

**COUNTY COMMISSIONERS OF CAROLINE COUNTY**  
109 Market Street, Room 106  
DENTON, MD 21629

**Minutes**  
**January 4, 2022**

Present: President Larry C. Porter; Vice President Daniel J. Franklin

Absent: Commissioner Wilbur Levensgood, Jr.

The meeting was called to order at 6:12 PM.

There was no convocation or prayer.

There was no public comment.

**Reporting Out Statement from the 12/14/21 Closed Session:** “During the December 28<sup>th</sup> meeting, we had a closed session under Authority: General Provisions Art. § 3-305(b): (8) to discuss pending litigation with the County Attorney regarding two legal matters that the County is involved in. The County Commissioners then voted to end the closed session, so they may re-enter into the open session to vote on signing a letter regarding the Opioid Settlement case involving Perdue Pharma that would allow the Commissioners to be apart of the case, but not tie the County into accepting any financial reimbursement if settled. Commissioners Porter, Franklin and Levensgood as well as the County Attorney, Stewart Barroll, County Paralegal Mary Berneski, County Administrator, Jeremy Goldman, and Executive Assistant, Kaleigh Leager were in attendance.”

**Legislative Bill #2021-04 – OPEB Board Members - Second Reading & Public Hearing, Stewart Barroll, County Attorney:** Commissioner Franklin moved to go into legislative session. Commissioner Porter Seconded. Commissioners Porter and Franklin voted to enter legislative session. Mr. Barroll stated that this bill, Chapter 49 Personnel, Article II–Other Post-Employment Benefits Trust is an act to repeal and reenact with amendments Chapter 49 Personnel, Article II, Other Post-Employment Benefits Trust, of the Code of Public Local Laws of Caroline County, Maryland; For the purpose of changing the membership of the OPEB Board to consist of five members: the County Administrator, the Director of Finance, the Director of Human Resources, the County Attorney and a member of the Employee Advisory Board, and to change the person who determines the eligibility of Board members for indemnification by the County from the County Attorney to fiduciary counsel selected by the County Commissioners. There was no public comment.

**Legislative Bill #2022-01 – Composting Facilities Definition - First Reading & Introduction:** Mr. Barroll stated that this bill, is an act to repeal and reenact with amendments the definition of Composting Facilities in Chapter 175 Zoning, Article II, Section 175-8B, of the Code of Public Local Laws of Caroline County, to repeal and reenact with amendments Section

175-28 of Chapter 175 Zoning, and to amend the Table of Use Regulations of Chapter 175. FOR the purposes of: (1) changing the definition of Composting Facility to require that such a facility biologically decompose organic solid matter into solid compost; (2) requiring that compost feedstock not contain more than 25% animal processing by-products or carcass materials; (3) requiring that the entrance onto any public road of an access road to a Composting Facility be constructed in accordance with the standards set forth in an entrance permit obtained from the Department of Public Works or other approving authority, such as the State Highway Administration; and (4) providing that a Composting Facility is a permitted use subject to special use exception in the R-Rural Zoning District.

Commissioner Franklin moved to end the legislative session. Commissioner Porter seconded. Commissioners Franklin and Porter voted to close the legislative session.

**Leslie Grunden, Assistant Director of Planning; District Discussion:** Ms. Grunden stated that The Department of Planning and Codes compared 2010 and 2020 US Census population data within the three School Board Districts to determine if population change since the 2010 US Census warranted a reapportioning of School Board Districts. The County Administrator and the County Attorney also have reviewed the data.

Discussion:

- Staff reviewed 2010 and 2020 Census block population data within each School Board District to determine if any substantial increases or decreases in population between 2010 and 2020 occurred to the extent that the balanced distribution of population between districts was impacted.
- Based on review of the data, staff determined that the 2020 distribution of population among districts remains almost identical to what it was in 2010.

<b>BOARD DISTRICT</b>	<b>2010 % of Population (33,066)</b>	<b>2020 % of Population (33,293)</b>
Board District 1	34%	34%
Board District 2	33%	34%
Board District 3	33%	33%
Source: 2010 and 2020 US Census data		

Commissioner Franklin stated, “I move that we adopt the recommendation of Ms. Grunden, Mr. Goldman and Mr. Barroll, and find that there is no need to reapportion the County’s three Board of Election Districts because the minor changes in population within the Districts between 2010 and 2020 do not impact the balanced distribution of population among the Districts, and, therefore, do not warrant a reapportioning of the Districts.” Commissioner Porter seconded the motion. Commissioners Franklin and Porter voted to adopt Ms. Grunden’s recommendations.

## **COVID-19 Response & Recovery Update - Robin Cahall, Health Officer, Caroline County**

**Health Department:** Ms. Cahall joined the meeting via zoom and stated that Maryland's positivity rate is at 27%, Caroline 17%. Caroline County has confirmed 357 cases within the last 7 days which is a 120% increase within a week. The County's vaccination rate for 12-17 y/o is 39% fully vaccinated and 12 y/o+ is at 63%. Ages 5-11 there are 321 vaccinated and over 6,745 boosters given. Governor Hogan announced a 30-day State of Emergency via an Executive Order and Proclamation. Currently, the State is working to open 20 new hospital adjacent testing sites. Caroline County has expanded our testing at the vaccine center. The County has opened the DES trailer at the HAPS building for testing from 1-4pm. Ms. Cahall recommended that the Commissioner reinstate the mask mandate for County buildings and workers. Ms. Cahall also mentioned that home testing kits are available through the Library but there is a very high demand for them. Currently, the County has a good PCR test supply and vaccine supply.

Commissioner Franklin asked if the at-home test kits are considered rapid tests? Ms. Cahall stated that there are several different kinds. Some are considered rapid as you don't send them out; rapid home test is most affective when you are the most contagious. Commissioner Franklin asked why they chose the library as a location for the tests? Ms. Cahall stated it allowed for multiple members of the community to have quick access to the tests.

Commissioner Porter asked if the locations of the additional 20 testing sites have been disclosed? Ms. Cahall stated that the locations have not yet been announced. Commissioner Porter also asked if UMMS was going to help the County? Ms. Cahall stated that UMMS asked if we needed additional help with testing; she was under the impression it was mobile testing, but they were going to give us two additional team members. She stated they were short staffed so there was no need for them to send them to us.

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

- Gateway Construction, INC. Contract – Marydel Community Park Phase II

Commissioner Porter asked Jamie Beechy if this is to build an additional field in Marydel and to do additional work there? Ms. Beechy stated that this was Phase II, so Commissioner Porter was correct. Commissioner Porter stated that we (the County) continue to build fields where we have them, however we need them at North County Park. Commissioner Porter asked where is the money coming from to do this? Ms. Beechy stated that this is program open space funds with a 10% County match which has already been budgeted. Commissioner Franklin asked if this portion of the project was initiated a while back? Ms. Beechy stated that yes, there is a lot of funding already allocated from other avenues. This was "frozen" due to COVID, but it has been "unfrozen".

**County Administrators Report – Jeremy Goldman:** Mr. Goldman stated that the County has been closed for 2 days due to snow. There is another weather system coming in tonight. We will do a 5am check to see if there is any freezing rain that may cause a delay. The Department of Public Works (DPW) came in at 4am after a holiday and put everything together and did what they needed to do. In addition, the County is seeing some COVID affects, that will require internal alterations to manage the shortages.

**County Commissioners Open Discussion:** Commissioner Franklin stated that he pushed snow yesterday and prepared to push snow before that. Commissioner Franklin also stated that one thing to note regionally is that he has been noticing that the Maryland State Police is going to potentially decimate the personnel agencies on the Shore. Our Sheriff's office is going to potentially lose 5-6 people to MSP due to their starting salary increase. It is going to greatly affect our personnel and staffing.

Commissioner Porter stated that over the years, it has been my recollection that the State police have reduced their responsibilities within Counties. Commissioner Porter stated it is his question to the Superintendent and Governor is if you are going to take our people, you better be ready to start serving where we cannot cover due to staffing issues. You better be ready to start pitching in. There will be unintended consequences of this.

Commissioner Franklin stated that this is done by two lame ducks, the Superintendent, and the Governor. They are on their way out as the Governor is near his tenure and the new Governor will replace the current Superintendent; thus, they can throw money around. Commissioner Franklin also mentioned the distribution of "who handles what in the County". Part 1 Crimes, which are the most serious, the sheriff's office handles 72% of those crimes. Caroline County has a smaller CID component than the Maryland State Police's Criminal Enforcement Division (detectives), which Commissioner Franklin believes is regional (Caroline County being under the Upper Shore region). The State Police also does not serve any civil papers, as that falls under the responsibility of the Sheriff.

There was no public comment.

There being no further discussion the meeting adjourned at 6:55 p.m.



Kaleigh Leager  
Executive Assistant to the County Commissioners