

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

Minutes
January 5, 2021

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

The meeting began at 9:00 AM.

Annual Meeting with District 36 & 37 State Legislators: Senators Steve Hersey and Addie Eckardt; Delegates Jeff Ghrist, Jay Jacobs, Steve Arentz, Johnny Mautz, and Chris Adams

- County Legislative Requests
- Discussion Items & Issues of Concern

Ms. Visintainer stated that the County does not have a long list of legislative requests this year, however there is one main item that they would like to discuss. Caroline County would like to be added to list of counties where Sunday hunting is allowed for deer on private lands.

Glen Plutschak, President, Caroline County Farm Bureau stated that the Farm Bureau is in full support and believes Sunday hunting would benefit the County greatly. Ms. Visintainer reviewed the specific sections of State law that would need to be changed to accomplish the County's request. The legislators expressed their support for this initiative.

Ms. Visintainer stated that we are working closely with the Farm Bureau for additional legislative priorities.

- Allowing self-grown/farmer saved seeds for cover crop to be treated at any certified seed testing lab in the United State, instead of only the Maryland Department of Agriculture Lab. Currently only MDA's lab is allowed.
- Caroline County Farm Bureau recommend adding plastic bags to be banned due to the amount that ends up in Caroline County's landscape which takes years to breakdown. They recommend that petroleum-based plastic bags and other plastics be replaced with plant-based products that are certified by the USDA Bio Preferred Program. They recommend fully compostable material.
- They recommend additional efforts be made to increase the understanding of agriculture in Maryland and support for agricultural education by State legislators, through a variety of programs and more farm visits.

Ms. Visintainer stated that the Commissioners wanted to discuss some additional topics: veto overrides, budget and county fiscal security, and any major issues the delegation may have. Each delegation member spoke on these topics, highlights of which include:

- Delegate Adams stated that this session he is working on liability protection for small business due to COVID-19. He stated that current legislation does not define what a healthy environment is, which can create a lot of challenges for small business.
- Delegate Arentz stated that the veto overrides will likely be moving forward despite financial shortfalls. As far as the budget, residents have been faced with many issues regarding unemployment and he feels the General Assembly should not add any further burdens on residents with State tax increases.
- Senator Eckardt stated that there will be a big effort to override the Governor's vetoes, however the Delegation will all be supportive of the Governor and our local counties. Major issues will be

the budget with many equity bills and health care bills coming forward, as well as women and minority businesses.

- Delegate Ghrist stated that the big veto override vote would be Kirwan bill, which he will oppose. Overall budget wise, the State is doing better than expected with a projected revenue increase due to the stock market and online sales taxes. Unemployment continues to be higher than what they want. The main challenge is helping employees.
- Senator Hershey stated that he does not feel the majority party will give the Governor any victories regarding his vetoes. However, he believes they will draft some changes to the Kirwan bill to address timing and expenses that may be better than the bill as originally passed. Broadband is a big issue not only because of the pandemic, but also because of online schooling. The bills we have seen regarding this seem to be focus on the accessibility and cost perspective for both rural and urban areas.
- Delegate Mautz, stated that he agreed with his colleagues on the major issues outlined. He stated that broadband is important, and we will need to make sure a strong focus remains on the rural side of the problem. While it is hard to predict what Session will look like, he feels the success of vaccine rollout will make a big difference on if Session is able to continue for the full 90 days and the amount of bills to pass.
- Delegate Jacobs had to leave the meeting in order to attend an organizational meeting for his Committee before this portion of the discussion.

The Commissioners thanked the Delegation for working closely with the Commissioners and hope that they will continue to work closely through this upcoming Session. Commissioner Porter stated that he is still worried about the local fire companies due to their lack of ability to fundraise due to the pandemic restrictions and asked the legislators to be on the lookout for opportunities to help.

Presentation of Choptank Electric Cooperative's Broadband Proof of Concept Request: Valerie Connelly, VP Government Affairs & Public Relations, stated that they last presented to the Commissioners a little over a year ago and since then, with the support of the Eastern Shore and Caroline County, we passed legislation that allowed for member regulation to facilitate broadband services.

Ms. Connelly stated that Choptank had created an affiliated entity, Choptank Fiber, to provide broadband service. Choptank Fiber has applied for federal funding to assist with this effort. However, federal rules governing the program require that applicants observe a strict "quiet period" after applications are submitted and before funding decisions are made, so Choptank Fiber is unable to give the Commissioners a full briefing on their plan at this time.

Ms. Connelly stated that Choptank Fiber is requesting to partner on a grant application with Caroline County to conduct a feasibility study that will identify solutions to bring broadband internet to all the residents and business in Caroline County. They are seeking to be added to the County's planned grant application for a project to install a "proof of concept" area that will validate the system they designed in an estimated 25-mile area that will pass 150 homes. The demonstration area will follow Choptank's fiber backbone. This will allow Choptank Fiber to reduce construction costs and reach more homes. The footprint will establish some service in Caroline County as they validate their broadband equipment, installation plan and service.

Choptank Fiber's overall plan is No Home Left Behind. They plan to deliver fiber internet service more completely, with less expense, by leveraging funds provided by all sources with Choptank Electric's existing infrastructure. The Office of Rural Broadband will match up to \$200,000 in grant funding to Caroline County. Caroline currently only intends to use a portion of the funds available for its feasibility study, and Choptank's proposal is use the remaining funds for its demonstration project, with Choptank

Fiber providing the necessary matching funds. If the grant is awarded, Choptank Fiber anticipates beginning of the project by May of 2021, with final connection no later than June 2022.

Commissioner Porter stated that this was the County's top legislative priority last year, however he is frustrated with the lack of communication. He stated that the Commissioners need information as soon as possible as this project moves along. Ms. Connelly expressed her understanding and stated that Choptank is equally as frustrated by the quiet period and is eager to share more information as soon as legally permitted.

The Commissioners expressed concern about homes that are more than 1,000 feet from the road, for which residents would experience an additional cost. Ms. Connelly stated that they expect costs to be about a \$1.00 a foot past 1,000 feet, however they would assess that cost over the term of the service contract, rather than a one-time payment. This should make it easier for people to afford. Additionally, Choptank will actively seek other grant funds to offset these costs for residents.

On motion by Commissioner Franklin, seconded by Commissioner Levensgood, the Commissioners unanimously voted to move forward with the grant application to the Office of Rural Broadband in partnership with Choptank Electric/Choptank Fiber for the demonstration project.

On motion by Commissioner Levensgood and second by Commissioner Franklin the Commissioners unanimously voted to open the following public hearings:

Public Hearing: Community Development Block Grant Application for Greensboro Judy Center:

Tearesa French stated that Caroline County will be providing CDBG funds to Caroline County Public Schools (CCPS) in order to construct a building to house comprehensive services for low-to-moderate income children and their families in the school area of Greensboro. CCPS is enhancing the school-based and school-linked Judy Center at Greensboro Elementary school in order to increase school readiness and achievement for children from birth to kindergarten. Service options will be particularly responsive to the needs of low-income families, families involved in welfare to work programs, working families, foster care families, immigrant families, families with children with disabilities and those headed by grandparents.

The Judy Center had been developed as a collaborative effort between Caroline County Public Schools and Caroline County Early Head Start (Maryland Family Network), MRDC Head Start, Infants & Toddlers, Caroline County Human Services Council (LMB), Caroline County Health Department, Caroline County Department of Social Services, Choptank Community Health Systems, Chesapeake Multicultural Resource Center, Chesapeake College Adult Education, and partnering early care and education providers.

Ms. Visintainer stated that there has been one piece of written testimony submitted by Dr. Patty Saelens, Superintendent of Schools, emphasizing their strong support and the need the local families in the community have for a structure and program. The public hearing will remain open for additional written testimony until January 12, 2020.

Public Hearing: Legislative Bill #2020-3, Chapter 33 – Code of Ethics – Required Changes:

Ms. Visintainer stated that Bill is for the purpose of amending the Code of Public Local Laws of Caroline County, Maryland to codify changes required by State law regarding post-employment restrictions for lobbyists, financial disclosures, and the use of prestige of office.

Ms. Visintainer explained that the State law requires every County to have Code of Ethics that is in line with the State. These are very common-sense changes and the County's Ethics Commission reviewed and

provided a recommendation for adoption. No written comment was received for the hearing. The hearing will remain open for any additional written comments until January 12, 2020.

COVID-19 Response Update: Laura Patrick, Health Officer, stated that currently the positivity rate in Caroline County is 9%, one of the highest we have ever had, and today the Statewide rate 9.3%. She stated that we anticipated this high percentage due to the holidays. Currently the County has six residents in the hospital, and we have had one additional death in Caroline County which brings us to a total of 11 since March. She stated that they will continue the next few weeks with additional testing through school wellness centers and the Health Department. Testing is filling up, but no one is turned away. She stated this testing is showing extremely high positivity rates the last week. On average, we are testing 300-350 test per week. Our supplies are free from MDH.

Ms. Patrick stated that in total, the County has vaccinated 1,100 health care providers and other first responders in Caroline County. The County has been successful in giving out the full number of doses which have been provided to the Health Department. She stated they continue to get great feedback from our local partnerships, and they look forward to continuing pushing out the vaccine.

Anna Sierra, Director of Caroline County Department of Emergency Services, briefed the board on hospital system status regarding availability of capacity. She stated that there is a Hospital Alert System that allows hospital at capacity to alert and allow ambulances to divert to other hospitals until there is availability. Its important to note that there has been a significant increase in Alerts due to limited hospital capacity. She stated that Caroline County has been able to maintain transport response times due to other hospitals available in the region and due to a normal call volume. She ended by stating that Caroline is maintaining their average on 9-1-1 calls and ambulance calls.

Dr. Patty Saelens, Superintendent of Schools, explained that due to the local metrics, schools will remain virtual for the next few weeks until hopefully the holiday-related positivity rates decline. She informed the Board that they are still having their most challenged students in school for learning. Dr. Saelens also thanked and emphasized the amazing partnership with the Health Department regarding testing sites and the distribution of vaccinations. The school system has been providing their nurses and health assistants to work in the vaccine clinics.

Recovery Update: Debbie Bowden, Director, Economic Development, stated that over the three rounds of the Small Business Grants there was a total of 247 applications which totaled in over \$2,081,477 back to Caroline County business. There was a total of 12 applications that were approved for the State Restaurant grants which totaled in \$144,000 that went to local establishments. Ms. Bowden stated that there is still \$86,000 more available in funding for local restaurants which can be distributed until March 31, 2021.

Ms. Bowden stated that she would like to work with the Commissioner on what a Small Business Assistance Program would look like for 2021. She stated that she has high hopes for more federal funding to allow for a continuation of this grant program. She stated that she would like to work and allow for business to consider a small business forgivable loan instead of a grant. She explained that she will come back to the Commissioners with more direction once she has received feedback from grant recipients.

Consent agenda: the following items were approved by unanimous consent

- Minutes: December 15, 2020
- FY2020 Transfer Tax, Transfer General Fund Cash to Capital Reserve Cash, for Capital Improvement Fund, \$611,299.26
- Maryland Agricultural Land Preservation Foundation Recertification
- FY21 Capital Expenditure Request, Emergency Service, Logging Recorder-Licensing and Radio

System integration

- Grant Acceptance Award for Summer Learning Programs
- Employment Contract, Department of Emergency Services -Paramedic (North)

County Administrator's Report

Mr. Goldman informed the board that Public Works has been working for years trying to find a solution for the flooding that occurs on River Road during any substantial rain fall. He stated that they have presented three solutions which have been proposed by the engineering firm with three different price points that stay within the budgeted item. Mr. Goldman stated that even if the Commissioners choose the most expensive solution the road can still be impacted by water if there is a big enough storm.

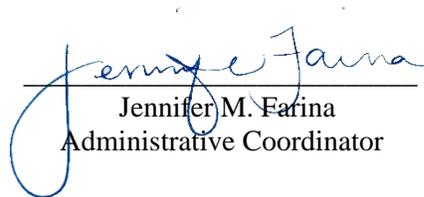
Mr. White reviewed each of the options in detail but stated that none of these options will create a dry road in all scenarios and that the road will likely continue to see flooding in 50-year and 100-year storm events. However, the plan would raise the road 18 inches, which will help the problem significantly. Mr. White stated that as the Public Works Director he believes that option 3, would be the most beneficial to help with the impact of future flooding.

The Commissioners agreed that the this was the best option but had some additional questions about other cost elements. Staff was instructed to discuss with the engineering firm and bring back an updated, more detailed briefing on this option at a future meeting.

Commissioner Open Discussion Period:

The Commissioners stated how please they are with the quick COVID-19 response and the extremely fast process Caroline County has administered vaccinations.

There being no further discussion the meeting ended at 11:47 a.m.


Jennifer M. Farina
Administrative Coordinator