

COUNTY COMMISSIONERS OF CAROLINE COUNTY
109 Market Street, Room 106, Denton, Maryland

MINUTES
January 23, 2018

Present: President Larry C. Porter, Wilbur Levensgood Jr., Vice President; Daniel J. Franklin; Commissioner; County Administrator Ken Decker; and County Attorney, Heather Price.

President Porter called for **public comment** and there was none

On motion by Commissioner Franklin, seconded by Commissioner Levensgood, the Commissioners moved to go into **legislative session:**

Legislative Session: Third Reading and Potential Enactment Emergency Legislative Bill #2017-5, Chapter 152—Roads, Bridges, and Right-of-ways—Specifications and Design Standards for County Roads: Chief of Staff, Sara Visintainer, stated that this was the third reading and potential enactment of Emergency Legislative Bill #2017-5. She stated that this bill is an emergency act concerning specification and design standards for County roads; for the purpose of expanding existing road specifications and design standards for uses that create a substantivize impact and increased traffic on County roads; by adding a new §152-8.B.- §152-8.F. to the Code of Public Local Laws of Caroline County, Maryland. She stated that this bill has been previously workshopped and staff have identified a number of updates to the Code that are needed to address impact on County roads due to development, including increased vehicle traffic. She explained that this bill has been categorized as “emergency” because it relates to the safety of roads for Caroline County citizens, and it allows the Commissioners to move through the moratorium period for non-coal surface mining more quickly, since this Bill addresses one of the key areas that precipitated the moratorium. The public hearing was held on January 9, 2018.

Commissioner Porter stated that he would like to draft several amendments on this bill before enacting it. He stated that he felt that the bill as it currently reads is too vague regarding the specific language. He stated that he would like to establish language which would give a larger number of trips regarding the type of commercial property. He also stated he would like the bill to specifically state that all agriculture projects are exempt from this bill. Mr. Decker stated that this bill as it is currently written is not meant to apply to only non-coal surface mining projects, but rather any sort of project that would bring more traffic to a specific area. However, agricultural uses are always permitted roadway access and therefore not subject to the new provisions. He went on to explain that the bill would mandate the owner of the company or project developed would be responsible for maintaining the roads to County safety standards and offset the impact. Mr. Decker explained that by having the owner maintain the roads it takes the responsibility from the tax payers who pay for them now.

Commissioner Porter asked if parking on roads would be restricted for produce stands and other items of that nature. Mr. Decker explained that any agriculture based projects would be exempt from this ordinance, however if you have a business that attracted heavy parking, off-street parking would need to be provided. He stated the main goal of this ordinance is to avoid major impact on all County roads and ensure safety.

The Commissioners stated that the would like amendments added to the bill and then have staff bring it back for a fourth reading. On motion by Commissioner Levensgood, seconded by Commissioner Franklin, the Commissioner voted to come out of legislative session.

State Legislative Update 2018: Ms. Visintainer stated that many local bills have been sent out to the Department of Legislative Services. She stated that the Sheriff's Salary bill will be introduced next week, as well as the update in the County liquor licenses, which Delegate Arentz and Senator Hershey are taking the lead on. Ms. Visintainer stated that she submitted testimony on Senate Bill 34 which seeks to strip the Eastern Shore counties of their input on the construction of a third span of the Chesapeake Bay Bridge. The Governor's budget has been officially released and MACo is evaluating it for county impacts. She stated that she is continuing to work with Susan Runnels and Delegate Ghrist to work on the competitive funding for Local Management Boards. She stated that the Knott Commission released their report on school construction and the County is currently working on evaluating what legislative proposals might follow. Ms. Visintainer emphasized that a letter of support was sent to the Board of Public Works regarding the planning approval for Greensboro Elementary School being delayed.

Consent Agenda: the following items were approved by unanimous consent.

- Minutes: Open Session January 9, 2018
- Resolution #2018-001, Disposal of Surplus County Equipment
- Resolution #2018-002, Caroline County Compensation Plan—Compensation Philosophy
- P.O #2018-00000153 and Accompanying Contract, Tri Gas & Oil, \$55,549.34
- P.O #2018-00000123 and Accompanying Contract, Russell Paving Co., Inc, \$43,471.00 for Paved Trail at South County Regional Park
- Authorization for Criminal Justice Dashboard Grant Application
- Declaration of 2018 Meeting Dates as Legislative Days
- Authorization of County Official for the Governor's Office of Crime Control and Prevention

County Administrators Report:

- Mr. Decker informed the Commissioner that the County IT Building water service has been restored after a watermain break earlier in the week.
- He stated that he has forwarded contract information from Tim Crosby to the County Attorney for design services for the new Sheriff's Office.
- The Office of Human Resources will be moving to the Legion Road office until further notice.
- He stated that he met with Scott LeRoy, Heath Officer, to go over the Health Department and their funding from the state. He explained that they may have a few setbacks in the future if they lose more State funding for health programs.
- Animal Control Officers have been hired and have started working with the Humane Society.
- The MOA between the Humane Society and the County is close to being finished and will be sent to the Commissioners soon for signature.
- Mr. Decker stated that staff is still waiting for recommendations from the Commissioners regarding the next move for the future of Caroline County Economic Development.
- A pole will be relocated at Holly and Holsinger Roads due to safety concerns it causes. Once the pole has been moved the road will also be widened and repaved.
- He notified the Commissioners that the Jail will need a new water meter.
- He stated that Ms. Visintainer sent out the municipalities tax differential packets to all the towns. He also stated that the Commissioners will be discussing the tax differential at an upcoming work session to go over what the towns may be receiving.
- He informed the Commissioners that a draft of the impact fees for multiple family dwellings will be workshopped at the upcoming work session in February.

Commissioners Open Discussion:

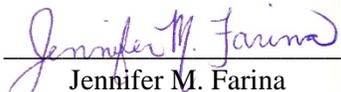
- Commissioner Franklin stated that he attended the Ridgely Fire Company Banquet as well as addressed a speeding issues with Chief Manos from Ridgely.
- Commissioner Levensgood stated that he attended an MRCD and MACo Legislative Committee meeting. He stated that there are no land use bills to address yet, however he will keep the Commissioners updated.
- Commissioner Porter stated that he attended the Town of Denton's power plant meeting and felt that it went well. He also stated that he attended Commissioner Franklin's retirement party from the Denton Police Department, which he felt was a great event that showed off Mr. Franklins career as a police officer.

Public Comment: Mr. Chapel, County resident, stated that he likes the idea of the legislative roads bill and he feels the Commissioners are making the right decision by working on further amendments, to make sure the outcome is what they wanted for the community. He stated that he does not believe the bill is radical and he feels it will not hurt any projects or companies that may move to the County.

At 7:24 p.m. on motion by Commissioner Levensgood, seconded by Commissioner Franklin, Commissioners unanimously adjourned regular session and convened in **Closed Session** for the following purposes: Discussion of Potential Litigation Authority: 2014 Md. Code, State Government 3-305 (b)(8).

President's Report: President Porter stated that the Commissioners met in closed session to receive and update from staff regarding strategy for approaching potential litigation and provided direction regarding scheduling of further meetings.

There being no further discussion the Commissioners adjourned their meeting at 7:30 p.m.



Jennifer M. Farina
Administrative Coordinator