

September 18, 2018

The County Commissioners of Queen Anne's County met this date pursuant to its last adjournment and there were present:

Stephen Wilson
James J. Moran
Jack N. Wilson, Jr.
Robert Charles Buckey (absent)
Mark A. Anderson

MEETING CALLED TO ORDER:

The meeting was called to order at 2:20 p.m.

FY2019 LEGISLATIVE INITIATIVES:

The Board met with Senator Hershey, Delegates Arentz, Jacobs and Ghrist to review their legislative request for the 2019 session. The following was highlighted:

1. Highway User Revenue restoration:
 - a. Request to restore to historic levels.
2. Observation beds at Queenstown Emergency Center.
3. CORS (Correctional Officers Retirement) legislation — State Retirement Agency is supposedly introducing but not sure.
4. Insurance to cover long-term rehab for drug addiction.
5. Mobile Integrated Health billing part of Rural Health Initiative
6. Small Cell/5G cell towers Michael Sanderson mentioned during his MACo update at last meeting.
7. Kent Island Traffic? Not sure if there is anything that can be done legislatively or not, but their support would be helpful.
8. Continued support from Governor on LMB funding.

CTP ANNUAL TOUR:

Senator Hershey; Delegates Arentz, Jacobs and Ghrist; Secretary Rahn and MDOT staff met with the Board for the Maryland Department of Transportation annual CTP Tour. The following was highlighted:

- MDOT - Continuing a Tradition of Quality

- Safety is First at MDOT
 - MDOT Employees Sign Safety Pledge
 - Local Road Plans Address Traffic Crashes Where They Happen
- Maryland’s Transportation Long Range Plan and Project Selection
- Maryland’s Bicycle and Pedestrian Master Plan
- Consolidated Transportation Program (CTP)
- CTP Development
- CTP Coordination and Input
- MDOT SHA – Ensuring Quality Road Construction
- MDOT MTA – Improving the Journey Through Transit
- MDOT MAA – Serving Customer Needs, Improving Facilities, and Protecting the Environment
- MDTA – reducing Tolls and Fees Delivers Nice Bridge and Expanded I-95 ETLs
- MDOT MPA – A Leading Economic Engine that is Breaking Cargo Records
- MDOT MVA – Delivering Convenience to Customers, Truckers and Boaters
- Where the Money Comes From
- Where it Goes
- MDOT Addresses Congestion Through Commuter Choice Maryland
- Discretionary Grant Opportunity and Coordination
- Transportation Systems Performance

Commissioner Moran reviewed the Beach to Bridge Traffic Plan.

Secretary Rahn noted that, before winter, they will provide a date to meet regarding their recommendations on the Beach to Bridge Traffic Plan.

CLOSED SESSION:

Pursuant to State Government Law Section 3-305(b), (7) to consult with counsel to obtain legal advice on a legal matter; “The County Commissioners held a Closed Session on a motion of Commissioner J. Wilson, seconded by Commissioner Moran, at 5:00 p.m. in the Office of the County Commissioners, The Liberty Building, 107 N. Liberty Street, Centreville, Maryland.” The Board adjourned in Closed Session at 5:00 a.m. Those in attendance were Mr. Gregg Todd, County Administrator; Ms. Margie Houck, Executive Assistant; Patrick Thompson, Esquire, County Attorney; Mr. Jonathan Seeman, Budget & Finance & IT Director;

The Board discussed Board members and financial issues.

MINUTES:

On a motion made by Commissioner Anderson, seconded by Commissioner J. Wilson, the Board unanimously agreed to approve the Agenda for the current meeting and the minutes of September 11, 2018.

PRESS AND PUBLIC COMMENTS:

No persons spoke to the Commissioners on subjects of interest to them.

WEEKLY CORRESPONDENCE AND PRESENTATION OF DOCUMENTS FOR SIGNATURE:

The Board reviewed various correspondence with Mr. Gregg Todd, County Administrator.

SERVICES FOR DANIEL LISTER LETTER:

On a motion made by Commissioner J. Wilson, seconded by Commissioner Anderson, the Board unanimously agreed to sign the letter to Dr. Cliff Coppersmith in regards to services for Daniel Lister.

Dear Dr. Coppersmith:

We would like to thank you and the Chesapeake College family for so graciously allowing the services for Danny Lister to be held at the Todd Performing Arts Center. This tragic loss, that affected so many in our community, required a location to celebrate Danny’s life that only Chesapeake College could provide.

Your leadership and compassion in allowing Danny to reside in the Todd Performing Arts Center overnight Friday provided Danny s family, colleagues, friends and fellow members of the volunteer fire community a sense of peace by easing the logistics of the weekend. It also provided his Queen Anne/Hillsboro VFD brothers an opportunity to say their goodbyes and, rumor has it, include Danny in one last night of Texas Hold’em.

Thank you again for ensuring Chesapeake College is a true “Community” college.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		
Anderson	x	

RESOLUTION 18-46:

On a motion made by Commissioner Moran, seconded by Commissioner S. Wilson, the Board unanimously agreed to adopt Resolution 18-46.

RESOLUTION NO. 18-46

A RESOLUTION OF THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND EXEMPTING THE CLOVERFIELDS PROPERTY OWNERS ASSOCIATION, INC. FROM ADMISSION AND AMUSEMENT TAX.

WHEREAS, the Cloverfields Property Owners Association, Inc. has petitioned the County Commissioners of Queen Anne’s County to be exempted from Admission and Amusement Tax;

And WHEREAS, the authority for such exemptions is granted to the County Commissioners by Section 4-104 of the Tax-General Article of the Annotated Code of Maryland;

AND WHEREAS, the gross receipts from guest fees and other admissions and amusements provided the membership of the Association are used exclusively for community improvement by a not for profit community association that is organized and operated to promote the general welfare of the community that the association serves and the net earnings of which do not inure to the benefit of any stockholder or member of the association;

NOW THEREFORE, BE IT RESOLVED, by the County Commissioners of Queen Anne’s County this 18th day of September, 2018, as follows:

1. That guest fees, admission charges, and amusement revenues collected by the Cloverfields Property Owners Association Inc. shall be exempt from Admission and Amusement Tax.
2. That this Resolution shall be retroactively applied to April 1, 2014.

That this exemption shall remain in effect until further action by the County Commissioners of Queen Anne’s County.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		
Anderson	x	

PROPERTY TAX CREDIT:

Mr. Jonathan Seeman, Budget & Finance & IT Director, submitted to the Board for their review and approval, Property Tax Credit for Disabled or Fallen Emergency Workers.

The following application for the Property Tax Credit for Dwelling owned by a Disabled Emergency Worker, which has been reviewed by the County attorney Patrick Thompson, is recommended for approval: Matthew J. Kempel \$2,964.57

The amount of the credit is 100% of the County tax. Based on the current tax rate the credit amount is \$2,964.57 for the 2018-19 tax year. Upon this approval, this applicant can certify eligibility each year but no additional approval is required.

On a motion made by Commissioner J. Wilson, seconded by Commissioner Anderson, the Board unanimously agreed to approve the Property Tax Credit for Dwelling owned by disabled Emergency Worker Matthew J. Kempel for the 2018-19 tax year. As part of the motion, Commissioner Moran made comments on this topic.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		
Anderson	x	

MATAPEAKE LANDING PAVING:

Mr. James Wood, Public Landings Supervisor, submitted to the Board for their review and approval, Matapeake Landing Paving.

The Department of Parks and Recreation is requesting to contract with David A. Bramble, Inc. to pave the parking lot at Matapeake Landing. The project will use State Highway Administration’s (SHA) current Paving Contract XY6175177 and 100% reimbursable grant funding from the Maryland Department of Natural Resources.

This paving project will pave approximately 52,483 square feet with a 2 inch lift of 9.5mm Hot Mix Asphalt (HMA). The present parking lot includes a swale that is too deep for many trailers and the asphalt surface is in poor condition with many potholes, and other signs of wear. The resurfacing is part of the Department of Parks and Recreation’s preventative maintenance effort. An asphalt wedge will raise and widen the swale to provide better access for trailers. New asphalt will provide a durable and appropriate surface for boaters and other users.

This project will be 100% funded from previously awarded MD-Department of Natural Resources - Waterway Improvement Program funds. The cost estimate for the project is \$72,800. These funds are available from two previously approved Capital projects. Funding will be

allocated in the amounts of \$70,000 from Matapeake Pier Parking (Lot Paving) project #330069 and \$2,800 from the Maintenance and Improvement Capital Project #330067.

On a motion made by Commissioner S. Wilson, seconded by Commissioner Anderson, the Board unanimously agreed to authorize the Department of Parks and Recreation to contract with David A. Bramble to pave the parking lot at Matapeake Landing using \$72,800.00 from MD-Department of Natural Resources - Waterway Improvement Program grant funds as identified in the Public Landings Capital Projects #330069 and #330067. As part of the motion, a discussion was held between Commissioners Anderson, Moran, J. Wilson and S. Wilson on this topic.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		
Anderson	x	

KENT NARROWS DREDGING:

Mr. James Wood, Public Landings Supervisor, submitted to the Board for their review and approval, Kent Narrows Dredging.

The Department of Parks and Recreation requested to contract with Corman Kokosing Construction Company to perform maintenance dredging of the Kent Narrows Federal Northern Approach Channel. The project will use 100% reimbursable grant funding from the Maryland Department of Natural Resources (DNR). Dredge material will be used for marsh creation at a beneficial use site at US Fish and Wildlife Service’s Eastern Neck National Wildlife Refuge.

An Invitation to Bid was issued on August 20, 2018 and posted for advertisement at qac.org and emarylandmarketplace.com websites. A Pre-Bid meeting was held on August 28, 2018. Qualifications and Price Bid Proposals were opened on September 7, 2018. The County received four bid proposals. Corman Kokosing Construction Company was the low bidder with a total bid of \$857,430. BayLand Consultants and Designers, Inc., the County’s consultant engineering firm for the project, reviewed the proposals and recommend the project be awarded to Corman Kokosing and that a contract be executed per the terms in the Invitation to Bid, Addendums and Price Bid Proposal. DNR staff also reviewed the bids and provided the attached letter concurring with this recommendation.

The dredging operations will be 100% funded from previously awarded MD-Department of Natural Resources – Waterway Improvement Program funds. These funds are available from the previously approved Kent Narrows Dredging capital project #330073.

On a motion made by Commissioner Moran, seconded by Commissioner Anderson, the Board unanimously agreed to authorize the Director of the Department of Parks and Recreation to execute a contract on behalf of the County Commissioners with Corman Kokosing Construction Company per a price bid proposal with a total bid of \$857,430 and the terms of the Kent Narrows Federal Channel Maintenance Dredging project bid documents and using MD-DNR grant funds as identified in the Kent Narrows Dredging Capital Project #330073. As part of the motion, a discussion was held between Commissioners J. Wilson and S. Wilson on this topic.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		
Anderson	x	

RESOLUTION 18-60:

On a motion made by Commissioner Moran, seconded by Commissioner Anderson, the Board unanimously agreed to adopt Resolution 18-60. As part of the motion, Commissioner Anderson made comments on this topic.

RESOLUTION NO. 18-60

A RESOLUTION OF THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND REGARDING THE ANIMAL CONTROL COMMISSION AND THE ANIMAL WELFARE LEAGUE OF QUEEN ANNE’S COUNTY.

BE IT RESOLVED this 18th day of September, 2018, by the County Commissioners of Queen Anne’s County, Maryland, as follows:

- A. The Queen Anne’s County Animal Control Commission (“ACC”) shall designate one of their members to attend the meetings of the Board of Directors of the Animal Welfare League of Queen Anne’s County (“AWL”);
- B. A member of the ACC shall conduct a walk-through visit of the AWL kennel and facility at 201 Clay Drive, Queenstown, Maryland 21658 no less than once monthly.
- C. The ACC shall review the findings resulting from the walk-through visits and shall refer any significant findings to the County Commissioners of Queen Anne’s County.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		

Anderson	x	
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ORDINANCE 18-08: #6

Commissioner Moran introduced COUNTY ORDINANCE NO. 18-08:

A BILL ENTITLED

AN ACT CONCERNING Minimum Lot Width for Multifamily Development in Certain Zoning Districts in Queen Anne’s County;

FOR THE PURPOSE of revising the development standards for minimum lot width of multifamily developments in the Town Center (TC), Stevensville Historic Village Center (SHVC), Grasonville Neighborhood Commercial (GNC) and Grasonville Village Commercial (GVC) Zoning Districts in Queen Anne’s County; providing that such minimum lot widths be determined in accordance with Section 18:1-36 of the Code of Public Local Laws of Queen Anne’s County; and general revising and updating the provision regarding minimum lot widths in certain Zoning Districts in Queen Anne’s County;

BY AMENDING Sections 18:1-28D., 18:1-31D., 18:1-32D. and 18:1-33D. of the Code of Public Local Laws of Queen Anne’s County.

ACCELERATING WIRELINE BROADBAND DEPLOYMENT:

On a motion made by Commissioner Moran, seconded by Commissioner Anderson, the Board unanimously agreed to sign the letter in regards to Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84; Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79.

Dear Ms. Dortch,

Queen Anne’s County writes to express our concerns over the Federal Communications Commission’s proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment. Our jurisdiction is comprised of both suburban and rural areas and maintaining access to high speed internet and cell services for our residents and businesses is a high priority for Queen Anne’s County.

While we share the Commission’s objective of finding new ways to effectively deploy broadband technologies, especially in underserved communities, we are concerned that the proposed language would significantly impede local governments’ ability to serve as trustees of public property, safety and welfare. Counties own substantial amounts of public rights-of-way, which many communication providers use to construct their own communications networks. The

proposed order would significantly narrow the amount of time for local governments to evaluate 5G deployment applications from communication providers - effectively hindering our ability to fulfill public health and safety responsibilities during the construction and modification of broadcasting facilities.

- The FCC's proposed new collocation shot clock category is too extreme. The proposal designates any preexisting structure, regardless of its design or suitability for attaching wireless equipment, as eligible for this new expedited 60 day shot clock. When paired with the FCC's previous decision exempting small wireless facilities from federal historic and environmental review, this places an unreasonable burden on local governments to prevent historic preservation, environmental, or safety harms to the community. The addition of up to three cubic feet of antenna and 28 cubic feet of additional equipment to a structure not originally designed to carry that equipment is substantial and may necessitate more review than the FCC has allowed in its proposal. Queen Anne's County is especially concerned about maintaining our rights-of-way for use of our public works personnel and that our local zoning process, permit and codes are honored by any FCC regulations.
- The FCC's proposed definition of "effective prohibition" is overly broad. The draft report and order proposes a definition of "effective prohibition" that invites challenges to long-standing local rights of way requirements unless they meet a subjective and unclear set of guidelines. While the Commission may have intended to preserve local review, this framing and definition of effective prohibition opens local governments to the likelihood of more, not less, conflict and litigation over requirements for aesthetics, spacing, and undergrounding.
- The FCC's proposed recurring fee structure is an unreasonable overreach that will harm local policy innovation. We disagree with the FCC's interpretation of "fair and reasonable compensation" as meaning approximately \$270 per small cell site. Local governments share the federal government's goal of ensuring affordable broadband access for every American, regardless of their income level or address. That is why many cities have worked to negotiate fair deals with wireless providers, which may exceed that number or provide additional benefits to the community. Additionally, the Commission has moved away from rate regulation in recent years. Why does it see fit to so narrowly dictate the rates charged by municipalities? Without the ability for Queen Anne's County to set permit fees to recoup our expenses for processing them and add a franchise fee so that we may serve areas which the industry will not in our jurisdiction, our county will lose money and not be able to provide 21 century internet services to all our citizens.

Queen Anne's County has worked with private business to build the best broadband infrastructure possible for our residents. We oppose this effort to restrict local authority and stymie local innovation, while limiting the obligations providers have to our community. We urge you to oppose this declaratory ruling and report and order.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Buckey - absent		
Anderson	x	

CHARACTER COUNTS:

The Commissioners presented Ms. Elaine Butler, Character Counts! the following Character Counts Proclamation:

WHEREAS, the Commissioners of Queen Anne’s County, at the request of its citizens, declared the County a Character Counts! Community; and

WHEREAS, all citizens have been called upon to embrace the “Six Pillars of Character” (Respect, Responsibility, Caring, Citizenship, Fairness, and Trustworthiness) and incorporate the Pillars into their daily activities and to model these traits of good character; and

WHEREAS, the Character Counts! Pillar of the Month for October is “Trustworthiness”; and

WHEREAS, we the members of the Centreville Rotary Club vow to be trustworthy members of our community by promoting the ideals of Rotary; and

WHEREAS, Rotary International is an international service organization whose stated purpose is to bring together business and professional leaders in order to provide humanitarian services, encourage high ethical standards in all vocations, and to advance goodwill and peace around the world; and

WHEREAS, we will continue to uphold the Rotary Motto “Service Above Self” by continuing to work with our community neighbors with mutual respect and understanding; and

WHEREAS, by participating in community events such as the Artisans Festival on October 6th and 7th, we learn to work with others by sharing our talents and goodwill which makes for a more civil and healthier community;

NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, do hereby designate the Character Counts! Pillar of the Month for October is “Trustworthiness.”

ROTARY PROCLAMATION:

The Board presented Ms. Chris Perkins the following Proclamation:

Centreville Rotary Club 47th Annual Artisans Festival
Saturday and Sunday
October 6 and October 7, 2018
Chesapeake College, Wye Mills, MD

WHEREAS, Rotary International was founded by Paul Harris and his business friends on 23 February, 1905 in Chicago, Illinois; and

WHEREAS, Rotary International is now a worldwide influence for good fellowship, international communication and a promoter of the higher objectives for the building of goodwill among men; and

WHEREAS, the Centreville Rotary Club, formed in 1927, is actively involved in projects that assist in promoting the ideals of Rotary found in the Four-Way Test, namely:

1. Is it the TRUTH?
2. Is it FAIR to all concerned?
3. Will it build GOODWILL and BETTER FRIENDSHIPS?
4. Will it be BENEFICIAL to all concerned?

And,

WHEREAS, during the summer of 1971 a group of Rotarians and several craftsperson's began discussing the idea of a Crafts Festival to highlight local artists and allow them to interact with their guests and explain their art; and

WHEREAS, the Centreville Rotary Club continuously developed and has proudly sponsored for 46 years the Artisans Festival, starting with 29 participating craftsmen and this year, we expect to have over 40 artists with our featured artist, Wende Woodham, the Ribbon Lady ; and

WHEREAS, the Artisans Festival was created as a premier community event in the county, and this year we are continuing our partnership with CHESAPEAKE COLLEGE; and

WHEREAS, we continue to add new and exciting activities so that guests of all ages can enjoy the Artisans Festival like the Kids Corner provided by the YMCA, DNR "Scales and Tales", a DJ, and the Food Court; and

WHEREAS, this year guests can visit the Rotary information booth to learn about Rotary and our efforts to help others both internationally and locally; and

WHEREAS, the Centreville Rotary Club intends to utilize any and all funds generated by this event to fund various civic-minded causes such as our Rotary House, Transitional Housing for

Victims of Family Violence, Youth and college scholarships, and many other charitable activities that the Club recognizes as needing additional support,

NOW, THEREFORE, BE IT PROCLAIMED by the QUEEN ANNE'S COUNTY BOARD OF COUNTY COMMISSIONERS that the Centreville Rotary Club is hereby commended for its sponsorship of the Artisans Festival;

BE IT FURTHER PROCLAIMED that the citizens of Queen Anne's County and surrounding area are encouraged to support the Festival on Saturday, October 6 and Sunday, October 7, 2018 by their attendance.

PUBLIC HEARING:

The County Commissioners of Queen Anne's County, Maryland held a public hearing at 6:30 p.m. in the County Commissioner's Meeting Room in the Liberty Building, 107 N Liberty Street, Centreville, Maryland 21617 to receive public comments on County Ordinance 18-02.

Patrick Thompson, Esquire, County Attorney conducted the hearing on behalf of the County and noted all legal requirements had been met.

COUNTY ORDINANCE NO. 18-02

A BILL ENTITLED

AN ACT CONCERNING Mini Warehouses in the Town Center (TC) Zoning District in Queen Anne's County;

FOR THE PURPOSE of permitting the expansion of existing mini warehouses in the Town Center (TC) Zoning District as a conditional use under Title 18:1 of the Code of Public Local Laws of Queen Anne's County, Maryland; providing that such expansion shall be permitted for Mini Warehouses in operation as of September 7, 2004; limiting expansion of such Mini Warehouses to fifty percent (50%) of the floor area existing on September 7, 2004; and generally dealing with and regulating the expansion of mini warehouses in the Town Center (TC) Zoning District;

BY AMENDING Sections 18:1-28C. and ADDING Section 18:1-58N. to the Code of Public Local Laws of Queen Anne's County.

Joseph Stevens, Esquire, reviewed the project.

The following persons gave public testimony:

1. Tammy Jenkins
2. Joyce Wallace

3. Terri Belcher
4. Mary Bueneman
5. Phyllis Keating

PUBLIC HEARING:

The County Commissioners of Queen Anne’s County, Maryland held a public hearing at 6:35 p.m. in the County Commissioner’s Meeting Room in the Liberty Building, 107 N Liberty Street, Centreville, Maryland 21617 to receive public comments on County Ordinance 18-10.

Patrick Thompson, Esquire, County Attorney conducted the hearing on behalf of the County and noted all legal requirements had been met.

COUNTY ORDINANCE NO. 18-10

A BILL ENTITLED

AN ACT CONCERNING Property Tax Credits for Certain Veterans and their Spouses;

FOR THE PURPOSE of adopting the property tax credit authorized by Section 9-258 of the Tax-Property Article of the Annotated Code of Maryland for the dwellings of certain veterans and the surviving spouses of such individuals;

BY ADOPTING a new Section 5-10.6 of the Code of Public Local Laws of Queen Anne’s County, entitled “Dwellings of certain veterans; tax credits”.

The following persons gave public testimony:

1. Ted Moeller
2. Clark Earlson

PRESS AND PUBLIC COMMENTS:

No persons spoke to the Commissioners on subjects of interest to them.

There being no further business, they adjourned at 6:50 p.m. to meet again on Tuesday, October 9, 2018.

EXECUTIVE ASSISTANT

PRESIDENT