 samples from the public right of way from the  
 3 bridge crossing.  
 4 And all of the ground water wells are  
 5 located on the Lakeside project site.  
 6 The wastewater treatment method that is  
 7 being proposed is slightly different than what  
 8 was proposed before. What was proposed  
 9 previously was a bio-lack treatment plant. It  
 10 was a BNR quality treatment plant.  
 11 What is proposed now is a membrane  
 12 bioreactor, which is ENR quality. So a higher  
 13 level of treatment is being proposed for  
 14 construction.  
 15 The discharge permit requires that the  
 16 spray irrigation effluent have zero nutrients  
 17 at the root level.  
 18 So I'm very comfortable that while this  
 19 isn't the forum to get into the science and I'm  
 20 not the person to get into the science, we can  
 21 sit down with Mr. Harris and/or together with

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1 MDE, and I'm comfortable we can address the  
 2 concerns.  
 3 MR. PACK: Okay.  
 4 MR. SHOWALTER: Appreciate the opportunity  
 5 to participate.  
 6 MR. PACK: Thank you for coming out and  
 7 giving your comment to it.  
 8 That would basically be, Mr. Kupersmith,  
 9 my comments as well. That we may just allude  
 10 to MDE that we received these comments from  
 11 Dr. Harris and we've heard from Council. And  
 12 they should bring these parties together to get  
 13 this matter resolved. We're not taking sides  
 14 one way or the other, but you all need to sit  
 15 down and get these things resolved. Okay.  
 16 Did you get a copy of Dr --  
 17 MS. RYAN: I did not.  
 18 MR. PACK: Dr. Harris, do you have another  
 19 copy? Ryan, you'll take care of it? Okay.  
 20 MS. RYAN: Thank you.  
 21 MR. PACK: Ray, you want to come back up

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1 so we can just finish up real quick.  
 2 So is there anything further we want to  
 3 put in this response? Are we good?  
 4 MR. CLARKE: The only comment I'll make,  
 5 I'll try and put together my comments and get  
 6 them over to Lindsey tomorrow.  
 7 MR. PACK: All right. Okay. Are we good,  
 8 Mr. Kupersmith, as far as direction or you need  
 9 anything further from Council?  
 10 MR. KUPERSMITH: We're good.  
 11 MR. PACK: All right. Okay. Ray, thank  
 12 you very much.  
 13 MR. SHOWALTER: Thank you.  
 14 MR. PACK: Thanks, Ryan. Appreciate it.  
 15 Thanks, Dr. Harris. Lyndsey, nice meeting you.  
 16 MS. RYAN: Thank you. You too.  
 17 MR. PACK: County manager.  
 18 MR. HOLLIS: Council, first is a request  
 19 for a renewal of the maintenance for NEC  
 20 Communications Equipment. They allow us to  
 21 speak between buildings. It's in the amount of

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1 \$15,419. Already included in the IT budget you  
 2 approved.  
 3 MR. PACK: Is there a motion to approve  
 4 the communication equipment?  
 5 MR. CALLAHAN: So moved.  
 6 MR. DIVILIO: So moved.  
 7 MR. PACK: Moved by Mr. Divilio, seconded  
 8 by Mr. Callahan. Any further discussion?  
 9 Hearing none, Madam Secretary, please call  
 10 your roll.  
 11 SECRETARY: Mr. Pack.  
 12 MR. PACK: Aye.  
 13 SECRETARY: Mr. Divilio.  
 14 MR. DIVILIO: Aye.  
 15 SECRETARY: Mr. Callahan.  
 16 MR. CALLAHAN: Aye.  
 17 SECRETARY: Ms. Price.  
 18 MS. PRICE: Aye.  
 19 SECRETARY: Mr. Leshner.  
 20 MR. LESHER: Aye.  
 21 MR. HOLLIS: Council, you received

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1 information in your packet about a request to  
 2 rebid the county's deferred compensation plan.  
 3 We're requesting your approval to accept the  
 4 proposal from Bolton & Association in the  
 5 amount of \$32,500 to rebid the county's 457B  
 6 and 401A plans.  
 7 They were originally set up in 1996.  
 8 We've now been advised through study that the  
 9 current fee structure is higher than fees paid  
 10 by similar plans. So we feel we have a  
 11 fiduciary responsibility to county participants  
 12 to conduct a review and to see. We think  
 13 probably successfully, we will find lower rates  
 14 or lower fees to be paid by your employees.  
 15 The cost of this is not included in your  
 16 budget. Ms. Lane is proposing it come out of  
 17 the money for the impact fee study by Tischler  
 18 Bise because we have that additional dollar  
 19 amount available.  
 20 MR. PACK: Okay. Thirty-two, five?  
 21 MS. LANE: Yes.

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1 MR. PACK: It's Bolton, right?  
 2 MS. LANE: Bolton.  
 3 MR. PACK: Bolton Associates. Any  
 4 questions or comment of Ms. Lane or Mr. Hollis  
 5 on the proposal?  
 6 MR. DIVILIO: So we're going to hire a  
 7 firm at the cost of 32,000 to review whether --  
 8 MS. LANE: They will actually do the RFP  
 9 process for us and then evaluate the responses  
 10 because they actually have the expertise to  
 11 evaluate the responses. And then come back to  
 12 us with probably a group of two or three  
 13 finalists for the county to make a final  
 14 decision.  
 15 We really don't have in-house expertise to  
 16 evaluate these companies on their offerings and  
 17 their fee structures.  
 18 MS. PRICE: Yeah. I mean some of these  
 19 fees, they are within mutual funds.  
 20 MS. LANE: They're invisible to the  
 21 participant.

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1 MS. PRICE: So you really don't know. You  
 2 see the return, you go oh, it went up. But the  
 3 fee is deducted and you don't see it.  
 4 So I definitely think we should do this.  
 5 MS. LANE: And that is something that  
 6 probably will and is happening in other  
 7 jurisdictions as these plans are being rebid.  
 8 Those fees are becoming more transparent. So  
 9 participants do see what the fees are  
 10 associated with investment options.  
 11 Just to give you some background. The  
 12 City of Salisbury has recently done this in the  
 13 last year with Bolton. Queen Anne's is  
 14 probably a month or two months ahead of us in  
 15 the same process with Bolton.  
 16 We all went into the deferred comp  
 17 environment around the same time. And most of  
 18 us have not looked at these plans in a number  
 19 of years. The environments have become more  
 20 competitive, and there are better rates  
 21 available with different offerings.

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1 Caroline County just completed a review of  
 2 their plan in the last year. They used a  
 3 different company. Their fees were very  
 4 similar, although slightly higher than what  
 5 Bolton is proposing for us.  
 6 MR. HOLLIS: I'm actually not sure we  
 7 should have waited 20 years.  
 8 MR. PACK: Right, right, right. Okay.  
 9 Did I get a motion?  
 10 MS. PRICE: I'll make the motion.  
 11 MR. PACK: Motion by Ms. Price.  
 12 MR. LESHHER: Second.  
 13 MR. PACK: Seconded by Mr. Leshher. Any  
 14 further comment?  
 15 Hearing none, Madam Secretary, please call  
 16 your roll.  
 17 SECRETARY: Mr. Pack.  
 18 MR. PACK: Aye.  
 19 SECRETARY: Mr. Divilio.  
 20 MR. DIVILIO: Aye.  
 21 SECRETARY: Mr. Callahan.

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1 MR. CALLAHAN: Aye.  
 2 SECRETARY: Ms. Price.  
 3 MS. PRICE: Aye.  
 4 SECRETARY: Mr. Leshher.  
 5 MR. LESHHER: Aye.  
 6 MR. HOLLIS: Thank you.  
 7 MS. LANE: Thank you.  
 8 MR. HOLLIS: Ray. We're requesting your  
 9 approval to accept grant and loan funds from  
 10 the US Department of Agriculture Rural  
 11 Development for the St. Michaels sewer system,  
 12 Talbot County project. We're requesting you  
 13 accept from them for St. Michaels \$1.278  
 14 million in grant money and \$222,000 in loan  
 15 money.  
 16 The county, Ray Clarke in particular,  
 17 currently working with the Town of  
 18 St. Michaels on closing on that loan.  
 19 And Council, I know you'll -- I just want  
 20 Mr. Clarke to be credited with his diligence in  
 21 pursuing these grant opportunities. These kind



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1 of dollars in grants versus the amount of loan  
 2 is just tremendous. It's just wonderful.  
 3 MR. PACK: He's the grant bloodhound.  
 4 That's for sure.  
 5 MR. CLARKE: I get ten percent.  
 6 MR. HOLLIS: That's on the record.  
 7 MR. PACK: Is this a zero percent loan?  
 8 MR. CLARKE: I get zero percent. No.  
 9 Actually I think, if I'm not mistaken,  
 10 it's about 2.1 percent. It could go down to  
 11 1.75 percent in October.  
 12 MR. PACK: Okay. Is the loan paid back by  
 13 the users?  
 14 MR. CLARKE: This one, what we're trying  
 15 to do on this, sir, because the county right  
 16 now I guess when we first did this work, we  
 17 were doing a lot of sewer replacement work.  
 18 And as that work was going on, we ended up  
 19 working with Rural Development as well as the  
 20 Town of St. Michaels. And we ended up  
 21 basically redoing was it Gray Street and

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1 Thompson Street.  
 2 We now are going to repave I believe it's  
 3 Dodson Street, Perry Street, a couple of other  
 4 streets. So there's probably a minimum of  
 5 about a million dollars' worth of paving and  
 6 road rehabilitation work. Possibly more than  
 7 that. Maybe about 1.2.  
 8 So we're going back to the town asking  
 9 them if they'd cover that \$222,000.  
 10 MR. PACK: Oh, we are?  
 11 MR. CLARKE: Yes.  
 12 MR. PACK: And what if they give you  
 13 a . . .  
 14 MR. CLARKE: A no-no?  
 15 MR. PACK: A no-no. How are we --  
 16 MR. CLARKE: I guess we'll have to talk to  
 17 the Council what to do next.  
 18 MR. PACK: I feared you were going to say  
 19 that.  
 20 So Ms. Lane, how can we cover this 2222 if  
 21 the Town of St. Michaels won't pick it up? I

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1 mean what fund are we are going to come out to  
 2 pay this \$22,000 loan back?  
 3 MS. LANE: It actually would be the  
 4 St. Michaels wastewater.  
 5 MR. PACK: That's what I was thinking. So  
 6 it would come out of that.  
 7 MR. CLARKE: It would come out of the  
 8 users, yes, sir.  
 9 But to be fair to the users, though, this  
 10 is a lot of road work.  
 11 MR. PACK: I hear you.  
 12 MR. CLARKE: Hopefully the town will  
 13 accept the fact. They originally had roughly  
 14 \$400,000 --  
 15 MR. PACK: Are you scheduled to be in  
 16 front of them --  
 17 MR. CLARKE: I am --  
 18 MR. PACK: In the near future?  
 19 MR. CLARKE: I'm going to be drafting  
 20 several letters tomorrow. One of them is going  
 21 to the Town of Trappe, one is to the Town of

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1 St. Michaels.  
 2 MR. HOLLIS: But you've already reached  
 3 out to the town --  
 4 MR. CLARKE: I did. I did reach out and  
 5 let her know that I'll be getting her something  
 6 this week.  
 7 MR. PACK: Yeah. We need to get that in  
 8 front of them.  
 9 And also dealing with the laterals as  
 10 well, before we start fining people who are  
 11 connecting into our laterals illegally.  
 12 So 2222 in loan will be paid back through  
 13 the users of the system. And so this is great.  
 14 I need a --  
 15 MR. LESHHER: Probably wondering, anyway,  
 16 what to do with all those State shared highway  
 17 user revenues.  
 18 MS. PRICE: Put those back to the county.  
 19 MR. HOLLIS: Let's hope they have your  
 20 sense of humor, Mr. Leshher.  
 21 MR. PACK: Okay. I need a motion on this.

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1 MR. CALLAHAN: So moved.  
 2 MR. PACK: Moved by Mr. Callahan. Is  
 3 there a second?  
 4 MR. LESHER: Second.  
 5 MR. PACK: Seconded by Mr. Leshner. Any  
 6 further discussion?  
 7 Madam Secretary, please.  
 8 SECRETARY: Mr. Pack.  
 9 MR. PACK: Aye.  
 10 SECRETARY: Mr. Divilio.  
 11 MR. DIVILIO: Aye.  
 12 SECRETARY: Mr. Callahan.  
 13 MR. CALLAHAN: Aye.  
 14 SECRETARY: Ms. Price.  
 15 MS. PRICE: Aye.  
 16 SECRETARY: Mr. Leshner.  
 17 MR. LESHER: Aye.  
 18 MR. HOLLIS: Thank you, ray.  
 19 MR. CLARKE: Thank you.  
 20 MR. HOLLIS: Council, next is a request  
 21 you received a while ago about a contribution

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1 to the National Korean War Veterans Memorial  
 2 down on the Mall.  
 3 This is for adding a wall of remembrance  
 4 to the Korean War Memorial. It's a \$25 million  
 5 project.  
 6 Three of those veterans whose names will  
 7 appear on the wall are from Talbot County. The  
 8 estimate of that cost is about \$410 per  
 9 veteran.  
 10 Mr. Glassman, who is the head of MACo this  
 11 year, has sent a letter asking for all the  
 12 counties to participate. Our total, your total  
 13 request would be \$1,230 to be part of this  
 14 effort.  
 15 Several counties have participated. Not  
 16 all have signed on yet. I don't know that  
 17 there's any message there, but everybody is  
 18 considering the request.  
 19 I know Ms. Price has been contacted up at  
 20 MACo by Mr. Glassman about it.  
 21 MR. PACK: So these are Talbot County

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1 citizens that will be added to the Korean War  
 2 wall?  
 3 MR. HOLLIS: Correct.  
 4 MR. PACK: Three names we have, three  
 5 KIAs.  
 6 MR. HOLLIS: Correct.  
 7 MR. LESHER: Is this simply a MACo  
 8 initiative to step up to this, rather than the  
 9 private fundraising?  
 10 I mean I presume that -- is this just a  
 11 approach from the State of Maryland?  
 12 MR. HOLLIS: The request came from  
 13 Mr. Glassman signed on his county executive  
 14 letterhead from Harford County, but he also is  
 15 eager to have a photo opportunity down at the  
 16 MACo winter conference. So I think he's tying  
 17 all of it together.  
 18 MS. PRICE: I'm sure it's not covering the  
 19 full cost of the wall, but it is just a county  
 20 effort to try --  
 21 MR. HOLLIS: It's a \$25 million project.

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1 So you're correct, it is not --  
 2 MS. PRICE: Yeah.  
 3 MR. HOLLIS: -- and donations.  
 4 MS. PRICE: \$400 per name to get somebody  
 5 into D.C. I think is.  
 6 MR. HOLLIS: Correct.  
 7 MS. PRICE: Money well spent.  
 8 MR. LESHER: The website for the Korean  
 9 Vets Memorial itself talks about the funding  
 10 for the wall coming from private donations.  
 11 So I'm wondering if elsewhere in the  
 12 country it's being done. And in Maryland we're  
 13 simply taking the initiative to do this with  
 14 local government funding.  
 15 MS. PRICE: Again, I don't think it covers  
 16 the entire cost by any stretch of the  
 17 imagination. I think it's just a little  
 18 something to help.  
 19 MR. PACK: All right.  
 20 MS. PRICE: To honor your own veterans.  
 21 MR. LESHER: Right.

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1 MR. PACK: So we have a request to  
 2 contribute to this in the amount of \$1,230 for  
 3 three Talbot County Korean War veterans to be  
 4 placed on the wall down in D.C.  
 5 MR. LESHER: So where would the funding be  
 6 coming from?  
 7 MR. HOLLIS: Where would your county  
 8 funding?  
 9 MR. LESHER: Our contribution.  
 10 MR. HOLLIS: You either need to take it  
 11 out of miscellaneous or take it out of your  
 12 contingency. You have funds in both accounts.  
 13 MR. LESHER: Okay.  
 14 MS. PRICE: So --  
 15 MR. LESHER: We do have a designated fund,  
 16 I think it's spoken for, where we contribute to  
 17 nonprofit organizations.  
 18 MR. PACK: The ABB money.  
 19 MR. LESHER: But I suspect that's all  
 20 spoken for. We're contributing to --  
 21 MR. PACK: Just about.

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1 MS. LANE: Yeah. I think you might have  
 2 \$1,000.  
 3 MR. PACK: Just about.  
 4 MS. LANE: I don't think you have 1,200.  
 5 MR. PACK: I don't think you have that  
 6 left in there.  
 7 MS. PRICE: -- miscellaneous?  
 8 MS. LANE: Yes.  
 9 MS. PRICE: For \$1,200, I would make a  
 10 motion.  
 11 MR. PACK: Motion by Ms. Price. Is there  
 12 a second for the \$1,230 out of miscellaneous?  
 13 MR. DIVILIO: I'll second that.  
 14 I will understand your reservations and  
 15 thoughts on that.  
 16 I just -- yeah. When you see a small  
 17 amount, it's easy to say yes. But then when  
 18 you're thinking about the whole picture, I  
 19 certainly understand.  
 20 But again, it is a small amount. As a  
 21 Talbot County citizen, I'm happy to support

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1 these names being added to that wall.  
 2 MR. PACK: Anyone else? We have a motion  
 3 and a second.  
 4 If nothing further, Madam Secretary,  
 5 please call your roll.  
 6 SECRETARY: Mr. Pack.  
 7 MR. PACK: Aye.  
 8 SECRETARY: Mr. Divilio.  
 9 MR. DIVILIO: Aye.  
 10 SECRETARY: Mr. Callahan.  
 11 MR. CALLAHAN: Aye.  
 12 SECRETARY: Ms. Price.  
 13 MS. PRICE: Aye.  
 14 SECRETARY: Mr. Leshner.  
 15 MR. LESHER: Aye.  
 16 MR. HOLLIS: Council, Ms. Price was made  
 17 aware at a recent MACo meeting about a State  
 18 program that the legislature put in place  
 19 called [finefix.maryland.gov](http://finefix.maryland.gov).  
 20 And what it allows is for those are in  
 21 arrears for auto fines, uninsured auto fines to

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1 actually participate in this program for a  
 2 limited time, it ends the end of this year, and  
 3 have up to 80 percent of the cost of their  
 4 fines eliminated so that they can be made back  
 5 in good standing with the Motor Vehicle  
 6 Administration.  
 7 I wasn't really focused on the importance  
 8 of this, to be honest, until I read the  
 9 information. But approximately 320,000  
 10 eligible debtors are in the state of Maryland  
 11 that could benefit from this.  
 12 So the bottom line is we're just as a  
 13 public service announcement, we're going to put  
 14 a link on our website about this information.  
 15 It's [finefix.maryland.gov](http://finefix.maryland.gov).  
 16 You want to add to that?  
 17 MS. PRICE: We had a presentation at our  
 18 legislative meeting last week. The people came  
 19 in and talked about that it is only good for  
 20 people who incurred the debt prior to December  
 21 of 2016. The average debt that people can't

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1 pay, which means they can't register their  
 2 vehicles, is \$2,400, which for people who are  
 3 trying to get their cars back on the road --  
 4 MR. PACK: That's significant.  
 5 MS. PRICE: -- are either not driving or,  
 6 worse yet, driving --  
 7 MR. PACK: Illegally.  
 8 MS. PRICE: Exactly. So to be able to  
 9 forgive 80 percent of it and get these people  
 10 back on the road and legal I think is great.  
 11 They're just really trying to reach out to  
 12 get the word out because these people don't  
 13 know.  
 14 They've sent letters to the last known  
 15 address. But again, these types of people may  
 16 not be living at that address anymore. So  
 17 they're looking -- and I'm going to just make  
 18 the ask right now to Christine to see if you  
 19 can get this information that I shared with the  
 20 county manager and try to get it in the  
 21 newspaper and on the website so that people are

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1 made aware so that they can get this wiped off  
 2 so they can get back on the road.  
 3 MR. PACK: Good idea, good idea.  
 4 MR. HOLLIS: So Council, last is request  
 5 for appointment of membership to the property  
 6 tax referendum committee.  
 7 MR. PACK: Okay.  
 8 MR. HOLLIS: Pamela Clay, retired senior;  
 9 Ron Engle, Town of Easton, Bill Boos, Town of  
 10 St. Michaels; Ronald Johnson, VFW Post 5118,  
 11 veteran's organization; Brad Miller, Talbot Tax  
 12 Payers Association, Earl Chance, Talbot County  
 13 Volunteer Fire and Rescue Association; Sheriff  
 14 Joe Gamble, Sheriff's Office; Clay Stamp,  
 15 Department of Emergency Services; Susan  
 16 Delean-Botkin of the Board of Education; Dr.  
 17 Kelly Griffith with Talbot County Public  
 18 Schools; and Angela Lane, the finance director  
 19 who would chair or lead the group.  
 20 And Council will make a comment afterward,  
 21 but there is an additional seat available as

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1 well that hasn't been filled yet.  
 2 MR. PACK: Yes. Is there a motion to  
 3 accept these persons that we have currently? I  
 4 know there's one seat still open.  
 5 MR. LESHHER: I move for the appointments.  
 6 MR. PACK: Thank you very much,  
 7 Mr. Leshher.  
 8 MR. CALLAHAN: Second.  
 9 MR. PACK: Seconded by Mr. Callahan. Any  
 10 further discussion?  
 11 Hearing none, Madam Secretary, please call  
 12 your roll.  
 13 SECRETARY: Mr. Pack.  
 14 MR. PACK: Aye.  
 15 SECRETARY: Mr. Divilio.  
 16 MR. DIVILIO: Aye.  
 17 SECRETARY: Mr. Callahan.  
 18 MR. CALLAHAN: Aye.  
 19 SECRETARY: Ms. Price.  
 20 MS. PRICE: Aye.  
 21 SECRETARY: Mr. Leshher.

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1 MR. LESHHER: Aye.  
 2 MR. HOLLIS: Great. Thank you.  
 3 MS. PRICE: So we've thought of some  
 4 people. But still, if somebody wants to  
 5 volunteer and reach out to us, we certainly  
 6 would like to hear. There were two at-large  
 7 seats. We've only filled one of the at-large  
 8 seats. Correct?  
 9 MR. HOLLIS: And it would be great if they  
 10 could contact or send a resume or a letter of  
 11 interest to the County Council.  
 12 MS. PRICE: Because we have a lot of  
 13 organizations represented, which is important  
 14 because they have ways to get the message out.  
 15 But we also want to hear from the average  
 16 citizen, which is why we created two at-large  
 17 positions because we think that would be good  
 18 feedback just to people that don't necessarily  
 19 represent any particular organization that can  
 20 just talk to their neighbors and say hey, my  
 21 neighbor is on there. So thank you.

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1 MR. PACK: Thank you, Ms. Price.  
 2 MR. HOLLIS: That's all. Thank you.  
 3 MR. PACK: Thank you. Well, I'm looking  
 4 out over this vacant chamber here, and I have a  
 5 list of four people for public comment. But I  
 6 don't think they have stuck around for public  
 7 comment. So we'll just dispense of that at  
 8 this time and just make note that I did  
 9 reference the sheet. But there's no one here,  
 10 unless Ms. Lane or Ms. Verdery wants to come up  
 11 and give public comment, which I don't think  
 12 they do.  
 13 MS. PRICE: Transcriptionist and still the  
 14 person videoing.  
 15 MR. PACK: She doesn't want to say  
 16 anything.  
 17 So the public comment is now closed.  
 18 And we're now here for Council comment.  
 19 And I'll start over to my right. Mr. Divilio.  
 20 MR. DIVILIO: I have nothing at this time.  
 21 MR. PACK: Nothing at this time.

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1 Mr. Leshner.  
 2 MR. LESHER: Nothing further.  
 3 MR. PACK: Nothing further.  
 4 Mr. Callahan.  
 5 MR. CALLAHAN: I just want to wish Frank  
 6 Happy Anniversary. That's all I want.  
 7 MR. DIVILIO: Thank you, thank you.  
 8 MR. CALLAHAN: Enjoy the evening.  
 9 MR. DIVILIO: I'll have to get a card on  
 10 the way home.  
 11 MR. PACK: We'll chip in.  
 12 Ms. Price.  
 13 MS. PRICE: Just continuing to go up over  
 14 to Annapolis across the bridge and watch the  
 15 funding commission for Kirwan.  
 16 Nothing has really happened. It has  
 17 really just been them getting an education, no  
 18 pun intended, on how pensions work, what is  
 19 maintenance of effort, what is local tax  
 20 effort, what is GCEI.  
 21 They have made no decisions.

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1 There's going to be two more meetings I  
 2 believe, one Thursday and a final one on  
 3 October 8th, which they just added.  
 4 It's been mostly the Department of  
 5 Legislative Services, which has kind of been  
 6 driving the train, just kind of leading them in  
 7 a certain way. They haven't considered  
 8 anything earthshattering. They haven't  
 9 considered really anything yet at all as far as  
 10 changing any of the formulas. So you can  
 11 expect that those will all stay the same as far  
 12 as the recommendations. It will punt back to  
 13 the full Kirwan Commission.  
 14 But even at that point, it will be up to  
 15 the legislators in Annapolis. They probably  
 16 may not listen, either. And they will put into  
 17 place something that they think that will be --  
 18 that will pass that they can put forth.  
 19 I will say that one fear -- good news, bad  
 20 news is originally there was supposed to be a  
 21 three-year ramp-up and most of the \$4 billion

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1 would be the first three years.  
 2 The message being telegraphed from  
 3 Annapolis is that it will be truly spread out  
 4 over ten years. I think because the State  
 5 thinks that they can maybe get some of the  
 6 casino revenues, maybe eventually some of the  
 7 legalized marijuana revenue. They can shift  
 8 some things around and maybe a little bit of  
 9 nature growth, they might be able to cover  
 10 their share of it.  
 11 But the problem is they're going to pass  
 12 something, and we don't have that luxury. We  
 13 don't get those additional revenues. That is  
 14 one of MACo's legislative initiatives, and I  
 15 can share that next go-round what our four  
 16 initiatives are. I won't do that this evening  
 17 because there's nobody here anyway.  
 18 MR. PACK: No.  
 19 MS. PRICE: But incorporated in one of  
 20 them is if there is any new State revenue, that  
 21 they might consider sharing that with the

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1 counties to help take care of that.

2 We know that in Talbot County we don't

3 have anything to shift away from our current

4 services to fund additional education. We've

5 done it all through property tax increases. So

6 that the only thing left for any county, Talbot

7 County, Montgomery County, and every county in

8 between, is either to -- is really to raise

9 property tax because half the counties are

10 already maxed out at 3.2 percent and another

11 six counties are already above three percent.

12 So there's really no room in the income tax for

13 the vast majority of the counties. There's

14 only a couple.

15 So the only way to fund the \$2 billion

16 over the ten years is through property tax

17 increases, which the legislature will probably

18 mandate that we have to do it. And that's our

19 only option.

20 So that is the fear, is that the State

21 really isn't going to go in and raise the sales

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1 tax. They're not going to go in and raise

2 their property tax rates because they don't

3 want to be seen as the one raising taxes.

4 But lucky us, we're going to get an

5 opportunity to do that. And that's kind of

6 what is going on, what is being telegraphed.

7 But stay tuned.

8 MR. PACK: Thank you, Ms. Price.

9 The one thing about Kirwan is that there

10 was a survey done recently. And about

11 70 percent of Marylanders knew nothing about

12 Kirwan, never heard about the Kirwan

13 Commission, what the commission was doing, the

14 purpose of the commission.

15 So you may see on your TV recently this

16 big PR push that is coming out of Annapolis

17 trying to get people to buy into Kirwan. And

18 it's all centered around the notion of schools

19 need more, teachers need more, students need

20 more. Somewhat of a cryptic message in my

21 opinion. Not giving a full story of what is

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1 behind Kirwan, some of what Ms. Price has

2 alluded to.

3 And some of what the governor is also

4 stating when it comes to Kirwan is the funding

5 portion of this is being pushed down to the

6 counties. And certainly counties like Talbot

7 County which have property tax cap counties,

8 how do you now make adjustments for these

9 numbers, these very large numbers, if they

10 start coming down to us.

11 So right now there's this big PR from

12 Annapolis to try to get people to understand

13 what Kirwan actually is. So you may see some

14 of that on your local TV recently.

15 But to that point, on October the 1st

16 we're going to have a work session with the

17 Talbot County Free Library regarding their

18 plans in St. Michaels. This is just a

19 listening work session. County has not

20 indicated one way or the other regarding an

21 expansion of St. Michaels Library. But if you

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1 want to come out to that work session, please

2 do. We're going to do that at four p.m. across

3 the street here in Easton at the free library.

4 Again, it will be a work session with the

5 Library Board regarding their plans for the

6 expansion in St. Michaels.

7 Also, on Tuesday, October the 1st, we're

8 going to have an annual meeting with our local

9 delegation right here in the Bradley Room.

10 That will take place at five p.m. So if you

11 want to just hop across the street after the

12 work session and come here, we'll be meeting

13 with our local delegation. We do have quite an

14 extensive list of items we want to go over with

15 them.

16 And lastly, October the 3rd, that's a

17 Thursday, Maryland Transportation Authority was

18 going to have an open house regarding the

19 Chesapeake Bay crossing. If you remember, this

20 body was considering our last meeting writing a

21 letter regarding our opposition of that

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1 crossing coming here to Talbot County.  
 2 But for those citizens who want to come  
 3 out, that will take place at six p.m. at the  
 4 Wye Oak Room at the Talbot County Community  
 5 Center. So just to put you on notice for those  
 6 couple of things here.  
 7 Talbot County's next legislative meeting  
 8 will be held on Tuesday, October the 8th,  
 9 beginning at six p.m. The Council will be  
 10 convening in open session at 4:30 and then  
 11 immediately adjourning into closed session to  
 12 discuss real estate, legal, and personnel  
 13 matters, as listed on the statement for closing  
 14 that meeting.  
 15 On Tuesday -- some of this I just finished  
 16 reading. On Tuesday, October the 1st, as I  
 17 mentioned, there will be a work session at  
 18 four p.m. at the library across the street  
 19 regarding the St. Michaels expansion.  
 20 And then five p.m. we're going to be  
 21 having our work session with the delegation;

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1 Senator Eckardt, Delegate Mautz, and Delaware  
 2 Adams. So if you want to come across at  
 3 five p.m., please do so. That will be here in  
 4 the Bradley Room.  
 5 Therefore, is there a motion to adjourn  
 6 this meeting and reconvene as noted?  
 7 MS. PRICE: So moved.  
 8 MR. PACK: Moved by Ms. Price.  
 9 MR. DIVILIO: Second.  
 10 MR. PACK: Seconded by Mr. Divilio.  
 11 Madam Secretary, please call your roll.  
 12 SECRETARY: Mr. Pack.  
 13 MR. PACK: Aye.  
 14 SECRETARY: Mr. Divilio.  
 15 MR. DIVILIO: Aye.  
 16 SECRETARY: Mr. Callahan.  
 17 MR. CALLAHAN: Aye.  
 18 SECRETARY: Ms. Price.  
 19 MS. PRICE: Aye.  
 20 SECRETARY: Mr. Leshner.  
 21 MR. LESHER: Aye.

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1 MR. PACK: Thank you.  
 2 (Meeting concluded at: 8:44 p.m.)  
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1 STATE OF MARYLAND  
 2 I, Diane Houlihan, a Notary Public in and  
 3 for the State of Maryland, County of Anne Arundel,  
 4 do hereby certify that the within named, Talbot  
 5 County Council Audio, personally appeared before me  
 6 at the time and place herein set according to law,  
 7 was interrogated by counsel.  
 8  
 9 I further certify that the examination was  
 10 recorded stenographically by me and then transcribed  
 11 from my stenographic notes to the within printed  
 12 matter by means of computer-assisted transcription  
 13 in a true and accurate manner.  
 14  
 15 I further certify that the stipulations  
 16 contained herein were entered into by counsel in my  
 17 presence.  
 18  
 19 I further certify that I am not of counsel  
 20 to any of the parties, not an employee of counsel,  
 21 nor related to any of the parties, nor in any way  
 interested in the outcome of this action.  
 AS WITNESS my hand Notarial Seal this 1st  
 day of October, 2019, at Easton, MD.

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

My commission expires September 16, 2021

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