

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

Minutes
August 17, 2021

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

The meeting convened at 9:00 AM.

Public Comment: Sue Simmons, Director, Recreation and Parks, mentioned that the 2021 Caroline County Summerfest was scheduled this weekend (August 20th & August 21st). Inviting the public and the Commissioners to attend the event.

COVID-19 Response Update: Robin Cahall, Health Officer, Caroline County Health Department – Ms. Cahall stated that as of 8/17/21, Caroline County is listed in the substantial transmission level for COVID-19. Caroline County remains the only Eastern Shore County at this transmission level; others are at a high transmission level. Caroline County is at a vaccination rate of 46.6% while Maryland is 55.6%. Ms. Cahall also stated that the infection rate continues to increase across the state and across the county. Ms. Cahall stressed the importance of getting vaccinated and promoting the testing and vaccination centers available to the public for free. Ms. Cahall also mentioned that FDA has approved boosters for a very select group individuals; immune compromised.

Commissioner Levensgood stated that he was glad to see that there are boosters becoming available for those who qualify. Commissioner Franklin asked Ms. Cahall what the percentage of fully vaccinated Caroline County residents is. Ms. Cahall stated that as of 8/17/2021, 46.6% of Caroline County residents are fully vaccinated. Commissioner Porter asked which companies are getting FDA approval for boosters? Ms. Cahall stated that Moderna and Pfizer are the two companies.

Eastern Shore Economic Recovery Update: Debbie Bowden, Director, Caroline County Economic Development provided the Commissioners with a brief update on the Eastern Shore Economic Recovery Project. Ms. Bowden stated that the regional project develops resources such as a data dashboard that includes unemployment numbers and includes business outreach tools. Ms. Bowden also mentioned that there is a large push to businesses so that they know they have a tool to help them for free. Ms. Bowden emphasized that the County is here to help with resources for small businesses.

Commissioner Porter asked Ms. Bowden how this information is getting out to the public? Ms. Bowden mentioned that social media, radio ads, and newspapers are the main methods of advertisement for this resource.

EMS Supervisor Class Specification Change Discussion: Mark Sheridan, Director, Emergency Services presented to the Commissioners his interest in changing the name of

Lieutenants that work in the field (ex. EMT/Paramedics). This change would solely be in name, not pay grade or job responsibilities. Mr. Sheridan mentioned this would help keep paramedics in the division.

County Administrator, Jeremy Goldman, stated that we need to try to find a balance with the needs of this position versus the requirements. Mr. Goldman reiterated that this not a request for adoption, this is just a first read.

Mr. Sheridan followed by stating that there is a need for a reorganization of the EMS division. Mr. Sheridan wants to get training back up and logistical upgrades, as well as making sure the reports are done correctly.

Commissioner Levensgood stated he needs more time to read and understand the ask better. Commissioner Franklin stated that the name change from Lieutenant to Captain is an absolute no for him. Commissioner Franklin mentioned that Mr. Sheridan should get a feeling from 911 folks. To them, it may be a moral killer. Commissioner Franklin also mentioned that you are not comparing apples to apples with 911 Lieutenants and Field Lieutenants. Commissioner Porter requested that changes be made and for this to be revisited later.

County Commissioners Staff Report: SB762 Maryland Electrinios Act - Crystal Dadds, Assistant Director of Codes, Planning and Codes and Mr. Eric Smith, Chairman, Caroline County Construction Trades Board presented the Staff Report with the most recent changes to legislation. Ms. Dadds stated that this information was made aware to us only one month ago. This legislation greatly impacts Caroline County and other Eastern Shore Counties. Ms. Dadds explained that this preempts the County's ability to issue licenses. This change will affect the anticipated revenue that was already included in the budget. Ms. Dadds also mentioned that this legislation requires anyone who does any electrical work has to have a either an Apprentice, Journeyman, or master's License through the State of Maryland. Currently, our County Code allows homeowners to do their own electrical work. With the passage and enactment of this bill, we can no longer allow that.

Mr. Smith stated that we were all taken by surprise. Everyone must be a Master Electrician, registered Journeyman, or a registered Apprentice. This bill was supposed to have a grandfather clause but was passed without one. Mr. Smith stated that he refers to this as a "Union Bill". Mr. Smith mentioned that the State mentions they are the ultimate authority and that they have the power but defer the enforcement onto the Counties without providing insight on how to enforce the law. Mr. Smith stated that under this law, people must register by 12/2022 to test for a license through the State but as of now, the State's website is not allowing folks to register. Mr. Smith stated that in summary, Local boards cannot do anything less than the code but can exceed the code. Maryland is interested in a reciprocity agreement with neighboring states. Mr. Smith mentioned that currently, A lot of contractors only have general licenses in the lower Eastern Shore counties. The big things that impact the counties are that the local boards are no longer able to grant a license, the State now must do it all. Mr. Smith mentioned that the County can issue a "registration" to do business in the County but not a license to do the work. Ms. Dadds mentioned that the revenue was staggered as licenses expired on different intervals. Commissioner Franklin stated that there is about \$17,000 in revenue from the licenses. He asked

if there was an option to get around this? Mr. Smith stated that there is no way to get around this as it is an active state law. Commissioner Franklin asked what does a Master License require? Mr. Smith stated that a General License allows someone to wire up to a single-family dwelling.

Commissioner Levengood mentioned that this is keeping farmers from being able to do their own work. Mr. Smith agreed and stated that anyone who performs any work, without being licensed by the state, is in violation of the law. County Administrator Goldman asked if there is there any way to get a reinterpretation that states if you are taking money then you must be licensed (changing it to for-hire only)? County Attorney Stewart Barroll mentioned that the legislation originally said the county attorney could decide if the County would participate. Thus, the state invited the County to commit a fraud on the state by saying they would not “look behind the curtain” to see if the license holders tested. Commissioner Porter stated that this legislation was like the “sprinkler bill”; they lied, and the County was forced to implement their decisions. Commissioner Porter mentioned his dissatisfaction with Cecil County Delegate Hornberger due to his sponsorship of this bill in the Maryland House of Delegates. Mr. Smith followed by stating the state is going to make a decent amount of money from this as the cost of the licenses that were granted by the Counties are now state revenue. For example, Montgomery County charges around \$500 for a license. Administrator Goldman mentioned that our county is more focused on farmers, homeowners, and many small business owners. In summary, we have no solution. This was effective as of 7/1/2021. The Counties were given 30 days’ notice.

Mr. Barroll mentioned that the implementation is up to the County Attorney and that he has never seen this before. Mr. Smith mentioned that Del. Hornberger is going to submit an amendment this session for a journeyman’s fix. Ms. Dadds followed by stating that Caroline County can no longer reissue electrical licenses. If anything, Caroline County needs a registration process if we choose to go that route. That just gives the electricians the availability to work in Caroline county. Ms. Dadds also mentioned that reciprocity was pushed by powerful people and not to expect a fix with the amendment that will be introduced. Commissioner Porter stated that the problem with this is that it would be easy to ignore the law until there is a problem and someone must be responsible when the curtain opens. This has the same problems as the “sprinkler bill”. Mr. Goldman mentioned this could be fixed with half a sentence and the word “OR”. Mr. Smith mentioned that passing rate for the state masters is around 32%, but probably closer to 27%.

Commissioner Porter thanked Mr. Smith, Ms. Dadds and all who were involved with getting this information. Commissioner Porter also mentioned that folks will be upset with the County, even though this is the state’s doing. Commissioner Franklin asked how the county would enforce this? Ms. Dadds mentioned it would most likely require someone having to be on the jobsite and asking for proof of licenses. Mr. Goldman ended the discussion by stating that the teeth of the bill is the liability on the county when something bad happens.

Public Hearing: Amendment to the Comprehensive Water and Sewer Plan (CWSP) – Town of Denton Water and Sewer Service Areas Map Amendment – Stewart Barroll, County Attorney & Leslie Grunden, Assistant Director of Planning, Planning & Codes

Mr. Barroll Opens the Public Hearing, stating that the proposed amendment was properly

advertised. Ms. Grunden stated that no public comment was received. Commissioner Porter asked if there is any public comment. With no public comment, Commissioner Franklin moved to pass the amendment. Commissioner Levensgood seconded the motion. The Commissioners unanimously voted to pass the Amendment.

Discussion: American Rescue Plan Act (ARPA) Budget and Surplus Budget – Margaret Roe, Director, Finance & Daniel Fox, Deputy Director, Finance

ARPA Funding –

Caroline County Detention Center Requested Amount: \$1,000,000
All 3 Commissioners Tentatively Agreed to \$1,000,000

Department of Emergency Services (4 Replacement Ambulances) Requested Amount: \$1,400,000
Commissioner Porter Tentatively Agreed to \$700,000
Commissioners Franklin and Levensgood Tentatively Agreed to \$1,400,000

Economic Development Enhancement Requested Amount: \$600,000
All 3 Commissioners Tentatively Agreed to \$200,000

Choptank Health Federalsburg Health Center Project Requested Amount: \$850,000
All 3 Commissioners Tentatively Agreed to \$850,000

Choptank & Comcast Broadband Assistance Requested Amount: \$3,500,000
All 3 Commissioners Tentatively Agreed to \$4,500,000

Surplus Funding –

Humane Society Total Requested Amount: \$387,900
Commissioner Porter Tentatively Agreed to \$250,000
Commissioner Franklin Tentatively Agreed to \$300,000
Commissioner Levensgood Tentatively Agreed to \$110,000

Recreation & Parks Total Requested Amount: \$700,000
No Amount was Tentatively Agreed Upon

Health Department Total Requested Amount: \$60,000
No Amount was Tentatively Agreed Upon

Finance Office Total Requested Amount: \$470,000
Commissioner Porter Tentatively Agreed to \$160,000
Commissioner Franklin Tentatively Agreed to \$320,000
Commissioner Levensgood Tentatively Agreed to \$270,000

Public Works Total Requested Amount: \$1,000,000

Commissioner Porter and Commissioner Levensgood Tentatively Agreed to \$750,000
Commissioner Franklin Tentatively Agreed to \$1,000,000

Department of Emergency Services Total Requested Amount: \$500,000
No Amount was Tentatively Agreed Upon

Information and Technology Total Requested Amount: \$272,500
All 3 Commissioners Tentatively Agreed to \$197,500

General Total Requested Amount: \$555,000
All 3 Commissioners Tentatively Agreed to \$280,000

11:00am Recessed for a 5-minute break

11:12am Recess Ended

Legislative Bills – Third Reading and Potential Enactment: Legislative Bill #2021-1, Chapter 21 – Law Enforcement Mutual Aid Agreements – Eastern Shore Counties & Legislative Bill #2021-2, Chapter 29 – Emergency Communications System – Repeal: Stewart Barroll, County Attorney

Mr. Barroll performs the third and final reading of Legislative Bill #2021-1, Chapter 21. Commissioner Levensgood made a motion to approve. Commissioner Franklin seconded. All three Commissioners voted to pass and enact Legislative Bill #2021-1, Chapter 21.

Mr. Barroll performs the third and final reading of Legislative Bill #2021-2, Chapter 29. Commissioner Franklin made a motion to approve. Commissioner Levensgood seconded. All three Commissioners voted to pass and enact Legislative Bill #2021-2, Chapter 29.

Consent Agenda: Approved by Commissioners Franklin and Levensgood (Commissioner Porter Recused Himself from this vote)

- TGM Group Audit of Dayspring I (Project No. 26.06.0001)
- TGM Group Audit of Dayspring II (Project No. 26.06.0002)

Consent Agenda: The following items were unanimously approved by the Commissioners)

- Lease with Heritage Community for Economic Development Office Space
- Online Sales/Telework Grant Agreement
- FY2022Letter#1of Agreement with the Maryland Department of Transportation–Noxious Weed Spraying
- FY2022 Letter#2of Agreement with the Maryland Department of Transportation–Noxious Weed Spraying
- Certification for Cooperative Local-State Library Aid Programs for FY2022
- Employment Contract–Recreation and Parks–Recreation Specialist II-Davis
- Caroline County Department of Emergency Services and Maryland Department of Health Agreement–Emergency Service Transporter Supplemental Payment Program

•Minutes–August 3, 2021–Open Session

County Administrator’s Report:

Kaleigh Leager, Executive Assistant, and I spoke with Robbie Gill, CEO, YMCA of the Chesapeake, about construction of the new YMCA. The property would have to be annexed by the Town of Denton. Two things need to happen. The first thing we need to do is adopt a master plan. Secondly, we need to move forward with annexation to move water and sewer with the site. Mr. Goldman stated that currently, the YMCA has a few million dollars committed and has a resource they can try to tap into, but there is no commitment at this time. There will be no plan of construction until most of the funding for the project has been secured.

Commissioner Porter stated that there needs to be a conversation with the Town of Denton about annexation of the land and the master plan. This discussion should be done in a Work Session between the Commissioners and the Town of Denton soon. Commissioner Porter expressed his concern that if all the steps are taken there is still a possibility that the YMCA could pull out of the project.

Open Discussion Period:

County Administrator Jeremy Goldman requested that the Commissioners revisit their meeting schedule. Administrator Goldman suggested that there be 2 full meetings and 2 full work sessions that alternate. In addition, Administrator Goldman suggested keeping all the meetings in the morning until after the first of the year (January 2022).

All three Commissioners agreed to go to 2 full meetings and 2 work sessions per month to be held @ 9:00am every Tuesday (work sessions and meetings alternating).

County Commissioner Open Discussion:

Commissioner Levensgood stated that he will try to make the meetings at MACo (Maryland Association of Counties Conference) and hope that everyone stays safe. Commissioner Levensgood also mentioned that he believed Kent County dropped out of Clean Chesapeake Coalition. Commissioner Franklin stated that Troy Brooks, Life Member of the Preston VFC lost his life in August against pancreatic cancer. Mr. Brooks passing is a big loss to the community. Commissioner Franklin mentioned that Mr. Brooks was a great person.

Public Comment:

No public comment

Closed Session:

To consult with counsel to obtain legal advice

Authority: General Provisions Art. § 3-305 (b) (7)

Commissioners Porter, Franklin, and Levensgood. County Attorney, Stewart Barroll & County Administrator Jeremy Goldman

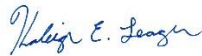
Commissioner Levensgood made a motion to enter a closed session. Commissioner Franklin

Seconded. Closed Session convened at 12:00pm.

County Administrator Jeremy Goldman states that for Compass Hospice to begin construction, they must be given the land or the Governor's office will not allocate funds for the project. Without the funding, they cannot begin construction of the facility. County Attorney Stewart Barroll followed by stating there is a possibility to insert a revert clause in the contract, but that is seldomly used. If the land is not used for its intended purposed by a set amount of time, stated in the contract, the land is reverted to the giver, in this case Caroline County. Commissioner Porter inquired on who the attorney was representing Compass Hospice. Administrator Goldman stated that Mr. Showalter, Esq. was representing Compass Hospice. All three Commissioners agreed that they want to see Compass Hospice get built, but in a reasonable amount of time.

Commissioner Levengood motioned to adjourn the closed session. Commissioner Porter
Seconded.

There being no further discussion the meeting adjourned at 12:15am.



Kaleigh Leager
Executive Assistant to The County Commissioners