



Deposition of:  
**Talbot County Council Meeting**

*January 14, 2020*

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

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

January 14, 2020; 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: Good evening, everyone. If you</p> <p>4 wouldn't mind standing with us, please, for an</p> <p>5 opening prayer followed by the Pledge of</p> <p>6 Allegiance.</p> <p>7 (Prayer and Pledge of Allegiance.)</p> <p>8 MR. PACK: Thank you. Thank you all for</p> <p>9 coming out and being with us, and happy 2020.</p> <p>10 This is our first meeting of this new decade.</p> <p>11 Council, good seeing you again. Haven't seen</p> <p>12 you since the last decade.</p> <p>13 Council, you have before you our agenda.</p> <p>14 Is there any additions, deletions, or</p> <p>15 corrections?</p> <p>16 Council, I do have one item I'm going to</p> <p>17 move up. We have a presentation by Mr. Shafer</p> <p>18 dealing with the Easton Elementary School</p> <p>19 project. I'm going to move that up to item</p> <p>20 number six so we can go ahead and hear from</p> <p>21 Mr. Shafer and get him on his way regarding</p>	<p>1 minutes? Hearing none, the chair moves that</p> <p>2 they be accepted also with unanimous consent.</p> <p>3 Also within your packet you have</p> <p>4 disbursements from December 24th,</p> <p>5 December 31st, January 7th, and January 14th.</p> <p>6 Again, we had a chance to review them, ask any</p> <p>7 questions of Ms. Lane, our finance officer. Do</p> <p>8 we have any additions, deletions, or</p> <p>9 corrections to those disbursements? Hearing</p> <p>10 none, the chair moves that they also be</p> <p>11 accepted with unanimous consent.</p> <p>12 Mr. Shafer, if you wouldn't mind coming up</p> <p>13 to the table. We moved you up on the rotation</p> <p>14 here.</p> <p>15 We're going to hear now from Mr. Kevin</p> <p>16 Shafer. He's the plant operations and</p> <p>17 maintenance manager for Talbot County Public</p> <p>18 Schools. He has for us an adjustment to the</p> <p>19 fees for the new elementary school here in</p> <p>20 Easton. So we want to hear from him before we</p> <p>21 go forward.</p>
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<p>1 those adjustments to that project, if there's</p> <p>2 no objection to that. So we'll move him up to</p> <p>3 item number six, just after the -- actually</p> <p>4 before the proclamation. So after we do the</p> <p>5 disbursements.</p> <p>6 Is Mr. Shafer in the room? Chuck, could</p> <p>7 you grab him?</p> <p>8 MR. WEBER: He should be here any second.</p> <p>9 MR. HOLLIS: He's in the hallway,</p> <p>10 Mr. President.</p> <p>11 MR. PACK: Let him know he's on deck.</p> <p>12 With that change being made, any more</p> <p>13 additions, deletions, or corrections to the</p> <p>14 agenda? Hearing none, the chair moves that the</p> <p>15 agenda be accepted with unanimous consent as</p> <p>16 adjusted.</p> <p>17 And Council, you have also in your packet</p> <p>18 minutes from November the 17th, December the</p> <p>19 10th, and December the 17th. We had a chance</p> <p>20 to go through those minutes. Are there any</p> <p>21 additions, deletions, or corrections to those</p>	<p>1 Kevin, the floor is yours.</p> <p>2 MR. SHAFER: Thank you, President Pack.</p> <p>3 Good evening, members of the Council. I'm</p> <p>4 accompanied tonight by Mr. Tom King, project</p> <p>5 architect, and Mr. Chuck Weber, as you know,</p> <p>6 representative for the Council to the project.</p> <p>7 And as President Pack described, we are</p> <p>8 here this evening to formalize our request</p> <p>9 pertaining to the fee adjustment associated</p> <p>10 with the design services with the Easton</p> <p>11 Elementary School project.</p> <p>12 More specifically, the architectural firm,</p> <p>13 Noelker and Hull, is requesting a fee</p> <p>14 adjustment for the additional services provided</p> <p>15 to the project resulting from circumstances</p> <p>16 that were unforeseen at the time of the</p> <p>17 solicitation process and contract negotiation</p> <p>18 process.</p> <p>19 The Council has the formal letter that I</p> <p>20 submitted to the Council and attached to that,</p> <p>21 was on December 6th, and attached to that is</p>

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<p>1 the request from Mr. King describing in detail</p> <p>2 the request.</p> <p>3 And so we are here to certainly answer any</p> <p>4 questions that the Council may have pertaining</p> <p>5 to the request, but the request is centered</p> <p>6 around, as I said before, the services that</p> <p>7 were outside the contract negotiation process</p> <p>8 and mostly centered around the LEED</p> <p>9 certification process.</p> <p>10 MR. PACK: Can you speak to us about the</p> <p>11 LEED certification process? Why this, I'm not</p> <p>12 going to say caught you off guard, why it was</p> <p>13 not considered within the normal course of</p> <p>14 planning?</p> <p>15 MR. SHAFER: Yes. So President Pack, I</p> <p>16 guess I want to, before going into the LEED</p> <p>17 issue, I just want to make sure that you</p> <p>18 understand we, as the project leadership team,</p> <p>19 are very acutely aware of the Council's</p> <p>20 perspective regarding this project and the</p> <p>21 associated budget. And we are continuing to do</p>	<p>1 during the solicitation process.</p> <p>2 MS. PRICE: Who changed it? Was this a</p> <p>3 State mandate?</p> <p>4 MR. KING: Kevin, maybe I can clarify this</p> <p>5 a bit.</p> <p>6 First of all, LEED is an acronym for</p> <p>7 leadership in energy and environmental design.</p> <p>8 As most of you are aware I'm sure, there's a</p> <p>9 great deal of interest today in sustainable</p> <p>10 construction.</p> <p>11 Back in 2007, the Maryland legislature</p> <p>12 adopted legislation mandating that all</p> <p>13 State-funded projects had to meet a certain</p> <p>14 LEED certification level. This has to do with</p> <p>15 sustainable issues, energy savings, and so</p> <p>16 forth.</p> <p>17 But they also mandated that there had to</p> <p>18 be a neutral third party review to assure that</p> <p>19 we were meeting these standards. Third party,</p> <p>20 arm's length, out of our control, away from our</p> <p>21 control. But they mandated that, of course,</p>
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<p>1 our absolute best to meet those requirements</p> <p>2 and those expectations.</p> <p>3 The LEED certification for the project is</p> <p>4 required by the State at a minimum of LEED</p> <p>5 silver level.</p> <p>6 And so the contract and RFP specified that</p> <p>7 the architect meet the current standard at the</p> <p>8 time. And the complicating issue really is</p> <p>9 centered around the LEED version that was</p> <p>10 required, that was in place at the time, and</p> <p>11 the movement from LEED version three, which was</p> <p>12 during the initial planning phases, moved to</p> <p>13 four and then to five. And I know this gets</p> <p>14 complicated, but because of the requirements in</p> <p>15 version four that went to five, they revised it</p> <p>16 back to 4.1. And I know, I apologize for all</p> <p>17 the versions there.</p> <p>18 But ultimately, it was beyond the</p> <p>19 expectation of Talbot County Public Schools to</p> <p>20 expect that the architect would be able to</p> <p>21 manage that and also assess a fee to that</p>	<p>1 whatever cost was associated with that, has to</p> <p>2 be paid by someone. And that's the local</p> <p>3 agency.</p> <p>4 So in the course of this project, we have</p> <p>5 fulfilled our design end of it, but we had to</p> <p>6 submit all this paperwork for this</p> <p>7 certification process.</p> <p>8 I do have a bit of good news. It's a</p> <p>9 little late for the project, but the Maryland</p> <p>10 legislature just in November of this year</p> <p>11 enacted legislation rescinding that third party</p> <p>12 requirement. Hence forth, they're going to</p> <p>13 require that the design be monitored by the</p> <p>14 architects.</p> <p>15 The situation we found ourselves here is</p> <p>16 we were having people tell us what we</p> <p>17 essentially already knew, but we had to pay</p> <p>18 them to monitor and audit the design to</p> <p>19 determine that, yes, in fact, you have met</p> <p>20 these requirements.</p> <p>21 And in essence, the State and the</p>

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<p>1 Department of General Services have seen that 2 perhaps this is not the most cost effective way 3 to spend tax payers' money. Since we already 4 hired an expert who supposedly knows what he's 5 doing, why do we need another expert to tell 6 him what he already knows.</p> <p>7 Now, that's over simplification of the 8 process. But in the end, we did incur the 9 expenses.</p> <p>10 We elected to wait until the project was 11 nearly completed, which it nearly is, to know 12 what those costs were. I can tell you they 13 have been as a result less than I would have 14 anticipated had I guessed back in the 15 beginning. So we thought that rather than come 16 to you for -- or include it in our contract 17 initially, we would wait and see what the costs 18 really are.</p> <p>19 And other bit of good news, the State 20 requires -- this is a point system, much like 21 the Olympic games. We get so many points for</p>	<p>1 But in the requirements, everyone is in 2 favor of electric-powered vehicles. Well, we 3 were mandated to put in charging stations for 4 electric-powered vehicles. And this is roughly 5 a cost item of maybe \$14,000 per space. We 6 said well, why do that, why not just allow for 7 this to be added in the future when we have 8 more electric-powered vehicles. Because we 9 asked the obvious question, how many people who 10 work at this particular facility drive electric 11 vehicles. The answer was zero at the point. 12 So why put in those charging stations if 13 they're not going to be used.</p> <p>14 And by the way, they're like a handicapped 15 parking space. You can't park there unless you 16 have electric vehicle.</p> <p>17 So what we've done is we've provided for 18 the future where we can add them when they 19 really need something.</p> <p>20 And that's what the Department of General 21 Services was looking at. Let's not do things</p>
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<p>1 this, that, and the other. We were mandated to 2 have a silver design. It looks as though we 3 may have achieved a gold design, which is 4 actually good news. But at the end of the day, 5 all you get is a piece of paper that tells you 6 you did a good job.</p> <p>7 MR. CALLAHAN: I'd like to follow up what 8 you just said. Because if we would have done 9 this last year, we had a meeting with Kevin and 10 Chuck, and I really appreciate your effort on 11 trying to get this cost down for us because 12 this time last year, it was a couple of hundred 13 thousand dollars.</p> <p>14 MR. KING: It would have been, yes.</p> <p>15 MR. CALLAHAN: It would have been. And I 16 really appreciate you going through the extra 17 effort and holding onto that and going through 18 that process to help the county out and get it 19 down to 100. So I really appreciate that.</p> <p>20 MR. KING: May I give you a tangible 21 example? And this seems like a minor thing.</p>	<p>1 that are wasteful just to meet an arbitrary 2 mandated goal.</p> <p>3 And unfortunately, those are the rules 4 we've been playing by. But the good news is as 5 of November of 2019, we no longer have to do 6 that. Too late for this project because we 7 have already spent the money.</p> <p>8 MR. PACK: Well, we've already acquired 9 the services to now be charged for.</p> <p>10 MR. KING: We have. All the documentation 11 is in --</p> <p>12 MS. PRICE: -- curious that they did 13 that -- legislature was not in session in 14 November.</p> <p>15 So was this not decided during last 16 legislative session to take effect in November?</p> <p>17 MR. KING: I don't know the mechanics of 18 it, but the document I received was dated 19 November 2019.</p> <p>20 I think they may --</p> <p>21 MS. PRICE: So sometimes things pass and</p>

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<p>1 then they have an effective date.</p> <p>2 MR. KING: I think they may have passed it</p> <p>3 on to the DGS to implement the changes.</p> <p>4 And the only change they made was to</p> <p>5 eliminate the neutral arm's length third party</p> <p>6 verification and make it the duty of the</p> <p>7 architects and design team and the county to</p> <p>8 verify that we've done this --</p> <p>9 MS. PRICE: -- known that by the end of</p> <p>10 session last April. Unfortunately, not. Maybe</p> <p>11 we wouldn't have had to do it.</p> <p>12 MR. KING: We had hoped it would be in the</p> <p>13 works.</p> <p>14 Now, I was told by DGS well, you can still</p> <p>15 ask for an exception. Well, but it's a bit</p> <p>16 late for us --</p> <p>17 MR. PACK: But you've already consulted.</p> <p>18 MR. KING: We've already --</p> <p>19 MR. PACK: He's already done the work.</p> <p>20 Okay.</p> <p>21 So we're looking at almost \$100,000 for</p>	<p>1 MR. WEBER: This would be county.</p> <p>2 MR. PACK: County, okay.</p> <p>3 MR. WEBER: Approximately over \$200,000.</p> <p>4 MR. PACK: Okay. Anything further from</p> <p>5 Council? The chair would entertain a motion in</p> <p>6 the amount of \$98,383.75 for services regarding</p> <p>7 the LEED certification as an adjustment, fee</p> <p>8 adjustment as outlined by Mr. King. Is there a</p> <p>9 motion?</p> <p>10 MR. CALLAHAN: I put that motion.</p> <p>11 MR. PACK: Motion made by Mr. Callahan.</p> <p>12 Is there a second?</p> <p>13 MR. LESHAR: Second.</p> <p>14 MR. PACK: Seconded by Mr. Leshar. Any</p> <p>15 further discussion or questions of Mr. Shafer,</p> <p>16 Mr. King, or Mr. Weber?</p> <p>17 Hearing none, Madam Secretary, please call</p> <p>18 your roll.</p> <p>19 SECRETARY: Mr. Pack.</p> <p>20 MR. PACK: Aye.</p> <p>21 SECRETARY: Mr. Divilio.</p>
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<p>1 this consulting service to tell us what we</p> <p>2 already knew, which is we have a LEED design</p> <p>3 building and it meets all the standards for</p> <p>4 energy efficiency.</p> <p>5 Kevin, what pot are you pulling this money</p> <p>6 out of, contingency?</p> <p>7 MR. SHAFER: Chuck, can you answer that?</p> <p>8 MR. PACK: Chuck, where are we getting it</p> <p>9 from?</p> <p>10 MR. WEBER: Yes. There is some, about</p> <p>11 half of this.</p> <p>12 MR. PACK: Half.</p> <p>13 MR. WEBER: Still in the architect part of</p> <p>14 our budget. And the rest will come out of the</p> <p>15 contingency.</p> <p>16 MR. PACK: How much do you have left in</p> <p>17 contingency?</p> <p>18 MR. WEBER: It gets a little confusing.</p> <p>19 There's a contractor's contingency and a county</p> <p>20 contingency.</p> <p>21 MR. PACK: Which one would this apply to?</p>	<p>1 MR. DIVILIO: Aye.</p> <p>2 SECRETARY: Mr. Callahan.</p> <p>3 MR. CALLAHAN: Aye.</p> <p>4 SECRETARY: Ms. Price.</p> <p>5 MS. PRICE: Aye.</p> <p>6 SECRETARY: Mr. Leshar.</p> <p>7 MR. LESHAR: Aye.</p> <p>8 MR. PACK: All right, gentlemen. Thank</p> <p>9 you very much for coming in and explaining it</p> <p>10 to us. Appreciate it.</p> <p>11 MR. KING: Thank you.</p> <p>12 MR. PACK: Council, you can go back to</p> <p>13 your agenda now. We're going to proceed with</p> <p>14 item number five as printed. And that's going</p> <p>15 to be for National Mentoring Month in</p> <p>16 January 2020.</p> <p>17 I see my good friend there in the front</p> <p>18 row. Come on up here and be with us, Harrison.</p> <p>19 Madam Secretary, I believe we have a</p> <p>20 proclamation on this.</p> <p>21 SECRETARY: Yes, we do.</p>

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1 MR. PACK: Okay. Have a seat. Why don't  
 2 we -- you want to be heard first before we read  
 3 this?  
 4 MR. MARTINEZ: Sure. A few words. My  
 5 name is Harrison Martinez. I'm the executive  
 6 director of Talbot Mentors.  
 7 I have the privilege of leading an  
 8 incredibly strong organization here in this  
 9 community that's got a 23-year history of  
 10 supporting our youth through one-to-one  
 11 mentorship.  
 12 I really thank the Council for taking the  
 13 time to recognize this month as National  
 14 Mentoring Month. It's recognized nationwide,  
 15 and we're very grateful that Talbot County is  
 16 participating in this awareness campaign.  
 17 We believe very strongly that mentorship  
 18 is one of the most powerful platforms through  
 19 which we can strengthen the fabric of our  
 20 community. We think that by connecting one on  
 21 one with a young person, we are not only

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1 strengthening the community today, but we are  
 2 intrinsically strengthening it for the future.  
 3 So we're really grateful, once again, to  
 4 the Council for this recognition and for giving  
 5 us the opportunity to be here today.  
 6 MR. PACK: Thank you. I think you're  
 7 being a bit modest. You also won an award.  
 8 You want to talk a little bit about that?  
 9 You were up in Baltimore last month and  
 10 got a nice prestigious award. Why don't you  
 11 tell us a little bit about that as well.  
 12 MR. MARTINEZ: Yes, yes. Thank you.  
 13 So 2019 was a very encouraging year and  
 14 inspiring year. The beginning of the year, in  
 15 April actually, our county's Department of  
 16 Economic Development and Tourism gave us the  
 17 nonprofit community impact award here locally,  
 18 which was incredibly humbling.  
 19 And also, at the end of the year in  
 20 November, the National Mentoring Partnership,  
 21 so the industry group for the entire nation,

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1 awarded us the 2019 Maryland Mentoring Program  
 2 of the Year. So we were named kind of the best  
 3 in class program for the State of Maryland.  
 4 So that comes with a lot of support from  
 5 our community of mentors, board members,  
 6 donors, and the families and the children that  
 7 we serve. So we are really humbled and  
 8 grateful and inspired for the work ahead as  
 9 well.  
 10 MR. PACK: And because of your leadership,  
 11 you have also some very talented and dynamic  
 12 staff here with you as well.  
 13 You want to introduce them to the Council?  
 14 MR. MARTINEZ: Sure. Please, if I can ask  
 15 the staff to stand up. And we actually have  
 16 some board members here as well.  
 17 So beginning with our staff, we have Alan  
 18 Ibanez. He's our program assistant. We have  
 19 Rebecca Johnson, who is a match support  
 20 specialist. And Jazmine Gibson, who is our  
 21 program manager at Talbot Mentoring. We have

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1 also two more staff members who couldn't join  
 2 us here today.  
 3 And if you wouldn't mind, I'd like to also  
 4 recognize the board.  
 5 MR. PACK: The floor is yours, sir.  
 6 MR. MARTINEZ: If you're a board member of  
 7 Talbot Mentors, please stand up as well.  
 8 MR. PACK: All right.  
 9 MR. MARTINEZ: Thank you very much. Thank  
 10 you. Thank you for being here.  
 11 MR. PACK: Thank you all so much for  
 12 coming out and being a part of this. And  
 13 congratulations to all that you're doing here.  
 14 I was a mentor, as you know, at one time.  
 15 And I still support what you're doing very  
 16 heavily here in the community. It's much  
 17 needed, it's very much needed.  
 18 MR. MARTINEZ: Thank you very much.  
 19 MR. PACK: With that being said, Madam  
 20 Secretary, if no other Council members have any  
 21 comments at this time?

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<p>1 MR. DIVILIO: Do you have any fundraisers</p> <p>2 or events coming up?</p> <p>3 MR. MARTINEZ: We do have -- we are in the</p> <p>4 middle of planning our fundraising efforts for</p> <p>5 the remainder of the year. I will be happy to</p> <p>6 give you the details once we have nailed them</p> <p>7 down.</p> <p>8 MR. DIVILIO: Absolutely.</p> <p>9 MR. MARTINEZ: Thank you very much.</p> <p>10 MR. PACK: Anyone else?</p> <p>11 Madam Secretary, if you wouldn't mind.</p> <p>12 SECRETARY: Proclamation, National</p> <p>13 Mentoring Month January 2020.</p> <p>14 Whereas, the future course of Talbot</p> <p>15 County, Maryland, and our nation rests on the</p> <p>16 shoulders of our youth. And educated,</p> <p>17 confident, and nurtured children give rise to</p> <p>18 stronger communities.</p> <p>19 And whereas, mentoring, the matching of a</p> <p>20 caring, responsible adult with a child to</p> <p>21 provide guidance and support to build</p>	<p>1 regularly in their community.</p> <p>2 And whereas, although thousands of young</p> <p>3 people in Maryland are in mentoring</p> <p>4 relationships, thousands more are on waiting</p> <p>5 lists for mentors.</p> <p>6 And whereas, the Talbot County Council is</p> <p>7 pleased to recognize and support Talbot Mentors</p> <p>8 in their mission to work to ensure that all</p> <p>9 young people in Talbot County have the</p> <p>10 opportunity to mature into engaged and</p> <p>11 productive members of their communities.</p> <p>12 Now, therefore, be it resolved that we,</p> <p>13 the County Council of Talbot County, do hereby</p> <p>14 proclaim January 2020 as National Mentoring</p> <p>15 Month in Talbot County and recognize and</p> <p>16 acknowledge the importance of mentorship</p> <p>17 programs and the many citizens already involved</p> <p>18 in mentoring and encourage others to volunteer</p> <p>19 as mentors.</p> <p>20 Given under our hands in the great seal of</p> <p>21 Talbot County this 14th day of January in the</p>
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<p>1 confidence, stability, and direction for a</p> <p>2 child, is a proven effective strategy to</p> <p>3 increase the life opportunities of all young</p> <p>4 people.</p> <p>5 And whereas, mentoring programs are proven</p> <p>6 to build relationships that help improve school</p> <p>7 attendance and academic achievement, promote</p> <p>8 responsible decision-making, and provide skills</p> <p>9 to better navigate relationships at school,</p> <p>10 socially, and at home.</p> <p>11 And whereas, Mentor, the national</p> <p>12 mentoring partnership, has found that young</p> <p>13 adults who are at risk of not completing high</p> <p>14 school but who had a mentor, were 55 percent</p> <p>15 more likely to be enrolled in college than</p> <p>16 those who did not have a mentor, 81 percent</p> <p>17 more likely to report participating regularly</p> <p>18 in sports or extracurricular activities, more</p> <p>19 than twice as likely to say they held a</p> <p>20 leadership position in a club or sports team,</p> <p>21 and were 78 percent more likely to volunteer</p>	<p>1 year of our Lord, 2020.</p> <p>2 MR. PACK: Thank you, Madam Secretary.</p> <p>3 The chair would entertain a motion at this</p> <p>4 time.</p> <p>5 MR. CALLAHAN: Make a motion.</p> <p>6 MR. PACK: Made by Mr. Callahan.</p> <p>7 MR. LESHER: Second.</p> <p>8 MR. PACK: Seconded by Mr. Leshler. Any</p> <p>9 further discussion?</p> <p>10 Again, Harrison, congratulations on all</p> <p>11 you're doing.</p> <p>12 Madam Secretary, please call 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. Leshler.</p>

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1 MR. LESHER: Aye.  
 2 MR. PACK: And I'm going to ask the Parks  
 3 & Recs is who?  
 4 MR. DIVILIO: Me.  
 5 MR. PACK: I'm going to ask our Park &  
 6 Recs board member to ask you and your staff to  
 7 come up and present with you.  
 8 And Mrs. Martinez, you want to join them?  
 9 MRS. MARTINEZ: Sure.  
 10 MR. DIVILIO: As the statistics on here  
 11 show, it shows that just being a mentor, being  
 12 there for somebody showing them how much you  
 13 care, how much excellent that does for  
 14 somebody's life. It makes a huge change.  
 15 So thank you very much for helping those  
 16 in Talbot County.  
 17 MR. MARTINEZ: Thank you.  
 18 MR. PACK: Great job. And again, if you  
 19 got some free time, please consider being a  
 20 monitor with Talbot Mentors. Great  
 21 organization.

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1 Council, next on your agenda, you have a  
 2 presentation for For All Seasons. We have with  
 3 us Ms. Beth Anne Langrell. I know I  
 4 mispronounced that.  
 5 MS. LANGRELL: However you pronounce it,  
 6 it's fine.  
 7 MR. PACK: Sorry, Beth Ann. It's partly  
 8 because I'm stuffed up up here today.  
 9 Beth Anne is the director at For All  
 10 Seasons, and she's here to give us a  
 11 presentation on anti-human trafficking program  
 12 and what For All Seasons is doing there with  
 13 this very important initiative.  
 14 MS. LANGRELL: Yes, absolutely. Thank you  
 15 very much for having us here this evening.  
 16 Get to do double duty as a Talbot Mentor  
 17 board member and as the director of For All  
 18 Seasons.  
 19 MR. PACK: There you go.  
 20 MS. LANGRELL: So in addition to it being  
 21 National Mentor Month, it's also National

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1 Slavery and Human Trafficking Prevention Month.  
 2 And For All Seasons has been spreading  
 3 education and providing important trainings  
 4 called Open Your Eyes, Human Trafficking  
 5 Awareness and Education across all five  
 6 counties of the Mid-shore during the month.  
 7 And I want to thank the Council for  
 8 providing an opportunity for us to bring to you  
 9 the awareness of the issue that we are  
 10 currently working with at our agency.  
 11 Katharine Petzold is our anti-human  
 12 trafficking program coordinator. And she has  
 13 been doing a great job of helping the community  
 14 understand that labor trafficking and human sex  
 15 trafficking is happening right here in the five  
 16 counties in which we serve.  
 17 We have seen an increase in cases within  
 18 our agency. We have seen a huge increase in  
 19 cases within the Caroline County region. And  
 20 this presentation that I'm giving you tonight  
 21 is one of three that we are doing. My staff is

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1 in Queen Anne's County as well as Caroline  
 2 County to bring to light the fact that human  
 3 trafficking continues to be an issue. And  
 4 while we hear about it on the state level, I  
 5 think the important piece that --  
 6 MR. PACK: We're in session, please.  
 7 Please be quiet.  
 8 MS. LANGRELL: Thank you. I think the  
 9 important piece for this community to  
 10 understand is that our agency is behavioral  
 11 health and rape crisis center for the five  
 12 counties of the Mid-shore. And we are in the  
 13 process of serving human trafficking victims at  
 14 our agency in all five locations.  
 15 And so while it seems like it is a  
 16 national problem and it might be an issue that  
 17 we think doesn't happen, it is happening right  
 18 here in our background. And it's an issue that  
 19 we want to bring light to and understanding.  
 20 We want people to understand that human  
 21 trafficking involves the use of force, lies, or

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1 threats to make victims work against their  
 2 will, often for little or no pay or have sex  
 3 for money or something of value, such as food,  
 4 shelter, clothing, or drugs.  
 5 And so we hope that through this education  
 6 program, Open Your Eyes to Human Trafficking,  
 7 our community partners are becoming educated in  
 8 the service provider realm. And we're also  
 9 working to help folks understand that our  
 10 agency is here as a provider. We're working  
 11 very closely with Mid-shore Council on Family  
 12 Violence, the Department of Homeland Security,  
 13 and the Governor's Office on Crime Control and  
 14 Prevention to continue to serve the victims  
 15 that we are seeing.  
 16 So I just wanted to say thank you for  
 17 making this an issue that can be on the radar  
 18 of the community in which we are living and  
 19 serving. And thank you for recognizing the  
 20 month itself.  
 21 MR. PACK: Well, thank you for all that

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1 you're doing around mental health, but also  
 2 with this. It's a very, very important  
 3 initiative that's gripping across the entire  
 4 nation. So we are here to support you in any  
 5 way we possibly can.  
 6 MS. LANGRELL: Thank you so much.  
 7 MR. PACK: Are there any events that will  
 8 be -- any speakers coming in that you want to  
 9 talk to us about as well?  
 10 MS. LANGRELL: Sure. Next week is human  
 11 trafficking education. It's the Open Your Eyes  
 12 event at the Temple B'nai. And it is a  
 13 sold-out event. However, they have been  
 14 opening additional spaces. So folks can  
 15 certainly feel free to call the agency. If  
 16 anyone is interested, it will take place on the  
 17 30th of January, and it's in the morning. It's  
 18 from nine until one. We certainly will be able  
 19 to work folks in as closely -- as quickly as we  
 20 can.  
 21 And then we also have in March our annual

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1 fundraiser, Heart and Music. That takes place  
 2 at the Oxford Community Center. It's  
 3 March 5th, 6th, 7th, and 8th. Just remember it  
 4 like your dance steps, and you'll remember  
 5 those dates.  
 6 And then we also, on the 30th of January,  
 7 have a really special event coming to Talbot  
 8 County. And it is called Red Devil Moon. It's  
 9 a narrative that tells a love story of the  
 10 harvest of the sugarcane in the south. And it  
 11 is involving Symbarken, which is an amazing a  
 12 cappella African American trio.  
 13 MR. PACK: They're good.  
 14 MS. LANGRELL: With the Pam Ortiz Band.  
 15 And they have donated a performance of Red  
 16 Devil Moon, which went to the Fringe Festival  
 17 in New York City, to the agency as part of our  
 18 Human Trafficking Awareness Month. And it's a  
 19 fundraiser for the agency.  
 20 MR. PACK: They are very good.  
 21 MS. LANGRELL: They're amazing, they're

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1 amazing.  
 2 MR. PACK: I know Kenneth Morris, who is  
 3 the great-great-great-grandson of Frederick  
 4 Douglass, is also involved with human  
 5 trafficking, I'm looking at Cassandra  
 6 Vanhooser, who is also involved with anti-human  
 7 trafficking on a nationwide level.  
 8 He's a part of our Frederick Douglass on  
 9 the Tuckahoe Park Board. And he's spoken about  
 10 that many times to the board members about what  
 11 he's doing on a national level around human  
 12 trafficking.  
 13 So you're in very good company. It is a  
 14 very, very worthwhile initiative that we need  
 15 to spread the word about, but also be on the  
 16 lookout for -- we have seen it here in Talbot  
 17 County.  
 18 MS. LANGRELL: Yes.  
 19 MR. PACK: We have seen it here. People  
 20 may not be aware of that, but we have had our  
 21 instance where there have been some human

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1 trafficking here in the county.  
 2 MS. LANGRELL: I think the important thing  
 3 is for folks to know that there was a case that  
 4 was a super public case. It was in the paper.  
 5 But there are also cases that are never going  
 6 to hit the paper, but they're -- we're serving  
 7 victims at our agency right now from all five  
 8 counties who have been involved in human  
 9 trafficking.  
 10 MR. PACK: Well, with that being -- do you  
 11 have anything further? Do you want to give us  
 12 those, the pamphlets?  
 13 MS. LANGRELL: Yes. So I do have -- we  
 14 also launched our new logo and all of our new  
 15 marketing initiative just in November. So I  
 16 brought all of you some brochures and pamphlets  
 17 and I will leave some out in the hallway. If  
 18 anybody needs resources, we're certainly  
 19 available.  
 20 MR. PACK: Excellent. Any other comments  
 21 from Council?

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1 We do have a proclamation noting  
 2 January 2020 as Human Trafficking Awareness  
 3 Month. Madam Secretary, would you please read  
 4 the proclamation.  
 5 SECRETARY: Whereas, every year nearly  
 6 25 million men, women, and children are  
 7 trafficked and deprived of their freedom, human  
 8 rights, and dignity. And according to the  
 9 National Human Trafficking Hotline, Maryland  
 10 has one of the highest rates of domestic human  
 11 trafficking in the nation, with 165 cases  
 12 reported to the hotline in 2018.  
 13 And whereas, human trafficking includes  
 14 sex trafficking in which a commercial sex act  
 15 is induced by force, fraud, or coercion. The  
 16 person induced to perform such act has not  
 17 reached 18 years of age, and the recruitment  
 18 harboring, transportation, provision, or  
 19 obtaining of a person for labor or services is  
 20 through the use of force, fraud, or coercion  
 21 for the purpose of subjection to involuntary

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1 servitude, (inaudible), debt, bondage, and  
 2 slavery.  
 3 And whereas, human trafficking is among  
 4 the fastest growing criminal industries in the  
 5 world, second only to drug trafficking. And  
 6 the State of Maryland has enacted comprehensive  
 7 anti-human trafficking laws, which focus on  
 8 criminal prosecution and victim support through  
 9 the coordination of State agency policies and  
 10 protocols which combat human trafficking.  
 11 And whereas, Talbot County recognizes the  
 12 extensive moral and economic harm human  
 13 trafficking does to our communities, our  
 14 states, and the nation, and recognizes that  
 15 bringing increased public awareness and  
 16 education of this atrocity to the Mid-shore  
 17 region will provide more opportunities to  
 18 recognize and fight against human trafficking  
 19 and will bring the victims hope for the natural  
 20 freedoms all human beings are entitled to  
 21 enjoy.

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1 Now, therefore, we, the County Council of  
 2 Talbot County, do hereby declare the month of  
 3 January 2020 as Human Trafficking Awareness  
 4 Month in Talbot County and urge all citizens to  
 5 actively work towards eradication of human  
 6 trafficking through increased public awareness,  
 7 stronger laws, and the promotion of justice to  
 8 reduce the exploitation of all peoples.  
 9 Given under our hands in the great seal of  
 10 Talbot County this 14th day of January in the  
 11 year of our Lord, 2020.  
 12 MR. PACK: Thank you, Madam Secretary.  
 13 The chair would entertain a motion at this  
 14 time.  
 15 MR. CALLAHAN: Make a motion.  
 16 MR. PACK: By Mr. Callahan.  
 17 MR. DIVILIO: Second.  
 18 MR. PACK: Seconded by Mr. Divilio. Any  
 19 further discussion, conversation? Okay.  
 20 Madam Secretary, please call your roll.  
 21 SECRETARY: Mr. Pack.

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1 MR. PACK: Aye.  
 2 SECRETARY: Mr. Divilio.  
 3 MR. DIVILIO: Aye.  
 4 SECRETARY: Mr. Callahan.  
 5 MR. CALLAHAN: Aye.  
 6 SECRETARY: Ms. Price.  
 7 MS. PRICE: Aye.  
 8 SECRETARY: Mr. Leshner.  
 9 MR. LESHER: Aye.  
 10 MR. PACK: Thank you. Beth Anne, if you  
 11 wouldn't mind coming forward, I'm going to ask  
 12 Ms. Price if she wouldn't mind presenting this  
 13 to you.  
 14 MS. PRICE: Lost a shoe.  
 15 MR. PACK: She lost her shoe.  
 16 New logo.  
 17 MS. LANGRELL: New logo, new look.  
 18 MS. PRICE: Thank you so much, Beth Anne.  
 19 I went to the First Night Talbot and heard  
 20 all the singers and the presentation and all  
 21 that. So that was really a wonderful evening.

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1 MS. LANGRELL: Thank you.  
 2 MS. PRICE: Thank you for doing that. And  
 3 the wonderful 2020. . .  
 4 MS. LANGRELL: The glasses.  
 5 MS. PRICE: Glasses.  
 6 MS. LANGRELL: Thank you.  
 7 MS. PRICE: Appreciate it.  
 8 MS. LANGRELL: Thank you very much.  
 9 MR. PACK: Okay. Council, now we are  
 10 going to get an update from VFW Post 5118 on  
 11 their proposal for a memorial here in Talbot  
 12 County for KIAs from World War I, World War II,  
 13 and the Korean War. They're requesting that to  
 14 be placed here on the courthouse grounds.  
 15 Ms. Agnes Blades is with us, as well as  
 16 Ms. Nancy Gooding. They're both from VFW Post  
 17 5118.  
 18 Ladies, good to see you. Please have a  
 19 seat.  
 20 MS. GOODING: Auxiliary. It's the  
 21 auxiliary.

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1 MR. PACK: Well, they don't have  
 2 auxiliary printed here. I'm just reading what  
 3 is in front of me.  
 4 You're the auxiliary?  
 5 MS. GOODING: Yes, we are.  
 6 MR. PACK: Well, welcome.  
 7 MS. GOODING: Thank you. It might be  
 8 easier if we stand so we can. . .  
 9 MR. PACK: If that's what you prefer,  
 10 okay. You want to set it in that chair maybe?  
 11 Whatever way you prefer to do it, it's up to  
 12 you.  
 13 MS. GOODING: It might be a little bit  
 14 easier to do it this way.  
 15 MR. PACK: Are you comfortable? Well, we  
 16 can't see Ms. Agnes there. She's blocked out.  
 17 MS. BLADES: Don't have to see me.  
 18 MS. GOODING: So anyway, this is the final  
 19 design. We're totally finished with it.  
 20 World War I. I think I sent you all the  
 21 dimensions already.

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1 MR. PACK: Yes, yes, ma'am.  
 2 MS. GOODING: So if you need  
 3 clarification, we'll be happy to do that.  
 4 World War I, we'll just quickly go through  
 5 why certain things were chosen in the design.  
 6 This is the victory medal from World War I.  
 7 And all participants in World War I received  
 8 this victory medal.  
 9 Down below is a quote, even though it was  
 10 from Admiral Nimitz, we thought it was very  
 11 fitting for World War I. They fought together  
 12 as brothers in arms, they died together, and  
 13 now they sleep side by side.  
 14 World War I, they didn't have a lot of  
 15 transportation to get fallen soldiers home. So  
 16 many of them are buried over there.  
 17 World War II, of course, the iconic image  
 18 of the Battle of Hiroshima. And down below the  
 19 quote think not upon their passing, remember  
 20 the glory of their spirit. That is actually a  
 21 quote that is in the Normandy American Cemetery

<p style="text-align: right;">Page 42</p> <p>1 in the little chapel area.</p> <p>2 And freedom is not free. Agnes and I took</p> <p>3 a trip to the Korean Memorial right here in</p> <p>4 D.C. This was as big as us, this quote. So</p> <p>5 this is pretty pertinent to all the wars but</p> <p>6 also to Korea.</p> <p>7 Now, Korea wasn't considered a victory.</p> <p>8 So the medal here was more a participation</p> <p>9 medal that was given to all the participants</p> <p>10 who were on Korean soil during the conflict.</p> <p>11 At the bottom, to give this continuity,</p> <p>12 there are poppy fields. And this is what took</p> <p>13 I think four months. The design people would</p> <p>14 send us the poppy fields, and we would come</p> <p>15 back with we're really sorry, but it looks like</p> <p>16 trees, looks like a forest. Then the next time</p> <p>17 it looked like asparagus spears. So there was</p> <p>18 a lot of going around about that, but we're</p> <p>19 really happy with it. We feel it really looks</p> <p>20 like a poppy field now that will give a lot of</p> <p>21 continuity to the bottom.</p>	<p style="text-align: right;">Page 44</p> <p>1 And we didn't have all those details at the</p> <p>2 time. So we will go back to them before</p> <p>3 installation.</p> <p>4 So and then the other request was having</p> <p>5 someone verify that our information is correct.</p> <p>6 So I think you have a copy from Peggy at the</p> <p>7 Historical Society validating that, in fact, we</p> <p>8 actually helped her with the World War II</p> <p>9 exhibit that they had. In fact, she's called</p> <p>10 on Agnes a few times to help out with the</p> <p>11 research for the suffragette display.</p> <p>12 So if you don't have any questions, that's</p> <p>13 basically it. We're really looking forward to</p> <p>14 getting out there and starting our fundraising</p> <p>15 so we can get this in.</p> <p>16 MR. PACK: Okay. So you don't have any</p> <p>17 funds currently on hand.</p> <p>18 How about for the design, was there any</p> <p>19 funds that were allocated for the design of</p> <p>20 this project?</p> <p>21 MS. GOODING: No. And in order to go</p>
<p style="text-align: right;">Page 43</p> <p>1 In the description, this is going to be</p> <p>2 highly polished blue granite which is going to</p> <p>3 be a lot like this. And what's nice about that</p> <p>4 is because of the polish, it's going to show</p> <p>5 light and movement from the trees coming down.</p> <p>6 So we thought that would kind of bring the</p> <p>7 poppies to life.</p> <p>8 So that's the design. We're done.</p> <p>9 We've doubled and tripled checked the</p> <p>10 names.</p> <p>11 So we are ready to go with your approval.</p> <p>12 I think the last time we were here, there</p> <p>13 were two conditions that you requested. One</p> <p>14 was that we go to the Talbot County Historical</p> <p>15 Commission, which we did. We got their</p> <p>16 unanimous approval to go out and start</p> <p>17 fundraising. But they said before</p> <p>18 installation, they would like us to come back</p> <p>19 with a very detailed landscaping plan. Even</p> <p>20 though they know it's going to be fine, they</p> <p>21 need to know exactly what is going in there.</p>	<p style="text-align: right;">Page 45</p> <p>1 forward with this, we need 50 percent. To</p> <p>2 actually construct the monuments, it's going to</p> <p>3 be just under \$36,000. So we have to come up</p> <p>4 with half of the money before that happens.</p> <p>5 We're happy to say, though, that even</p> <p>6 though we haven't actively started fundraising</p> <p>7 because we really weren't comfortable doing</p> <p>8 that until we have the approval, we have had</p> <p>9 people come forward and donate money. So</p> <p>10 we're --</p> <p>11 MS. BLADES: Do have some money.</p> <p>12 MS. GOODING: We have some.</p> <p>13 MR. PACK: The artwork we're looking at</p> <p>14 here, was that done pro bono or how was that</p> <p>15 paid for?</p> <p>16 MS. GOODING: No. That was paid by some</p> <p>17 funds that we had already raised.</p> <p>18 And Laser Letters did this for us. But we</p> <p>19 knew this would be really important to have for</p> <p>20 part of our fundraising. So we did spend some</p> <p>21 money on the poster. And Laser Letters</p>

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<p>1 actually made two for us for the price of one.</p> <p>2 We had some cards printed up so when</p> <p>3 people have questions or where they can donate,</p> <p>4 we can give them a card.</p> <p>5 We've already set a fund up with the</p> <p>6 Mid-shore Community Foundation. So we are</p> <p>7 really ready to go on this.</p> <p>8 MR. PACK: There are some questions I have</p> <p>9 regarding the installation of this when we get</p> <p>10 to that point. I know we're not there yet.</p> <p>11 Because there are some sprinklers there in that</p> <p>12 section of the courthouse grounds.</p> <p>13 I would probably want to speak with Brian</p> <p>14 Moore, our buildings and grounds</p> <p>15 superintendent, to get his take on it. There's</p> <p>16 also some trees and some very, very low</p> <p>17 branches there that will probably need to be</p> <p>18 cut, trimmed back. And so we want Brian to</p> <p>19 kind of weigh in on that as well.</p> <p>20 MS. GOODING: George Corey is the</p> <p>21 landscaper who is going to take care of</p>	<p>1 MR. PACK: Why would we need a sidewalk?</p> <p>2 There was -- I know previous Councils, we</p> <p>3 saw designs where they wanted to do sidewalking</p> <p>4 (sic.) and pavements on the grounds.</p> <p>5 MS. BLADES: Just leads up to it.</p> <p>6 MS. GOODING: It's not a sidewalk.</p> <p>7 MS. BLADES: It's just going to lead up to</p> <p>8 it.</p> <p>9 MS. GOODING: Right.</p> <p>10 MS. BLADES: Like the Vietnam one leads up</p> <p>11 to it.</p> <p>12 MS. GOODING: It will be a brick pathway.</p> <p>13 The Vietnam one has the same thing.</p> <p>14 You want some kind of a walkway to get up</p> <p>15 to the monument. It's not going to be very</p> <p>16 big. It's not going to be a lot. But it is</p> <p>17 expensive, what little has to be done to make</p> <p>18 it match. Because the landscaping plan is</p> <p>19 keeping in mind that you want this to look like</p> <p>20 it's been there the whole time and --</p> <p>21 MR. PACK: The dimensions -- I'm sorry to</p>
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<p>1 everything. And he's estimated that it's going</p> <p>2 to cost about \$15,000 for everything. And he's</p> <p>3 estimating high.</p> <p>4 And he's already taken a look at that.</p> <p>5 And he knows that that has to be moved, the box</p> <p>6 for the sprinkler system has to be moved.</p> <p>7 There's one branch in the back that will have</p> <p>8 to be moved -- cut off a magnolia tree in order</p> <p>9 to get the monuments over the side. And no one</p> <p>10 is going to miss it because he's looking for</p> <p>11 very large shrubbery to put in back to make it</p> <p>12 look more established right from the beginning.</p> <p>13 So anyone that you want to coordinate this</p> <p>14 with, George would be happy to talk with them.</p> <p>15 He's already said that the biggest part of</p> <p>16 the landscaping expense is going to come from</p> <p>17 installing the sidewalk because in order to</p> <p>18 make in match the existing sidewalk, there has</p> <p>19 to be a concrete base poured and masonry is</p> <p>20 involved because that's what we have out there</p> <p>21 already.</p>	<p>1 cut you off. The dimensions of the sidewalk</p> <p>2 aren't in this draft you have here.</p> <p>3 MS. GOODING: But it's not really a</p> <p>4 sidewalk. It's just. . .</p> <p>5 MR. CALLAHAN: It's more like a patio.</p> <p>6 MS. GOODING: Right. It's probably -- the</p> <p>7 monuments are going to be installed</p> <p>8 approximately about halfway between that iron</p> <p>9 fence and the existing sidewalk, maybe even a</p> <p>10 little bit closer.</p> <p>11 So we're only talking about that area from</p> <p>12 the sidewalk right to the monument because you</p> <p>13 don't want people to walk up to the monument</p> <p>14 and step on mulch or grass. You want it to</p> <p>15 look like it's all -- and you want it to match</p> <p>16 what's already with the Vietnam memorial.</p> <p>17 MR. PACK: Could he give us, send those</p> <p>18 dimensions of the sidewalk so we know what</p> <p>19 we're talking about as far as how much</p> <p>20 sidewalking (sic.) he wants to put down in</p> <p>21 front of it?</p>

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1 It's just going to be in front of it, or  
 2 will it be in front of it and behind it?  
 3 MS. GOODING: No, no. Just leading up.  
 4 MR. PACK: Will it be sitting on the  
 5 pavement, or the statues, will they be --  
 6 MS. GOODING: You know, I have a picture  
 7 of the Vietnam.  
 8 MR. PACK: No. I'm just saying will these  
 9 be anchored on the pavement or will they be  
 10 anchored into the ground?  
 11 MS. GOODING: No. These will be anchored  
 12 more into the ground.  
 13 MR. PACK: In the ground.  
 14 MS. GOODING: And these are five inches,  
 15 and they're slightly sloped to let water run  
 16 off. And then there will be rods attaching --  
 17 MS. BLADES: At least a 12-inch rod or  
 18 more.  
 19 MR. PACK: You're talking about concrete.  
 20 You need to concrete those, right?  
 21 MR. CALLAHAN: I think probably the best

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1 way we might be able to do this is get him  
 2 to -- we're really approving the three.  
 3 MR. PACK: Yeah.  
 4 MR. CALLAHAN: Statues. So maybe --  
 5 MR. PACK: They look fine.  
 6 MR. CALLAHAN: -- stone. So maybe it  
 7 might help if -- is it George Corey?  
 8 MS. GOODING: Uh-huh.  
 9 MR. CALLAHAN: Yeah. That he can sort of  
 10 maybe draw up a little plan of what he's doing.  
 11 And then that way you can present that in front  
 12 of the Council for our approval.  
 13 MS. GOODING: So would you like to do what  
 14 the Historical Commission did and approve us to  
 15 begin fundraising but we won't consider  
 16 installing it until we come back with a final  
 17 landscaping plan?  
 18 MR. PACK: Absolutely.  
 19 MR. CALLAHAN: That will be fine.  
 20 MR. PACK: You would have to come back.  
 21 We have to see the final footprint and what

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1 he's going to do as far as how anchoring it  
 2 down, how far does he have to go.  
 3 And again, I really would like Brian  
 4 Moore, our superintendent, to kind of look at  
 5 it before you talk about moving any sprinklers  
 6 on that courthouse grounds.  
 7 MS. GOODING: Absolutely.  
 8 MR. PACK: Brian would have to weigh in on  
 9 it.  
 10 MS. GOODING: Right. So that part, that's  
 11 part of the installation and that won't take  
 12 place until we raise the money.  
 13 MR. PACK: Yeah.  
 14 MS. GOODING: And it's going to take I  
 15 think six to eight weeks they said, hopefully,  
 16 to make them. So we're still a little bit  
 17 away.  
 18 And at that point, too, George can come up  
 19 with a final and we'll get him in here or he  
 20 can just draw it.  
 21 MR. PACK: Yeah. Show the footprint of

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1 how it's going to be laid out.  
 2 MR. CALLAHAN: Right.  
 3 MS. GOODING: It's really not that  
 4 complicated. They're going to be lined up.  
 5 They're not going to be angled because the  
 6 whole point of this design is to have them  
 7 blend into each other.  
 8 And when you really look at the space out  
 9 there, there really isn't a lot of space. This  
 10 will pretty much take up everything.  
 11 MR. PACK: The only thing that's  
 12 concerning is, again, sprinklers and the trees.  
 13 That one tree, I know exactly what you're  
 14 talking about because that branch is pretty  
 15 low.  
 16 MS. GOODING: It's just that one limb in  
 17 the back. Yes. If you could just give me the  
 18 name, I'll have George coordinate with him.  
 19 But George, he is a landscape architect  
 20 and he also owns the Wye Tree Landscaping  
 21 business. And he's been doing this for --

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1 MS. PRICE: I know George. He's worked  
 2 with the Boy Scouts for years. So I know him  
 3 very well.  
 4 MR. HOLLIS: So Mr. President, we can have  
 5 Mr. Moore reach out to Mr. Corey, if you'd  
 6 like.  
 7 MR. PACK: Yes, yes.  
 8 MS. GOODING: He's very good.  
 9 MR. PACK: So Mr. Moore, our  
 10 superintendent of grounds, he'll reach out to  
 11 him to sit down with him and look over it and  
 12 give Council a report back on it.  
 13 But what you're asking for today is a vote  
 14 by Council to allow you to move forward on this  
 15 design as you're presenting it today.  
 16 MS. PRICE: And fundraising.  
 17 MS. BLADES: And fundraising.  
 18 MR. PACK: It looks wonderful. They could  
 19 fundraise without our approval. They don't  
 20 need that.  
 21 MS. GOODING: We want to start raising

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1 money for it.  
 2 MR. LESHER: I'll move to approve the  
 3 monument design.  
 4 MR. PACK: Thank you very much,  
 5 Mr. Leshner.  
 6 MR. CALLAHAN: Second it.  
 7 MR. PACK: Seconded by Mr. Callahan. Any  
 8 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. PACK: Okay. Thank you very much.

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1 MS. GOODING: And we do have our  
 2 information, our fundraising information, if  
 3 anyone is interested. You're our first. We  
 4 have one for everybody. Thank you very much.  
 5 MR. PACK: Thank you very much, ladies.  
 6 Appreciate it.  
 7 MR. LESHER: Thank you for all your work  
 8 on this. I know that this has been a long road  
 9 to get it to this point. And you should be  
 10 congratulated on I think a really good outcome  
 11 for all that.  
 12 MS. BLADES: Thank you.  
 13 MS. GOODING: You know, we consider it an  
 14 honor and a blessing to be able to do this for  
 15 these 59 KIAs.  
 16 MR. PACK: Thank you.  
 17 MS. GOODING: Thank you.  
 18 MR. PACK: We're running behind, which is  
 19 nothing too surprising, on our public hearing.  
 20 So we have two more matters before we go into  
 21 public hearing, Council.

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1 The first is going to be a presentation by  
 2 the Talbot County agricultural community. We  
 3 have several people here. Ed, I see you there,  
 4 Mr. Heikes. Who is leading, John or Ed --  
 5 Ms. Dill is here with us as well.  
 6 MS. DILL: We'd just like to thank you  
 7 very much for having us back. It's been sort  
 8 of an annual tradition for the multiple  
 9 agriculture agencies and organizations that  
 10 work in the county to sort of come forward and  
 11 be able to share our previous year's  
 12 activities, answer any questions, and really to  
 13 talk about agriculture in the county. It's  
 14 such a large industry and important land use  
 15 for us. And so thank you very much for doing  
 16 that.  
 17 The cover sheet that I provided is sort of  
 18 a listing of the contact people with their  
 19 e-mails as well as each of their mission  
 20 within the county.  
 21 So I'm Shannon Dill. I'm with University

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1 of Maryland Extension, and I work at the Talbot  
 2 County extension office in agriculture and  
 3 nutrient management. We focus mostly in the  
 4 research and education piece of it. We also do  
 5 the 4H and youth development, master gardeners,  
 6 horticulture, food and nutrition programs, as  
 7 well as watershed programs.  
 8 And with me here this evening is Robert  
 9 Baldwin. He's our area extension director.  
 10 And we have two other advisory council members,  
 11 Cassandra and Laura, in the audience. So they  
 12 help advise us throughout the year on our  
 13 programs.  
 14 For me, really just a couple of updates.  
 15 The Corn Club is probably the most immediate.  
 16 That's Thursday evening at the VFW at  
 17 six o'clock. It's 68 years that we're  
 18 celebrating this year of the Corn Club and 49  
 19 for the soybean improvement.  
 20 We have a record yield that we received  
 21 this year. We have about 30 participants. We

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1 have an irrigated category that we had people  
 2 participate in this year. So really excited to  
 3 celebrate that.  
 4 This time of year I'm doing a number of  
 5 educational workshops. So we just wrapped up a  
 6 grain marketing workshop for folks for farm  
 7 businesses. We also will be doing estate  
 8 planning, food safety programs. We have a  
 9 women in ag conference. We also have our farm  
 10 management classes. So all of those happen  
 11 sort of in the winter months when people aren't  
 12 in the field.  
 13 As far as county updates, I continue to  
 14 work with farmers and land owners in the  
 15 county. I am on a number of committees in the  
 16 county representing agriculture, whether it's  
 17 economic development, the weed control  
 18 committee, working with emergency management,  
 19 as well as a number of the nonprofits, like  
 20 Chesapeake Harvest, the Eastern Shore  
 21 Entrepreneurial Center.

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1 Just a couple of dates of importance to  
 2 wrap up. We have I believe on your calendar is  
 3 the annual ag tour that we're going to be doing  
 4 May 9th. And we'll be working with the groups  
 5 and agencies to plan a great morning tour for  
 6 you.  
 7 Talbot County Fair will be July 9th, 10th,  
 8 and 11th.  
 9 And then we'll also be inviting you to the  
 10 Plein Air on the Farm July 13th. I just love  
 11 seeing -- this is the first time I've seen the  
 12 photos, all the paintings up around the room.  
 13 So it's great to see them.  
 14 So with that, I'm going to turn it over to  
 15 our other agencies. Farm Bureau, we'll have  
 16 Farm Bureau go next.  
 17 MR. HEIKES: I'll get started. Try and  
 18 get back on track here time wise.  
 19 Ed Heikes. I'm operating as a farmer, Belle  
 20 Aire Farms, Incorporated at 25664 St. Michaels  
 21 Road.

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1 For a number of years, I've been a  
 2 director of Talbot County Farm Bureau working  
 3 in the public policy recommendations realm in  
 4 the fall every year.  
 5 Farm Bureau is a grass roots organization  
 6 nationwide.  
 7 In the fall we will develop policy locally  
 8 that we want to see implemented locally with  
 9 our local governments. We will then also  
 10 recommended policies to our state convention  
 11 that we'd like to see adopted by the state Farm  
 12 Bureau, Maryland Farm Bureau, and by the  
 13 American Farm Bureau Federation.  
 14 So we've submitted a few policies to our  
 15 state convention this fall. I was going to go  
 16 over them as briefly as I can.  
 17 One of the issues of concern for Maryland  
 18 Farm Bureau this year was they wanted the  
 19 counties to weigh in on what we thought prime  
 20 farmland was in relation to the siting of solar  
 21 facilities. We had policy in the past saying

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1 we didn't think it should be sited on prime  
 2 farmland, but we really hadn't defined that.  
 3 And so our Farm Bureau decided that we  
 4 thought we would support the use of the  
 5 Maryland Ag Land Preservation Foundation  
 6 definition of prime farmland in regard to what  
 7 was prime farmland.  
 8 The policy the state finally at the  
 9 convention settled on was on that Maryland Farm  
 10 Bureau does not support commercial solar energy  
 11 facilities being built on prime farmland,  
 12 specifically priority preservation areas. I  
 13 know you're all familiar that there's a  
 14 priority preservation area in this county. I  
 15 think there's one in every county in the state.  
 16 So that's where the state recommendation shook  
 17 out. They did not want to see it -- state  
 18 organization did not want to see it sited in  
 19 priority preservation area.  
 20 Second thing we were asked to weigh in on  
 21 was whether or not we agreed with the policy.

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1 They expected some legislation this year in the  
 2 legislative session designating certain foods  
 3 as carbon intensive as far as their production  
 4 went. And we thought that locally -- we  
 5 opposed the State of Maryland participating in  
 6 the classification of any food as carbon  
 7 intensive. But the state organization  
 8 developed no policy regarding that.  
 9 We also were concerned with some  
 10 labeling --  
 11 MS. PRICE: Does carbon intensive mean  
 12 that plants breathe too much?  
 13 MR. PACK: Yeah. What is that? What is  
 14 carbon intensive?  
 15 MR. HEIKES: I'm sorry?  
 16 MR. PACK: What is that?  
 17 MS. DILL: Carbon intensive.  
 18 MR. HEIKES: Yeah. That some -- well, the  
 19 argument would be that it's too carbon  
 20 intensive to grow protein. That's really where  
 21 the discussion, what it's about.

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1 Would you say that?  
 2 MR. SWAINE: It's about the use of fuel  
 3 and energy and other things to produce the  
 4 crop.  
 5 MR. HEIKES: Yes.  
 6 MR. PACK: Oh, to produce the crop?  
 7 MR. SWAINE: Yeah.  
 8 MR. PACK: Okay.  
 9 MR. SWAINE: It would be like the fuel you  
 10 used or the other energy costs associated with.  
 11 . .  
 12 MR. PACK: So it has nothing to do with  
 13 the actual crop that's being harvested, it's  
 14 the effort put into planting and harvesting,  
 15 okay.  
 16 MR. SWAINE: I think so.  
 17 MR. PACK: Okay. Got you. Thank you.  
 18 MR. HEIKES: Another thing we were  
 19 concerned with was the labeling requirements  
 20 for seed. We had several people locally that  
 21 had purchased different, nominally different

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1 labeled varieties of seed corn from different  
 2 distributors but had discovered later that they  
 3 were actually the same corn sold by two  
 4 different companies. They were genetically  
 5 exactly the same.  
 6 We had urged the state to sort that out,  
 7 the state organization to ask to sort that out  
 8 and ask the MDA to make that a more  
 9 comprehensive label. It was decided at the  
 10 convention that what policy we currently had  
 11 was already suitable for that and that what MDA  
 12 was doing -- I think there's going to be some  
 13 discussion with MDA. The state organization  
 14 already had a policy they thought would address  
 15 that.  
 16 The local resolution that we had was to  
 17 ask Maryland Farm Bureau to allow utility coops  
 18 to apply for grants in order to extend rural  
 19 broadband service to underserved areas. And  
 20 that was -- let's see, I got that here. State  
 21 put that in their policy book under agriculture

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1 viability that we encourage and support the  
 2 passage of legislation to help resource-based  
 3 industries and alternative or value-added  
 4 enterprises, we encouraged state to coordinate  
 5 laws and regulations with contiguous states.  
 6 There was a whole section there. But at  
 7 the end, we added the language that we support  
 8 legislation to allow utility cooperatives to  
 9 apply for grants in order to extend broadband  
 10 service to underserved rural areas.  
 11 And that was related to an effort by  
 12 Choptank to try to get some grant money to  
 13 extend rural broadband throughout the county.  
 14 MS. PRICE: But that's different than the  
 15 legislation that they drafted to not be under  
 16 the oversight of the Maryland Public Service  
 17 Commission.  
 18 MR. HEIKES: It's related to that. It's  
 19 basically Maryland Farm Bureau supporting the  
 20 effort that that legislation is making.  
 21 MS. PRICE: Right. But I mean getting a

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1 grant is different than being deregulated. So  
 2 there's two pieces to that.  
 3 MR. HEIKES: Correct, yeah.  
 4 MS. PRICE: So you didn't comment on the  
 5 deregulation?  
 6 MR. HEIKES: No, no. We haven't gotten  
 7 any policies specifically --  
 8 MR. PACK: Have you seen the bill yet, Ed?  
 9 Have you seen a drafting of the bill?  
 10 MR. HEIKES: I have, but it's probably  
 11 been 60 days since I looked --  
 12 MS. PRICE: No. It was only released  
 13 about two, three weeks.  
 14 MR. PACK: It just came out.  
 15 MR. HEIKES: No. Then I have not seen the  
 16 current version of it, no.  
 17 MR. PACK: I would ask that the Farm  
 18 Bureau look at the bill and then maybe give us  
 19 your input after that.  
 20 MR. HEIKES: Okay. Yeah. We can  
 21 definitely do that.

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1 MS. PRICE: Because the gist of it is not  
 2 the grants. The gist of it is the deregulation  
 3 by the Maryland Public Service Commission.  
 4 MR. HEIKES: Right. Yeah. I am familiar  
 5 with that. Yes.  
 6 Let's see. Then they always, the State  
 7 always asks us for our top three policy  
 8 priorities that the local Farm Bureau would  
 9 like to see the State pursue during the year.  
 10 And that was that we urge keeping all  
 11 federally-labeled crop protection products  
 12 legal in the state.  
 13 There has been a move to ban some  
 14 pesticides in recent years by the legislature,  
 15 individual pesticides. And there was some  
 16 modification of Maryland Farm Bureau policy  
 17 about pesticides stewardship saying that we  
 18 support participating in a pesticide  
 19 stewardship education program with MDA  
 20 extension and other commodity groups for  
 21 educational outreach geared toward consumers,

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1 because we feel like we're not really in synch  
 2 with -- consumers are concerned about what  
 3 pesticides are being used. So we want to allay  
 4 those fears with the general public. So that's  
 5 going to be an effort that's going to be made  
 6 going forward.  
 7 Other thing that, another policy priority  
 8 was with regard to industrial hemp. The State  
 9 organization has asked us what we think about  
 10 that. And we support -- the current State  
 11 policy is that we support the right of Maryland  
 12 farmers to grow industrial hemp as an  
 13 agricultural crop. We oppose the production  
 14 and sale of recreational marijuana. And  
 15 that's --  
 16 MS. PRICE: Are those statements, the '07  
 17 and '14, is that the year that you took that  
 18 particular sentence or policy?  
 19 MR. HEIKES: That was the year the State  
 20 adopted that policy, yes.  
 21 MS. PRICE: Okay. So in '14, you talked

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1 about opposing the sale of recreational  
 2 marijuana?  
 3 MR. HEIKES: Correct.  
 4 MS. PRICE: So now obviously they're  
 5 talking about it for education, which I see  
 6 your footnote below that.  
 7 Is that new, what's in italics? It says  
 8 supporting the legalization of marijuana for  
 9 purpose of taxing it in regards to taxing it to  
 10 fund education. Is that new, that piece in  
 11 italics?  
 12 MR. HEIKES: That's our local rationale,  
 13 yes.  
 14 MS. PRICE: For this year?  
 15 MR. HEIKES: Well, yes, yeah. We think  
 16 that that should be a priority for our  
 17 legislative team in Annapolis for Farm Bureau.  
 18 We think that that should be something that  
 19 they should be vocal about.  
 20 MR. DIVILIO: Just to clarify, they do not  
 21 support --

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1 MS. PRICE: Correct. Right, right.  
 2 MR. DIVILIO: Yeah.  
 3 MS. PRICE: But it's just interesting that  
 4 you weighed in on the fact of what it's being  
 5 taxed for, the reason that they want --  
 6 MR. HEIKES: That is one -- and this is in  
 7 response to we're being prodded every fall as  
 8 we do this by the staff in Annapolis of our  
 9 organization stating that they're getting  
 10 information from people within the legislature  
 11 that possibly this is going to come forward  
 12 during the session that maybe we could legalize  
 13 marijuana to help -- some people would consider  
 14 legalizing it to help fund education --  
 15 MS. PRICE: So that's --  
 16 MR. HEIKES: That's why the discussion of  
 17 education is here.  
 18 MS. PRICE: It is off the table for this  
 19 year. There's other things that they're  
 20 working on. So it's not something that's going  
 21 to be put forward to do it just the legislature

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1 themselves and it's not supposed to be going on  
 2 the ballot either.  
 3 It's probably going to come back next year  
 4 and the legislature will probably just decide  
 5 to do it themselves instead of putting it on  
 6 the ballot. But nothing this year.  
 7 MR. HEIKES: Okay. That's good.  
 8 The last priority we had was for that  
 9 commodity labeling issue with our seed corn  
 10 that I talked to you about. We sent the State  
 11 resolution up for it, and that was shot down.  
 12 We had a national policy recommendation we  
 13 gave that there should be an external audit  
 14 review of the procedures and methodology used  
 15 in acreage and yield reporting projections that  
 16 USDA National Agricultural Statistic Service  
 17 does as it relates to field corn and soybeans.  
 18 A lot of people nationwide thought that  
 19 with the late planting nationwide this year in  
 20 the Midwest, that there was not a good or  
 21 adequate effort made to provide the information

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1 about what was actually going on with the crop  
 2 in real-time and it affected the market  
 3 negatively. A lot of people thought that there  
 4 was going to be a lot less grain than what was  
 5 reported by USDA.  
 6 And so a lot of people would like that  
 7 looked at and audited by USDA to see if they  
 8 can do a better job of it.  
 9 I'm reading a lot of articles in the ag  
 10 press really for the last six months that have  
 11 said that they really don't think -- they  
 12 really don't know how big the 2019 crop is  
 13 until sometime next summer when it runs out at  
 14 the end of the marketing year. They're just  
 15 not really sure if they've got a handle on it  
 16 or not. That's I think farmers nationwide  
 17 think that maybe that's not good enough, that  
 18 it should be a little more accurate than it has  
 19 been.  
 20 The other local resolution we had was in  
 21 our local policy book also supporting, asking

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1 you all to support legislation that would allow  
 2 Choptank Electrical Cooperative to apply for  
 3 grants in order to extend broadband service to  
 4 underserved rural areas.  
 5 MS. PRICE: And again, read the  
 6 legislation. It's not just about grants. And  
 7 then come back to us.  
 8 MR. HEIKES: I understand there's a little  
 9 bit of contention there.  
 10 MS. PRICE: Yeah.  
 11 MR. HEIKES: The only other couple things  
 12 I think we'd probably like to talk to you about  
 13 going forward are storm water management plans.  
 14 I know we've become aware in the last few  
 15 months that storm water management plans in  
 16 Maryland, that some legislation passed last  
 17 year that will allow Soil Conservation District  
 18 to formulate storm water management plans for  
 19 agricultural structures as it relates to -- to  
 20 put it within your soil conservation plan for  
 21 the farm.

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1 In other words, if you wanted to build a  
 2 true agricultural structure, animal structure,  
 3 equipment shed, whatever, that the State would  
 4 allow the districts to formulate that plan and  
 5 perhaps permit it.  
 6 I talked at our convention to Stuart  
 7 Pittman, who is Anne Arundel County executive,  
 8 and he told a group of us that in a breakout  
 9 session that in Anne Arundel County, if you  
 10 want to build an ag building, you can come in  
 11 and you supply your site plan that the district  
 12 can make up and you supply your soil  
 13 conservation plan that this is drawn into and  
 14 pay a fairly minimal fee, and you can build  
 15 your agricultural structure. So if that's  
 16 happening in Anne Arundel County, we're kind of  
 17 hoping maybe it could happen in Talbot County.  
 18 Now, John, I'll have to hand off to him on  
 19 this. The standards for this are being  
 20 developed by NRCS currently, correct?  
 21 MR. SWAINE: Yes.

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1 MR. HEIKES: So there's a lot of it that's  
 2 up in the air as far as how it would work.  
 3 There's not a proposal that I can throw out to  
 4 you here tomorrow about how it would work here,  
 5 but we'll be back in touch in the next  
 6 sometime.  
 7 MR. SWAINE: This year.  
 8 MR. HEIKES: In the fairly near future  
 9 about what we would like to see happen.  
 10 And is that coming up?  
 11 MR. SWAINE: Yeah. I'll touch on it.  
 12 MR. HEIKES: The last thing, I've had some  
 13 members calling me about Black Dog Alley, which  
 14 I know you're getting ready to discuss here in  
 15 a few minutes.  
 16 But the main concern I am hearing is about  
 17 the exemptions, how that would work, where the  
 18 rubber meets the road. I had one member call  
 19 me today and said you know, I don't own any  
 20 trucks, I have a contract hauler, hauls all my  
 21 grain and we're hauling down that road. Would

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1 he be exempted because he's not me? My grain  
 2 is in his truck that he's hauling for me under  
 3 contract.  
 4 And the same thing with my fertilizer  
 5 supplier who is bringing me fertilizer from  
 6 Preston. He's bringing it over Matthewstown  
 7 Road and he's using Black Dog to get there most  
 8 conveniently from Preston.  
 9 So those are. . .  
 10 MR. PACK: Mr. Edwards and Mike are going  
 11 to address those concerns once we get  
 12 through -- yeah. Coming up next actually.  
 13 MR. HEIKES: That's all I've got for you.  
 14 MR. PACK: John.  
 15 MR. SWAINE: Yeah. John Swaine, chairman  
 16 of the Talbot Soil Conservation District. With  
 17 me here tonight is Louis Smith on our board and  
 18 Kyle Hutchinson also. Also, Jack Keen is here.  
 19 Jack, maybe you should come up. He's our  
 20 district conservationist. I know he's going to  
 21 talk as well.

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1 You should have a handout that looks  
 2 something like this. Got some tables on it  
 3 down at the bottom. Shows our operating  
 4 budgets, approximately a million dollars a  
 5 year. 825,000 of it is staff or staff  
 6 benefits, payroll, things like that.  
 7 On the other side is 208,000 of operating  
 8 money for activities in the district, grant,  
 9 things like that. So it's about a million  
 10 dollars, a little over a million dollars.  
 11 It's currently 12 employees in the office.  
 12 Combination of federal employees, such as Jack,  
 13 there's three federal employees and two NRCS,  
 14 there's six Maryland Department of Agriculture  
 15 employees in the office, and there's three  
 16 other employees that are working on grants that  
 17 are funded through Chesapeake Bay Trust fund,  
 18 and they're typically planners that are writing  
 19 these conservation plans.  
 20 On the right-hand side of the handout,  
 21 there's a breakdown of the work that we're

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1 doing. This past year we developed 62 of the  
 2 soil and water plans to protect natural  
 3 resources on a little over 10,000 acres.  
 4 Currently we have in the system 106,000 acres  
 5 of planned acres of farmland in the county.  
 6 Those plans are current for ten years. So  
 7 there's constantly about 10,000, 11,000 acres  
 8 every year that are coming up for renewal. And  
 9 so that's the bulk of a lot of what the staff  
 10 does in the office.  
 11 Also, we work with farmers to install best  
 12 management practices. And this past year we  
 13 installed 48 best management practices on 379  
 14 acres.  
 15 Erosion and sediment control. We review  
 16 erosion and sediment plans for commercial  
 17 construction. There was 111 plans submitted to  
 18 the office this year on 593 acres of land.  
 19 This is not ag land. This is things for other  
 20 commercial uses. And 92 of those were  
 21 approved.

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1 Down at the bottom, once again, cover crop  
 2 program, Maryland's cost share cover crop  
 3 program, once again, the district was the  
 4 leader in the state with the cover crop program  
 5 providing technical assistance to 82 farmers.  
 6 And there was 11,349 acres of cover crops  
 7 planted this past fall in Talbot County, which  
 8 is about half of the tillable acreage in the  
 9 county. So that's very commendable. The  
 10 farmers in the county taking advantage of that  
 11 program, doing a real good job.  
 12 Second page, every year we pick a  
 13 cooperator in the county that we designate as  
 14 our cooperator of the year. This past year we  
 15 took a little different approach to it, and we  
 16 selected Mr. Bobby Leonard, who has Friendship  
 17 Farm down in Royal Oak. He owns a farms.  
 18 Farm's been in his family for several  
 19 generations. It's rented out to another farmer  
 20 for the crop planting portion of it.  
 21 But he also has oyster aquaculture

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1 operation on that farm where they're on the  
 2 land there setting the spat on the oysters and  
 3 putting them out in the Broad Creek, Tred Avon  
 4 River on the ground that he has leased to the  
 5 State to do commercial oyster production. He I  
 6 believe is one of the largest private oyster  
 7 aquaculture operations in the state of  
 8 Maryland. And I think some of you have been  
 9 out there with us --  
 10 MR. PACK: Yeah, we've been there.  
 11 MR. SWAINE: -- some tours in the past.  
 12 Ed touched really briefly on using the  
 13 conservation plan as a way to get the storm  
 14 water for an ag structure, and that's something  
 15 that's in the works. We're getting guidance  
 16 from NRCS at the State level on how it's going  
 17 to work. They're going to provide training to  
 18 the staff because the staff is really not  
 19 versed in that at this time. But that's  
 20 supposed to be happening this spring, this  
 21 summer. Hopefully we'll come back to you at

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1 some point and have a little better feel for  
 2 where we are with that.  
 3 The conservation plans are a federal NRCS  
 4 document. And like I said, there was  
 5 legislation passed this past year that  
 6 authorized that districts could write a plan  
 7 for a land owner or farmer who wanted to build  
 8 an ag structure. It could be incorporated into  
 9 that plan to hopefully facilitate and ease the  
 10 process of getting that through to have a  
 11 building permit.  
 12 That's really all I have.  
 13 As I say, with me is Jack Keen, who is our  
 14 district conservationist from NRCS. Jack.  
 15 MR. KEEN: Thanks for the opportunity to  
 16 talk about agriculture a little bit.  
 17 I'm going to give about a two-minute  
 18 history lesson. When you say Natural Resources  
 19 Conservation Service, that's a mouthful.  
 20 Back in the middle '90s, we were the Soil  
 21 Conservation District. So we've added into

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1 that a lot, a big couple of words.  
 2 Our history goes back to the mid-1930s and  
 3 the dust bowl. And the dust bowl created the  
 4 need and the urgency in Congress to validate  
 5 the need for a conservation program in the  
 6 United States. So that's where we got our  
 7 birth.  
 8 And since then, in every county in the  
 9 United States, we have a Soil Conservation  
 10 District, 3,300 of them. And that's the basis  
 11 we operate off of.  
 12 Within our office, as John said, we have  
 13 federal, state, and district employees. The  
 14 federal employees work with the farm bill,  
 15 which we get a new one approximately every four  
 16 years. And our job is really the  
 17 implementation of the conservation chapter of  
 18 the farm bill. That's what we do. Along with  
 19 that comes cost share for projects.  
 20 Our other big job would be overseeing of  
 21 what the district does or the State does in

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1 building our conservation projects. We have  
 2 the standards and specifications laid out for  
 3 us. It's my job to see that all those are met  
 4 before I hit the pay button for somebody  
 5 getting cost share on a project. I have a lot  
 6 of assistance with that. I have a great staff.  
 7 We have a young staff. They're learning and  
 8 they're really coming along nicely.  
 9 I'll give you just a little rundown of  
 10 some of the projects we get into. And here in  
 11 Talbot County, you can ask the question what  
 12 can NRCS do for Talbot County. We solve  
 13 erosion problems. You don't have a greater  
 14 resource concern in Talbot County than erosion.  
 15 It's the nature of our soils. We have soils  
 16 that are fairly level. When you get to the  
 17 edge of them, they drop off steeply, quite  
 18 often into ravines and waterways. So we spend  
 19 a good bit of our time finding those places  
 20 where this is breaking through and having  
 21 erosion, and we design projects that try to

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1 mitigate that.  
 2 That would be like a grass waterway  
 3 through a field where you see erosion coming  
 4 through it, water control structures on the end  
 5 of those projects, rock lined outlets to break  
 6 the velocity of water coming through them so  
 7 that they don't erode any further.  
 8 The other thing we do are energy  
 9 assistance projects. That would be like an  
 10 audit of your operation to see if there's ways  
 11 we can save you energy. You have inefficient  
 12 irrigation motors, we can replace those.  
 13 If you have chicken houses, we can do all  
 14 kinds of things in there with lighting and  
 15 insulation, that sort of thing. We've only got  
 16 16 poultry operators I think in Talbot County.  
 17 But just the same, we can help them.  
 18 We build waste storage buildings. As you  
 19 can see all over the county that stores chicken  
 20 litter. We'll probably be doing more of those  
 21 because litter needs to be moved from the lower

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<p>1 shore further north, and Talbot County can</p> <p>2 certainly receive some of that. And so we need</p> <p>3 a place to store that through the season when</p> <p>4 we can't spray it.</p> <p>5 We can work with advanced nutrient</p> <p>6 management plans that are designed to reduce</p> <p>7 the amount of nitrogen we might use to achieve</p> <p>8 the most economical yield. Some of that stuff</p> <p>9 is still waiting on better technology, but it's</p> <p>10 here and we're working with it.</p> <p>11 We do wildlife restoration. And you're</p> <p>12 thinking about briars and bushes and that kind</p> <p>13 of stuff. We're talking about oyster</p> <p>14 restoration. And as you've probably seen at</p> <p>15 Bobby Leonard's what we do.</p> <p>16 Since we have had that program within</p> <p>17 NRCS, we spend about \$10 million in restoring</p> <p>18 oyster bottom. And we do, oh, close to half a</p> <p>19 million a year here in Talbot County.</p> <p>20 We write CAFO plans, which are</p> <p>21 concentrated animal feed operations. And</p>	<p>1 We can talk all day, but that's an outline of</p> <p>2 what we do.</p> <p>3 MR. PACK: Thank you, Mr. Keen.</p> <p>4 MR. SWAINE: We have a couple more. We</p> <p>5 have two more people that would like to get --</p> <p>6 MR. PACK: John, I'm going to have to</p> <p>7 probably bring them back at another time.</p> <p>8 MR. SWAINE: Okay.</p> <p>9 MR. PACK: Because we have a public</p> <p>10 hearing we're about an hour late for at this</p> <p>11 time.</p> <p>12 MR. SWAINE: Okay.</p> <p>13 MR. PACK: They can come back again.</p> <p>14 MR. SWAINE: All right. That's fine.</p> <p>15 Thank you.</p> <p>16 MR. PACK: Thank you very much. Mr. Keen,</p> <p>17 thank you as well.</p> <p>18 MR. HOLLIS: So Mr. President, real quick.</p> <p>19 I'd like to be able to work with Mr. Swaine on</p> <p>20 soil conservation and storm water management</p> <p>21 review for ag structures, bring some</p>
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<p>1 agriculture has made farms concentrate more</p> <p>2 with animals. That's where we need good plans</p> <p>3 to deal with the waste and the runoff from</p> <p>4 those.</p> <p>5 We do these designs most of the time for</p> <p>6 free. And that's some -- when we've gotten</p> <p>7 into site work, we really need to move into</p> <p>8 charging for those. We can't always do it</p> <p>9 free.</p> <p>10 We have a soil scientist on our staff,</p> <p>11 Dr. Ann Rossi. And we also have somebody you</p> <p>12 met, Jim Brewer. Jim has put in over 40 years,</p> <p>13 and he retired this past winter. But Jim is</p> <p>14 still working with us part time. We do wetland</p> <p>15 evaluations with him and we try to mitigate and</p> <p>16 mitigate on different things with that.</p> <p>17 And as I said before, we set the standards</p> <p>18 for our work, and it's our job to make sure</p> <p>19 everything is installed properly before it's</p> <p>20 paid for.</p> <p>21 That's about all I want to say about it.</p>	<p>1 information back to you all as soon as they</p> <p>2 have that.</p> <p>3 MR. PACK: Okay. Maybe we can bring you</p> <p>4 back in next month and they can -- Mr. Hollis.</p> <p>5 MR. SWAINE: Okay. We'll work with Andy</p> <p>6 on that.</p> <p>7 MR. PACK: Okay. Council, you have one</p> <p>8 matter for -- again, those who are waiting for</p> <p>9 the public hearing, we are probably going to</p> <p>10 get to you about 7:30. I do apologize. We're</p> <p>11 about an hour back on that.</p> <p>12 We have one matter for introduction. Two</p> <p>13 matters. Yes, I'm sorry. We have two matters</p> <p>14 for introduction. Two matters for</p> <p>15 introduction.</p> <p>16 Madam Secretary, would you read the title</p> <p>17 of the first, please.</p> <p>18 SECRETARY: A bill to authorize Talbot</p> <p>19 County, Maryland, the county, to borrow not</p> <p>20 more than \$24,795,000 in order to finance and</p> <p>21 refinance improvements to the planning, design,</p>

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<p>1 construction, and furnishing of a new Easton                  2 Elementary School and the demolition of the                  3 existing elementary school and to effect such                  4 borrowing by the issuance and sale of one or                  5 more series of its general obligation bonds                  6 payable from ad valorem taxes to be levied by                  7 the county, exempting the bonds from the                  8 provisions of section 19-205 and 19-206 of the                  9 Local Government Article of the Annotated Code                  10 of Maryland, authorizing the consolidation of                  11 separate series of bonds into one or more                  12 bounds, authorizing the refunding of such bonds                  13 and relating generally to the issuance and sale                  14 of such bonds for such purposes.                  15 MR. PACK: Ms. Lane, good seeing you.                  16 MS. LANE: Good evening. Actually I think                  17 the title was very lengthy but somewhat                  18 self-explanatory.                  19 MR. PACK: To put it in a nutshell.                  20 MS. LANE: Yes. This legislation is to                  21 authorize the county to actually borrow the</p>	<p>1 No. I ask for a show of hands for introduction                  2 at this time.                  3 Madam Secretary, by Mr. Callahan, myself,                  4 Mr. Leshner, and Ms. Price.                  5 MS. PRICE: Because Frank says he's going                  6 to pay for the whole thing himself, right?                  7 MR. PACK: He has his reasons, Ms. Price.                  8 This will be known as Bill 1441, and I                  9 think we're going to set this in for a hearing,                  10 public hearing on February the 11th right here                  11 at 6:30.                  12 MS. LANE: Thank you very much.                  13 MR. PACK: Thank you.                  14 And we have a second matter for                  15 introduction. Madam Secretary, when you're                  16 ready.                  17 SECRETARY: A bill to amend chapter 11 of                  18 the Talbot County Code, alcoholic beverages, to                  19 allow the Board of Liquor License Commissioners                  20 to issue a license for on-premises consumption                  21 of mixed drinks to class one distilleries.</p>
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<p>1 funds for the Easton Elementary School project.                  2 We have enabling legislation for the                  3 construction of the project.                  4 This legislation is required under our                  5 charter in order to actually borrow the funds.                  6 This is the first step in the process of the                  7 borrowing process.                  8 MR. PACK: Council, so the amount for the                  9 borrowing at this time is \$24,795,000.                  10 MS. PRICE: So how much was our down                  11 payment? How much did we already do for A and                  12 E?                  13 MS. LANE: The county was authorized to                  14 spend \$30 million on the project. And we                  15 have -- we transferred 5,205,000 I believe was                  16 the amount to the capital projects fund from                  17 the general fund and from special projects fund                  18 for this project.                  19 So we're borrowing the balance, the                  20 24,795,000.                  21 MR. PACK: Okay. Any further questions?</p>	<p>1 MR. PACK: Okay. Whom am I turning to? I                  2 know Mr. Leshner offered this up. Ms. O'Donnell                  3 was the drafter. So whomever wants to speak on                  4 it.                  5 MR. LESHNER: I can speak briefly. This                  6 came as a request from the owner of Lyon                  7 Distilling in St. Michael's. They currently                  8 have the ability under their state-issued                  9 license to offer tastings on site, but they can                  10 do nothing other than offer straight shots.                  11 And they're suggesting that they might --                  12 with this, the State last year passed enabling                  13 legislation that would allow the county to                  14 permit them to offer mixed drinks with their                  15 product. In other words, this is not a -- they                  16 will be offering Lyon's own distillery products                  17 with these mixed drinks instead of just in                  18 straight shots.                  19 But they cannot do so without the local                  20 jurisdiction weighing in on this.                  21 There were two options for this. The</p>

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1 local jurisdiction can simply outright permit  
 2 it and let the State do the regulating as they  
 3 do under the existing regime. Or they can have  
 4 the local jurisdiction bring this under the  
 5 same liquor licensing regime that we do for all  
 6 of the restaurants that have liquor licenses,  
 7 everything else that has a county liquor  
 8 license.  
 9 This proposal legislation is taking the  
 10 latter route, that we would have local  
 11 regulation and not leave this merely to the  
 12 State.  
 13 MR. PACK: I did share with you,  
 14 Mr. Leshner, and also Ms. O'Donnell my concern  
 15 with this.  
 16 When you allow mixed drinks to be served,  
 17 Talbot County has always had a standing policy  
 18 of not allowing bars in the county. And even  
 19 when we drafted the craft beer legislation last  
 20 term, last year, we did so with the provision  
 21 that they had to provide small hot plates,

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1 sandwiches, those kind of things to stay  
 2 consistent with county policy.  
 3 I will be offering, if this does get  
 4 introduced tonight, one piece of amendment,  
 5 which is that this I believe would be under  
 6 license K, which would be a new designation for  
 7 us, that they also follow the same track as the  
 8 license I, which is the craft beer license,  
 9 which is they would have to offer some type of  
 10 a hot plate to go along with the cocktails that  
 11 they would be serving of their own stock.  
 12 So I'll prepare that at a later date and  
 13 get that into you all to look at.  
 14 Any further comments or questions about  
 15 this?  
 16 MS. PRICE: Pretty scary when you and I  
 17 agree on that because I think it would be -- we  
 18 don't allow anything without the food. And I  
 19 think it might open up the wineries and the  
 20 breweries to have the same thing. They can  
 21 have their tastings, but then they're going to

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1 want to do the same thing. And then you're  
 2 really going to end up with the sniffers, the  
 3 breweries, the distilleries, and wineries  
 4 all. . .  
 5 MR. PACK: Having bars.  
 6 MS. PRICE: Yeah.  
 7 MR. PACK: And I think if you look at  
 8 other counties who have put this legislation in  
 9 effect without that provision where a meal  
 10 would have to be provided on site, I think  
 11 they're running into seeing that these  
 12 distilleries are now turning into little  
 13 microbars. And that was not the intention that  
 14 they had in mind. But when you don't think  
 15 about that next step, that's inadvertently what  
 16 it becomes.  
 17 MS. PRICE: Let's be honest, they're  
 18 probably not going to order the foods. They  
 19 are going to turn into what they are.  
 20 MR. CALLAHAN: And I would like to say,  
 21 too, that I did talk to the owner today of the

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1 distillery. And she couldn't make it. She's  
 2 in a meeting late. She's on the council --  
 3 MR. PACK: This is just introduction.  
 4 MR. CALLAHAN: But I'm just saying for  
 5 purpose of she couldn't make it. She wanted me  
 6 to let you know that she couldn't make it  
 7 because she was in a meeting.  
 8 But anyway, I think we got a little work  
 9 to do to it and we'll go from there.  
 10 MR. PACK: By a show of hands for  
 11 introduction please at this time. By  
 12 Mr. Callahan, Mr. Divilio, and Mr. Leshner.  
 13 And this will be known as Bill 1442, and  
 14 the public hearing, again, will be on February  
 15 the 11th also at 6:30 or round about then.  
 16 Okay.  
 17 We're just about an hour behind for our  
 18 public hearing. We have one, two, three  
 19 matters for public hearing. And I'll read them  
 20 in this order, Resolution 279, Resolution 280,  
 21 and Bill 1440. We'll take them in that order.

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1 When you come up to the table, please give  
 2 us your name and your address. If you're  
 3 speaking for yourself, we'll give you three  
 4 minutes on the clock. If you're speaking for a  
 5 group or body, please let us know which group  
 6 or body you're speaking for, and Mr. Callahan  
 7 will give you five minutes on the clock for  
 8 that purpose. Those are the ground rules.  
 9 And we'll start, Madam Secretary, with you  
 10 reading Resolution 279 for us, please.  
 11 SECRETARY: Resolution Number 279, a  
 12 resolution to formally abandon and authorize  
 13 conveyance of a certain portion of Walkers Turn  
 14 Road, formerly Maryland Route 451 in McDaniel,  
 15 Maryland. Said portion of roadway consisting  
 16 of 0.05 miles, more or less, located astride  
 17 two parcels of land held in common ownership  
 18 with an address of 22641 Walkers Turn Road,  
 19 McDaniel, Maryland 21647. Further described as  
 20 tax map 22, parcels 167 and 234, collectively  
 21 the property. To establish certain conditions

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1 precedent to such abandonment and conveyance,  
 2 including a survey of the area to be abandoned  
 3 and revision plat at the owner's expense. And  
 4 to authorize conveyance of the county's  
 5 interest in such abandoned portion of the  
 6 roadway by quitclaim deed for no monetary  
 7 consideration to the underlying fee simple  
 8 owner of the property.  
 9 MR. PACK: Thank you, Madam Secretary.  
 10 Ms. Verdery, are you or Mr. Kupersmith  
 11 going to speak on this before we open up the  
 12 public hearing?  
 13 I know we did a work session on this, and  
 14 I know I brought forth a concern regarding the  
 15 property and making sure that they had access  
 16 back onto Tilghman Road. And I believe we had  
 17 that taken care of.  
 18 But then there was another property owner  
 19 which also brought forth a concern.  
 20 So Mr. Kupersmith, okay. Tony, I'll turn  
 21 to you, then.

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1 MR. KUPERSMITH: Sure. Happy to address  
 2 that, Mr. Pack. Yes, we did have a neighboring  
 3 property owner contact our office with some  
 4 concerns about the resolution and how it might  
 5 impact her property. She owns property that's  
 6 described as tax map 22, parcel 235.  
 7 MR. PACK: 235.  
 8 MR. KUPERSMITH: And it's a smaller parcel  
 9 improved with a house on it. The house is not  
 10 currently occupied, as far as we're aware.  
 11 But she pointed out a discrepancy in  
 12 exhibit, the original Exhibit A, which was an  
 13 aerial showing this area. And the discrepancy  
 14 has to do with the tax map lines that are shown  
 15 on that exhibit and the discrepancy between  
 16 those tax map lines and the actual property  
 17 lines on the ground.  
 18 And so we have prepared, Office of Law in  
 19 response to that has prepared an amendment to  
 20 Resolution 279 to address these concerns. And  
 21 we would request that the Council consider

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1 that. And basically we would just be asking to  
 2 substitute this new exhibit for the existing  
 3 exhibit.  
 4 The new exhibit shows the correct lot  
 5 lines on there based on a survey of the land.  
 6 And if you look at that, at the new Exhibit A  
 7 with the actual lot lines, you can see that her  
 8 property is not impacted by the proposed road  
 9 abandonment. Her property abuts Walkers Turn  
 10 Road, a portion that will continue -- that is  
 11 in county ownership and will continue to be in  
 12 county ownership even if this resolution is  
 13 adopted.  
 14 MR. PACK: Okay.  
 15 MR. KUPERSMITH: So we believe that this  
 16 will help clarify the situation for that  
 17 property owner.  
 18 MR. PACK: So the portion that the county  
 19 would be abandoning would not go up to her  
 20 property. So she still would have free access  
 21 onto Walker.

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1 MR. KUPERSMITH: That's correct.  
 2 MR. PACK: Okay.  
 3 MR. KUPERSMITH: So the portion of the  
 4 road proposed to be abandoned is located only  
 5 on the Davis property, and the Davis property  
 6 is comprised of the two parcels that abut each  
 7 other.  
 8 MR. PACK: And the Davis property will  
 9 have access to that road to get back out onto  
 10 50.  
 11 MR. KUPERSMITH: That's right.  
 12 MR. PACK: Okay. Thank you for  
 13 explaining, Mr. Kupersmith. Okay.  
 14 So we're going to open the public hearing  
 15 on -- any Council members have any other  
 16 comment? Okay.  
 17 We're going to open up the public hearing  
 18 on 279, Resolution 279. Again, you come to the  
 19 table, give us your name --  
 20 MS. PRICE: Do we introduce the amendment  
 21 before or after the public hearing?

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1 MR. PACK: Well, it wasn't an amendment.  
 2 It was just a revision of the map lines.  
 3 MS. PRICE: It says amendment one.  
 4 MR. PACK: Let me go back, Ms. Price.  
 5 Maybe if that's the case --  
 6 MS. PRICE: Amendment one to resolution.  
 7 Right? It's an amendment, Tony?  
 8 MR. KUPERSMITH: Yes.  
 9 MR. PACK: I do apologize. Was it  
 10 changing some of the verbiage, Mr. Kupersmith,  
 11 also?  
 12 MR. KUPERSMITH: Yes. Just minor changes  
 13 to the recitals to the whereas clauses.  
 14 MR. PACK: Could you just read those  
 15 publicly so we can have those for the record,  
 16 please?  
 17 MR. KUPERSMITH: Yes. So the whereas  
 18 clause in question says whereas owner has  
 19 requested that the county abandon. It said  
 20 that, and we're going to strike the that,  
 21 change that to the, .05-mile plus minus portion

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1 of Walkers Turn Road located on the property.  
 2 Such portion of the roadway being shown and  
 3 described in yellow highlight on an aerial.  
 4 And then here we're adding new language  
 5 titled exhibit C to Resolution 279, vicinity of  
 6 Walkers Turn Road and Maryland Route 33,  
 7 McDaniel, Talbot County, Maryland. Prepared by  
 8 Talbot County Department of Public Works on  
 9 January 6, 2020. That's all added.  
 10 MR. PACK: Okay.  
 11 MR. KUPERSMITH: Then we're going to  
 12 strike -- I'm sorry. Just to put it all on the  
 13 record.  
 14 Produced by the Talbot County geo-spatial  
 15 information system digital map on November 27,  
 16 2019. That's stricken.  
 17 Then it goes on, which is attached hereto  
 18 as Exhibit C. The portion (the portion to be  
 19 abandoned shall be referred to hereinafter as  
 20 the surplus roadway).  
 21 I know that's a lot. The upshot of that

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1 is just we had one title for the exhibit, for  
 2 the original exhibit. The new exhibit has a  
 3 different title. So that's all that that's  
 4 doing, is just updating the title of the  
 5 exhibit.  
 6 MR. PACK: Did you make the property  
 7 owners, the Caldwell property owners, aware of  
 8 the change?  
 9 MR. KUPERSMITH: Yes. The Caldwell  
 10 property owners, all of the adjacent property  
 11 owners received advance notice of this  
 12 resolution and the hearing. And we provided  
 13 copies of the resolution to all the neighboring  
 14 property owners, including the Caldwells.  
 15 MR. PACK: Are the Caldwells here?  
 16 MR. KUPERSMITH: The Tolsons may be here.  
 17 It was the Tolsons that were concerned about  
 18 the property that has the house on it. I don't  
 19 know if the Tolsons are here.  
 20 MR. PACK: Yeah, the Tolsons are here.  
 21 Okay. We're going to start, then, on this

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1 side of the room.  
 2 Thank you very much, Mr. Kupersmith.  
 3 Thank you, Ms. Price. I missed that.  
 4 Let's move to the second row. Let's move  
 5 to the third row. Sir, come on up, identify  
 6 yourself.  
 7 MR. HENSON: Good evening. I'm actually  
 8 James Henson, not Tolson. Ms. Tolson you  
 9 talked to is my sister.  
 10 MR. KUPERSMITH: Okay.  
 11 MR. HENSON: What we are concerned about  
 12 is the property line so we wouldn't be land  
 13 locked.  
 14 MR. PACK: Would you mind having a seat  
 15 and speak into the mike? That way they can  
 16 hear you at home and also. . .  
 17 MR. HENSON: What we are concerned about  
 18 is our property being land locked.  
 19 MS. PRICE: Can you give us your name and  
 20 address for the record, please?  
 21 MR. HENSON: Yes. James Henson. I'm from

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1 Queen Anne's County, Stevensville.  
 2 MR. PACK: Thank you, Mr. Henson.  
 3 MR. HENSON: All right. And what we're  
 4 concerned about is the property line of where  
 5 the road adjoins us and where the road is going  
 6 to be I guess demolished or. . .  
 7 MR. KUPERSMITH: Abandoned.  
 8 MR. HENSON: Abandoned. And what we would  
 9 really like to have is a copy of the new plat,  
 10 if that's possible.  
 11 MR. KUPERSMITH: Yeah. I can -- I don't  
 12 know if we have any copies printed out, but I  
 13 can print out the proposed exhibit. You can  
 14 take a look at that. So it has that, that  
 15 drawing, the revised drawing shows the actual  
 16 lot lines.  
 17 Do you have a copy? Okay. This is the  
 18 proposed new exhibit to the resolution.  
 19 MR. PACK: You can go ahead, Mr. Henson.  
 20 If you want to share it with your family, go  
 21 ahead.

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1 MR. DIVILIO: Is his parcel the last?  
 2 MR. PACK: I think they're 32.  
 3 MR. DIVILIO: 235?  
 4 MR. PACK: 235, Henson, right.  
 5 MR. HENSON: Thank you very much. Can we  
 6 get a copy of that?  
 7 MR. KUPERSMITH: You can keep that copy.  
 8 MR. PACK: Mr. Henson, hold onto that.  
 9 You keep that.  
 10 MR. KUPERSMITH: And then this is the  
 11 current one that this new one would be  
 12 replacing this one.  
 13 MR. HENSON: Yes.  
 14 MR. PACK: So the issue that was  
 15 identified is that this tax map parcel is shown  
 16 incorrectly. It should be over here, and  
 17 that's what that one shows.  
 18 And we've notified, just so the Council is  
 19 aware, we've notified Maryland, the State of  
 20 Maryland about this discrepancy. The State of  
 21 Maryland maintains the tax map parcel lines.

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1 So we've notified them of that. And they've  
 2 acknowledged the issue. We've provided them a  
 3 copy of that survey. So they tell us that they  
 4 will make an update to the tax maps at some  
 5 point. So it should more accurately reflect  
 6 that.  
 7 MR. HENSON: Thank you very much. Thank  
 8 you, sir.  
 9 MR. PACK: Is that all, Mr. Henson?  
 10 MR. HENSON: Yes, sir.  
 11 MR. PACK: Thank you for coming out, sir.  
 12 Appreciate it.  
 13 Anyone else on the left side of the room  
 14 on 279? I'm sorry. 279, come forward.  
 15 MR. DAVIS: My name is Jerry Davis, and  
 16 I'm the current property owner of both parcels.  
 17 I just want to clarify that the  
 18 abandonment of that portion of Walkers Turn  
 19 Road is only inside the property that I  
 20 currently own. So it doesn't really affect  
 21 any -- it doesn't land lock any other

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<p>1 properties. It's just the property that's</p> <p>2 actually from my property line in roughly about</p> <p>3 150, 200 feet that comes into my property. And</p> <p>4 it doesn't leave the property. It's just a</p> <p>5 chunk that's in there.</p> <p>6 MR. PACK: Yes. And what happened was the</p> <p>7 first drawing had the line going further up.</p> <p>8 And the new drawing that Mr. Kupersmith</p> <p>9 provided us, which does show it just stays</p> <p>10 within the boundaries of your property, which</p> <p>11 the Henson property and the Caldwell property</p> <p>12 would not be impacted by.</p> <p>13 MR. DAVIS: Yeah. When I first started</p> <p>14 trying to go this route, I noticed that there</p> <p>15 was a discrepancy with the tax map versus the</p> <p>16 land records and the plat. So that's what we</p> <p>17 came across.</p> <p>18 MR. PACK: I think we got it straightened</p> <p>19 out. Appreciate it, Mr. Davis, you coming out.</p> <p>20 Appreciate that.</p> <p>21 MS. PRICE: And we talked about the</p>	<p>1 introduced yet.</p> <p>2 MR. PACK: We're doing it now.</p> <p>3 SECRETARY: Oh.</p> <p>4 MS. PRICE: I just moved to introduce it.</p> <p>5 SECRETARY: I thought you were voting on</p> <p>6 it.</p> <p>7 MR. PACK: No, no. We're just making a</p> <p>8 motion to introduce.</p> <p>9 Motion made by Ms. Price and seconded by</p> <p>10 Mr. Callahan. Any further discussion on the</p> <p>11 amendment to 279?</p> <p>12 Hearing upon, Madam Secretary, call your</p> <p>13 roll on the amendment only, please.</p> <p>14 SECRETARY: Mr. Pack.</p> <p>15 MR. PACK: Aye.</p> <p>16 SECRETARY: Mr. Divilio.</p> <p>17 MR. DIVILIO: Aye.</p> <p>18 SECRETARY: Mr. Callahan.</p> <p>19 MR. CALLAHAN: Aye.</p> <p>20 SECRETARY: Ms. Price.</p> <p>21 MS. PRICE: Aye.</p>
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<p>1 amendment being an amendment. We never voted</p> <p>2 on it.</p> <p>3 MR. PACK: Yeah, we will, we will.</p> <p>4 MS. PRICE: Usually we vote on the</p> <p>5 amendment before public hearing. (Inaudible.)</p> <p>6 MR. PACK: Anyone on the right side of the</p> <p>7 room on 279? Okay.</p> <p>8 I'm going to go ahead and close the public</p> <p>9 hearing on 279. We do have an amendment before</p> <p>10 us. Mr. Kupersmith has outlined the amendment.</p> <p>11 We've shown the parties affected by the change,</p> <p>12 the map. They seem to be satisfied.</p> <p>13 The chair would now entertain a motion on</p> <p>14 the amendment only on 279.</p> <p>15 MS. PRICE: Make a motion.</p> <p>16 MR. PACK: Ms. Price made a motion.</p> <p>17 MR. CALLAHAN: Second.</p> <p>18 MR. PACK: Seconded by Mr. Callahan. Any</p> <p>19 further discussion on the amendment of 279?</p> <p>20 Yes, Madam Secretary.</p> <p>21 SECRETARY: The amendment has not been</p>	<p>1 SECRETARY: Mr. Leshner.</p> <p>2 MR. LESHNER: Aye.</p> <p>3 MR. PACK: Amendment has been passed.</p> <p>4 Bill 279 is now before the Council as</p> <p>5 amended. Any further discussion on Bill 279 as</p> <p>6 amended?</p> <p>7 Hearing none, Madam Secretary, please call</p> <p>8 the roll on 279 as amended, please.</p> <p>9 SECRETARY: Mr. Pack.</p> <p>10 MR. PACK: Aye.</p> <p>11 SECRETARY: Mr. Divilio.</p> <p>12 MR. DIVILIO: Aye.</p> <p>13 SECRETARY: Mr. Callahan.</p> <p>14 MR. CALLAHAN: Aye.</p> <p>15 SECRETARY: Ms. Price.</p> <p>16 MS. PRICE: Aye.</p> <p>17 SECRETARY: Mr. Leshner.</p> <p>18 MR. LESHNER: Aye.</p> <p>19 MR. PACK: Bill 279, Resolution 279</p> <p>20 passes.</p> <p>21 Moving on now, we have a public hearing on</p>

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1 Resolution 280.  
 2 Thank you, Mr. Henson.  
 3 SECRETARY: Resolution Number 280, a  
 4 resolution to establish a vehicle weight limit  
 5 on Black Dog Alley pursuant to section  
 6 25-102A11 of the Transportation Article,  
 7 Annotated Code of Maryland, and chapter 134 of  
 8 the Talbot County Code, roads ordinance, in  
 9 order to reroute heavy traffic through traffic.  
 10 MR. PACK: Thank you, Madam Secretary.  
 11 Mr. Edwards, Mr. Mertaugh, good seeing you  
 12 both. We'll hear from you both on 280 before  
 13 we start the public hearing. So the floor is  
 14 yours.  
 15 MR. MERTAUGH: I just want to give a  
 16 little background on what this legislation is  
 17 attempting to achieve.  
 18 As you're aware, all roads need  
 19 maintenance, regardless of traffic type or  
 20 volume. This is true for expressways or State  
 21 roads or even local roads, such as Black Dog

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1 Alley.  
 2 Black Dog Alley is a -- it's not an  
 3 engineered or designed -- well, the majority of  
 4 Black Dog Alley is not an engineered or  
 5 designed corridor. Probably started out as a  
 6 farm-to-market road. It's maybe oyster shell.  
 7 Has been tar and chipped a number of times, but  
 8 it has no real design structure, particularly  
 9 for large vehicles like trucks.  
 10 This past year in particular, portions of  
 11 the road have experienced a lot of distress.  
 12 The Roads Department has been out to do  
 13 multiple repairs in the same portions of the  
 14 road, predominantly at the southern end of  
 15 Black Dog Alley down by Dover Road.  
 16 And again, a lot of that's the fact that  
 17 there's no structure to the road, per se, as is  
 18 on a modern roadway. And also that there's no  
 19 shoulder to help support that pavement. So  
 20 when large and wide vehicles get on the  
 21 roadway, the edges tend to crumble and the road

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1 sort of falls apart from the edge towards the  
 2 middle. So that's something that the Roads  
 3 Department has been trying to keep up with here  
 4 this year.  
 5 I think that based on our observations,  
 6 this corridor is being used -- becoming popular  
 7 as a shortcut to get from points north to  
 8 points east and Dorchester and Caroline County,  
 9 a lot of through traffic avoiding congestion in  
 10 downtown Easton.  
 11 And we were witnessing a lot of heavy  
 12 trucks starting to use this route, and I think  
 13 it's started to reach a tipping point,  
 14 particularly at the southern end again. But  
 15 throughout the corridor, it's receiving some  
 16 distress from this volume and weight of the  
 17 vehicles.  
 18 In a perfect world, we would establish a  
 19 capital project and design and rebuild the  
 20 whole corridor. As it so happens, we don't  
 21 live in a perfect world. Significant resources

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1 would be required to do that work.  
 2 So the concept of weight restriction is  
 3 really an effort to prolong the useful life of  
 4 this roadway that we have today until such time  
 5 as hopefully one day we can design and  
 6 reconstruct it to accommodate the type of  
 7 traffic that it has on it.  
 8 Since this legislation was introduced last  
 9 month, Mr. Edwards has received a lot of  
 10 feedback from the community about impacts of  
 11 these weight restrictions.  
 12 As it's currently drafted, certainly the  
 13 intent was to try not to impact local  
 14 businesses and local users of the road,  
 15 particularly those that are actually located on  
 16 the corridor.  
 17 So obviously any changes to this  
 18 legislation would have to be vetted through the  
 19 Office of Law.  
 20 But with that in mind, Warren and I have  
 21 looked into it a little bit. And there's some

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1 possibilities of maybe adjusting the limits to  
 2 the weight limits. For example, there's some  
 3 commercial properties at either end of Black  
 4 Dog Alley that we might be able to pull the  
 5 limits in a little bit to not impact them and  
 6 the movement of trucks in and out of their  
 7 sites.  
 8 And then there's also the opportunity to  
 9 actually increase the weight limits.  
 10 Currently, I think we have 17,000 pounds  
 11 for gross vehicle weight rating and combination  
 12 weight ratings. The thought is maybe we can  
 13 increase that to not impinge on the local  
 14 businesses or local users and still try to keep  
 15 the cut-through traffic to a minimum.  
 16 So I think that -- and earlier, just real  
 17 quick, Mr. Heikes had commented about ag  
 18 haulers on the roadway. And the way the  
 19 legislation is written currently, it's not very  
 20 specific. Just under exemptions, it says  
 21 vehicles engaged in agricultural production or

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1 operations would be exempt.  
 2 So I think that certainly grain haulers,  
 3 obvious ag-type vehicles would be exempt, but  
 4 there may be other ag vehicles that aren't so  
 5 apparent possibly that we could capture with  
 6 some modifications.  
 7 So hopefully we look forward to any input  
 8 we get. Hopefully it will help us improve the  
 9 legislation so we don't impact local businesses  
 10 and also try and keep the road passable for the  
 11 foreseeable future.  
 12 MR. PACK: Mr. Edwards, anything from you?  
 13 MR. EDWARDS: Yeah. I'd like just to add,  
 14 a big hope here is that we're getting awareness  
 15 out to how bad this road really is.  
 16 We do not want to stop anybody from doing  
 17 work, contractors or farmers that live on that  
 18 road, have businesses there, work on that road,  
 19 or somebody that wants to get a driveway paved  
 20 or concrete work or a new pool. That's not the  
 21 idea here.

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1 Like Mike said, the southern end is really  
 2 bad. We've spent about 34, \$35,000 there this  
 3 year just from Dover Road from Kingston to just  
 4 past the bottom of the hill there. I don't  
 5 know, quarter-mile from Mr. Harvey's welding  
 6 shop.  
 7 The road is not wide enough there. It's a  
 8 danger. And the biggest reason that these  
 9 accidents are happening with these trucks is  
 10 their wheels are hitting the edge of the road  
 11 and it's so steep and such a crown, it just  
 12 throws them over.  
 13 The other thing is we did a section of  
 14 road in the middle of Black Dog Alley I believe  
 15 2003 or four, somewhere in that area. That  
 16 road is going to need to be milled and paved  
 17 within the next four or five years. We don't  
 18 have money to fix the northern and southern  
 19 ends of this road. Where are we going to find  
 20 the money to mill and pave the middle of that  
 21 road and repair it?

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1 So there's some serious infrastructure  
 2 issues. And if anything comes out of this,  
 3 it's conversation with the contractors and the  
 4 farmers and awareness to you as Council that we  
 5 have to come up with a plan and be prepared  
 6 because anything that's asphalt has to be  
 7 milled, patched, and paved. You can't mill it  
 8 and tar and chip it. So we have to start  
 9 figuring that out.  
 10 MR. PACK: What's the weight limitation  
 11 currently on State roads?  
 12 MR. MERTAUGH: You know, it varies, but  
 13 ultimately it's 80,000 pounds, depending on the  
 14 configuration of the truck.  
 15 MR. EDWARDS: The length of the truck, the  
 16 GVW, that kind of stuff, axles.  
 17 MR. DIVILIO: 80,000?  
 18 MR. EDWARDS: 80,000, yup. I don't think  
 19 there's anything over 80.  
 20 MR. MERTAUGH: Special loads.  
 21 MR. EDWARDS: Yeah, special loads.

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1 MR. DIVILIO: 17,000 is a class five.  
 2 MR. EDWARDS: Permits.  
 3 MR. DIVILIO: That's a small landscape  
 4 dump truck.  
 5 MR. PACK: So that's the restriction, is  
 6 at 17,000?  
 7 MR. EDWARDS: Yeah. We mimic, tell me if  
 8 I'm wrong, we mimic what we did on Dover Neck  
 9 Road because of the landfill and the trash  
 10 trucks. We actually got those numbers from  
 11 them when they're loaded vehicles. So we were  
 12 trying to work with them so they were coming  
 13 in.  
 14 Because I think it was 1984 or five, an  
 15 agreement was made between MES and the County  
 16 Council then that when they took over the  
 17 landfill, they upgraded the road. So that's  
 18 how we come up with those weight limits.  
 19 We were trying to mimic that, but  
 20 mimicking that is not going to help the  
 21 contractors and it's not going to help us with

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1 the road issues.  
 2 MR. PACK: So Mike, when you talked about  
 3 keeping the cut-through as a minimum, how do  
 4 you propose doing that?  
 5 MR. MERTAUGH: Well, for example, I think  
 6 one of the things that Warren and I had talked  
 7 about is right now the way the legislation is  
 8 written, it's 17,000 pounds basically for a  
 9 single unit truck, gross weight rating. And  
 10 then it's also 17,000 pounds for a combined  
 11 weight rating, which would be like a  
 12 tractor-trailer configuration.  
 13 And so one of the thoughts we had was  
 14 well, for this corridor, its character and its  
 15 use is a little bit different from Dover Neck,  
 16 where we had the other weight restriction, and  
 17 there might be some logic in increasing those  
 18 numbers say, for example, to 20,000 pounds for  
 19 a single unit and maybe 40,000 for a  
 20 combination, to try and find a compromise in  
 21 there somewhere so that the -- it's still going

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1 to restrict the big track-trailers, but I think  
 2 it would help accommodate a lot of the other  
 3 like six-wheel dump trucks and some of these  
 4 trucks with landscape trailers and things of  
 5 that sort of nature.  
 6 MS. PRICE: But you've still got Route 50,  
 7 which is right there. That it's maybe an extra  
 8 mile to drive.  
 9 MR. DIVILIO: Not when you have to come  
 10 all the way around. You got to come all the  
 11 way to the Ford dealership and then come back  
 12 up to get into the yards and lots that are  
 13 there.  
 14 MS. PRICE: I mean the local stuff we made  
 15 arrangements for that, if you're going to that  
 16 business. And so I don't know how you can do  
 17 that to make sure they can get to the local  
 18 business.  
 19 But again, it's an awareness thing. If  
 20 you can drive an extra mile or two and save the  
 21 maintenance on this road that is crumbling that

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1 we don't have the money to fix, you know, for  
 2 someone to drive an extra mile or two, I mean  
 3 it's five minutes out of somebody's day to try  
 4 to utilize Route 50.  
 5 Unless they're really going from point to  
 6 point on Black Dog Alley, it's really just -- I  
 7 mean 40,000 sounds like a lot and we can make  
 8 some type of an adjustment, but you're right.  
 9 The road -- when you described what that  
 10 road was intentionally built for and that it's  
 11 not structured that way, I mean unless you're  
 12 going right to that local business, I think we  
 13 need to have a restriction there.  
 14 I'm just not going to get too upset about  
 15 somebody that has to drive an extra mile or two  
 16 that might cost five minutes and do some type  
 17 of -- maybe a little bit of a compromise off  
 18 the 17,000, but not more than double.  
 19 MR. EDWARDS: I think some of the issue,  
 20 too, though, and I didn't really understand  
 21 this until I got to talking to some of these

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1 contractors, and they're valid points, some of  
 2 them have material delivered to their yard that  
 3 they take out as they leave for a job.  
 4 So their deliveries might be coming from  
 5 Delaware, from Dover Road. For instance, Weems  
 6 Brothers, they get lumber and timber delivered,  
 7 Patuxent Materials has material coming in and  
 8 out. We don't want to limit them --  
 9 MS. PRICE: No. I agree.  
 10 MR. EDWARDS: -- in their ability either.  
 11 And if you're getting it off of maps and  
 12 Waze as far as direction, by the time any  
 13 delivery truck gets on that road, they don't  
 14 really have a choice but to keep going. I mean  
 15 it's kind of complicated to stop.  
 16 You can't turn around if somebody is  
 17 driving with a loaded truck and all that. So  
 18 you're easiest way out is to be safe and go  
 19 forward.  
 20 But we did find out through Ms. Wilson,  
 21 Ms. Erica Wilson, who is here and I think she's

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1 going to speak about this, there are some  
 2 potential State legislation that's already out  
 3 there as far as width of a truck for a  
 4 tractor-trailer and as far as weight limits and  
 5 also the length of a truck or GVW combination  
 6 vehicle.  
 7 And it may be, if we have some time to do  
 8 some research and can validate that stuff, we  
 9 could post these roads and State roads going to  
 10 these roads with this legislation and divert a  
 11 lot of traffic from even using it.  
 12 We're not sure from conversations whether  
 13 Waze and MapQuest will pick that up right away.  
 14 But when they upgrade, they should. So then it  
 15 would stop sending people on these roads.  
 16 That's not going to take away from the  
 17 upgrades that need to be done, but it will  
 18 help, and it will work with the contractors and  
 19 the farmers and the local residents that are  
 20 concerned.  
 21 MR. CALLAHAN: That to me is the challenge

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1 of all this, sort of diversifying local versus  
 2 the guys that -- it's almost like you're  
 3 allowing one thing but you're not allowing the  
 4 other thing. And I kind of understand where  
 5 you're trying to go with all this.  
 6 But like you say, the outside deliveries  
 7 are going to local people. And how are you  
 8 going to -- I mean I'm just thinking it  
 9 through. I mean how do you -- if the police  
 10 officer stops them, they're going to say well,  
 11 I'm going down there to Eric Harvey's and I'm  
 12 delivering steel there or something to that  
 13 effect. I mean it --  
 14 MR. LESHER: In which case, Mr. Callahan,  
 15 their bill of lading should indicate that.  
 16 MR. EDWARDS: Exactly.  
 17 MR. CALLAHAN: Right.  
 18 MS. PRICE: (Inaudible.)  
 19 MR. EDWARDS: Some have a ticket of some  
 20 sort.  
 21 MR. DIVILIO: Who is going to enforce

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1 this?  
 2 MR. CALLAHAN: But my problem is, my  
 3 problem is that's true, that's true. But the  
 4 whole point of this is keeping the trucks off  
 5 the road because we're damaging the road.  
 6 That's the point I'm trying to make.  
 7 MS. PRICE: I think it's the cut-through  
 8 stuff, that people are taking shortcuts.  
 9 So the local deliveries is still going to  
 10 be wear and tear on the road, absolutely.  
 11 But you want to get rid of the trucks that  
 12 aren't making the local deliveries and keep  
 13 them on Route 50 or wherever else they're  
 14 going.  
 15 MR. EDWARDS: And I think most of the  
 16 local deliveries know where it's not safe on  
 17 that road. So they go slower. They're a lot  
 18 more careful in what they're doing and how  
 19 they're driving down the road.  
 20 It's the people that -- I think it's a lot  
 21 of MapQuest and Waze giving them directions.

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<p>1 And by the time they get on there, they're 2 coming from 50 or coming from Dover Road and 3 they have to go one way or the other because 4 most of them don't even know they can go out 5 Chapel if they can make the turn. It depends 6 on the vehicle.</p>	<p>1 car dealership up by the airport and his next 2 stop is a car dealership in Preston, he's 3 really supposed to, based on at least my 4 understanding of these State truck regulations, 5 that driver is supposed to get back on 50 and 6 then go down Dover Road. That would be the 7 shortest route on the State roads.</p>
<p>7 MR. CALLAHAN: Well, so you're leaning a 8 little bit more towards exploring signage to 9 try to divert.</p>	<p>7 They're not always doing that. And you 8 know, it's sort of the plead ignorance kind of 9 thing I suppose. Because if there's a sign</p>
<p>10 MR. MERTAUGH: Certainly, yes.</p>	<p>10 that says weight restriction, there's really no</p>
<p>11 MR. EDWARDS: Absolutely.</p>	<p>11 good excuse why you're on there, unless you're</p>
<p>12 MR. CALLAHAN: On both ends.</p>	<p>12 delivering a car or a truck to somebody along</p>
<p>13 MR. EDWARDS: Trying to work with 14 everybody to make this work.</p>	<p>13 the road. 14</p>
<p>15 MR. MERTAUGH: I think what happens, like 16 for example, when we did the restriction on 17 Dover Neck or Dutchman's -- really the purpose 18 of Dutchman's Lane.</p>	<p>15 MR. DIVILIO: Is that a problem? Are we 16 getting a lot of complaints about car haulers 17 on that road?</p>
<p>19 MR. CALLAHAN: Right.</p>	<p>18 MR. MERTAUGH: Have we had any? I'm 19 sorry?</p>
<p>20 MR. MERTAUGH: Is that when those signs 21 went up -- of course, Dutchman's Lane is pretty</p>	<p>20 MR. DIVILIO: Yes. 21 MR. EDWARDS: Have we had complaints?</p>
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<p>1 easy because it's a county road.</p>	<p>1 MR. MERTAUGH: Yes.</p>
<p>2 And so the Sheriff's Office, there's like 3 a grace period, just like any new whatever. 4 There's warnings for a month or so or whatever.</p>	<p>2 MR. EDWARDS: Yes. 3 MR. DIVILIO: Of car haulers on that road? 4 MR. EDWARDS: Yes.</p>
<p>5 But I think with certainly with commercial 6 trucks, the stakes are so high getting nabbed 7 on a weight-restricted road that it tends to -- 8 once it's in place and everybody understands 9 it, I don't think enforcement ends up being 10 that big of a deal because I think it's -- like 11 right now, some of these trucks, like some of 12 these car haulers, when the legislation Warren 13 was referring to, they're not even supposed to 14 be on most State road. There's actually these 15 truck routes that the State establishes.</p>	<p>5 MR. DIVILIO: So they're already breaking 6 the law by being on that road. 7 THE WITNESS: Yes. 8 MR. DIVILIO: But we would expect if we 9 put a sign up, that would stop them. 10 MR. MERTAUGH: So that's one of the things 11 that -- 12 MR. EDWARDS: It would be enforceable. 13 Stop it, I don't know. 14 MR. MERTAUGH: Enforceable by local law 15 enforcement. That's the real problem.</p>
<p>16 And on the shore basically it's Route 50, 17 Mid-shore and south, Route 50. But then it goes 18 on to say that they can go on other State roads 19 to get somewhere, whatever that -- however they 20 have to get -- like so for example, a car 21 carrier. If a car carrier was stopping at the</p>	<p>16 A lot of these truck regulations, we don't 17 have -- the sheriff's deputies aren't licensed 18 for weight. 19 But the way we crafted Dutchman's Lane, 20 and we checked through the Sheriff's Office and 21 we'll check again on this one just to make</p>

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1 sure, is that if we restrict weight by that  
 2 weight rating, as opposed to actual weight,  
 3 what that means is every vehicle has a weight  
 4 rating. You know, you open the door, there's a  
 5 sticker, GVWR. And so the idea being is if  
 6 that restriction says however many pounds GVWR,  
 7 that's based on the rating of the vehicle. It  
 8 really doesn't matter if it's carrying  
 9 something or not. It's restricted by that  
 10 weight rating.

11 And with that situation, at least the way  
 12 we understand it, local law enforcement can  
 13 enforce that. But we will double-check to make  
 14 sure because there was some question. When we  
 15 did this before, it was very clear through the  
 16 Sheriff's Office that they can do that.

17 MR. DIVILIO: And that was simple because  
 18 everybody is going to one spot on Dutchman's  
 19 Lane.

20 MR. MERTAUGH: Right.

21 MR. DIVILIO: Everybody was going to the

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1 dump. Whereas, now this is a through route,  
 2 which we've just recently put a stop light up.

3 MR. MERTAUGH: Yup.

4 MR. DIVILIO: So that's going to slow some  
 5 traffic, that's going to prevent -- that's  
 6 going to slow down traffic on Waze, showing  
 7 people to go the faster direction, which would  
 8 be up to Route 50.

9 But there's already some things in place  
 10 that are going to slow down traffic and start  
 11 preventing some people from traveling that  
 12 road. And we're running on a lot of  
 13 assumptions that heavy trucks are coming from  
 14 wherever and traveling that road to go wherever  
 15 and tearing it up.

16 But we have don't have any information on  
 17 that other than the assumptions that we're  
 18 running off of. Right?

19 MR. MERTAUGH: Observations, right.

20 MR. DIVILIO: Complaints and. . .

21 MR. MERTAUGH: Right.

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1 MR. EDWARDS: We're not running on  
 2 assumptions.

3 MR. PACK: Yeah. Complaints are more than  
 4 assumptions. Yeah.

5 MR. EDWARDS: Deputies that have sat out  
 6 there at the park and ride and sat down at the  
 7 bottom of the first section on the southern end  
 8 of Black Dog Alley that have had a lot of  
 9 trucks come through there, their  
 10 misunderstanding at the time was that they  
 11 didn't have a DOT ability to enforce them  
 12 unless it was for speeding. And most of the  
 13 time, they're not speeding when they see the  
 14 deputy because they stick out there.

15 But we're under the understanding that  
 16 this could be enforced by the Town of Easton  
 17 Police if they're on Chapel Road from the  
 18 Easton section of Honeysuckle Drive back out to  
 19 Chapel east or by the Sheriff's Department from  
 20 Chapel to Black Dog and/or State Police,  
 21 whether they're DOT or not because they're

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1 State-mandated laws.

2 So if this is all true, we can just follow  
 3 those State laws, post them, and let them start  
 4 enforcing them, because there's a width  
 5 restriction for any road that's under 24-foot  
 6 width. I believe it's 96 inches. And the  
 7 average truck is 102.

8 MR. PACK: Let me do this. We do  
 9 appreciate both of you doing an opening for us.  
 10 Probably ran a little longer than I wanted it  
 11 to.

12 But I'm going to have you all step back  
 13 and then we'll go ahead and start with the  
 14 public hearing. And we can bring you back up  
 15 at the end.

16 This may be something we will have to  
 17 table for a later date for a vote.

18 So with that all being said, thank you  
 19 both for giving us the background and your  
 20 insight on the situation.

21 Again, the ground rules remain the same.

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1 Three minutes if you're speaking for yourself,  
 2 five minutes if you're speaking for a group or  
 3 body. Please give us that body that you're  
 4 speaking for, and Mr. Callahan will adjust your  
 5 time accordingly.  
 6 So we'll start on the first row. We'll  
 7 quickly move to the second row and then to the  
 8 third row on my left here.  
 9 Mr. Showalter, good to see you.  
 10 MR. SHOWALTER: Thank you, Mr. Pack.  
 11 MR. PACK: How are you?  
 12 MR. SHOWALTER: The letter which I  
 13 e-mailed to you all earlier this afternoon.  
 14 MR. PACK: Yeah. Mike, you got this,  
 15 right?  
 16 MR. MERTAUGH: Yes.  
 17 MR. SHOWALTER: I'm not going to take the  
 18 time to read it. I just want to highlight that  
 19 Weems Brothers Construction was referenced by  
 20 the comments. I had the opportunity to speak  
 21 with Mr. Edwards before the presentation

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1 tonight.  
 2 And as currently drafted, this resolution  
 3 does present problems for their operation. It  
 4 has a prohibition on the vehicles registered to  
 5 the owners of land. That operation is actually  
 6 a tenant of the property, which is owned by a  
 7 separate land holding entity. So the Weems  
 8 Brothers' trucks are not titled in the name of  
 9 the entity that owns their facility and,  
 10 therefore, is not subject to the exemption.  
 11 We urge you to not include the northern  
 12 portion of the road within the restriction. If  
 13 the problem is within the middle and the  
 14 southern portion of the road, leave the north  
 15 end of Black Dog Alley out of this restriction.  
 16 If you elect to restrict the entirety of  
 17 the road, the resolution as drafted needs some  
 18 amendments to make sure it does not  
 19 unreasonably impact existing businesses.  
 20 MR. PACK: Do you have some additional  
 21 language that would allow the renters who --

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1 MR. SHOWALTER: I do, Mr. Pack. At the  
 2 very bottom, the last line on the first page,  
 3 there's two sections or two exemptions in the  
 4 resolution that are relevant.  
 5 The fifth -- I'm sorry. The fourth  
 6 exemption is the one that I think would apply  
 7 to Weems Brothers. So it exempts vehicles  
 8 belonging to owners of land located along or  
 9 only accessible from the regulated road.  
 10 The issue is that the vehicles belong to a  
 11 tenant.  
 12 MR. PACK: Right.  
 13 MR. SHOWALTER: Of the land.  
 14 If you look at the next paragraph,  
 15 exemption number five, or Roman numeral V, it  
 16 excludes vehicles used in connection with  
 17 providing bona fide services to land owners,  
 18 tenants, or residents located along the  
 19 accessible road.  
 20 If you use that same language in both --  
 21 MR. PACK: We'll be okay.

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1 MR. SHOWALTER: -- paragraphs, that would  
 2 address the one concern.  
 3 MR. PACK: So if we add tenants or  
 4 residents, then the Weems would be okay.  
 5 MR. SHOWALTER: That's right.  
 6 MR. PACK: Right, okay.  
 7 MR. SHOWALTER: And then the only other  
 8 comment that I want to make is at the northern  
 9 end of Black Dog Alley, you have industrial and  
 10 commercially-zoned properties.  
 11 So the other concern is that if the  
 12 county, rather than maintaining its  
 13 infrastructure, is going to restrict  
 14 accessibility of the road for commercial and  
 15 industrial truck traffic in an area where you  
 16 have commercial and industrial zoning, there's  
 17 a concern about whether that begins the  
 18 slippery slope of reducing the viability of  
 19 property that's owned that way in the long  
 20 term, impacting businesses who have purchased  
 21 property that was more valuable because of the

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<p>1 zoning and invested in facilities because of</p> <p>2 zoning. We don't want to see it diminished in</p> <p>3 its utility long term.</p> <p>4 MR. PACK: Right. Okay. Thank you, Ryan.</p> <p>5 Appreciate it.</p> <p>6 MR. SHOWALTER: Thank you.</p> <p>7 MR. PACK: Anyone else on my left side?</p> <p>8 Moving to the next row. Come on up, sir.</p> <p>9 MR. HARVEY: Good evening.</p> <p>10 MR. PACK: Good evening.</p> <p>11 MR. HARVEY: Eric Harvey.</p> <p>12 MR. PACK: Mr. Harvey.</p> <p>13 MR. HARVEY: ER Harvey Metal Working</p> <p>14 Company.</p> <p>15 Unfortunately, I've seen in the last</p> <p>16 couple of years some very serious accidents on</p> <p>17 this road. And just as Warren described, the</p> <p>18 road is in terrible, deplorable shape.</p> <p>19 Now, this will be a Band-Aid if you pass</p> <p>20 this. It's also going to be a liability.</p> <p>21 I would recommend you table this this</p>	<p>1 a bad situation.</p> <p>2 But I would recommend table this tonight,</p> <p>3 look into this, find some money, please fix the</p> <p>4 road.</p> <p>5 Right in front of my shop, the road is 20</p> <p>6 feet wide at its widest and it's a little bit</p> <p>7 narrower than that. But it was a little too</p> <p>8 dangerous for me to measure it this evening.</p> <p>9 The ditches are about two feet deep. Very</p> <p>10 dangerous.</p> <p>11 MR. PACK: Plus you got a little bend</p> <p>12 there, too.</p> <p>13 MR. HARVEY: It's a little bend.</p> <p>14 MR. PACK: It's a bend as well. So not</p> <p>15 only is it narrow with deep slopes on both</p> <p>16 sides, it also bends. So yeah.</p> <p>17 MR. HARVEY: Let's find Warren some money</p> <p>18 to fix the road.</p> <p>19 MR. PACK: Well, we would like to do that,</p> <p>20 Mr. Harvey. Thank you. Thank you, sir.</p> <p>21 Anyone else on my left? Anyone on my left</p>
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<p>1 evening and find some money to repair this</p> <p>2 road.</p> <p>3 I have an industrial property. It's not</p> <p>4 commercial property, it's industrial property.</p> <p>5 There's ten acres of industrial property on the</p> <p>6 south end that's owned by myself and the Taylor</p> <p>7 family. The north end, there's quite a bit of</p> <p>8 industrial property. It's not just commercial</p> <p>9 property. Just like your legal fellow just</p> <p>10 said here, please take this into consideration.</p> <p>11 You're also going to put law enforcement</p> <p>12 in Pandora's Box because at a glimpse, they're</p> <p>13 going to have to decide whether that truck is</p> <p>14 delivering to myself, Weems, anybody else.</p> <p>15 You've got George's Green Thumb. That's not</p> <p>16 really on Black Dog Alley, but their trucks</p> <p>17 might come through there. They're going to</p> <p>18 have to, in a moment's notice, think about can</p> <p>19 I get him for something or not.</p> <p>20 And then when they pull them over, where</p> <p>21 are they safely going to pull them over? It's</p>	<p>1 on Bill 280? No? Okay. Come on up, sir. On</p> <p>2 280, come on up.</p> <p>3 MR. BROWN: My name is Brian Brown. Our</p> <p>4 address is 8265 -- Excuse me. 8725 Black Dog</p> <p>5 Alley.</p> <p>6 I've spoken to you before about the road</p> <p>7 and the weights and the limits. It becomes an</p> <p>8 emotional issue for me because it seems like</p> <p>9 every time something like this comes up, the</p> <p>10 fear is it's another taking, whether it's a</p> <p>11 personal taking, a property taking, or a</p> <p>12 financial taking.</p> <p>13 What I anticipate is going to happen if</p> <p>14 this passes is it will reach out to</p> <p>15 Goldsborough Neck Road, Glebe Road, and Llandaff</p> <p>16 Road, and it will never stop.</p> <p>17 And to hear that it's only a mile is tough</p> <p>18 for me to swallow. I'll tell you that right</p> <p>19 now.</p> <p>20 We send all our crews out in the morning.</p> <p>21 And to go to St. Michael's, we go down Black</p>

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1 Dog Alley, cross over Route 50, go down Airport  
 2 Road, and come around that way to St. Michaels  
 3 Road. It is a safer way to travel. We miss  
 4 nine stop lights and tons of automobiles that  
 5 people aren't paying attention because they're  
 6 texting. So it's about 1.9 miles actually from  
 7 Route 50 to Black Dog Alley.  
 8 But there's a lot that goes into making a  
 9 decision like this. The section of road  
 10 between Matthewstown Road and Chapel Road we're  
 11 talking about, it needs to be fixed. It's 16  
 12 years old. What is the life expectancy of  
 13 asphalt on a road designed like that? It won't  
 14 make it over 16 years. I ask you to look into  
 15 a study.  
 16 We have heard no studies referenced;  
 17 traffic, how many car carriers. Can anybody  
 18 here tell me how many car carrier complaints  
 19 have we had and how many have gone through  
 20 there?  
 21 I've driven that road almost daily for 19

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1 and a half years. And the traffic has greatly  
 2 reduced since the recession and the closing of  
 3 the landfill. We don't see trash trucks coming  
 4 through there anymore. My section is between  
 5 Matthewstown Road and Kingston Road, the south  
 6 side. The traffic is greatly reduced.  
 7 I pick up most of the trash along the road  
 8 in that area. Greatly reduced. So trash is  
 9 not the issue in my opinion.  
 10 I don't see where trucks are the issue.  
 11 Yes, there are car carriers that go back there.  
 12 There are tractor-trailers that drive through  
 13 there. But we all have cell phones that have  
 14 GPS on them and Google where it tells you to  
 15 go. So that truck driver is going to turn on  
 16 that road before he reads that sign because his  
 17 GPS told him to go that way.  
 18 We spent over \$30,000 I think was stated  
 19 on the southern end. If you ride out there,  
 20 the State has repaired from Dover Road to the  
 21 Kingston and Black Dog Alley intersection.

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1 Beautiful asphalt, taken care of.  
 2 MR. CALLAHAN: You're about time to wrap  
 3 it up, if you could.  
 4 MR. BROWN: Excuse me?  
 5 MR. CALLAHAN: Wrap it up if you could.  
 6 MR. BROWN: I can't. You know how I am.  
 7 MR. CALLAHAN: Well.  
 8 MR. BROWN: Hey, you know, I can come up  
 9 with facts all day long on each paragraph in  
 10 here.  
 11 Guys, I'm sorry to turn this emotional for  
 12 me, but it's been tough. This has been tough.  
 13 So I may come back if I have time if  
 14 that's okay. Thank you.  
 15 MS. PRICE: Maybe you can help us tell the  
 16 State to give back the \$4 million a year they  
 17 used to give us for roads money.  
 18 MR. PACK: Anyone else on my left --  
 19 MR. BROWN: Raise taxes.  
 20 MR. PACK: -- on 280?  
 21 MS. PRICE: We're not allowed to do that.

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1 MR. BROWN: (Inaudible.)  
 2 MS. PRICE: That's right. We're not  
 3 allowed to raise taxes on things other than  
 4 education.  
 5 MR. PACK: Anyone else on my right on 280?  
 6 First row? Second row? I'm going by row, sir.  
 7 Second row? Third row? I can't see who that  
 8 is. Fourth row on 280?  
 9 MS. WILSON: Am I the fourth row?  
 10 MR. PACK: Yes, that's you. Fourth row,  
 11 yes.  
 12 MS. WILSON: Good evening.  
 13 MR. PACK: Good evening.  
 14 MS. WILSON: My name is Erica Wilson. I  
 15 own Wilson Transportation Services in Easton,  
 16 Maryland. And I work with lots of commercial  
 17 businesses that own commercial vehicles.  
 18 There are, as Warren and Mike were  
 19 explaining, there are some laws already in  
 20 effect now that pertain to Black Dog Alley. So  
 21 there are not allowed to be any

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1 tractor-trailers over 48 feet long, between 48  
 2 and 53. That encompasses your car haulers.  
 3 And the reason why they're on that road is  
 4 because they don't know that they're not  
 5 supposed to be on that road.  
 6 I've worked with a lot of drivers that  
 7 have worked for a lot of trucking companies,  
 8 and the majority of them do not know that rule.  
 9 And that rule is everywhere.  
 10 Even tractor-trailer drivers that go on  
 11 213 with 53-foot trailers are not allowed on  
 12 213. They have to stay on 301. Shortest.  
 13 They can't take those side roads. They have to  
 14 stay on the State Highway.  
 15 So it's anywhere from 48 to 53 is they're  
 16 not allowed on that road. Anything over 73,000  
 17 pounds is not allowed to be on that road.  
 18 Now, local enforcement can't enforce  
 19 weight. They don't have scales. So they can  
 20 enforce length, they can enforce width.  
 21 I have talked to Maryland State Police.

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1 They actually, a couple of months ago, did an  
 2 enforcement effort on Black Dog Alley with  
 3 53-foot trailers, and they did get quite a few  
 4 car haulers off of that.  
 5 The problem is that they're diverting down  
 6 that road because the drivers don't know.  
 7 They're wanting to go to Preston, they're  
 8 wanting to go to Hertrich.  
 9 So Maryland State Police did do and  
 10 stopped a lot of that. And it's a hefty fine.  
 11 It's a \$500 fine max. So a couple of those and  
 12 that will stop quite a bit. And from what I  
 13 understand, it can be enforced locally.  
 14 I think the biggest concern is not really  
 15 as much as commercial trucks as it is just  
 16 in the volume of traffic down that road,  
 17 especially during tourism time. You know,  
 18 cars, everybody's GPS will take you the  
 19 shortest way. And if Black Dog Alley is the  
 20 shortest way, every car, whether it's a car or  
 21 a tractor-trailer, is going to go down that

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1 road. So I'm sure the volume has something to  
 2 do with it, just as much as the weight of some  
 3 of these trucks.  
 4 You know, definitely giving money to  
 5 repair the road, to fix the road so it's much  
 6 more cohesive for everybody would be great.  
 7 I have a lot of businesses on Matthewstown  
 8 Road and Dover Road. Those are their homes.  
 9 They're driving their tractor-trailers home.  
 10 They're taking Black Dog Alley to get home.  
 11 They're not doing it as the shortest, trying to  
 12 buck the system. They're just trying to get  
 13 home. So you have to consider that, too. I  
 14 mean are we going to give them flack because  
 15 they're taking Black Dog Alley to get home?  
 16 So that's all.  
 17 MR. PACK: Thank you very much,  
 18 Ms. Wilson.  
 19 Anyone else? Sir, you're next. Come on  
 20 up, please.  
 21 MR. SYLVESTER: My name is Bill Sylvester.

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1 I am from Queen Anne.  
 2 My wife and I own a property at 9522 Black  
 3 Dog Alley. It's the old M&D lime plant. We  
 4 have owned that property since early to mid  
 5 '90s. It is on the northern end of the road in  
 6 question, probably about a half a mile maybe  
 7 from Cordova Road. The property is owned  
 8 commercial. It has been a commercial  
 9 property -- I'm 63. It's been a commercial  
 10 property ever since I can remember. It was,  
 11 like I said, the M&D lime plant. Then we  
 12 bought it. It's been lime and stone and  
 13 everything in between since that.  
 14 As such, currently we lease it out to  
 15 Patuxent, and they've been pretty good tenants.  
 16 And if we lose the ability to allow these  
 17 trucks, these dump trucks to come in, they're  
 18 70,000 pounds, we just will shut this thing  
 19 down. It's done, it's over. The property is  
 20 useless.  
 21 Maybe someday the county deems that it's

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1 worthwhile to run the water and sewer down  
 2 there, like we hope they will, that might  
 3 change things. But you limit the trucks, that  
 4 property is done. Certainly part of my wife's  
 5 and my retirement is done.

6 The argument about the trash is weak.  
 7 Trash can come from cars just as easily they  
 8 can trucks.

9 Current damage from Cordova Road to the  
 10 Weems's facility and our facility to me is  
 11 minimal.

12 Most commercial trucks pay between four  
 13 and \$6,000 in taxes per year, and I think that  
 14 they always should be given an exceptional  
 15 right to use the roads except where it's  
 16 expressly needed, particularly with regard to  
 17 safety.

18 Now, they've talked about accidents, but  
 19 they've shown no numbers. There's been no  
 20 proof. We don't know if the accidents are  
 21 trucks, how many there are, if they're cars,

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1 how many of those there are.

2 The notion that the truck traffic is the  
 3 one causing the majority of the damage I think  
 4 is a bit, maybe ludicrous is too strong, but  
 5 certainly it's unproven.

6 The amount of car traffic on that road far  
 7 surpasses any truck traffic, far surpasses it.

8 And like I said, we're on the north end of  
 9 the county where we have heavy truck traffic,  
 10 and the amount of damage to the road is  
 11 minimal. And I don't think it's unusual even.

12 The Roads Department has expressed that  
 13 one of the reasons they want to do it is  
 14 because of a lack of a budget, the amount of  
 15 money it would take to maintain the road. I've  
 16 been told that by the Roads Department director  
 17 personally on another issue.

18 And my feeling about that as a tax payer  
 19 in Talbot County, not just on this property but  
 20 on other properties, is that if that's the  
 21 case, then you need to go to the commissioners

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1 and ask for an -- fight for an increase in your  
 2 budget, get your priorities right, fix your  
 3 roads, make them safe.

4 MR. CALLAHAN: We're going to need to wrap  
 5 it up.

6 MR. SYLVESTER: Okay. I'm done, I'm done.  
 7 The ordinance mentioned accidents due to  
 8 trucks, yet no study has been done to verify  
 9 the truth.

10 That's it.

11 MR. DIVILIO: Can I ask you one question?  
 12 MR. SYLVESTER: Sure.

13 MR. DIVILIO: Now that the trailer park  
 14 has closed, do you think traffic has increased  
 15 or decreased?

16 MR. SYLVESTER: You know, I don't live  
 17 there. I could ask. My friend here is from  
 18 Patuxent. Maybe he knows.

19 I think the traffic is busier everywhere  
 20 here. And primarily, not because of the  
 21 trailer park, it's been mentioned several

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1 times, because of Waze and the Microsoft  
 2 program.

3 We have issues on our farm in Queen Anne.  
 4 We are on the corner of 404 and 309. 309 now  
 5 actually gets backed up about a mile or two  
 6 past our back lane. People now cut through our  
 7 farm because our lanes show up on Waze and they  
 8 try to sneak through our property to get back  
 9 to 404.

10 So as long as we have these programs and  
 11 we have these issues with holiday traffic or  
 12 summertime traffic, you're going to have issues  
 13 on Black Dog Alley.

14 And I'll parrot what Mr. Brown said. You  
 15 know, you need to fix that road. That's what  
 16 needs to be done. You can enforce the codes,  
 17 too, as far as trucks going through there that  
 18 aren't supposed to go, because the lady is  
 19 right, they're not supposed to go through that  
 20 road. But don't shut us down, don't make us  
 21 pay the price. We've been good tenants to the

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1 county. We paid our bills.  
 2 MS. PRICE: But we have in here for local  
 3 businesses and that they would all be allowed  
 4 and --  
 5 MR. SYLVESTER: It's not specifically  
 6 mentioned in that, Ms. Price.  
 7 Go ahead. I'm sorry.  
 8 MS. PRICE: But Mr. Showalter did make a  
 9 suggestion that it would be not just the owners  
 10 but tenants and residents. And you say local  
 11 truck traffic. I mean I don't think any of us  
 12 are trying to do anything to shut down the  
 13 trucks going to the local businesses. We're  
 14 all supportive of that. It's the cut-throughs.  
 15 MR. SYLVESTER: And I'm not trying to  
 16 suggest that you are, but I'm certainly trying  
 17 to protect my interests.  
 18 To say -- here is the problem that I have  
 19 with saying take care of me and the Weemeses up  
 20 on the north side of the road. I know  
 21 Mr. Harvey, he's a good fellow. I don't want

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1 to see him get hurt.  
 2 MR. PACK: Okay.  
 3 MR. SYLVESTER: It was close.  
 4 MR. PACK: That's enough at this time.  
 5 Anyone else on 280 on my right?  
 6 If you could step back.  
 7 MR. SYLVESTER: Thank you.  
 8 MR. PACK: Anyone else on 280 to my right?  
 9 Anyone else on 280 to my left?  
 10 You didn't speak yet. Yes, come on up.  
 11 Was your hand up, sir? No, okay.  
 12 MR. FIRSTMAN: My name is David Firstman.  
 13 I'm on Rabbit Hill Road.  
 14 MR. PACK: Have a seat, Mr. Firstman, have  
 15 a seat.  
 16 MR. FIRSTMAN: I didn't come dressed for  
 17 this.  
 18 My name is David Firstman. I live on  
 19 Rabbit Hill Road in Easton. I'm very familiar  
 20 with Black Dog Alley.  
 21 And there's been talk about getting money

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1 up to fix the road. And when we're talking  
 2 about Black Dog Alley, if you're not really  
 3 familiar with it, about 80 percent of the road  
 4 is fine. A lot of it was already improved if  
 5 you go from Cordova Road to Denton Road.  
 6 That's all been improved.  
 7 Now, the section between Denton Road to  
 8 Preston Road, about a third of it is what  
 9 really needs improvement. The rest of the road  
 10 is fine. You're only looking at maybe, I'm  
 11 guessing, less than three-quarters of a mile of  
 12 that road needs serious improvement now.  
 13 That's the dangerous part of the road.  
 14 And that's the road where the State  
 15 stopped the pavement from the Preston Road  
 16 side. And you go about three-quarters of a  
 17 mile, you head north, and that's the section of  
 18 the road that really needs more improvement.  
 19 And after you get past three-quarters of a  
 20 mile, it's about half, that's the halfway point  
 21 between the Denton Road and Preston Road. So

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1 about half of that road needs to be seriously  
 2 improved or less.  
 3 So it's not a large portion of road that  
 4 needs addressing.  
 5 And that's all I really have to say.  
 6 Thank you.  
 7 MR. PACK: Thank you, Mr. Firstman. Thank  
 8 you.  
 9 Did I miss anyone on 280?  
 10 Okay. Thank everyone for coming out to  
 11 speak on this.  
 12 Clearly there's a lot of concern both  
 13 ways. Some of the comments I believe the  
 14 current proposed legislation would address  
 15 dealing with the exemption of those property  
 16 owners who are on Black Dog Alley.  
 17 Ms. Williams spoke about gross weight of  
 18 70,000 pounds being the limit.  
 19 It sounds like to me, Warren and Mike,  
 20 that we need to probably sit down and maybe  
 21 look at some language that Mr. Showalter also

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1 brought up so that those property owners --  
 2 well, not owners. But those tenants, like the  
 3 Weems who are actually leasing the property.  
 4 And also since Ms. Sylvester is renting his  
 5 property out, the same thing would apply to  
 6 those who are renting his property. They would  
 7 also fall, need to be incorporated in this  
 8 exemption clause.  
 9 So I would ask that you all, ask Council  
 10 first, if we set the public hearing, set this  
 11 aside and not take it up tonight. Allow you  
 12 all to maybe get some more information on the  
 13 language proposed, speak to Ms. Williams  
 14 regarding those State requirements already and  
 15 maybe incorporate those weight limitations in  
 16 here so they can be very clear and pronounced  
 17 to the reader. And then bring us back that  
 18 document for us to look at again.  
 19 I think we can find a common medium here.  
 20 I think safety, safety is the paramount issue  
 21 here. I know exactly where Mr. Harvey is

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1 talking about. When I'm coming from Delaware,  
 2 I do not take Black Dog Alley. I go all the  
 3 way down to 50 in my personal vehicle. I go  
 4 back up to Chapel Farms primarily because I  
 5 don't trust that bend that he's talking about.  
 6 I just do not trust that bottom bend of that  
 7 section of Black Dog Alley. And I'm not  
 8 driving a truck.  
 9 So why don't we sit down and maybe look at  
 10 some additional language and find out if we can  
 11 incorporate that into this and bring it back.  
 12 Again, I think safety, road construction.  
 13 We all know that we're going to have to --  
 14 roads don't last forever. We know that. But  
 15 when you combine larger vehicles and then the  
 16 number of vehicles, it does impact the lifespan  
 17 on road surfaces. So we'll look at that as  
 18 well and bring something back.  
 19 Yes.  
 20 MR. LESHER: Since the topic has come up,  
 21 every one of us who puts fuel in a vehicle in

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1 Maryland is paying road taxes, is paying fuel  
 2 taxes. And trucks pay more than anybody. And  
 3 almost none of that money is paying for county  
 4 roads. The State is holding all of that money  
 5 back from counties.  
 6 So your taxes that are supposed to go to  
 7 county roads, it's not coming here. And this  
 8 is one of the reasons over the course of the  
 9 past ten years for the deplorable state of  
 10 local roads, not only in Talbot County, but  
 11 elsewhere across the State of Maryland.  
 12 MS. PRICE: Mr. Leshar is referring to the  
 13 highway user revenues of which they took  
 14 90 percent of that money. They've given back  
 15 very small portions to the counties. I think  
 16 the municipalities have gotten a lot more  
 17 restoration.  
 18 But town roads, and Mr. Leshar would know  
 19 this, are not -- they're 25-mile-an-hour roads.  
 20 They're not 50-mile-an-hour county roads and  
 21 they're built very differently.

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1 Honestly, that money is probably never  
 2 coming back. Doesn't mean they don't need to  
 3 hear your voices because as other pieces of  
 4 legislation come up where they mandate that we  
 5 spend more money or they come up with something  
 6 else that they're going to take away from us,  
 7 this is why we can't meet the other half of our  
 8 county budget.  
 9 And when you said just to raise taxes,  
 10 guess what, we can't. We have a local property  
 11 tax cap. We had it on the ballot in 2018. It  
 12 failed. We're going to try to put it on the  
 13 ballot again in 2020. But most of the voters  
 14 say they don't want to raise your taxes.  
 15 So we're stuck. We're hamstrung. And we  
 16 have about 20 to \$30 million, not including the  
 17 school, in capital projects that we need to do  
 18 that we need to pay for. So when you say just  
 19 find the money, it just isn't there. There's  
 20 no -- you can't squeeze blood out of a turnip,  
 21 as they say.

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<p>1 So unless you guys are going to vote to 2 raise your taxes and get all your friends to do 3 the same thing, we're stuck. 4 MR. PACK: Okay. Not right now, 5 Mr. Brown. We're going to move on. We have 6 another public hearing to go to. 7 MR. BROWN: Will there be another public 8 hearing? 9 MR. PACK: Yes. We're going to table this 10 at this time. We'll table 280 and look at any 11 additional revisions and we'll hear back from 12 Mr. Mertaugh and Mr. Edwards at a later date. 13 Okay. 280 is still left open. 14 Council is still in session. We're going 15 to move on to our last public hearing for 16 tonight. And that's on Bill 1440. 17 Madam Secretary, would you please read the 18 bill. 19 SECRETARY: Bill Number 1440, a bill to 20 authorize Talbot County, Maryland, the county, 21 to borrow not more than \$222,000 in order to</p>	<p>1 upgrades. 2 In conjunction with this bond, we also are 3 receiving a grant of \$1,278,000 from Rural 4 Development for this final phase of the 5 project. 6 But this is our required legislation in 7 order to effect the borrowing from Rural 8 Development. 9 MR. PACK: Okay. Any questions of 10 Ms. Lane? 11 Okay. Thank you, Ms. Lane. I don't think 12 you will have to move. 13 Public hearing on Bill 1440. I'll start 14 on my left side of my room. I'll start with 15 the right side of my room on 1440. 16 Since no one is up, Council, we'll close 17 the public hearing on 1440. 18 This has not been read a third time. If 19 there's a motion, the chair would entertain 20 1440 being moved to third reader at this time. 21 MS. PRICE: So moved.</p>
<p>Page 167</p> <p>1 finance and refinance improvements to certain 2 wastewater facilities in the county and to 3 effect such borrowing by the issuance and sale 4 of one or more series of its general obligation 5 bonds payable from ad valorem taxes to be 6 levied by the county, exempting the bonds from 7 the provisions of sections 19-205 and 19-207 of 8 the Local Government Article of the Annotated 9 Code of Maryland, authorizing the consolidation 10 of separate series of bonds into one or more 11 bonds, authorizing the refunding of such bonds 12 and relating generally to the issuance and sale 13 of such bonds for such purposes. 14 MR. PACK: Thank you, Madam Secretary. 15 Ms. Lane, we'll hear from you. 16 MS. LANE: Yes. This bill is to authorize 17 the county to borrow \$222,000 from the United 18 States Department of Agriculture Rural 19 Development. 20 This is a bond for the final phase of the 21 St. Michael's wastewater collection system</p>	<p>Page 169</p> <p>1 MR. PACK: Motion by Ms. Price -- 2 MR. CALLAHAN: Second. 3 MR. PACK: -- to move 1440 to third reader 4 at this time. Seconded by Mr. Callahan. Is 5 there any discussion to move Bill 1440 to third 6 reader at this time? 7 Hearing none, Madam Secretary, on the 8 motion to move 1440 to third reader, would you 9 call the roll, please. 10 SECRETARY: Mr. Pack. 11 MR. PACK: Aye. 12 SECRETARY: Mr. Divilio. 13 MR. DIVILIO: Abstain. 14 SECRETARY: Mr. Callahan. 15 MR. CALLAHAN: Aye. 16 SECRETARY: Ms. Price. 17 MS. PRICE: Aye. 18 SECRETARY: Mr. Leshner. 19 MR. LESHNER: Aye. 20 MR. PACK: Thank you, Madam Secretary. 21 Bill 1440 is now before the Council for</p>

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<p>1 third reader. Madam Secretary, would you                  2 please read the bill.                  3 SECRETARY: Bill 1440 --                  4 MS. PRICE: I ask that so much be                  5 considered a reading.                  6 MR. PACK: Ms. Price made a motion. Any                  7 objection? Okay.                  8 Hearing none, Bill 1440 is now before                  9 Council for final vote. Any other comments or                  10 questions on 1440 before the vote is called?                  11 Hearing none, Madam Secretary, call the                  12 vote on Bill 1440.                  13 SECRETARY: Mr. Pack.                  14 MR. PACK: Aye.                  15 SECRETARY: Mr. Divilio.                  16 MR. DIVILIO: Abstain.                  17 SECRETARY: Mr. Callahan.                  18 MR. CALLAHAN: Aye.                  19 SECRETARY: Ms. Price.                  20 MS. PRICE: Aye.                  21 SECRETARY: Mr. Leshner.</p>	<p>1 MS. VERDERY: Fine. Thank you.                  2 MR. PACK: The floor is yours.                  3 MS. VERDERY: So the bill title pretty                  4 much explains what the proposal is. We want to                  5 propose a new modified buffer area in the area                  6 of Bellevue. That modified buffer area would                  7 establish a setback of 50.7 feet for those                  8 properties that are involved.                  9 In order for this to move forward, it's                  10 required that a majority of the Council visit                  11 the site. It's my understanding that at least                  12 four members have visited the site. So it                  13 would be eligible to move forward.                  14 It was reviewed by the Planning                  15 Commission, and they made a recommendation for                  16 Council adoption with four conditions, which                  17 have been incorporated into the bill. So it's                  18 ready to move forward.                  19 MR. PACK: And these were the four                  20 conditions we talked about at the first                  21 introduction?</p>
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<p>1 MR. LESHER: Aye.                  2 MR. PACK: Bill 1440 passes. Thank you,                  3 Madam Secretary.                  4 MS. LANE: Thank you.                  5 MR. PACK: Thank you.                  6 Moving on, Council, we now have before us                  7 Bill 1438, which is eligible for vote this                  8 evening.                  9 Madam Secretary, would you please read the                  10 bill.                  11 SECRETARY: Bill Number 1438, a bill to                  12 amend the critical area overlay district on the                  13 official zoning maps of Talbot County to                  14 establish a new modified buffer area,                  15 identified as community number 39, on certain                  16 lots or parcels of land in the village of                  17 Bellevue, Talbot County, Maryland, described as                  18 tax map 46, parcel 141, lot four, parcel 115,                  19 and a certain portion of parcel 148.                  20 MR. PACK: Thank you, Madam Secretary.                  21 Ms. Verdery, how are you?</p>	<p>1 MS. VERDERY: That's correct.                  2 MR. PACK: Okay. Thank you, Ms. Verdery.                  3 Any further question on Bill 1438?                  4 Hearing none, Madam Secretary, Bill 1438                  5 now has been read a third time and it's                  6 eligible for vote at this time. Since there's                  7 no further comment, please call the roll on                  8 Bill 1438.                  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: Aye.                  17 SECRETARY: Mr. Leshner.                  18 MR. LESHER: Aye.                  19 MR. PACK: Thank you. Bill 1438 passes.                  20 MS. VERDERY: Thank you.                  21 MR. PACK: Thank you.</p>

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1 Next matter, Council, before you is  
 2 Council discussion of possible additional  
 3 comments related to MDE's preliminary  
 4 determination of the groundwater discharge  
 5 permit for the Trappe East. It would be the  
 6 Lakeside development.  
 7 And Ray, want to call you up, please.  
 8 Mr. Clarke.  
 9 MR. CLARKE: Thank you, Mr. Pack and  
 10 Council. Also let you know, Mr. Bill Anderson.  
 11 MR. PACK: Mr. Anderson, would you like to  
 12 come forward as well? Chair of our Public  
 13 Works Advisory Board. We'll also bring you  
 14 forward.  
 15 And I know we have counsel here for  
 16 Lakeside development as well.  
 17 Bill, good to see you. Welcome back home.  
 18 MR. ANDERSON: Thank you.  
 19 MR. PACK: How was your trip?  
 20 MR. ANDERSON: Very nice. Thank you.  
 21 MR. PACK: Mr. Clarke, we'll hear from

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1 you.  
 2 MR. CLARKE: Sure thing. Just to let the  
 3 Council know and the public know as well, I  
 4 guess on November 19th the Maryland Department  
 5 of the Environment had a public hearing related  
 6 to the preliminary determination with the  
 7 discharge permit for what I guess is the Trappe  
 8 East or Lakeside development primarily for the  
 9 wastewater treatment system.  
 10 Ultimately during that public hearing, the  
 11 Maryland Department of the Environment extended  
 12 the public comment period to January 20th of  
 13 this year.  
 14 So at this point in time, the Public Works  
 15 Advisory Board met on January 8th. We reviewed  
 16 the comments that were submitted to I guess MDE  
 17 as part of the public hearing on January 19,  
 18 2019. And then ultimately the Public Works  
 19 Advisory Board discussed adding to those  
 20 comments associated with the discharge permit.  
 21 So I mean I can give you a rundown of what

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1 the Public Work Advisory Board discussed.  
 2 Basically, one was basically the permit is  
 3 associated with what they call the Trappe East  
 4 wastewater treatment plant phase one, which it  
 5 ultimately would be I guess permitted for  
 6 37,000 gallons, 37,500 gallon of wastewater.  
 7 With that, the permit also I guess  
 8 highlights I guess five other phases of 100,000  
 9 gallons per phase. So we'll talk a little bit  
 10 about that as we go forward.  
 11 More or less, what we've noted is that in  
 12 the draft permit, basically I guess there was a  
 13 lot of confusion during the public hearing as  
 14 to whether this is a renewal or a new permit.  
 15 The fact sheet information that actually  
 16 was submitted by the Maryland Department of the  
 17 Environment had actually I guess the past  
 18 president of the Trappe Council listed on the  
 19 fact sheet.  
 20 So I think the question was raised is that  
 21 the comment would be is that this should be

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1 considered a new permit versus a renewal of a  
 2 permit. And so that was the discussion that we  
 3 had.  
 4 And ultimately, that's the recommendation  
 5 that be forwarded, that this be considered a  
 6 new permit.  
 7 The other point that was made I guess is  
 8 was also the fact that JD Hines completed a  
 9 hydrogeologic evaluation that was not provided  
 10 to I guess anybody until -- it was actually  
 11 provided I think to the developer on  
 12 November 5, 2019. We then had a copy of that  
 13 given to us.  
 14 In that report, it is highlighted that the  
 15 developer would be utilizing a membrane  
 16 biological reactor, an MBR. So I mean that was  
 17 something that -- the discussion also I guess  
 18 revolved around requiring the permit, the  
 19 discharge permit more or less have those  
 20 conditions of the MBR, which would be an  
 21 enhanced nutrient removal technologies, which

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1 means basically three milligrams per liter  
 2 total phosphorus and .3 milligrams per liter  
 3 total -- I'm sorry. I apologize. .3 for total  
 4 phosphorus and three milligrams per liter of  
 5 total nitrogen.  
 6 Typically the permit as drafted is  
 7 currently now at eight milligrams per liter of  
 8 total nitrogen and I believe it is three  
 9 milligrams per liter of total phosphorus.  
 10 With that, the other thing we noted is  
 11 that MDE should not approve the discharge  
 12 permit until all questions or technical issues  
 13 received during the comment period have been  
 14 addressed by the Town of Trappe and/or the  
 15 developer in this situation.  
 16 The other point I guess was also that MDE  
 17 should not issue the proposed discharge permit  
 18 until the nutrient management plan has been  
 19 provided.  
 20 There was some questions I think because  
 21 this is a spray irrigation system. It's not

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1 known what crop would be used. They can use a  
 2 woody crop or trees or grain crop. But it was  
 3 not identified. Typically the application does  
 4 require the submission of a nutrient management  
 5 plan.  
 6 MR. PACK: Okay.  
 7 MR. CLARKE: I guess the other item was  
 8 basically ultimately as part of the draft  
 9 permit, that ultimately the draft permit would  
 10 match the construction development phase as  
 11 proposed within the permit, as we talked about  
 12 that.  
 13 Right now the proposed permit is  
 14 identified as 37,500 gallons for the first  
 15 phase. Once they've achieved that capacity or  
 16 80 percent of that capacity, they would then  
 17 have to pursue 100,000-gallon wastewater  
 18 treatment plant. At that point, the key would  
 19 be that that phasing shouldn't occur within the  
 20 permit and ultimately identify how that was  
 21 going to be taking place in the overall

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1 development.  
 2 With that, I think the Public Works  
 3 Advisory Board also recommended that the Trappe  
 4 development rights and responsibilities  
 5 agreement be completed and executed prior to  
 6 the County Council's vote on the proposed comp  
 7 water and sewer plan amendment and MDE should  
 8 not approve the draft discharge permit and I  
 9 guess each permit modification until the County  
 10 Council has reviewed and approved I guess  
 11 corresponding amendment to the comprehensive  
 12 water and sewer plan. That was primarily  
 13 associated with the phases.  
 14 So if there's a phase that's being  
 15 proposed, the idea would be is that, within  
 16 that 100,000-gallon phase, that would then also  
 17 come forward with the comp water and sewer plan  
 18 process.  
 19 And I think I missed one point, and that  
 20 was really I guess the public, during the  
 21 comment period, noted that there wasn't really

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1 a lot of public notice on what was happening.  
 2 And a lot of the -- or several of the residents  
 3 were put on a list to be notified of  
 4 developments. So I guess the other component  
 5 was also to provide comments that public notice  
 6 be provided during the application process as  
 7 it moves forward.  
 8 MR. PACK: Ray, you mentioned dealing with  
 9 the nutrient management plan. You said it's  
 10 typically required before the discharge permit  
 11 is issued.  
 12 Is it mandatory that the nutrient  
 13 management plan be a part of the permit or is  
 14 it something that --  
 15 MR. CLARKE: It's part of the application.  
 16 MR. PACK: It is part of the application.  
 17 MR. CLARKE: It's part of the application.  
 18 It's been identified as part of the application  
 19 I believe under the permit, that the nutrient  
 20 management plan must be submitted six months in  
 21 advance of discharge.

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1 MR. ANDERSON: Within six months of  
 2 commencing discharge.  
 3 MR. CLARKE: Oh, I'm sorry. Within six  
 4 months of commencing discharge, I apologize, is  
 5 when the nutrient management plan should be  
 6 developed and moved forward.  
 7 So I think the problem we're running into  
 8 is that I think the permit was -- I think, one,  
 9 the application is trying to have some kind of  
 10 management plan at least laid out.  
 11 MR. ANDERSON: Mr. Clarke, if I may,  
 12 Mr. Park.  
 13 MR. PACK: Yes, Bill.  
 14 MR. ANDERSON: MDE permit application form  
 15 itself requires that the application be  
 16 accompanied by a nutrient management plan.  
 17 MR. PACK: Okay.  
 18 MR. ANDERSON: MDE on this permit, rather  
 19 than requiring the nutrient management plan  
 20 upfront, is saying oh, no, it's okay if you do  
 21 it later.

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1 But the difficulty is, as Mr. Clarke  
 2 pointed out, the nutrient management plan  
 3 itself contains many of the -- would answer  
 4 many of the questions that we have about the  
 5 sequencing of crops, what are the crops, what  
 6 are the periods for planting of the crops and  
 7 correlating that with the periods of spray  
 8 irrigation. And none of that information has  
 9 been provided because the nutrient management  
 10 plan is missing.  
 11 MR. PACK: Got you, okay. Thank you.  
 12 So those are the recommendation from the  
 13 Public Works Advisory Board.  
 14 I know we do have counsel here. I don't  
 15 know whether Mr. Showalter would care to be  
 16 heard on any of the recommendations at this  
 17 time or not. No, okay.  
 18 I know we have one member of the  
 19 community. I don't know whether you would like  
 20 to be heard before Council. Dr. Harris is here  
 21 as well. I know you were abutting this

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1 property. Would you like to be heard before  
 2 Council moves forward?  
 3 DR. HARRIS: Sure.  
 4 MR. PACK: Okay.  
 5 DR. HARRIS: Didn't know I would get a  
 6 chance to speak.  
 7 MR. PACK: It's just we want to make sure  
 8 we get all the information before we pass this  
 9 on. So if you would like to be heard, we'll  
 10 hear from you.  
 11 DR. HARRIS: Sure. The water monitoring  
 12 station that we spoke about last time, per the  
 13 permit, there's five monitoring stations for  
 14 this project.  
 15 One is on Tar Button Mill Road, which is  
 16 above the project. One is on Piney Hill Road,  
 17 which is above the project. The third one is  
 18 on Wrights Mill Road, which is in the  
 19 Chesapeake Bay watershed and it's tidal mixing.  
 20 So you're not going to get an adequate surface  
 21 watering measurement from that sampling there.

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1 The other one, as we discussed, I've  
 2 proved that it is on my property. I went to a  
 3 surveyor, had the map done, did the property  
 4 lines. Their monitoring station is on my  
 5 property.  
 6 There is no -- the permit says they need  
 7 five. There's only four listed on the permit.  
 8 Only one, only one of which is directly  
 9 opposite the spray fields. And none are going  
 10 to be a direct indicator of what is coming off  
 11 that field. We have two above. It's important  
 12 to know what's coming into there. Okay.  
 13 We have one below that's in the Chesapeake  
 14 Bay watershed that's tidal. So you're getting  
 15 washing.  
 16 There's one that's on my property, and  
 17 there's one that's not listed at all. They say  
 18 five. They only have four on it.  
 19 So I'm not against the development. I'm  
 20 against the effluent. 540,000 gallons a day  
 21 that's coming off. The permit says eight

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1 milligrams per liter of nitrogen is allowed.  
 2 The speaker at the meeting said it was  
 3 going to be zero milligrams of nitrogen  
 4 allowed, but yet the permit says eight  
 5 milligrams. We're going to have coliforms.  
 6 It's 100 -- it's like three colonies per  
 7 hundred MLs. That's millions, billions of  
 8 colonies of coliforms there going into this  
 9 small estuary that can't be monitored.  
 10 And I think they're going to ruin that  
 11 estuary. We're not going to know the outcome  
 12 for that for 30 to 40 -- for years, 20 years or  
 13 so.  
 14 So I think it's an inappropriate place for  
 15 a spray field.  
 16 And I'm a peripheral person that owns  
 17 property outside of this. I've had no say on  
 18 whether that development went in. But yet they  
 19 can annex, this is old news, 750, 800 acres.  
 20 And then they can put their spray field against  
 21 the property and spray the effluent and ruin my

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1 property. And I think that's wrong.  
 2 MR. PACK: And which the nutrient  
 3 management plan would show what the spray --  
 4 DR. HARRIS: They don't have a plan. They  
 5 don't have a plan.  
 6 MR. PACK: Which is the point that Mr. --  
 7 DR. HARRIS: And there's no plan that goes  
 8 out. They just talk about wheat in their  
 9 hydrology study. There's no talk about corn.  
 10 Corn only takes nitrogen about -- if there's  
 11 any farmers left. It's only three, four weeks  
 12 a year. There's been corn on there. They have  
 13 soybean on there. Soybeans make their own  
 14 nitrogen. They're rhizomes.  
 15 They talk about it, but no studies on it.  
 16 They say they're going to put loblolly pines  
 17 in. When are you going to put it in? What is  
 18 going to happen in 20 years? There's no plan.  
 19 MR. PACK: I want to ask you, maybe  
 20 Mr. Clarke or Mr. Anderson would answer. What  
 21 is the buffer requirement between a spray field

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1 and a neighboring property owner? What is the  
 2 buffering?  
 3 MR. CLARKE: Maybe 25 feet.  
 4 MR. PACK: Maybe 25.  
 5 DR. HARRIS: Twenty-five. The problem is  
 6 it is a millpond. I own the bottom up to the  
 7 high water mark on the opposite side of the  
 8 bay.  
 9 Mr. Callahan hunts the property. He knows  
 10 it very well. Mr. Showalter hunts the  
 11 property. They know it very well also.  
 12 I don't know the marriage between the Town  
 13 of Trappe codes and Talbot County codes.  
 14 Talbot County has a code that's called a slope  
 15 rule. It's -- I can't cite it now. It's like  
 16 for every degree elevation, you have to put  
 17 four feet of setback from it. So what is it?  
 18 I do not have a map tonight, but I've had  
 19 one made. And it shows that they're not within  
 20 the boundaries according to the Talbot County  
 21 slope rule.

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1 There's also another rule they have to be  
 2 200 feet from an estuary for a building. I  
 3 think they're probably, based on the map,  
 4 they're okay in that department.  
 5 But there's -- we don't know. Is it 25  
 6 feet? Is it 25 feet from the center of the  
 7 stream, is it 25 feet from the edge of the  
 8 marsh? It's a marsh with a stream running  
 9 through it.  
 10 Is it the slope rule? What is it? I  
 11 can't get definition of what it is exactly.  
 12 But if I ask the county engineers, they're not  
 13 responsible for what the Town of Trappe does.  
 14 MR. PACK: So I take it you will be at the  
 15 January 20th?  
 16 DR. HARRIS: I'll be at the meeting. I'll  
 17 be at all of them.  
 18 MR. PACK: With that, I do appreciate you  
 19 coming up and giving us your input on it. It  
 20 appears you still have some issues that you're  
 21 going to have to talk with the developer about

<p style="text-align: right;">Page 190</p> <p>1 and I'm assuming a representative from the Town 2 of Trappe regarding this monitoring well on 3 your property. 4 I was hoping by now that that had been 5 sorted out, but it appears that it has not. 6 DR. HARRIS: It's been sorted out so I was 7 correct and it is on my property. 8 MR. PACK: Okay. 9 DR. HARRIS: So it's not right. I don't 10 know. 11 MS. PRICE: Do you have to allow them to 12 use it? It's on your property. 13 DR. HARRIS: That was my stance. It's not 14 theirs to take. It's not theirs to use. 15 So if they can't use it, how do we -- if 16 we can't monitor, why are we putting it in? 17 Why are we putting it there? Why am I 18 responsible to fight for the estuary that I own 19 to take care of this development? Why am I 20 responsible for that? 21 MR. PACK: Good question. Unfortunately,</p>	<p style="text-align: right;">Page 192</p> <p>1 So I own a significant amount of land 2 between the property line to that surface 3 groundwater. There's marsh that they have to 4 walk across. But to get to that groundwater in 5 any spot from the lagoon all the way through 6 the entire spray fields, is all abutted by my 7 property. 8 MS. PRICE: It doesn't exist now, right? 9 They would have to put it there? 10 DR. HARRIS: It doesn't -- no, they do 11 not. . . 12 MS. PRICE: The surface monitoring station 13 does not exist now? 14 DR. HARRIS: They've got it on the map as 15 a circle. It's a surface watering -- 16 MS. PRICE: But the physical thing doesn't 17 exist? 18 DR. HARRIS: Correct. 19 MS. PRICE: So you don't need to let them 20 put it there, right? 21 DR. HARRIS: Correct. I don't know how</p>
<p style="text-align: right;">Page 191</p> <p>1 we can't answer that. 2 But it appears that based on the survey 3 that you have already had done, that you appear 4 to have a claim they have placed the monitoring 5 well on your property. 6 DR. HARRIS: It's a surface monitoring 7 station. It's not a well. 8 MR. PACK: Oh, it's a station. 9 DR. HARRIS: I should choose my words 10 correctly. 11 MR. PACK: That's okay. 12 DR. HARRIS: It's a surface monitoring -- 13 they might -- I don't think it's a well. 14 They're going down there and just testing the 15 water. They're using that we're going to test 16 the water here. 17 I should get the definition of the testing 18 station. They have wells on their property, 19 but in order to test the groundwater, they need 20 to get to the groundwater to test the 21 groundwater.</p>	<p style="text-align: right;">Page 193</p> <p>1 they're going through -- 2 MR. PACK: Without that -- 3 DR. HARRIS: If we can't monitor it, how 4 are we going to -- why are we putting this 5 here? 6 MR. PACK: Okay. I'm sure we'll have 7 someone from the Public Works Advisory Board, 8 if not from Mr. Clarke's office, at that 9 January 20th public hearing. 10 MS. O'DONNELL: To clarify, January 20th 11 is additional written comments. There will be 12 no more in-person public hearing. 13 MR. PACK: There is no public. 14 MS. O'DONNELL: No. The request tonight 15 is for authority from you to send additional 16 comments. 17 MR. PACK: Yes. I'm sorry. I thought 18 that was another public hearing scheduled. 19 MS. O'DONNELL: No. 20 MR. PACK: Okay. So I guess, Dr. Harris, 21 you can draft your comments as well on those</p>

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1 items that you have and make sure they get in  
 2 by the 20th.

3 These are the comments that the public  
 4 Works Advisory Board is offering to Council  
 5 tonight and only these will we be taking action  
 6 on tonight.

7 DR. HARRIS: Thank you.

8 MR. PACK: So you'll have to draft  
 9 something yourself. Okay.

10 Any other comments or questions from  
 11 Council, Mr. Clarke, Mr. Anderson, legal staff?

12 So the comments on the Public Works  
 13 Advisory Board you all have heard enumerated by  
 14 Mr. Clarke and Mr. Anderson. Any of these or a  
 15 portion thereof or all, what is Council's  
 16 opinion at this time?

17 MS. PRICE: Send them all up.

18 MR. PACK: Send them all up, Ms. Price.

19 MR. LESHER: I concur.

20 MR. DIVILIO: Just to clarify on this, I  
 21 was under the impression, and I guess they were

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1 under the impression, that it was a renewal  
 2 license.

3 MR. PACK: Well, we talked about this at  
 4 the Public Works Advisory Board. There seems  
 5 to be some back and forth whether it's a  
 6 renewal or whether it's a new license.

7 Mr. Clarke, if you want to -- I wasn't at  
 8 those meetings. So I don't know.

9 MR. CLARKE: I mean I don't think MDE was  
 10 definitive whether this was a renewal or if it  
 11 was a new permit. So it was kind of going back  
 12 and forth. So it was really unclear.

13 I think when the permit was originally  
 14 applied for, a lot of times MDE will put the  
 15 year in front of the DP, which is discharge  
 16 permit. It might have had like '09. And so  
 17 ultimately, the new permit now or the permit  
 18 now is 19 DP. So the fact sheets were recycled  
 19 from the '09 or '08 permit.

20 MR. ANDERSON: '06.

21 MR. CLARKE: '06, '06. So from that

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1 perspective, it was really not clear. And I  
 2 think they even were using that new --

3 MR. PACK: So they're still using the old  
 4 permit with the old permit number on it and  
 5 they're still showing members of the Trappe  
 6 Council which have long since been off the  
 7 Council.

8 MR. CLARKE: Right, right, right. It was,  
 9 like I said, the permit number now is 19. So  
 10 the key is is there more significant changes.  
 11 I guess the treatment technology is now using  
 12 the MBR, things of that nature as well.

13 MR. PACK: Ray, with a renewal, would they  
 14 go through the public hearing process for  
 15 renewal as they did in this particular case?  
 16 Is that typical? Is that normal for renewal?

17 MR. CLARKE: Yes. Any discharge permit  
 18 will require -- what typically happens is once  
 19 the permit has been issued, there are renewals  
 20 on those permits like every five years. The  
 21 State will then basically post do you want to

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1 have a public hearing.

2 MR. PACK: Okay.

3 MR. CLARKE: And then individuals can  
 4 contact MDE to schedule a public hearing. But  
 5 that's after the permit has been issued.

6 MR. PACK: And in this particular case,  
 7 it's been issued, but it appears --

8 MR. CALLAHAN: It expired.

9 MR. PACK: Well, it had expired.

10 MR. ANDERSON: It lapsed. It was never  
 11 used.

12 MR. PACK: Right, right.

13 MR. ANDERSON: The permit was never used.  
 14 Not only had it expired.

15 In order to have a legitimate renewal  
 16 under COMAR, the application for -- number one,  
 17 you got to have a valid permit that is expired.  
 18 This one lapsed a long time ago.

19 Number two, you should apply for the  
 20 renewal within 180 days prior to the expiration  
 21 date. And here there was -- no application was

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1 ever made prior to an expiration date that  
 2 occurred way back about 2010 or so from the  
 3 permit that was originally issued.  
 4 MR. PACK: Which brings us to the Public  
 5 Works Advisory Board's first recommendation is  
 6 to consider this as a new permit.  
 7 MR. ANDERSON: Yes, sir.  
 8 MR. PACK: Okay. That makes sense.  
 9 MR. DIVILIO: Thank you.  
 10 MR. PACK: Thank you. Ms. Price has made  
 11 a motion that Council send up all the  
 12 recommendations from the Public Works Advisory  
 13 Board from their January 8th meeting.  
 14 Mr. Leshner has also seconded that.  
 15 Any further discussion on the comments or  
 16 on the motion?  
 17 MS. PRICE: Just one more question,  
 18 Mr. Clarke.  
 19 MR. PACK: Ms. Price.  
 20 MS. PRICE: On that issue about it being  
 21 considered new, are you sending these up just

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1 as is or is this just -- I mean is there more  
 2 detail to these bullet points that you're  
 3 sending to them? I mean to say it lapsed in  
 4 2010 and give that backup data.  
 5 MR. CLARKE: We can give that to them. It  
 6 would probably be helpful to give them that  
 7 information.  
 8 MS. PRICE: Yeah. Some of this doesn't  
 9 require any other explanation, but that is  
 10 pretty important.  
 11 MR. CLARKE: No, no. We could do that.  
 12 We can give the old permit information and  
 13 note, as Mr. Anderson noted, that after 180  
 14 days, it should have been applied for.  
 15 MS. PRICE: Yes. They might not think of  
 16 it in those detail.  
 17 MR. PACK: That's a good point, Ms. Price,  
 18 good point.  
 19 So when you get that final verbiage,  
 20 Mr. Clarke, if you would just issue it out to  
 21 Council, we would appreciate it.

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1 There's a motion and a second to go ahead  
 2 and send these comments up as part of the  
 3 Lakeside development discharge permit. If  
 4 there's no further discussion, Madam Secretary,  
 5 would you please call your motion, take call  
 6 your roll. Sorry.  
 7 SECRETARY: Mr. Pack.  
 8 MR. PACK: Aye.  
 9 SECRETARY: Mr. Divilio.  
 10 MR. DIVILIO: Aye.  
 11 SECRETARY: Mr. Callahan.  
 12 MR. CALLAHAN: Aye.  
 13 SECRETARY: Ms. Price.  
 14 MS. PRICE: Aye.  
 15 SECRETARY: Mr. Leshner.  
 16 MR. LESHNER: Aye.  
 17 MR. PACK: Okay. So these comments will  
 18 go up. Any additional verbiage Mr. Clarke  
 19 adds, he'll send it to us before they go up,  
 20 okay.  
 21 Lastly, okay, Mr. Hollis I think we

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1 finally reached the tipping point. We're  
 2 losing staff and we're losing people. County  
 3 manager's report.  
 4 MR. HOLLIS: We'll go through this  
 5 quickly, Council.  
 6 Bid 19-20, furnishing and delivery of  
 7 3,500 tons, plus or minus, of AASHTO M43 number  
 8 eight triple washed aggregate. We're  
 9 requesting your approval to award this bid to  
 10 the low bidder, Vulcan Construction Materials,  
 11 for the unit price of \$27.45 per ton.  
 12 MR. PACK: Mr. Edwards, we don't need to  
 13 hear from you at this time.  
 14 So is there a motion?  
 15 MS. PRICE: Motion to accept.  
 16 MR. DIVILIO: Second.  
 17 MR. PACK: Motion is made by Ms. Price on  
 18 Bid 19-20. Seconded by Mr. Divilio. Any  
 19 further discussion?  
 20 Hearing none, Madam Secretary, please call  
 21 your roll.

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<p>1 SECRETARY: Mr. Pack.                  2 MR. PACK: Aye.                  3 SECRETARY: Mr. Divilio.                  4 MR. DIVILIO: Aye.                  5 SECRETARY: Mr. Callahan.                  6 MR. CALLAHAN: Aye.                  7 SECRETARY: Ms. Price.                  8 MS. PRICE: Aye.                  9 SECRETARY: Mr. Leshner.                  10 MR. LESHNER: Aye.                  11 MR. HOLLIS: Micah.                  12 MR. PACK: Hi, Micah. How are you?                  13 MR. RISHER: Good evening, Mr. Pack,                  14 Council. How are you?                  15 MR. HOLLIS: So Council, your airport                  16 manager is seeking approval of a recommendation                  17 to award obstruction removal program phase one                  18 design bid to Easton Airport.                  19 MR. PACK: Okay.                  20 MR. HOLLIS: This is a recommendation from                  21 AE Com. Their proposal to design phase one of</p>	<p>1 schedule. So now we are in a place where we                  2 are -- the grants are catching up in arrears of                  3 the funds that we have spent.                  4 So this is part of our obstruction removal                  5 program, which to be clear, it is the most                  6 important thing that's happening at the airport                  7 right now. We've worked all these years to get                  8 the environmental done and the land acquisition                  9 and we've acquired the Black &amp; Decker property.                  10 So the next phase is to remove the                  11 obstructions; trees, buildings, everything                  12 that's in the way. We're focusing on trees                  13 first.                  14 But also, too, I just want to also sort                  15 out that some of this is future planning, to                  16 move forward with the runway relocation. But a                  17 good portion of this is critical to the current                  18 safety of the airport. And also in this design                  19 that we're asking is for obstructions that are                  20 impacting the current operation on runway 33.                  21 Over the years, we've lost service to</p>
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<p>1 the obstruction removal program in the amount                  2 of \$80,064. And the airport manager has                  3 identified that amount and more available in                  4 the current budget.                  5 Micah, can you just take a minute. It was                  6 in your memo, but also talk -- I want to make                  7 sure we're on the record and the Council                  8 remembers or is reminded that we have fronted                  9 money basically already to start this project                  10 considerably, I think north of 1 million. And                  11 I know you reassured me that FAA will be                  12 reimbursing us for that.                  13 But before the Council approves anything                  14 further, I just want to make sure we give note                  15 of that.                  16 MR. RISHER: That is correct. Thank you,                  17 Mr. Hollis.                  18 That is correct. The county has been                  19 fronting most of these projects. Really that                  20 happened because of the lapse in grant funding                  21 in 2018 kind of put us off of our normal</p>	<p>1 runway 33. We have reduced services I should                  2 say. Nighttime we can't land on runway 33 now                  3 because the trees are too tall. When the State                  4 came in last summer to do their inspection, we                  5 are right at the minimum. If we lose any more                  6 capacity, which we more than likely will, we                  7 will be severely curtailing operations on that                  8 runway.                  9 So also built into this package is the                  10 ability to go in and clear those trees.                  11 And Mr. Hollis is correct. We show a                  12 little over \$800,000 that we've spent to                  13 acquire the navigation easements to start                  14 clearing. So what we're asking for now is to                  15 go to get our design phase done, which will be                  16 AIP reimbursable down the road. We won't ask                  17 for it this year. But we have other AIP money                  18 that we're going to be securing this year to                  19 the tune of about \$1.7 million coming back from                  20 FAA.                  21 MR. PACK: Okay. So this is 800,000 for</p>

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<p>1 design only.</p> <p>2 MR. RISHER: Actually this is 80,000.</p> <p>3 MR. PACK: 80,000 for design only.</p> <p>4 MR. RISHER: Yes.</p> <p>5 MR. PACK: Any comment?</p> <p>6 MR. LESHER: The funding that is fronted</p> <p>7 by this, I understand that it's reimbursable,</p> <p>8 but this is through the Airport Enterprise</p> <p>9 Fund?</p> <p>10 MR. HOLLIS: Correct.</p> <p>11 MR. LESHER: Those funds.</p> <p>12 MR. PACK: Yeah. That general fund.</p> <p>13 MS. PRICE: So I'll make a motion to</p> <p>14 accept the design of \$80,064.</p> <p>15 MR. PACK: Motion made by Ms. Price.</p> <p>16 MR. CALLAHAN: Second.</p> <p>17 MR. PACK: Seconded by Mr. Callahan. Any</p> <p>18 further discussion?</p> <p>19 Hearing none, Madam Secretary, please call</p> <p>20 your roll.</p> <p>21 SECRETARY: Mr. Pack.</p>	<p>1 prepared.</p> <p>2 MR. PACK: Okay. So 18,000 for pump</p> <p>3 repair on St. Michael's pump station number</p> <p>4 two. Is there a motion?</p> <p>5 MR. LESHER: This, again, this is funded</p> <p>6 through that enterprise fund?</p> <p>7 MR. HOLLIS: Yes, sir.</p> <p>8 MR. LESHER: I'll move to approve.</p> <p>9 MR. CALLAHAN: Second it.</p> <p>10 MR. PACK: Sanitation fund.</p> <p>11 MR. HOLLIS: Right.</p> <p>12 MR. PACK: Sanitation enterprise.</p> <p>13 MS. PRICE: Sanitary district.</p> <p>14 MR. PACK: Thank you. Motion made by</p> <p>15 Mr. Leshar, seconded by Mr. Callahan. Any</p> <p>16 further discussion?</p> <p>17 Hearing none, Madam Secretary, please call</p> <p>18 your roll.</p> <p>19 SECRETARY: Mr. Pack.</p> <p>20 MR. PACK: Aye.</p> <p>21 SECRETARY: Mr. Divilio.</p>
<p>Page 207</p> <p>1 MR. PACK: Aye.</p> <p>2 SECRETARY: Mr. Divilio.</p> <p>3 MR. DIVILIO: Aye.</p> <p>4 SECRETARY: Mr. Callahan.</p> <p>5 MR. CALLAHAN: Aye.</p> <p>6 SECRETARY: Ms. Price.</p> <p>7 MS. PRICE: Aye.</p> <p>8 SECRETARY: Mr. Leshar.</p> <p>9 MR. LESHER: Aye.</p> <p>10 MR. PACK: Thank you.</p> <p>11 MR. HOLLIS: Thank you, Micah.</p> <p>12 MR. RISHER: Thank you.</p> <p>13 MR. HOLLIS: Council, I'm asking for an</p> <p>14 after-the-fact approval of emergency repair in</p> <p>15 an amount not to exceed \$18,000. When we had</p> <p>16 one of the pumps fail at pump station number</p> <p>17 two in the St. Michael's system, it needed to</p> <p>18 be fixed immediately.</p> <p>19 MR. PACK: Okay. Is there a bid number on</p> <p>20 this, Mr. Hollis?</p> <p>21 MR. HOLLIS: No, sir. There was no bid</p>	<p>Page 209</p> <p>1 MR. DIVILIO: Aye.</p> <p>2 SECRETARY: Mr. Callahan.</p> <p>3 MR. CALLAHAN: Aye.</p> <p>4 SECRETARY: Ms. Price.</p> <p>5 MS. PRICE: Aye.</p> <p>6 SECRETARY: Mr. Leshar.</p> <p>7 MR. LESHER: Aye.</p> <p>8 MR. HOLLIS: And finally Council, county</p> <p>9 offices will be closed this coming Monday,</p> <p>10 January 20th, for Martin Luther King Day Jr.</p> <p>11 observance. Thank you.</p> <p>12 MR. PACK: Thank you. I do not see any</p> <p>13 public comment.</p> <p>14 MS. MORRIS: We only had a Mr. Sylvester</p> <p>15 sign up, and he spoke during the public hearing</p> <p>16 on Black Dog Alley.</p> <p>17 MR. PACK: There you go. So we already</p> <p>18 took care of that piece of business.</p> <p>19 So no other additional public comment,</p> <p>20 Council, moving on to Council comment.</p> <p>21 Mr. Leshar, I'll start with you on my left.</p>

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<p>1 MR. LESHER: I have nothing further.</p> <p>2 MR. PACK: Ms. Price.</p> <p>3 MS. PRICE: It's after nine o'clock.</p> <p>4 We've all turned into a pumpkin. So no</p> <p>5 comment.</p> <p>6 MR. PACK: Mr. Divilio.</p> <p>7 MR. DIVILIO: No comments.</p> <p>8 MR. PACK: Mr. Callahan.</p> <p>9 MR. CALLAHAN: Nothing. You?</p> <p>10 MR. PACK: Well, I would like to invite</p> <p>11 everyone from Council out to the MLK basketball</p> <p>12 classic. Our 13th year of doing that.</p> <p>13 The basketball classic happens next</p> <p>14 Monday, the 20th, at the Easton Middle School</p> <p>15 as well as across the street at the YMCA. We</p> <p>16 have middle school students coming from the</p> <p>17 tri-county area, Dorchester, Caroline, and</p> <p>18 Talbot County, for a day-long of activity.</p> <p>19 I want to thank Preston Peper and Emily</p> <p>20 out at the Park &amp; Recs Department for all their</p> <p>21 hard work, as well as Lorraine Gould here in</p>	<p>1 closed session to discuss real estate, legal,</p> <p>2 personnel matters as listed on the statement</p> <p>3 for closing the meeting.</p> <p>4 On Tuesday, January 21st, the County</p> <p>5 Council will be holding a work session to</p> <p>6 discuss Short-Term Rental Review Board</p> <p>7 recommendations. The work session will be held</p> <p>8 at six p.m. to eight p.m. at the Wye Oak Room</p> <p>9 located at the Community Center.</p> <p>10 On Tuesday, January 28th, the County</p> <p>11 Council will be holding a work session with the</p> <p>12 Board of Electrical Examiners beginning at</p> <p>13 3:30 p.m. That work session will be held here</p> <p>14 in the Bradley Meeting Room.</p> <p>15 Therefore, is there a motion to close this</p> <p>16 meeting and reconvene as noted?</p> <p>17 MR. LESHER: Not to reconvene. Just to</p> <p>18 adjourn.</p> <p>19 MS. MORRIS: Correct.</p> <p>20 MR. PACK: What did I say? Is there a</p> <p>21 motion to adjourn this meeting? Yes, not</p>
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<p>1 the Town of Easton Department of Parks &amp; Recs</p> <p>2 for all of her hard work putting this together.</p> <p>3 This is truly a team concept. Megan Cook</p> <p>4 also from the Town of Easton Council, she's</p> <p>5 been a big part of this as well and a number of</p> <p>6 other individuals whom I won't name at this</p> <p>7 time.</p> <p>8 But come on out. We're normally joined by</p> <p>9 Senator Eckardt and Delegate Mautz for the MLK</p> <p>10 Image Award, which takes place to 12 o'clock.</p> <p>11 So if you want to come just for that portion of</p> <p>12 the day, come in around 11:15 and get a hot dog</p> <p>13 on me and stick around for the image awards.</p> <p>14 You won't be disappointed. Just want to leave</p> <p>15 you with that.</p> <p>16 Mr. Callahan comes out and hangs out with</p> <p>17 me and we eat a hot dog and a Coke.</p> <p>18 County Council's next meeting will be held</p> <p>19 on January 28th beginning at six p.m. The</p> <p>20 Council will be convening in open session at</p> <p>21 4:30 and then immediately adjourning into</p>	<p>1 reconvene. To adjourn. We will not be</p> <p>2 reconvening.</p> <p>3 MR. DIVILIO: Second.</p> <p>4 MR. PACK: Motion made by Mr. Leshher.</p> <p>5 Seconded by Mr. Divilio.</p> <p>6 Madam Secretary, please call your roll.</p> <p>7 SECRETARY: Mr. Pack.</p> <p>8 MR. PACK: Aye.</p> <p>9 SECRETARY: Mr. Divilio.</p> <p>10 MR. DIVILIO: Aye.</p> <p>11 SECRETARY: Mr. Callahan.</p> <p>12 MR. CALLAHAN: Aye.</p> <p>13 SECRETARY: Ms. Price.</p> <p>14 MS. PRICE: Aye.</p> <p>15 SECRETARY: Mr. Leshher.</p> <p>16 MR. LESHER: Aye.</p> <p>17 (Meeting concluded at: 9:09 p.m.)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>

1 STATE OF MARYLAND  
 2 I, Diane Houlihan, a Notary Public in and  
 for the State of Maryland, County of Anne Arundel,  
 3 do hereby certify that the within named, Talbot  
 County Council Audio, personally appeared before me  
 4 at the time and place herein set according to law,  
 was interrogated by counsel.

5  
 I further certify that the examination was  
 6 recorded stenographically by me and then transcribed  
 from my stenographic notes to the within printed  
 7 matter by means of computer-assisted transcription  
 in a true and accurate manner.

8  
 I further certify that the stipulations  
 9 contained herein were entered into by counsel in my  
 presence.

10  
 I further certify that I am not of counsel  
 11 to any of the parties, not an employee of counsel,  
 nor related to any of the parties, nor in any way  
 12 interested in the outcome of this action.

13 AS WITNESS my hand Notarial Seal this 20th  
 day of January, 2020, at Easton, MD.

14  
 15 

16  
 \_\_\_\_\_  
 Diane Houlihan  
 Notary Public

17  
 18  
 19  
 20 My commission expires September 16, 2021

21

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