

COUNTY COMMISSIONERS OF CAROLINE COUNTY

109 Market Street, Room 106

DENTON, MD 21629

**Minutes
September 6, 2022**

Present: President Larry C. Porter; Vice President Daniel J. Franklin, Commissioner Wilbur Levensgood, Jr.

The meeting was called to order at 9:00 AM.

Invocation by George Simmons – Pastor of St. Paul United Methodist Church – Greensboro

Public Comment: Ms. Susie Staehlin, located at 21821 Water Street in Preston, MD, which is adjacent to the Choptank Marina. Ms. Staehlin stated that she wanted to provide feedback on the 5-year plan. There are 3 points Ms. Staehlin wants to make for the Commissioner's consideration: 1: There is no permit application, so she is unaware if this is going to take place. In addition, there is no indication (page sk-8) of the engineering document for relocation of pumphouse station. A funding issue was mentioned by the engineer but after further research, DNR requires that any marina over 50 slips requires a pump out station per State regulation. 2: Ms. Staehlin a volunteer for Shore Rivers, I test for E. coli in the streams; we failed about 50% of the time. The public is supposed to have a clean water wash area to wash themselves off after being in the water. In this redesign, she cannot tell if this is blocked off or a shower will be installed. Ms. Staehlin asked the Commissioners to please make this accessible to the public per Maryland regulation for safety. 3: Ms. Staehlin is totally against fuel station but stated that is for a different conversation. She asked the Commissioners to consider it to be put into the proof of concept. In addition, there is discussion of paving. Ms. Staehlin stated that after conversations with Sue Simmons, she discovered there is an alternate to pavement that is porous. Mr. Goldman stated that while that surface is porous, it provides little to no longevity and requires constant maintenance and replacement, and the County will not be pursuing that material for that location.

Sue Simmons, Director of Parks and Recreation – Caroline County 2022 Land

Preservation, Parks and Recreation Plan (LPPRP) Public Hearing: Commissioner Franklin made a motion to open the public hearing. Commissioner Levensgood seconded the motion. All three Commissioners voted to enter the public hearing. Ms. Simmons stated The LPPRP is produced every five years under the general guidance of the Recreation & Parks Advisory Board, and in collaboration with Caroline County Planning & Codes. The document is required by State statute for County eligibility for Maryland Program Open Space (POS), a grant resource for park land acquisition and development. The plan provides a five-year framework for the public park and recreation service development through 2027. The recommendations are grounded in the results of public surveys conducted in the 3rd and 4th quarters of FY2020 and conversations with staff and elected leadership of municipalities. This document was produced with consultant support from Shore Strategies, LLC. Production costs associated with the public surveys, mapping and writing of the plan are recovered through a POS grant. This project has been present on the working agenda of the CCRP Advisory Board for all meetings conducted 2020 and FY21 (18-month period). The report was submitted to the MD DNR in December 2021 and

the State's edits have been addressed in this final draft for formal adoption. The County submits this to the State of Maryland. It is a framework and guide of where we will be investing POS funding within the next 5, 10 and 15 years. In closing, Commissioner Porter asked Ms. Simmons about the basketball court in Jonestown Community Park. Ms. Simmons said they have water mitigation to complete as the current court is basically underwater and an additional basket will be added, and it will be resurfaced. With no more public comment, Commissioner Levengood made a motion to exit the public hearing. Commissioner Franklin seconded the motion. All three Commissioners voted to close the public hearing.

Chris Rice, Director of IT – New Meeting Software Discussion: Mr. Rice stated that during the last meeting, he presented some information regarding implementing video/audio software to increase transparency of the Commissioners meetings, thus doing away with utilizing Zoom. Mr. Rice stated he was able to get the updated pricing since the last introductions of this over the years. To install and set up one room, it is around \$40,000 with an annual cost of \$23,000. These costs include the software, maintenance, etc. There is an option for all boards to use this software. Mr. Rice stated that to set up another room, it is an additional \$20,000. Commissioner Porter believes that transparency is extremely important and thinks this is a viable solution. There was no further discussion.

Kaleigh Leager, Executive Assistant to the County Commissioners – 2023 Legislative Priorities Discussion: Ms. Leager stated that Legislative Session begins in January, which is only 4 months away. With that being said, the Board of Commissioners need to provide Caroline County's State Delegation with a list of legislative requests. Ms. Leager stated she sent an email regarding legislative requests to internal and external agencies, asking that they submit those requests for consideration by Friday, September 30th. The County will meet with the Maryland Department of Transportation (MDOT) and the Delegation on November 1st, where the approved requests will be presented. Ms. Leager stated that Commissioner Porter sent an email requesting the other Commissioners consider asking the County's Delegation for legislation that would repeal the State requirement for a Certificate of Need (CON) for all health care service facilities within the State. Commissioner Porter also mentioned battery storage systems for solar fields to be preferably banned in Caroline County, or at the bare minimum, require the solar companies to install self-suppression systems in addition to holding the solar companies 100% liable for any incident or injury that results from an explosion/fire. Commissioner Porter also wants the legislation to require training for all volunteer fire companies on how to handle such events. Both Commissioners Franklin and Levengood agreed with the two proposals from Commissioner Porter. Commissioner Levengood stressed the danger of battery storage systems and the lethality of the by products from thermal meltdowns. Commissioner Levengood stated that none of the fire departments within Caroline County have the proper training or equipment to handle the toxicity of the smoke plumes or runoff resulting from a lithium-ion battery fire. The Commissioners also mentioned looking into a quicker solution of passing a local ordinance for battery storage systems within the County.

In addition, the Commissioners requested that Ms. Leager add finding a solution to the lack of Highway User Revenue (HUR) funds that are resulting from the use of Electric Vehicles (EV) as they do not pay gas taxes.

Consent Agenda/Action Items: (All three Commissioners voted unanimously to pass the consent agenda with amendments):

- Minutes – July 19, 2022 & August 16, 2022 – Open
- [Planning & Codes - State of Maryland Critical Area Chesapeake and Atlantic Coastal Bays Grant Agreement FY23](#)
- [Sex Offender Compliance and Enforcement in Maryland Grant](#)
- Office of Finance - [Purchase Order #2023-109](#) & [Choptank Community Health Systems – American Rescue Plan Act \(ARPA\) Allocation](#)
- Employment Contract – EMT Part-Time – E. Ross
- [Disposal of Solid Waste Amendatory Agreement – Maryland Environmental Service](#)
- [Resolution #2022-017 – Class Specifications – Department of Corrections](#)
- [Planning & Codes - Deed of Forest Conservation Easement – Hambrick](#)
- [Planning & Codes - Deed of Forest Conservation Easement – Takacs](#)
- Recreation & Parks – [Ober Park - Purchase Order #2023-122](#) & [Mid Atlantic Asphalt Contract](#)
- [Recreation & Parks – Henderson Community Park – Program Open Space Application](#)
- [Recreation & Parks – Jonestown Community Park – Program Open Space Application](#)
- [Memorandum of Understanding – Caroline County Department of Behavioral Health and Caroline County Detention Center - Medical Opioid Use Disorder Program Support Staff Person](#)

County Administrators Report – Jeremy Goldman: Mr. Goldman stated that he and Ms. Leager had a meeting with the development team, a lobbyist, and the new owners from Cherrywood I (solar project in Greensboro) regarding a possible tax pilot with the County. Mr. Goldman stated that he told the owner that if they can come up with an agreeable number, the Commissioners may consider the request and finding a formula in which to divide the payment out over a set number of years. Mr. Goldman also mentioned that Mr. Fox was able to pull tax information throughout the State and that the majority of other Counties charge business personal property tax on commercial grade energy generation. Mr. Goldman stated that the meeting ending with the proverbial “ball in the owners court” if they wish to present something forward. It is a new company (which is the 3rd or 4th company to own this project). Cherrywood I and Cherrywood II are different companies and are unaffiliated. Mr. Goldman stated that he and Ms. Leager had a meeting with a community solar company to place a solar energy system on a brownfield on Hobbs Road, which is the old landfill. This project would not generate energy to require a CPCN, however would provide a way to offset the cost of energy that the County Government uses; any leftover energy would be offered to residents immediately in the area at a reduced cost (usually 10% discount). Mr. Goldman stated he has asked the company to run some numbers and get back to him. 1: It is revenue coming into the County. 2: It lowers energy costs for the County for about 20 years. 3: This allows the County to get ahead of the looming State requirement for green/renewable energy to be generated and utilized by local government, thus

allowing us to do so on our own terms.

County Commissioners Open Discussion: Commissioner Levensgood stated that he bailed some hay this weekend in addition to doing more research on battery storage. He stated that there is a serious safety risk and the State Association's attitude towards it during the Maryland Association of Counties conference was greatly disappointing. Commissioner Levensgood suggested that Ms. Leager reach out to Matt Morean, the President of the Caroline County Volunteer Fireman's Association for his input and the other fire chiefs. Commissioner Franklin stated that this is the last meeting he will have in the Courthouse. Commissioner Porter stated it has been an interesting summer and now its time to gear up.

There was no public comment.

Commissioner Franklin made a motion to adjourn the meeting. Commissioner Levensgood seconded. All three Commissioners voted to adjourn the meeting.

There being no further discussion the meeting adjourned at 10:27 a.m.



Kaleigh Leager
Executive Assistant to the County Commissioners