

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

Minutes
September 15, 2020

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

The meeting began at 9:00 AM. The Commissioners called for public comment and staff reported none had been submitted.

Closure of Public Hearing: Ordinance #2020-1, Chapter 175 Zoning—Special Events Venues: Ms. Visintainer stated that the hearing was held on September 1, but that the Commissioners held the hearing open until today in order to allow more time for public input, since testimony is only able to be received in writing due to changes to the meeting protocols as a result of COVID-19. She reported that the County received on piece of written testimony in support of the ordinance from the Mid-Shore Board of Realtors and read the testimony into the record. There being no further testimony, the Commissioners closed the public hearing on Ordinance #2020-1.

On motion by Commissioner Levensgood, Seconded by Commissioner Franklin, the Commissioner moved into Legislative Session for the **Third Reading and Potential Amendment and Enactment of Ordinance #2020-1.**

Ms. Visintainer outlined several proposed amendments:

Amendment 1.

- On page 2, §175-8.B., after “This definition shall not include places of worship” insert “or outdoor music festivals”

Text as shown in Ordinance: **THIS DEFINITION SHALL NOT INCLUDE PLACES OF WORSHIP OR OUTDOOR MUSIC FESTIVALS.**

Amendment 2.

- On page 3, §175-47.E. delete “Outdoor music festivals must obtain additional permitting as required by State law.”

Text as shown in Ordinance: **OUTDOOR MUSIC FESTIVALS MUST OBTAIN ADDITIONAL PERMITTING AS REQUIRED BY STATE LAW.**

Ms. Visintainer stated that the ordinance does not apply to Outdoor Music Festivals, which are subject to a specific permitting process under State law. Upon further reading of the ordinance, staff thought the wording may be confusing and suggests the first two amendments to make it clearer that the Ordinance does not apply to these festivals.

Amendment 3.

- On page 4, §175-47.K., after “exhibit map showing all closest surrounding sensitive receptors,” insert “compliance with applicable public health restrictions or guidelines,”

Text as shown in Ordinance: **EXHIBIT MAP SHOWING ALL CLOSEST SURROUNDING SENSITIVE RECEPTORS, COMPLIANCE WITH APPLICABLE PUBLIC HEALTH RESTRICTIONS OR GUIDELINES,**

Ms. Visintainer explained that this suggested amendment was to address concerns the Commissioners had expressed about ensuring compliance with COVID-19 requirements. The language has been drafted broadly in order to address not only COVID-19, but future public health guidelines that may be in place.

Amendment 4.

- On page 4, insert a new Section 3 to amend the Caroline County Table of Use Regulations, 175 Attachment 3:1 of the Code of Public Local Laws of Caroline County, Commercial Business and Personal Services section, to list Special Event Venue as a permitted use subject to special use exception in the R and R-1 Zoning Districts.

Text as Shown in Ordinance: **SECTION 3. CAROLINE COUNTY TABLE OF USE REGULATIONS, 175 ATTACHMENT 3:1, OF THE CODE OF PUBLIC LOCAL LAWS OF CAROLINE COUNTY, MARYLAND IS HEREBY AMENDED AS FOLLOWS:**

Use	Zoning Districts									Additional Regulations
	Primary									
	V C	VN	R	R- 1	R-2	C- 1	C- 2	I-2	MH	
COMMERCIAL BUSINESS AND PERSONAL SERVICES										
SPECIAL EVENT VENUE			E	E						SEE §175-47

Ms. Visintainer stated that the intention of the Planning Commission was that the Ordinance only apply to properties in the R and R-1 zoning districts by Special Use Exception, but this was not clear in the legislation as drafted. Therefore, the Table of Uses needs to be amended to reflect the Planning Commission’s recommendation.

Amendment 5.

- On page 4, in Section 3, after “Matter added is shown in **BOLD CAPITALIZATION.**” Insert “Matter deleted by amendment is shown by double strikethrough. Matter added by amendment is shown by **BOLD CAPITALIZED ITALICS.**”

Text as shown in Ordinance: **SECTION 3.** Matter deleted is shown by ~~strikethrough~~. Matter added is shown in **BOLD CAPITALIZATION.** Matter deleted by amendment is shown by ~~double strikethrough~~. Matter added by amendment is shown by **BOLD CAPITALIZED ITALICS.**

Ms. Visintainer stated that this amendment is in the uncodified language of the bill and addresses how the amendments are shown in formatting.

Amendment 6.

- On pages 4 and 5, renumber Sections 3 – 8 to be Sections 4 – 9, to accommodate the insertion of the new Section 3 approved by previous amendment.

Ms. Visintainer stated that this amendment is a conforming change necessary due to the insertion of the Table of Uses.

The Commissioners stated that they would like staff to address several clarifications before they vote on the amendments. Commissioners Porter stated that they want to make sure the permit process is clear and that all Caroline County residents know where to apply and obtain such permits for certain events. The Commissioners directed staff to draft updated amendments for an upcoming meeting, and the Board would consider moving forward with Ordinance #2020-1, Chapter 175—Zoning –Special Events Venues.

On motion by Commissioner Franklin, seconded by Commissioner Levensood the Commissioners voted unanimously to adjourn Legislative Session and reconvene in Regular Session.

Update on COVID-19 Response and Recovery: Roger Harrell, Interim Health Officer, stated that the Caroline County Health Department has seen a decline in the number of citizens being tested for COVID-19, and therefore have changed their testing dates to once a week. He stated that although demand may be declining, they are still actively promoting COVID-19 testing in Caroline County. Mr. Harrell mention that Caroline County has peaked in their positivity rate due to a secluded outbreak, however, there have been no outbreaks in restaurants or small business in the area.

Debbie Bowden, Director, Economic Development, stated that her team would be moving forward with the third round of the Small Business Relief Grants, which will open up on September 28th and close on November 30th. She informed the Commissioners that business who have already applied for the relief grant are allowed to apply again and can receive additional relief if needed.

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

- Open Session Minutes of the September 1, 2020
- FY2021 Capital Expenditure Request Form for P.O #2021-0087, ARK Systems, in the Amount of \$81,183.00
- P.O #2021-0087 and Accompanying Contract to Ark System, Inc for Access Control, Video Surveillance, Structured Cabling and Software Installation at Various County Buildings, \$195,844.00
- P.O # 2021-0090,to Motorola Solutions Inc, FY2021 Motorola Maintenance, Support and Software Upgrade,\$157,273.20
- FY2021 Maryland Community Criminal Justice Treatment Program (MCCJTP) Amendment to Contract
- FY2021 Police Recruitment and Retention (PRARP) Grant Packet
Caroline County 2020 Community Rating Systems Annual Recertification

Action Agenda:

Discussion took place regarding the following Program Open Space grant applications. Director of Recreation and Parks Sue Simmons had previously presented a request to the County Commissioners to apply for the grants to encumber funds allocated to Caroline County for the project and to avoid the funds being reclaimed by the State due to COVID-19 budget shortfalls. The grants require a 10% County match, however, the funds do not have to be spent for seven years. The Commissioners previously directed Ms. Simmons to prepare the grant applications for their approval. Commissioner Franklin expressed opposition to the applications due to concerns about the required County match, given the County's own budget uncertainty. He further stated that he did not support any County funds ever being spent on the North County Regional Park.

- Maryland Department of Natural Resources Program Open Space Grant Application and Agreement for Henderson Community Park Playground Renovation and Paved Courts Sports Facility was approved on motion by Commissioner Levensgood, seconded by Commissioner Porter. Commissioner Franklin opposed.
- Maryland Department of Natural Resources Program Open Space Grant Application and Agreement for North County Regional Park, Environmental Restoration, Trails, and Multi-Purpose Fields was approved on motion by Commissioner Porter, seconded by Commissioner Levensgood. Commissioner Franklin opposed.
- Maryland Department of Natural Resources Program Open Space Grant Application and Agreement for Jonestown Community Park, Playground Renovation and Paved Courts for Sports Facility, was approved on motion by Commissioner Levensgood, and seconded by Commissioner Porter. Commissioner Franklin opposed.

County Administrator Report:

- Mr. Goldman stated the Department of Human Resources is looking for new office space, due to their current offices experiencing significant structural issues. He stated that they will be looking into office space which is already rented out by the Economic Development office on Camp Road in Denton.
- Mr. Goldman explained that there are block grants the Commissioner Levensgood has asked the Commissioners to discuss. He stated that in order to help with these CDBG grants they would need to bring on an extra staff member. The Commissioners stated that they would follow up on this subject at a later date.
- Mr. Goldman stated that he is looking forward to the Commissioners conducting the interviews for Health Officer on September 22nd.

County Commissioner's Open Discussion Period:

- Commissioner Levensgood stated that he has officially healed from his farm accident earlier this summer, and he is happy to report he can work on the farm again.
- Commissioner Porter stated that Bruce Jarrell was nominated as the President of University of Baltimore, which is a high honor. He stated that Mr. Jarrell is a Greensboro native.

There being no further comment the meeting adjourned at 10:55 a.m.

A handwritten signature in blue ink that reads "Jennifer Janna". The signature is written in a cursive style with a large, looping initial "J".

Jennifer M. Farina