

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

MINUTES
JULY 24, 2012

Present: President Larry C. Porter; Vice President Wilbur Levensgood, Jr.; Member Jefferson L. Ghrist; County Administrator Ken Decker; Chief of Staff Sara Visintainer

Invocation by Reverend Doug Morley, Goldsboro Wesleyan Church and Pledge of Allegiance

President Porter called for **public comment** and there were none.

Public Hearing regarding Legislative Bill #2012-6, Construction Trades Board – Creation; Authority. Ms. Visintainer read the ‘For the Purpose of’ section of the Bill, and stated that it was introduced on July 10, 2012, and was advertised in accordance with the law. She stated that testimony had been received from the Maryland Uniform Electric Licensing Committee, which will be included in the record. President Porter called the names of those who had signed the book to speak, and the following is the summary of their testimony:

E. R. Kitchen, Chairman, Caroline County Electrical Board, and owner, Ray’s Electric – testified in opposition to the Bill because it would prohibit Caroline’s membership in the Maryland Uniform Electric Licensing Examination Committee, which would have negative consequences for electricians seeking certain licensing on the shore. He stated that he was in concurrence with the other portions of the Bill, but recommended leaving the Electrical Board out.

Joe Seachrist, Talbot County Representative, Maryland Uniform Electric Licensing Examination Committee – testified in opposition to the Bill, stating that eliminating the Electrical Examiners Board would do Caroline County a disservice, for the same reason Mr. Kitchen stated.

Mike Savage, Treasurer, MUELEC, and Master Electrician and Master Electrical Inspector – testified in opposition to the Bill, stating that he was most concerned about Master Electricians not being able to receive licensing reciprocity from neighboring Counties, which he stated would have a negative impact on electricians seeking to obtain a Masters license.

General discussion took place of the comments and staff was directed to work with MUELEC to see if the bill could be amended to satisfy their concerns. If not, staff was direct to amend the bill to exclude the elimination of the Electrical Board and to prepare separate legislation that would allow the Electrical Board to meet less frequently. On motion by Mr. Levensgood and seconded by Mr. Ghrist, the Commissioners unanimously scheduled the third reading and potential enactment for August 21, 2012. The hearing was closed; and

Public Hearing regarding Legislative Bill #2012-7, Building Code – Adoption and Amendments. Ms. Visintainer read the ‘For the Purpose of’ section of the Bill, and stated that it was introduced on July10, 2012, was advertised in accordance with the law, and that no written testimony had been received in advance of the hearing. President Porter stated that no one had signed the book to speak, and called for public comment. County Attorney Ernie Crofoot stated that most of the amendments involved renumbering sections, and that the critical piece is the State is preserving the sprinkler exception on new one and two family dwellings for a three year period. President Porter called for comments, and there were none. On motion by Mr. Levensgood and seconded by Mr. Ghrist, the Commissioners

unanimously scheduled the third reading and potential enactment for June 12, 2012, and the hearing was closed.

Sue Simmons, Director, Department of Recreation and Parks, presented the following for signature:

- The Agricultural Land Lease Agreement for the South County Regional Park Property was approved by unanimous consent;
- The Employment Contract for Robin Brown, Lifelong Learning Center grant funded employee was approved by unanimous consent; and
- The Request for a Confirmatory Motion for the Letter of Support of the 21st Century Lifelong Learning Center Grant Application was approved by unanimous consent.

Ms. Simmons also gave a brief **update on department projects**, most notably:

- She and Dalton Mann, Advisory Board member, attended a community meeting with neighbors of the Ganey's Wharf, receiving feedback on proposed improvements. She is monitoring Wright Real Estate's progress on improvements to the residence; and
- Bids were opened for the replacement of the fuel storage tank at Choptank Marina, however, she recommend holding off on pursuing the replacement at this time, and instead addressing community and patron concerns. On motion by Mr. Levensgood, seconded by Mr. Ghrist, the Commissioners unanimously rejected the bids received and directed staff to redirect the grant funds to basic improvements to the facility itself.

Action Agenda:

- The open, legislative, and closed session minutes of July 10, 2012 were approved by unanimous consent;
- The Memorandum of Understanding with the State Highway Administration for the Mitigation Grant for the Office of Tourism and the accompanying Subrecipient Agreement were authorized by unanimous consent;
- The Addendum to the Memorandum of Understanding with the Board of Elections for 2012 Election Cycle was approved by unanimous consent;
- The Request for Permission to Apply for the Emergency Solutions Grant Program was approved by unanimous consent;
- The Request for Permission to Apply for the Local Government Insurance Trust Law Enforcement Memorial Training Grant was approved by unanimous consent;
- The Letter to the Joint Committee on Administrative, Executive, and Legislative Review (AELR) regarding proposed septic regulations was approved by unanimous consent;
- The Right of Way Easement Agreement for property on Knife Box Road was authorized by unanimous consent;
- The Request for Permission to use the Courthouse Green for an annual youth event was approved by unanimous consent;
- The Fiscal Year 2013 Community Partnership Agreement for the Local Management Board was approved by unanimous consent;
- The Letter of Appointment for Corporal Tom Wolff, Federalsburg Police Department, to the Caroline Human Services Council was authorized by unanimous consent;
- The Semi-Annual Progress Report for the Jonestown Water Project Community Development Block Grant was approved by unanimous consent;
- The Right of Way Easement Agreement for fence construction was authorized by unanimous consent; and
- The Contingency Resolution for trial transcripts was approved by unanimous consent.

Discussion item: 2013 Maryland Association of Counties Legislative Initiatives. Mr. Crofoot reviewed the highlights, and the Commissioners expressed general concurrence with the initiatives, as presented.

County Attorney's report:

- Attended MACO Legislative Initiatives Committee meeting and regular legislative committee meeting in Annapolis, the Planning Commission meeting, and the Liquor Board meeting;
- Drafted and circulated the Easement Crossover Agreement for the CRHS solar project;
- Drafted correspondence and follow-up activities related to the jail floor replacement matter, and met again with contractor's attorney;
- Advised DES regarding EMS billing agreement with contractor and regarding ADA requirements for emergency shelters;
- Reviewed meeting policy for Caroline Economic Development Corporation; and
- Reviewed Jonestown water system procurement documents/ drafted recommendations.

County Administrator's report:

- I've been busy with personnel issues;
- Some progress has been made in the resolution of the MEA grant matter;
- JOK Walsh, Executive Director, CEDC, has met with MacKenzie regarding marketing the Tech Park, which is moving forward;
- Met with other Administrators regarding the financial implications of waste hauler Republic no longer using the Mid-Shore II for refuse disposal;
- The Engineering bid for the Rescue 911 project is under review; and
- Furthering progress in the development of the long-range replacement and financing plan for fleet vehicles, I've met with the Board of Education and the Sheriff's Department.

Commissioners' comments:

- Mr. Levensgood stated that he attended the Maryland Association of Counties meeting in Annapolis, the Caroline County Planning Commission meeting, the Farm Bureau picnic, two Cruise-Ins in Denton, breakfast at the Marydel Volunteer Fire Company, the Tawes Crab Feast and Clam Bake, the Marydel Town meeting, and made two fire calls with the Goldsboro Volunteer Fire Company;
- President Porter stated that the Jonestown water project has reached the point of requiring concise answers from the funding agencies. Also, he met with Timothy Jester of Preston, regarding the State's eminent domain actions against his property. The Commissioners pledged their moral support to Mr. Jester's cause, and agreed to draft a letter to the legislators on his behalf; and
- Mr. Ghrist had no additional comments.

President Porter called for **public comment** and Robert Clendaniel, Denton Councilman, expressed his concern over the State's eminent domain actions against Mr. Jester's property, and encouraged the Commissioners to do all they could to raise public awareness of the issue.

Closed session: at 9:40 p.m., following a brief recess and on motion by Mr. Ghrist, seconded by Mr. Levensgood, the Commissioners unanimously adjourned open session and convened in closed session for the following purposes: **Discussion of Potential Litigation and Legal Advice Regarding the Same;** under the authority of 2009 Maryland Code, State Government 10-508(a)(8) and (7); with the Commissioners; Amy Kreiner, Minutes Recorder; Ken Decker, County Administrator; Sara Visintainer, Chief of Staff; Ernie Crofoot, County Attorney; Ruth Colbourne, Warden; and Captain Herbert Dennis, Department of Corrections, in attendance; and **Discussion of the Employment of a Specific**

Employee; under the authority of 2009 Maryland Code, State Government 10-508(a)(1); with the Commissioners; Kreiner; Crofoot, in attendance.

President's report: President Porter stated that during the first Closed session, the Commissioners discussed potential litigation at the Detention Center, and directed the County Attorney accordingly. He stated that during the second Closed session, the Commissioners continued the contract negotiations of an at-will employee.

There being no further business, the Commissioners **adjourned** their meeting at 11:07 p.m.

Amy L. Kreiner
Caroline County Minutes Recorder