

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

MINUTES
April 4, 2017

Present: President Daniel J. Franklin; Vice President Larry C. Porter; Commissioner Wilbur Levensgood, Jr.; County Administrator Ken Decker; and Chief of Staff Sara Visintainer.

Invocation by Reverend Ray Parsons; **Pledge of Allegiance.** The agenda was accepted as presented.

2017 State Legislative Update: Sara Visintainer, Chief of Staff, presented the Commissioners with the latest news on House and Senate bills. Ms. Visintainer stated that there are two weeks left in this year's legislative session and there have been some negative and positive bills that will impact Caroline County. She explained that the State Department of Assessment and Taxation (SDAT) cost transfer, which would have fallen into the County's budget, was pulled and will no longer be reflected in the FY18 Operating budget. Ms. Visintainer stated that Senate Bill 266, which would have required all septic systems to be Best Available Technology (BAT) septic systems, passed with Senator Middleton's amendment, which would give more flexibility to the counties. The House however did not act on the bill which means it will most likely lose momentum and not pass during this Session. That is a positive outcome, since it allows the Governor's rollback of the regulation to stand. She stated that the repeal of the "Road Kill Bill" moved through the Senate, however has not been voted on in the House yet and that she will continue to monitor the bill, which was the Governor's highest legislative priority. She explained that a bill which would have required collective bargaining for local governments had been killed in committee, and that a collective bargaining bill for community colleges appears stalled. However, she noted that a bill requiring collective bargaining for Maryland Environmental Service (MES) employees had passed. Since MES provides services for the county, such as operation of the landfill, it is expected to increase costs for the county and its partners which will have to be addressed. Ms. Visintainer informed the Commissioners that the Governor has stated he will veto several bills before the deadline, including the Sick Leave bill, and the Trust Act.

Consent Agenda: The following items were approved by unanimous consent

- Minutes: Open Session of March 21, 2017
- School Bus Safety Grant Application and Certification of Liability Form
- Sex Offender Management Grant Application and Certificate of Liability Form
- Homicide Investigations Seminar LETS Grant Acceptance
- Program Open Space Funding Request for Playground Renovations
- Employment Contract, Department of Emergency Services Paramedic (Mills)
- P.O #65874 and Professional Services Agreement with George, Miles & Buhr, LLC, for Engineering of Wastewater and Sewer of Caroline County Detention Center
- Letter of Opposition Regarding Artificial Island Transmission Project
- Appointment Letters to the Basic Life Support (BLS) Committee (Jefferson, Ramey, Garey, Frankhouse, Marvel, Madden, Starkey, Bartz, and Utz,)
- Art Loan Agreement (Thomas)

Commissioner Porter recused himself from voting on the Program Open Space Funding Request for Playground Renovations at Dayspring Community Park, due to a potential conflict of interest due to a business relationship between his company and the company that operates the Dayspring properties. On

motion by Commissioner Levensgood, seconded by President Franklin, the Commissioners approved the Program Open Space Funding Request for Playground Renovations.

Public Hearing: Legislative Bill #2017-2, Chapter 137 -Nuisances- General Public Nuisances:

Sara Visintainer, Chief of Staff, introduced Legislative Bill #2017-2, Chapter 137 – Nuisances - General Public Nuisances, and stated that this is an act concerning public nuisances for the purpose of providing a process to address the issues of blighted and neglected properties in Caroline County, under the Code of Public Local Laws of Caroline County, Maryland. She stated that the County Commissioners recognize that Caroline County is a rural agricultural county with a strong tradition of respecting private property rights, however this bill would recognize that abandoned, blighted and or neglected properties can diminish the quiet enjoyment of other properties in the vicinity and present a potential threat to public health, safety and welfare. Ms. Visintainer stated that the Commissioners received written testimony from Mid-Shore Board of Realtors in support of the bill, which will be reflected in the bill record.

President Franklin asked for the follow citizens who signed up to speak during the public hearing to state their name and address at the podium:

- **Mike Shipley, MidShore Board of Realtors**, stated that he was asked to read a letter from Mid-Shore Board of Realtors stating they were in favor of Legislative Bill #2017-2. Mr. Shipley explained that as realtors in Caroline County, they feel this bill will help with the condition of foreclosures properties that have been bought by big banks. He stated that vacant homes have become a huge issue in the County and many banks will buy the house and let it sit for years with no rush in moving along the buying process. Mr. Shipley stated that he believes this bill will help hold the banks accountable for the properties they buy in Caroline County and keep structures safe to the public.
- **Lauren Lerch, County Resident**, thanked the Commissioners for introducing Bill #2017-2 and stated that she is in favor of this Bill passing in Caroline County. Ms. Lerch explained that her and her husband live in house that has a vacant house next door. She stated that she has spent thousands of dollars renovating and updating her home, however with the vacant and “jungle like” status of the house next door, her property value has decreased. She explained that her number one issue with the property is the health hazard to her family. She stated that she has witnessed rats, feral cats, and wild animals going in and out of the house. Ms. Lerch explained that she has a very active toddler and she feels that the house next door is a health hazard and keeps her family from actively playing in their yard. Ms. Lerch stated that although she has tried, there has been no progress made with the neighbors who own the house to try and fix the problem. She stated that she recognizes that some might feel this law infringes upon their property rights, however, she believes that when a property is a health hazard to the community, and prevents people from being able to enjoy their own home, and devalues someone else’s property, then her property rights are being interfered with. She went on to explain that County citizens who are against this proposed law need to understand that it isn’t for people who have let their grass grow too high, or have one or two broken down cars in their driveway, it’s for people like her, who have gone many months or years with no recourse and are concerned about their family’s well-being and the decline in property value, which makes it impossible to sell their home.
- **Anthony Roberts: County resident**, stated that he is in favor of the proposed law. He stated his largest concern in the neighborhood where he lives is music and noise and you can’t have a conversation with your family. He explained that law enforcement officers have been easy to work with however he understands that once better laws are passed it can be easier to mandate.

Commissioner Franklin noted that Mr. Robert's testimony seemed to be geared toward support of Legislative Bill #2017-1, which had a public hearing on March 21st.

- **John Milligan: Preston resident**, stated that he was opposed to the Bill and has talked to many Caroline County citizens who believe this Bill is giving the County too much power. He stated that he understands the reasoning for the Bill, however he believes its going in the wrong direction to allow the County to step into the private lives of citizens and their property. Mr. Milligan explained that in a perfect world if a neighbor had an issue with a neighboring property, he would hope the two neighbors could work through the issue and find a common ground, however he understands that in most cases that does not occur.
- **Kevin Parks, Greensboro Resident**: stated that he is also opposed to the Bill. He explained that the County has enough mandates and codes to enforce he doesn't feel it is necessary to establish this one. He explained that people should be able to act like adults and the County should not have to use taxpayer's money to pay someone to fix these neighbor disputes. Mr. Parks also stated that the law could give factious people a reason to get their neighbors in trouble.
- **Robert Christopher, Greensboro Resident**, stated that he is not in favor of this bill passing in Caroline County. He strongly feels the County should not oversee mandating how private property is kept and he feels the County should be paying more attention to the upkeep of property the County currently owns.
- **Barbara Christopher, Greensboro Resident**, stated that she is also not in favor of the Bill passing. She explained that what she does on her property and with her property is her business and no one else's. She explained that if a neighbor has an issue with her she would put up a fence. She explained that she believes this Bill will waste more taxpayer's money and the County has no business getting involved in private property.

County Administrator's Report:

- Mr. Decker stated that he and Ms. Visintainer would be attending a meeting with State Highway Administration staff in Baltimore next week to discuss the disposition of the Joppa Wharf/Steamboat Museum property.
- He stated that he is still working on the new Memorandum of Understanding (MOU) with the Caroline Economic Development Corporation Board and the County cannot allow Tourism to move into the Denton Visitor's Center until the legal implications of the grant for their current location are better understood.
- Garland Bridge is still moving forward, and he explained that he has not reached out to George and Lynch because he has not figured out if the State, County or George and Lynch are the reason the project will not be finished at its original deadline. It seems that each of the parties is partially to blame for the delays, and he noted the County needed to do a better job of communicating and improving the bid documents in the future.
- He stated that the Sheriff's Office submitted a drafted MOU with the State Police, which is being reviewed by the County Attorney. This MOU will outline the partnership between the Caroline County Sheriff's Office and the State Police regarding accident investigations and any cases where both agencies are involved.
- Mr. Decker stated that he reached out to Delmarva Community Transit regarding the number of riders in the three counties that use the transportation services. He stated that the other counties in the transportation partnership had also expressed interest in a ridership count.
- He is working with Public Works to revisit a past agreement with Dorchester County regarding bridge construction. The counties had previously agreed to each build one bridge

that crossed from Caroline into Dorchester. Caroline built its bridge several years ago, but Dorchester has not built the one it was responsible for. Mr. Decker stated he would follow up with the Dorchester County Manager regarding that subject.

- Mr. Decker asked the Commissioner how they would like him to follow up on the Legion Road issues regarding emergency vehicles turning out of Urgent Care and being forced to go through the Dunkin Donuts parking lot. Mr. Decker said to date there have been 59 transports from Urgent Care to the hospital. President Franklin stated that a higher percentage of those calls were ALS calls, which means they were more critical and transport time makes a difference for those patients. Commissioner Porter stated that the County would need to gather letters of support for the median to be removed and would like staff to follow up with the Town of Denton to have a representative come speak to the County to let them know how they are planning to fix this urgent issue. Mr. Decker stated that he would contact the Town of Denton and ask that Town staff and their traffic engineer attend an upcoming meeting.

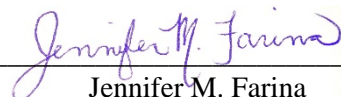
Commissioners Open Discussion Period:

- Commissioner Levensgood stated that he attended a listening session at Chesapeake College last week where they discussed the local agricultural issues in the County.
- President Franklin stated that the Benedictine School reached out and thanked the Commissioners and all the County staff that helped move their bond bill forward.

At 7:18 p.m. on motion by Commissioner Levensgood, seconded by Commissioner Porter, the Commissioners unanimously adjourned regular session and convened in **Closed Session** for the following purpose: Discussion of Legal Advice Regarding a Contract. Authority: 2014 Md. Code, State Government 3-305(b)(7).

President's Report: President Franklin stated that the Commissioners met to receive legal advice regarding a contract for a County property and provided direction regarding how to proceed.

There being no further discussion the Commissioners unanimously adjourned their meeting at 7:28 p.m.



Jennifer M. Farina
Administrative Coordinator