COUNTY COMMISSIONERS SCHEDULE
TUESDAY, APRIL 23, 2019
LEGISLATIVE DAY

1. CALL TO ORDER
5:15 p.m. Administrative Function
   *Boards/Commissions*

5:30 p.m. Call To Order,
   Pledge Of Allegiance,
   Moment Of Silence,
   Approval Of Agenda

Accept County Commissioners’ Minutes
- Regular Minutes – April 9, 2019
- Closed Session – April 9, 2019

Press And Public Comments**

2. NEW BUSINESS
5:35 p.m. Mr. Todd R. Mohn, PE, County Administrator
   “Presentation of Documents for Signatures and Weekly Correspondence”
   Action
   1. FTA & MTA Certifications & Assurances
   2. Correctional Officers Retirement System (CORS)
   3. Senator Peters Thank You Letter
   4. Request For Economic Development Incentive Funding – Communications Electronics Systems, LLC
   5. Destination Imagination Team Request
   6. Budget Amendment CC 26 And Support Letter To Chesterwye Executive Director
   7. Local Board of Elections – Salary Proposal

Documents:
04.23.2019Action.pdf
04.23.2019Correspondence.pdf

3. PRESENTATIONS
5:45 p.m. Bruce Bereano, Esquire, County Lobbyist
   “Legislative Update

Ms. Connie Toulson, Recycling and Refuse Manager
   “Earth Day School Video Contest Winner’

Mr. Scott A. Haas, Department of Emergency Services Director
Mr. Jim Alfree, Assistant Chief of Communications
   “National Telecommunications Week Proclamation’

Mr. Bill Faust, FEC Chairman
Mr. Robbie Marsh, FEC Vice Chairman
Ms. Tracey Johnston, FEC Secretary
   “FEC Swearing-In’

Legislative Session
County Ordinance 19-04 · Definition of ‘Truck Stop and Travel Plaza’ under Chapter 18 of the Code of Public Local Laws of Queen Anne’s County, Maryland (available to be voted on)

County Ordinance 19-06 · Holding Periods for Impounded Animals Under the Age of Three Months (to be introduced)

County Ordinance 19-07 · Citizen Sponsored Text Amendment to Revise References to the 2002 Queen Anne’s County Comprehensive Plan in Chapter 18:1 of the Code of Public Local Laws of Queen Anne’s County (to be introduced)

Four Seasons Decisions – (may take action)

Press And Public Comments**

Documents:
ORD 19-04.Pdf
Four Seasons Public Hearing Notice.pdf

4. REPORTS
   Commissioner’s Roundtable

5. BUDGET HEARING
7:00 pm Constant Yield Hearing

* Please note the scheduled times are subject to change, except for public hearings. PUBLIC COMMENT SIGN-IN SHEET WILL BE AVAILABLE 1 HOUR PRIOR TO THE MEETING.

**Press and Public Comment at the beginning of the meeting will last 15 minutes. Additional time will be available at the end of the meeting for anyone wishing to speak. Comments are limited to 3 minutes in length. Comments longer than 3 minutes must be submitted in writing. PRESS AND PUBLIC COMMENT SIGN-IN SHEET WILL BE AVAILABLE 1 HOUR PRIOR TO THE MEETING.
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PRESENTATIONS
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"Legislative Update"
Ms. Connie Toulson, Recycling and Refuse Manager
"Earth Day School Video Contest Winner"
Mr. Scott A. Haas, Department of Emergency Services Director
Mr. Jim Alfree, Assistant Chief of Communications
"National Telecommunications Week Proclamation"
Mr. Bill Faust, FEC Chairman
Mr. Robbie Marsh, FEC Vice-Chairman
Ms. Tracey Johnston, FEC Secretary
"FEC Swearing-In Legislatiive Session County Ordinance 19-04 – Definition of "Truck Stop and Travel Plaza" under Chapter 18 of the Code of Public Local Laws of Queen Anne’s County, Maryland (available to be voted on)
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Four Seasons Decisions – (may take action)

Press And Public Comments**

ORD 19-04.Pdf
Four Seasons Public Hearing Notice.pdf

REPORTS
Commissioner’s Roundtable

BUDGET HEARING
7:00 pm

Constant Yield Hearing

***Part of the meeting may be closed to the Public in accordance to the Open Meetings Act procedures.

Three or more of the County Commissioners may be attending the following events in the next few weeks:
4/18 Legislative Breakfast
4/24 EDC Meeting
4/26 40th Annual Ewing Dinner & Auction
5/1 Tour of Senior Centers
5/2 FEC Meeting
5/8 COG Meeting
DATE: April 16, 2019
TO: Q.A. County Commissioners / James J. Moran, Commission President
FROM: Catherine Riggs Willis, Director
RE: Federal Transit Administration (FTA) and Maryland Transit Administration (MTA) Certifications and Assurances

ACTION ITEM

Attached you will find the FTA and MTA Certifications and Assurances packet required of the FY2020 Annual Transportation Plan for Queen Anne’s County. Signing these documents informs FTA and MTA that the Queen Anne’s County Area Agency on Aging certifies that it will operate the Public Transit System and the Statewide Specialized Transportation Assistance Program (SSTAP) in compliance with those certifications and assurances.

Patrick Thompson has reviewed these documents and included a letter of Opinion of Counsel. These documents have multiple tabs which are to be signed annually by you as the President. The packet also includes an Authorizing Resolution #1909 which is to be read and signed.

Please let me know if you have any question or concerns. Thank you for your assistance with the execution of these documents.

I move that we read and sign the Authorizing Resolution #1909 for the Federal Transit Administration (FTA) and Maryland Transit Administration (MTA) Certifications and Assurances FY2020 packet to certify that the Queen Anne’s County Department of Community Services Area Agency on Aging will operate the Public Transit System and the Statewide Specialized Transportation Assistance Program (SSTAP).
April 11, 2019

Ms. Catherine R. Willis, Director
Department of Community Services
Area Agency on Aging
104 Powell Street
Centreville, Maryland 21617

Dear Cathy:

This communication will serve as the requisite opinion of counsel to be filed with the Federal Transit Administration, United States Department of Transportation, in connection with all applications of Queen Anne's County for financial assistance pursuant to the provisions of the Federal Transit Act (the "Act") for planning, capital, training, demonstration, and/or operating assistance project(s). The legal authority for Queen Anne's County's ability to carry out planning, capital, training, demonstration, and/or operating assistance projects directly, by lease, contract, or otherwise is set forth below:

1. Queen Anne's County is authorized under the Local Government Article of the Annotated Code of Maryland to provide and assist public transportation by acquisition, construction and operation of existing or additional transit facilities. This assistance may be provided directly by Queen Anne's County or by lease arrangements with other parties.

2. The authority of Queen Anne's County to provide for its share of project funds is set forth in Section 2-103.3 of the Transportation Article of the Annotated Code of Maryland and Title 4 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.).

3. I have reviewed the pertinent Federal, State and local laws, and I am of the opinion that there is no legal impediment to your making applications for financial assistance pursuant to the act. Furthermore, as a result of my examination, I find that there is no pending or threatened litigation or any other matter which might in any way adversely affect any proposed project(s), or the ability of Queen Anne's County to carry out such projects.

102 St. Claire Place, Suite 2, Stevensville, Maryland 21666

Very truly yours,

Patrick E. Thompson
County Attorney
Legal Counsel

PET/kjr
cc: County Commissioners
AUTHORIZING RESOLUTION #1909

CITY/COUNTY COUNCIL/COMMISSIONERS
OF

Queen Anne's County Commissioners, MARYLAND

(Name of Authorizing Body)

A RESOLUTION authorizing Commission President/James J. Moran
(Title/position of person authorized to file the application)

to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for a Section 5303, 5304, 5307, 5309, 5310, 5311, 5316 and/or 5317 grant(s) under the Federal Transit Act.

WHEREAS, the Maryland Transit Administration is the designated recipient in Maryland for grants under the Federal Transit Act,

WHEREAS, the Administrator of the Maryland Transit Administration of the Maryland Department of Transportation is authorized to make grants to counties and to local governments for a mass transportation program of projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program; and

WHEREAS, it is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definite procedures shall be established and administered to ensure that minority business shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by Queen Anne's County Commissioners Maryland, (Name of Authorizing Body)

the filing of the aforesaid application be endorsed, and

BE IT FURTHER RESOLVED that the City/County Executive/Mayor is hereby requested to endorse this resolution, thereby indicating approval thereof; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Maryland Transit Administration of the Maryland Department of Transportation.

ATTEST:
Witness of Council/Commissioners: __________________________

Council/Commissioners Leader: __________________________

Witness of City/Council Executive/Mayor: __________________________

City/County Executive/Mayor: __________________________

ADOPTED: __________________________

Date: __________________________

Certificate

This certifies that __________________________ did in fact before me this date, sign and execute this application and the foregoing Resolution.

Approved as to Form and Legal Sufficiency:

Signature of Recording Officer: __________________________

Title of Recording Officer: __________________________

Date: __________________________

My Commission Expires: __________________________
Attached you will find the FTA and MTA Certifications and Assurances packet required of the FY2020 Annual Transportation Plan for Queen Anne’s County. Signing these documents informs FTA and MTA that the County Area Agency on Aging certifies that it will operate the Public Transit System and the Statewide Specialized Transportation Assistance Program (SSTAP) in compliance with those certifications and assurances. Pages 7 and 25 of the first document and last page of the second document require your attention prior to me forwarding to the County Commissioners for final approval. Opinion of Counsel remains a requirement as in years past.

Please let me know if you have any questions or concerns. Thank you for your assistance with the execution of these documents to accompany our FY20 grant request.
ATP-20
CERTIFICATIONS AND ASSURANCES
Part II-C
funding/grants/grantee-resources/114591/2018-
certifications-and-assurances.pdf
TO: County Commissioners

FROM: Beverly A. Churchill

DATE: April 11, 2019

SUBJECT: Correctional Officers Retirement System (CORS)

The legislation submitted on our behalf has passed the House and Senate and now goes to the Governor for signature.

On April 10, I met with the Correctional Officers along with a representative from the Maryland State Retirement & Pension System (SRPS). We reviewed the benefits of CORS and answered questions. We have obtained more than a 60% favorable consensus from the officers for CORS.

Attached are two resolutions required for signature. These resolutions were drafted by the SRPS and are due to them following the April 23 meeting. The first (#19-07) is authorizing the transfer from the Employee Pension System to the CORS system. This essentially withdraws the officers from the current system and moves them to the CORS plan.

The second resolution (#19-08) memorializes the continuation of the employer pick up program which is currently in place for both the Employee Pension System and LEOPS. This program allows employers to withhold mandatory employees' retirement contributions on a pre-tax basis for federal income tax purposes. Attached is a letter from the SRPS further explaining the program.

As a reminder, the preliminary valuation established our new entrant payment as $1,790,426 which can be amortized with level dollar payments of $154,273 over 25 years. In addition, the 2019 annual rate is currently approximately $22,000 higher for CORS than the Employee Pension system. Thus the total annual increase would be $176,273. This plan provides for retirement with 20 years of service and the employee contribution is 5% of base salary.

**Motion**

*I move to adopt resolutions #19-07 and #19-08 as written.*
RESOLUTION 19-07
OF THE BOARD OF COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY, MARYLAND
AUTHORIZING A TRANSFER TO THE
CORRECTIONAL OFFICERS' RETIREMENT SYSTEM

The Board of County Commissioners of Queen Anne's County, Maryland ("Board of County Commissioners") met at a duly called and authorized meeting on the date set forth below, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Queen Anne’s County commissioners, and the following resolutions were made, seconded, and adopted by those present at the meeting.

WHEREAS, the Board of County Commissioners has determined it would be in the best interests of Queen Anne’s County and its citizens, and the local detention center officers employed by Queen Anne’s County ("Detention Center Officers"), to withdraw eligible Detention Center Officers from the Employees' Pension System ("EPS") and transfer them to the Correctional Officers’ Retirement System ("CORS") operated and maintained by the Board of Trustees for the Maryland State Retirement and Pension System ("System") for eligible detention center officers throughout the State of Maryland; and

WHEREAS, on April 10, 2019, the Board of County Commissioners conducted a vote of the Detention Center Officers in accordance with the Annotated Code of Maryland, State Personnel and Pensions Article ("SPP"), § 31-2B-03(a)(2), and at least sixty percent (60%) of the eligible Detention Center Officers petitioned to become members of CORS, and elected for Queen Anne’s County to withdraw and make a transfer of the eligible Detention Center Officers from the EPS to the CORS under the terms and conditions appertaining thereto; and

WHEREAS, in accordance with SPP § 31-2A-03(a)(1), a Resolution of the Board of County Commissioners is required by the System to approve and effectuate participation of eligible Detention Center Officers in the CORS;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby authorizes, approves, and agrees to implement the CORS for eligible Detention Center Officers employed by Queen Anne’s County, and further agrees to the withdrawal of such Detention Center Officers from the EPS and the transfer of such Detention Center Officers to the CORS;

BE IT FURTHER RESOLVED, that the Board of County Commissioners approves the withdrawal of Detention Center Officers from the EPS effective on June 30, 2019 at 11:59 p.m., and participation in the CORS effective on July 1, 2019 at 12:00 a.m., pursuant to Maryland Annotated Code, State Personnel and Pension Article, § 31-2B-03(a) and § 31-302;

BE IT FURTHER RESOLVED, by the Board of County Commissioners, that this resolution is expressly contingent upon the successful enactment on July 1, 2019, of legislation introduced in the Maryland General Assembly during the 2019 legislative session (House Bill
1056, cross-filed with Senate Bill 636), which, if enacted, will provide that membership in CORS is mandatory for a Detention Center Officer of Queen Anne's County who is a Detention Center Officer before the effective date of participation, and remains a Detention Center Officer through the effective date; and further provides that all such Detention Center Officers are entitled to eligibility service and creditable service in CORS for employment with Queen Anne's County as a Detention Center Officer before the effective date of participation, in lieu of participation in the EPS; and

BE IT FURTHER RESOLVED, by the Board of County Commissioners, that in accordance with SPP §§ 25-201(a)(3), 25-202(a), and 31-2B-03(a)(2)(iii), all eligible Detention Center Officers hired by Queen Anne's County on or after July 1, 2019 shall not be entitled to join the EPS, but shall be in and part of the CORS.

The above Resolution was introduced and adopted at the regularly scheduled meeting of the Board of County Commissioners of Queen Anne's County, Maryland, on April 23, 2019, and shall become effective on July 1, 2019.

Attest:

__________________________
James J. Moran, President

__________________________
Jack N. Wilson, Jr., Vice President

__________________________
Stephen Wilson, Commissioner

__________________________
Philip L. Dumenil, Commissioner

__________________________
Christopher M. Corchiarino, Commissioner
PICK-UP RESOLUTION
OF QUEEN ANNE’S COUNTY, MARYLAND
FOR THE MARYLAND STATE RETIREMENT AND PENSION SYSTEM
RESOLUTION NO. 19-08

The Board of County Commissioners of Queen Anne’s County, Maryland met at a duly called and authorized meeting on the date set forth below, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Queen Anne’s County commissioners, and the following resolutions were made, seconded, and adopted by those present at the meeting.

WHEREAS, Queen Anne’s County is currently a participating governmental unit in the Maryland Employees’ Pension System (“EPS”) and the Maryland Law Enforcement Officers’ Pension System (“LEOPS”), and has elected to become a participating governmental unit in the Maryland Correctional Officers’ Retirement System (“CORS”) effective on July 1, 2019;

WHEREAS, local detention center officers employed by Queen Anne’s County (“officers”) will be eligible to participate in CORS effective July 1, 2019, and all current officers and new officers hired on or after July 1, 2019 will be enrolled in CORS;

WHEREAS, the Queen Anne’s County Board of County Commissioners has the authority to adopt this resolution on behalf of Queen Anne’s County;

WHEREAS, the State Retirement Agency has adopted procedures for reporting picked-up contributions in order to provide consistency in the administration of State law;

WHEREAS, in accordance with Annotated Code of Maryland, State Personnel and Pensions Article (“SPP”), § 21-313, an approved employer may pick-up all of the mandatory employee contributions for its employees participating in the Maryland State Retirement and Pension System; and

WHEREAS, Queen Anne’s County is currently an approved employer with respect to the EPS and LEOPS in accordance with SPP § 21-313, and now desires to confirm that it is an approved employer with respect to CORS, and to pick up all of the mandatory employee contributions for Queen Anne’s County officers participating in CORS;

NOW, THEREFORE, BE IT RESOLVED, that beginning on and after July 1, 2019, which is the effective date of Queen Anne’s County’s participation in CORS, the Queen Anne’s County Board of County Commissioners has determined to pick up all of the mandatory contributions by the employees who are members of CORS through a payroll reduction;
BE IT FURTHER RESOLVED, that said picked-up contributions paid by payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the Queen Anne’s County in lieu of said contributions by the employee;

BE IT FURTHER RESOLVED, that, in addition to CORS, the pick-up treatment shall continue for all Queen Anne’s County employees who participate in the EPS and LEOPS;

BE IT FURTHER RESOLVED, that said members of the EPS, LEOPS and CORS shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the Queen Anne’s County to the EPS, LEOPS and CORS. This pick-up applies to mandatory contributions that the employee is required to make to EPS, LEOPS and CORS;

BE IT FURTHER RESOLVED, that picked-up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal income tax withholding taxes, until distributed from the EPS, LEOPS and CORS;

BE IT FURTHER RESOLVED, that picked-up contributions will be included in the gross income of the employees, for employment tax purposes, if required, as the contributions are made to the EPS, LEOPS and CORS; and

BE IT FURTHER RESOLVED, that this resolution is designed to comply with the formal action requirement set forth in Revenue Ruling 2006-43, issued by the Internal Revenue Service. The resolution should only be used where the contributions to be picked up are mandatory employee contributions. This resolution does not apply if a participating employee from and after the date of the “pick-up” has a cash or deferred election right (within the meaning of Section 1.401(k)-1(a)(3)) with respect to designated employee contributions. Thus, for example, participating employees must not be permitted to opt out of the “pick-up”, or to receive the contributed amounts directly instead of having them paid by the employing unit to the System.

The above Resolution was introduced and adopted at the regularly scheduled meeting of the Board of County Commissioners of Queen Anne’s County, Maryland, on April 23, 2019, and shall become effective on July 1, 2019.

(Signatures continue on next page)
Attest:

James J. Moran, President

Jack N. Wilson, Jr., Vice President

Stephen Wilson, Commissioner

Philip L. Dumenil, Commissioner

Christopher M. Corchiarino, Commissioner
EMPLOYER PICKUP PROGRAM

TO: Participating Employers Not Participating in the "Employer Pickup Program"

FROM: Harvey A. Raitzkyk
Retirement Administrator

RE: Employer Pickup Program – IRC 414(h)(2)

The purpose of this memorandum is to acquaint employers who are not currently participating in the "Employer Pickup Program" with the procedures necessary to apply for the program. Participation in this program allows the employer to withhold mandatory employees' retirement contributions on a pre-tax basis for federal income tax purposes. This program does not change Maryland income tax treatment.

In 1988, the General Assembly enacted legislation (now codified in the State Personnel and Pensions Article §21-313) that permits employers to "pick up" mandatory employee contributions paid to the State Retirement and Pension System so that these contributions may be exempt from federal taxation under Section 414(h)(2) of the Internal Revenue Code. Effective July 1, 2007, the General Assembly eliminated the need for an employer to obtain a private letter ruling from the Internal Revenue Service to participate in the pickup program. However, before an employer may participate, the employer must adopt a resolution to "pick up" employee contributions. (See attached employer pickup resolution.)

The Maryland State Retirement Agency (SRA) requires an employer to submit the resolution accompanied by a letter requesting the Board of Trustee's approval for participation. The letter must indicate your intention to participate, the anticipated future pay period ending date and pay date for which you wish your participation to start, and the employee groups (location codes and Systems) which you report to us who would be covered under the program. Participation should begin with the first pay period ending date for that month and may not be retroactive. Allow at least sixty (60) days for the SRA to obtain Board ratification and initiate automated program modifications.

Since employer pickup contributions affect the tax reporting for retirement benefit payments and other Agency distributions, please do not begin your employer pickup program until the SRA advises you, in writing, that your participation has been approved by the Board of Trustees. This subsequent acknowledgment confirms that the SRA's payroll programs are ready to accept your employee contributions as pickup contributions.

As a reminder, your payroll department will be required to modify its payroll programs effective with the SRA approved pickup start date so that the mandatory retirement contributions will not be included in taxable earnings for federal tax purposes. You must also modify your wage tax programs with the effective start date to separately report federal taxable earnings and state taxable earnings.

If you have any questions, please call Leshia Cornish-Covington at (410) 625-5612 or Princess Tillman at (410) 625-5581.
April 23, 2019

The Honorable Douglas J.J. Peters, Chair  
Capital Budget Subcommittee  
Senate Budget and Taxation Committee  
8337 Quill Point Drive  
Bowie, Maryland 20720

Dear Senator Peters,

The County Commissioners of Queen Anne's County would like to take this opportunity to send our sincere appreciation for endorsing $250,000 for the construction of turf fields for Queen Anne’s County High School and Kent Island High School and $678,000 for the design phase of the Queen Anne’s County Detention Center Renovations project in the FY20 State Capital budget.

Your support on these projects is greatly appreciated.

Respectfully,

QUEEN ANNE’S COUNTY  
BOARD OF COUNTY COMMISSIONERS

James J. Moran, President  
Stephen Wilson

Jack N. Wilson, Jr.  
Philip L. Dumenil

Christopher M. Corchiarino
MEMORANDUM

TO: Board of County Commissioners

ACTION ITEM

CC: Todd Mohn, County Administrator
    Michael Whitehill, Chairman, Economic Development Incentive Fund Commission

FROM: Jean E. Fabi, Economic Development Manager

DATE: April 16, 2019

SUBJECT: Request for Economic Development Incentive Funding – Communications Electronics Systems, LLC

At its meeting on April 15, 2019, the Economic Development Incentive Fund (EDIF) Commission recommended approval of a conditional loan of $30,000.00 to Communications Electronics Systems to support its expansion project proposed for 101 Log Canoe Circle, Suite C, Stevensville, MD based on the information presented at the meeting and the application for funding. The funds are to be used to reimburse the company for office equipment and furniture associated with the expansion.

The EDIF Commission bases its recommendation on the information provided in the application for funding and the presentation made at the meeting by its President, Thomas Steg. The award should be conditioned upon the following: the creation of ten (10) new full-time positions within three (3) years of disbursement of funds; the maintenance of a minimum of twenty (20) full-time employees for the balance of the term of the agreement; and that the company remains in full operation in the county for a minimum of five (5) years from the date of disbursement of funding. The company is encouraged to work with the local schools and colleges to recruit employees. Upon performance of the conditions of the agreement, the conditional loan would revert to a grant. The collateral for the conditional loan is the equipment purchased with EDIF monies.

SUGGESTED MOTION: I motion to approve the disbursement of $30,000 from the EDIF fund to Communication Electronics Systems, LLC for the project described in accordance with the conditions described herein.

ATT: Project Summary
PROJECT SUMMARY

Company: Communication Electronic Systems, LLC

Location: 165 Log Canoe Circle, Stevensville, MD

Website: https://cesintegrated.com/

Business Profile: Communications Electronics Systems, LLC, (CES) an affiliate of Communications Electronics, Inc., specializes in the design, installation and maintenance of access and security management systems. The company was formed in 2017 in response to market demand for a regional security systems integrator focused on service and support. In addition to sales, installation and maintenance, CES provides technical services as it relates to the engineering and design of the systems and management. The company serves commercial and institutional users and current clients include Johns Hopkins University, Howard Community College, Baltimore City Police Department and Kaiser Permanente (several locations). The company relocated from Jessup, Maryland in April 2018 to the Chesapeake Bay Business Park. Three of the four owners reside in Queen Anne’s County. CES currently employs ten (10); of which six (6) are technicians and apprentices licensed and certified as Security Technicians through the Maryland State Police. The base starting salary is $37,500. CES provides training and certification. It expects to more than double its workforce in the next two to three years based on the demand it has experienced for its service.

Project Description: Since relocating, the CES has made significant investment in purchasing equipment, including three (3) service vehicles, as well as training and certifying its employees. As it ramps up its operations, CES is immediate of additional space to accommodate more staff as well as additional equipment to support its sales and engineering operations. It is entering into a lease with KRM Development for a new, larger office location at 101 Log Canoe Circle, Suite C, Stevensville, MD. The total expansion project is estimated at $157,000, which includes the purchase and equipping of several service vehicles, software, and office furnishings, as well as hiring additional staff. The company is targeting June 1 as the date of being operational in its new location. The EDIF monies would be used to purchase office furniture and equipment to support its engineering and sales operations.

Demonstrated Need For EDIF Funds: The funding is needed to expedite the buildout of the new location to accommodate the additional employees to support operations.
Dear Board of County Commissioners:

My name is Theo Levering and I am a 6th grader at Matapeake Middle School. I am writing to you on behalf of my Destination Imagination team, DI of the Storm. Destination Imagination is an unfunded elective afterschool enrichment program focusing on Science, Technology, Engineering, Arts and Mathematics. DI of the Storm is a first year team and we have exceeded all expectations by earning an invitation to the global competition. We have worked for months on our solution to the challenge. We are proud to have placed 2nd in the Regional Competition, and 4th in the State Competition. We are honored to have the opportunity to represent Queen Anne’s County in a global competition against 31 countries!

However, we need to solicit funding to have the opportunity to compete in Kansas City. As the only team in Queen Anne’s County invited to compete, we are asking for $5000 to help us get to Kansas City, Missouri. We are proud to represent QAC and show everyone what a bright future lies ahead.

Thank you for your consideration,

Theo Levering
422 Five Farms Drive
Stevensville, MD 21666

contact: audrieleve@hotmail.com
2019 Destination Imagination State Winners Need Your Help to Go to the Global Competition in Kansas City, MO May 21st-25th!!!

Matapake Middle School “Destination Imagination” Team, DI of the Storm, won a spot in the Global Competition by winning an invitation at the State Competition in the Fine Arts Challenge on March 30th at UMBC. This is the ONLY Queens Anne’s County team to qualify for this amazing opportunity.

Every year “Destination Imagination” impacts more than 150,000 students in 48 states and 30 countries. The Global Competition would allow us to compete with 17,000 other students from 15 countries that made it to the competition in a wide variety of events including our event – Game On! We are hoping that we can raise enough money to go to the Global Competition, which is in Kansas City and show the world what Matapake students can do!!

“Destination Imagination”, or “DI” for short, is a STEAM program that helps to teach students the creative process and empower them with the skills needed to succeed in an ever-changing world. Participants learn patience, flexibility, persistence, ethics, respect for others and their ideas, and the collaborative problem-solving process. Our team, DI of the Storm, competed against tough competition at the Eastern Regionals and then at the State level and exceeded our own expectations!! This is our first year as a team together and we learned a lot about each other. We now have the chance to go to the Global Competition. We are all very EXCITED!

We have been through a lot as a team. We have worked very hard to get to this level. We have met for the last 7 months multiple times every week and many weekends to work on our solution to the challenge. We have created an 8 minute story and wrote a skit told from two different perspectives about a real game from any time period integrating our research into its history, design and use. We also designed a game gizmo that used technical engineering methods that theatrically represented an action occurring in the game. If that wasn’t enough of a challenge, all of our props had to fit inside a container that we designed at the start of the competition time and go through a transformation during our presentation and be a representative part of our presentation, showing our innovation.

We must raise $10,000 in a few short weeks. If you could donate any sum of money to aid our funding to go to Globals we would have the greatest amount of gratitude. All donations must be received by May 3, 2019.

You can donate directly to us: Make checks payable to Matapake Middle School, include “Destination Imagination Account” in the memo section and send it c/o Lucia Calloway, 671 Romancoke Road, Stevensville, MD 21666. Please note that donations to the school are tax deductible with Federal Tax ID #52-6001005.

Thank you for your support!

Theo, Josh, Lauren & Isabella (Students)
DI of the Storm team 2019
REQUEST FOR BUDGET AMENDMENT
FY 2019

Justification:

This amendment authorizes an allocation of $300,000 to the Chestenwye Center. These funds will be provided on a one-time basis to assist the Chestenwye with their plan to establish an ongoing sustainable balance between income and expenses.

<table>
<thead>
<tr>
<th>Description of expenditure/revenue accounts to inc/(dec):</th>
<th>Fund</th>
<th>Account Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>increase General Fund - Aid to Agencies Local Allocation</td>
<td>100</td>
<td>165040</td>
<td>$300,000</td>
</tr>
<tr>
<td>increase General Fund - Gen Revenue Income Tax Revenue</td>
<td>100</td>
<td>199000</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

Requester printed Department: Nichole Hepfer, Finance

Requester signature & date: nichole Hepfer 4/15/19

Finance Director signature & date: 4/15/19
April 23, 2019

Debra Landseth, Executive Director
The Chesterwye Center, Inc.
110 Chesterwye Lane
P.O. Box 96
Grasonville, MD 21638

Dear Ms. Landseth,

The County Commissioners of Queen Anne’s County have agreed to support the Chesterwye Center with a supplemental funding allocation in the amount of $300,000. This funding should be considered as a one-time commitment to your organization in this time of financial need to be transferred during the FY2019 budget year.

The County has sponsored Chesterwye Center from time to time with capital grants for replacement buses. As a condition of this additional upfront funding support, we will not be in a position to provide future capital grant funding to Chesterwye for the our remaining six-year capital budget program which extends through FY2025. We appreciate your acknowledgement of this situation and we genuinely commend Chesterwye’s mission to enhance the lives of adults and assisting them toward personal independence.

Respectfully,

QUEEN ANNE’S COUNTY
BOARD OF COUNTY COMMISSIONERS

James J. Moran, President

Stephen Wilson

Jack N. Wilson, Jr.

Philip L. Dumenil

Christopher M. Corchiarino
Memorandum

To: Chief Elected Official
From: David J. McManus, Chairman
State Board of Elections
Date: April 2, 2019
Re: Local Board of Elections – Salary Proposal

Under Election Law Article, §2-207(c)(2)(iii) of the Annotated Code of Maryland, the State Board of Elections has salary setting authority for the employees of the local board of elections in your County. Although we have this authority, we, as a board, believe that the county governments should agree to salary increases before the State Board exercises its authority.

At last week’s State Board meeting, the Maryland Association of Election Officials (MAEO) presented a proposal that: (1) revises job descriptions to update minimum qualifications and provides a path for promotion for employees; and (2) provides a salary increase for all employees of the local board of elections in your county. It is our understanding that each local board has included in its FY20 budget request the funds for the requested FY20 increase.¹

In recent years, the local boards of elections have experienced extreme difficulty finding and retaining individuals who are qualified, eligible, and willing to work at the current pay rates in positions that do not reflect the current job duties and responsibilities. Job descriptions were last updated in 2003, and as you can imagine, their duties and a corresponding transition from clerical to technical skills have changed significantly since then². MAEO’s proposal is responsive to both areas of concern: a new job-classification series that (1) provides current staff a higher wage and the opportunity for career growth; and (2) helps the local board’s staff retention and institutional stability. We support their efforts.

While we understand there are many budgetary priorities in your county, we urge you to consider the importance of running a flawless election and having staff with the institutional knowledge necessary to conduct such an election³. Election administration in Maryland is recognized across the country as a model, and the work of the local boards of elections is critical to this recognition.

¹ The proposed FY20 increase is 9%, and the proposed FY21 increase is 8%.
² Accompanying this letter is a list created by MAEO of changes to election administration since 2003.
³ We understand that MAEO notified the Maryland Association of Counties (MACo) of this proposal in February 2019, and it did not take a position on the proposal.
The State Board is scheduled to meet again on April 24, 2019, and we would appreciate knowing your County government’s thoughts on MAEO’s proposed salary increase before the meeting. Please email your position on this proposed increase by April 23, 2019 to nikki.charlson@maryland.gov.

We hope that you understand that the State Board is trying to work in partnership with you and your County on this issue. Thank you for your consideration of MAEO’s request, and I look forward to receiving your thoughts.
March 28, 2019

Re: MAEO Personnel Committee Request

The list below includes the most significant changes and developments that have expanded the duties and responsibilities of the local board of elections' employees. The job specifications in the statewide Election Program Series have been revised to include the following:

  - Cyber security procedures and directives require implementing new procedures and maintaining a whole new body of knowledge. Physical and cyber security concerns have demanded more time and knowledge than ever before.
  - More specialized training for staff to manage security threats and analysis
  - More sophisticated risk management, assessments and computer security audits
  - PII Management Changes
- Implementation of Provisional Voting
- Implementation of Statewide Voter Registration System that continues to evolve & Voting System
  - OLVR/AOC/DHMH/Jury Commissioner Lists
  - ERIC, address card verification, NVRA specimen ballot processing
- Universal Statewide Registration and Election Day Registration
- Implementation of HAVA
- Early Voting & Same Day Registration, extension of early voting hours
  - 18 Election Days per Election (Primary/General & 16 Early Voting days)
- Monthly Critical Data Audits & Post-Election Audits
  - Automated and manual audits
- No fault absentee requests, absentee online voter registration, UOCAVA Administration, nursing home absentee program, email absentee program
- More election judges and trainings
  - Tax form requirements to manage early voting payroll
  - Advanced technology in voting systems, VPN network administration, processes and equipment
- Voter Outreach @events, high schools and prison facilities
- GIS Street File Management & Redistricting with GIS map resources
- Locating and managing more polling places and early voting sites
- More sophisticated/specialized training programs and drafting/editing training manuals for Election Day, Early Voting, Same Day Registration and Election Day Registration
- Larger and longer canvasses due to increased AB/Prov turnout and email ballot duplication

www.maeo.net
April 4, 2019

The Honorable Christopher M. Corchiarino
The Honorable Philip L. Dumenil
The Honorable James J. Moran
The Honorable Jack N. Wilson, Jr.
The Honorable Stephen Wilson
Queen Anne's County Board of County Commissioners
107 North Liberty Street
Centreville MD 21617

Dear County Commissioners:

Thank you for attending the Maryland Department of Transportation’s (MDOT) annual Consolidated Transportation Program (CTP) meeting on September 18, 2018. Queen Anne’s County presented its Beach to Bridge plan to mitigate traffic on Kent Island during the busy summer months and requested that MDOT State Highway Administration (MDOT SHA) provide comments on the plan. We appreciate our partnership with Queen Anne’s County and will continue to work on ways to address Kent Island congestion during the summer beach season.

In the Summer of 2018, MDOT SHA implemented several different strategies to reduce traffic impacts to Kent Island, with a focus on Sunday afternoons. These strategies included active traffic signal management from Ocean City to the Bay Bridge to meter traffic, public messaging to encourage beach goers to modify leave times and to visit other attractions on the way home, additional data collection efforts, and the installation of static and variable message signs to encourage traffic to stay on US 50. MDOT SHA also worked very closely with the Maryland Transportation Authority’s (MDTA) Bay Bridge operations, Queen Anne’s County law enforcement, and the Maryland State Police to actively keep operations moving smoothly along US 50. This coming summer, MDOT SHA and MDTA again are committed to working with the county to improve operations during the busy summer travel season.

The MDOT SHA has reviewed the Queen Anne’s County Beach to Bridge plan and according to the Office of Attorney General, the closures and restrictions requested here and the authority for lawful traffic stops are not permitted under the Transportation Article of the Maryland Code. The County’s plan also may adversely affect Kent Island business and residents, as well as drivers that may want to visit family, friends, or the local business establishments.

Our review also identified that many of the proposed closure locations lack adequate space to safely complete turn-around maneuvers or would require turn-arounds on private property. These conditions could create unsafe situations at those locations and could cause queues on US 50, an additional safety concern. As noted last year, similar queues formed along eastbound US 50 due to the presence of Queen Anne’s County law enforcement’s flashing lights as part of enforcement activities along westbound US 50.
The MDOT SHA's data collection efforts have indicated that some minor modifications to the strategies implemented in 2018 may again positively affect congestion on Kent Island's local roads, including starting mitigation efforts sooner in the day on Sundays or modifying the placement and number of variable message signs to help manage demand. The MDOT SHA is open to other suggestions that could improve the situation for both residents and visitors, as we continue to address this complex challenge. If you have additional questions or concerns, please contact C. Scott Pomento, P.E, MDOT SHA Office of Planning and Preliminary Engineering Director, at 410-545-0411, toll-free 1-888-204-4828, or via email at spomento@mdot.state.md.us. Mr. Pomento will be happy to assist you. Of course, you can always contact me directly.

Sincerely,

Gregory Slater
Administrator

cc: C. Scott Pomento, P.E., Director, Office of Planning and Preliminary Engineering, MDOT SHA
In the matter of the application of Bluegrass Solar, LLC for a Certificate of Public Convenience and Necessity to construct an 80 MW solar photovoltaic generating facility in Queen Anne’s County, Maryland

Case No. 9496

VIA FIRST-CLASS MAIL

The Honorable James J. Moran
President
Board of County Commissioners
107 North Liberty Street
Centreville, Maryland 21617

Re: First Public Comment Hearing

Dear President Moran:

Pursuant to Sections 7-207 and 7-208 of the Public Utilities Article, a person must obtain a Certificate of Public Convenience and Necessity from the Public Service Commission before beginning construction of either a generating station or electric company overhead transmission line designed to carry voltage in excess of 69,000 volts (or exercising the right of condemnation in connection therewith), unless exempted by Section 7-207.1 for certain generating stations up to 70 megawatts (“MW”).

Section 7-207, a copy of which is enclosed for your information, also provides for holding a public hearing in the jurisdiction where the facility is to be constructed (§ 7-207(d)). This public hearing is to be held by the Commission and the local governing bodies in the area unless the governing body or bodies choose not to participate.
Bluegrass Solar, LLC ("Bluegrass Solar") filed an application with this Commission for the construction of an 80.0 MW solar photovoltaic generating station and associated facilities, a copy of which was previously furnished to you. This application has been docketed as Case No. 9496. The enclosed Public Utility Law Judge's First Notice of Public Comment Hearing schedules this matter for a public hearing on May 1, 2019, at 6:30 p.m., and Bluegrass Solar has arranged for the hearing to be held at the Church Hill Elementary School, 631 Main Street, Church Hill, Maryland 21623.

I request that you advise me no later than April 29, 2019, whether you and/or any member of the Board of County Commissioners wish to sit jointly with me at the public hearing. If I do not hear from you on or before April 29, 2019, I will assume that neither you nor any Commissioner wish to sit jointly with me; however, either you or any Commissioner may, of course, attend the hearing and present whatever relevant statement you deem appropriate.

Very truly yours,

Ryan C. McLean
Chief Public Utility Law Judge

Enclosures

cc: All Parties of Record
NOTES OF DECISIONS [11]

In general
Construction and application
Findings
Review
Obtaining of evidence

Proposed Legislation

Effective: October 1, 2017

MD Code, Public Utilities, § 7-207
Formerly cited as MD PUBLIC UTIL COMP § 7-207

§ 7-207. Certificate of public convenience and necessity required before construction of generation station or qualified generator lead line

Currentness

Definitions

(a) (1) (i) In this section and § 7-208 of this subtitle, "construction" means:

1. any physical change at a site, including fabrication, erection, installation, or demolition; or

2. the entry into a binding agreement or contractual obligation to purchase equipment exclusively for use in construction in the State or to undertake a program of actual construction in the State which cannot be canceled or modified without substantial loss to the owner or operator of the proposed generating station.

(ii) "Construction" does not include a change that is needed for the temporary use of a site or route for nonutility purposes or for use in securing geological data, including any boring that is necessary to ascertain foundation conditions.

(ii) "Construction" does not include a change that is needed for the temporary use of a site or route for nonutility purposes or for use in securing geological data, including any boring that is necessary to ascertain foundation conditions.

(b) (1) (i) Unless a certificate of public convenience and necessity for the construction is first obtained from the Commission, a person may not begin construction in the State of:

1. a generating station; or

2. a qualified generator lead line.

(ii) If a person obtains Commission approval for construction under § 7-207.1 of this subtitle, the Commission shall exempt a person from the requirement to obtain a certificate of public convenience and necessity under this section.

(iii) Notwithstanding subparagraph (i) of this paragraph, a person may not apply to obtain a certificate of public convenience and necessity for construction of a qualified generator lead line unless:

https://1.next.westlaw.com/Document/66C011FC0185C11E7B07B3D6742DF415CE/View/FullText.html?originalContent=documentId&transitionType...
1. At least 60 days before the filing of an application for a certificate of public convenience and necessity, the person had in good faith offered the electric company that owns that portion of the electric grid in Maryland to which the qualified generator lead line would interconnect a full and fair opportunity for the electric company to construct the qualified generator lead line; and

2. At any time at least 10 days before the filing of an application for a certificate of public convenience and necessity, the electric company:

   A. did not accept from the person a proposal or a negotiated version of the proposal under which the electric company would construct the qualified generator lead line; or

   B. stated in writing that the electric company did not intend to construct the qualified generator lead line.

(2) Unless a certificate of public convenience and necessity for the construction is first obtained from the Commission, and the Commission has found that the capacity is necessary to ensure a sufficient supply of electricity to customers in the State, a person may not exercise a right of condemnation in connection with the construction of a generating station.

(3)(i) Except as provided in paragraph (4) of this subsection, unless a certificate of public convenience and necessity for the construction is first obtained from the Commission, a person may not begin construction of an overhead transmission line that is designed to carry a voltage in excess of 69,000 volts or exercise a right of condemnation with the construction.

(ii) For construction related to an existing overhead transmission line, the Commission may waive the requirement in subparagraph (i) of this paragraph for good cause.

(iii) Notwithstanding subparagraph (i) of this paragraph and subject to subparagraph (iv) of this paragraph, the Commission may issue a certificate of public convenience and necessity for the construction of an overhead transmission line only if the applicant for the certificate of public convenience and necessity:

1. Is an electric company; or

2. Is or, on the start of commercial operation of the overhead transmission line, will be subject to regulation as a public utility by an officer or an agency of the United States.

(iv) The Commission may not issue a certificate of public convenience and necessity for the construction of an overhead transmission line in the electric distribution service territory of an electric company to an applicant other than an electric company if:

1. The overhead transmission line is to be located solely within the electric distribution service territory of that electric company; and

2. The cost of the overhead transmission line is to be paid solely by that electric company and its ratepayers.

(v) (i) This subparagraph applies to the construction of an overhead transmission line for which a certificate of public convenience and necessity is required under this section.

   2. On issuance of a certificate of public convenience and necessity for the construction of an overhead transmission line, a person may acquire by condemnation, in accordance with Title 12 of the Real Property Article, any property or right necessary for the construction or maintenance of the transmission line.

(4)(i) Except as provided in subparagraph (ii) of this paragraph, for construction related to an existing overhead transmission line designed to carry a voltage in excess of 69,000 volts, the Commission shall waive the requirement to obtain a certificate of public convenience and necessity if the Commission finds that the construction does not:

1. Require the person to obtain new real property or additional rights-of-way through eminent domain; or

2. Require larger or higher structures to accommodate:
§ 7-207. Certificate of public convenience and necessity required before construction of generation station or qualified generator lead line; public hearing required

A. Increased voltage; or

B. Larger conductors.

2. Within 30 days after construction is completed under subsubparagraph 1 of this subparagraph, a person shall file a report with the Commission describing the work that was completed.

Notice to interested persons

(c)(1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice immediately or require the applicant to provide notice immediately of the application to:

(I) the Department of Planning;

(II) the governing body, and if applicable the executive, of each county or municipal corporation in which any portion of the generating station, overhead transmission line, or qualified generator lead line is proposed to be constructed;

(III) the governing body, and if applicable the executive, of each county or municipal corporation within 1 mile of the proposed location of the generating station, overhead transmission line, or qualified generator lead line;

(iv) each member of the General Assembly representing any part of a county in which any portion of the generating station, overhead transmission line, or qualified generator lead line is proposed to be constructed;

(v) each member of the General Assembly representing any part of each county within 1 mile of the proposed location of the generating station, overhead transmission line, or qualified generator lead line; and

(vi) all other interested persons.

(2) The Commission, when sending the notice required under paragraph (1) of this subsection, shall forward a copy of the application to:

(I) each appropriate State unit and unit of local government for review, evaluation, and comment regarding the significance of the proposal to State, area-wide, and local plans or programs; and

(II) each member of the General Assembly included under paragraph (1)(iv) and (v) of this subsection who requests a copy of the application.

Public hearing required

(d)(1) The Commission shall provide an opportunity for public comment and hold a public hearing on the application for a certificate of public convenience and necessity in each county and municipal corporation in which any portion of the construction of a generating station, an overhead transmission line designed to carry a voltage in excess of 69,000 volts, or a qualified generator lead line is proposed to be located.

(2) The Commission shall hold the public hearing jointly with the governing body of the county or municipal corporation in which any portion of the construction of the generating station, overhead transmission line, or qualified generator lead line is proposed to be located, unless the governing body declines to participate in the hearing.

(3)(i) Once in each of the 4 successive weeks immediately before the hearing date, the Commission shall provide weekly notice of the public hearing and an opportunity for public comment:

1. by advertisement in a newspaper of general circulation in the county or municipal corporation affected by the application;

2. on two types of social media; and

3. on the Commission’s Web site.
§ 7-207. Certificate of public convenience and necessity required before construction of generation station or qualified generator lead line

(II) Before a public hearing, the Commission shall coordinate with the governing body of the county or municipal corporation in which any portion of the construction of the generation station, overhead transmission line, or qualified generator lead line is proposed to be located to identify additional options for providing, in an efficient and cost-effective manner, notice of the public hearing through other types of media that are familiar to the residents of the county or municipal corporation.

(4)(i) On the day of a public hearing, an informational sign shall be posted prominently at or near each public entrance of the building in which the public hearing will be held.

(ii) The informational sign required under subparagraph (i) of this paragraph shall:

1. state the time, room number, and subject of the public hearing; and

2. be at least 17 by 22 inches in size.

(5)(i) The Commission shall ensure presentation and recommendations from each interested State unit, and shall allow representatives of each State unit to sit during hearing of all parties.

(ii) The Commission shall allow each State unit 15 days after the conclusion of the hearing to modify the State unit's initial recommendations.

Final action by Commission required

(a) The Commission shall take final action on an application for a certificate of public convenience and necessity only after due consideration of:

(1) the recommendation of the governing body of each county or municipal corporation in which any portion of the construction of the generation station, overhead transmission line, or qualified generator lead line is proposed to be located;

(2) the effect of the generating station, overhead transmission line, or qualified generator lead line on:

(i) the stability and reliability of the electric system;

(ii) economics;

(iii) aesthetics;

(iv) historic sites;

(v) aviation safety as determined by the Maryland Aviation Administration and the administrator of the Federal Aviation Administration;

(vi) when applicable, air and water pollution; and

(vii) the availability of means for the required timely disposal of wastes produced by any generating station; and

(3) for a generating station:

(i) the consistency of the application with the comprehensive plan and zoning of each county or municipal corporation where any portion of the generating station is proposed to be located; and

(ii) the efforts to resolve any issues presented by a county or municipal corporation where any portion of the generating station is proposed to be located.

Considerations before final action on application

(b) For the construction of an overhead transmission line, in addition to the considerations listed in subsection (a) of this section, the Commission shall:

(1) take final action on an application for a certificate of public convenience and necessity only after due consideration of the need to meet existing and future demand for electric service; and

(2) require as an ongoing condition of the certificate of public convenience and necessity that an applicant comply with:
§ 7-207. Certificate of public convenience and necessity required before construction of generation station or qualified generator lead line [Stat.].

(a) all relevant agreements with PJM Interconnection, L.L.C., or its successors, related to the ongoing operation and maintenance of the overhead transmission line; and

(b) all obligations imposed by the North America Electric Reliability Council and the Federal Energy Regulatory Commission related to the ongoing operation and maintenance of the overhead transmission line.

Construction of transmission lines near airport runway

(g)(1) The Commission may not authorize, and a person may not undertake, the construction of an overhead transmission line that is aligned with and within 1 mile of either end of a public airport runway, unless:

(i) the Federal Aviation Administration determines that the construction of an overhead transmission line will not constitute a hazard to air navigation; and

(ii) the Maryland Aviation Administration concurs in that determination.

(2) A privately owned airport runway shall qualify as a public airport runway under this subsection only if the runway has been on file with the Federal Aviation Administration for at least 2 years as being open to the public without restriction.

Credits


Formerly Art. 78, § 54A.

Editors' Notes

LEGISLATIVE NOTES

Revisor's Note (Acts 1998, c. 8):

This section is new language derived without substantive change from former Art. 78, § 54A.

In subsection (b) of this section, the reference to "condemnation" is substituted for the former reference to "eminent domain", for accuracy.

In subsection (c)(1) of this section, the reference to an application "for a certificate of public convenience and necessity under this section" is added for clarity.

In subsections (d)(1), (2), and (3) and (e)(1) of this section, the references to a "county" and a "municipal corporation" are substituted for the former references to the "area" affected by a generating station or overhead transmission line for clarity.

In subsections (d)(2) and (e)(1), respectively, of this section, the requirement that the Commission hold a joint public hearing with, or consider the recommendations of, respectively, the governing body of the county or municipal corporation "in which any portion of the construction of the generating station or overhead transmission line is proposed to be located" is added for clarity.

In the introductory language of subsection (e) of this section, the requirement that the Commission take final action "on an application for a certificate of public convenience and necessity" is added for clarity.

In subsection (e)(2) of this section, the reference to "electrical" service is added for clarity.
§ 7.207. Certificate of public convenience and necessity required before construction of generation station or qualified generator is established

In subsection (e)(3) of this section, the reference to the effect of the generating station or overhead transmission line is added for clarity.

In subsection (a)(3)(vi) of this section, the former reference to any "fossil fuel or nonfossil fuel" generating station is deleted as surplusage.

Also in subsection (e)(3)(vi) of this section, the former reference to applications received by the Commission after July 1, 1981 is deleted as obsolete.

In subsection (f)(1)(f) of this section, the reference to the "Maryland Aviation Administration" is substituted for the former reference to the "State Aviation Administration" to reflect the current name of the unit.

Defined terms: "Commission" § 1-101

"Construction" § 7-207

"County" § 1-101

"Electric company" § 1-101

"Person" § 1-101

Notes of Decision (11)

MD Code, Public Utilities, § 7-207, MD PUBLIC UTIL § 7-207

Current through all legislation from the 2017 Regular Session of the General Assembly

End of Document

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On November 13, 2018, Bluegrass Solar, LLC ("the Applicant") filed an application for a Certificate of Public Convenience and Necessity for authority to construct an 80.0 megawatt solar photovoltaic generating facility in Queen Anne's County, Maryland ("the Project"). The Applicant proposes to construct the Project on an approximately 487-acre portion of approximately 539 acres of privately owned land, identified as Tax Map 11, Parcel 24, and Tax Map 17, Parcels 4 and 24 in Election District 2, located north of Church Hill, east of State Route 213, and north of State Route 300, and southeast of Chestertown, in Queen Anne's County.

The first of two evening hearings for the purpose of receiving comments from the public on the Application has been scheduled as follows:

May 1, 2019
6:30 p.m.
Church Hill Elementary School
631 Main Street
Church Hill, Maryland 21623

1 The application is available for public inspection or copying at the Queen Anne's County Office of Planning & Zoning, 110 Vincit Street, Centreville, Maryland 21617. Additionally, all pleadings in this matter may be viewed or downloaded from the electronic docket file (9496) available through the Commission's website, www.psc.state.md.us.
Written comments may be filed any time between now and June 19, 2019, and should be addressed to Terry J. Romine, Executive Secretary, Maryland Public Service Commission, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202 and must reference "Case No. 9496."  

The Applicant is hereby directed to:

• Once in each of the four successive weeks immediately before the evening hearing date:
  
  • Publish notice of the evening hearing, including the caption, case number, time, date, and location and the purpose of the hearing as a display advertisement in a newspaper of general circulation throughout Queen Anne's County; and
  
  • Post on at least two routinely used social media platforms, such as Facebook or Twitter, and use any other means of communications at its disposal to further notify Queen Anne's County residents of the date, time and location of the evening hearing and the date by which written public comments may be filed.
  
• At least four weeks prior to the date of the evening hearing until the day after the evening hearing, post on its home website page (if the Applicant has a website) a notice of the evening hearing in a manner so that an individual need not click the link to determine the date, time, location and purpose of the hearing and the date by which written public comments may be filed.
  
• File a certificate(s) of publication and postings with the Commission on or before the date of the evening hearing.

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2 Only one set of written comments must be filed. Additionally, the evidentiary hearing is currently scheduled for June 20, 2019.

3 Any party to the matter is also invited to post the Notice of First Public Comment Hearing on any website or social media platform that it may have at its disposal to publicize the time, date and location of the evening hearing for public comment and the date by which written comments may be filed in the proceeding.
Prominently post on the day of the hearing, no later than noon (EST), an informational sign at or near the public entrance(s) of the Church Hill Elementary School. Each sign shall be at least 17 inches by 22 inches in size and state the time, room number, and subject of the public hearing. The font size of the lettering shall be greater than 48 point size and as large as the sign allows. The Applicant shall submit an affidavit certifying that the necessary properly sized information sign(s) were posted, as directed, including the time the signs were posted and a photograph of the informational sign near or at the public entrance(s) of the Church Hill Elementary School, 631 Main Street, Church Hill, Maryland 21623, which shall be filed with the Commission within two business days after the public hearing date(s).

Ryan C. McLean
Chief Public Utility Law Judge
Public Service Commission of Maryland
STATE OF MARYLAND
PUBLIC SERVICE COMMISSION

SERVICE LIST - CASE NO. 9496

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(counsel for Bluegrass Solar, LLC)

and

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(410) 537-4088 (Mr. Talson)
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   steven.talson@maryland.gov
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and

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Centreville, MD 21617
(410) 758-0030
Email: chrisdrummondlaw@gmail.com
(for the Queen Anne’s County Commissioners)

Interested Persons:
Honorable James J. Moran
President
Board of County Commissioners
107 North Liberty Street
Centreville, MD 21617
(410) 758-4098
(410) 758-1170 (FAX)
Email: qaccommissionersandadministrator@qac.org
MEMORANDUM

TO: County Commissioners
   Todd Mohn, County Administrator

CC: Planning Commission
    Economic Development Commission

FROM: E. Michael Wisnosky, AICP, Director

DATE: April 23, 2019

SUBJECT: Monthly Department Report – March 2019

The following information is compiled by the staff of the Department of Planning and Zoning. The information provided is current as of March 31, 2019.

Planning:

- Long-Range Planning/Community Planning/Text Amendments/Environmental/Critical Area Planning:
  Introduction of Citizen Sponsored Text Amendment
  TA 19-07 Amend language to Queen Anne's Code Chapter 18:1-04 Referencing Comp Plan Dates
  PC: Unfavorable recommendation

- Development Review/Site Plans/Subdivision Plats/Growth Allocations/Adequate Public Facilities:
  o Administrative Subdivision plat reviews, with for final approval
    SUB-19-03-0099
    Galilee Evangelical, Chester
    SUB-19-03-0101
    Delmarva Power, Queenstown

  o Minor Subdivision plat reviews
    SUB-19-03-0100
    Create 3 new lots.
    Wye Woods (Aspen Institute), Queenstown

  o Major Subdivision plat reviews
    NO MAJOR SUBDIVISION APPLICATIONS RECEIVED
- **Concept plan reviews**
  - SP-19-03-0020
    - Revised plan for Fisherman’s Restaurant
  - SP-19-03-0022
    - Growth Allocation at Island Professional Park
- **Minor Site plan review**
  - SP-19-03-0021
    - Sealing Trust, LLC
- **STAC meetings**
  - March 13, 2019
    - Major Site Plan
    - SP #19-01-0018
      - Queenstown Assisted Living
- **Planning Commission meeting**
  - March 14, 2019
  - Three (3) Extension Requests (All Approved)
    - MAJOR SITE PLAN #05-14-10-0003-C
      - Fisherman’s Village
    - MAJOR SITE PLAN #05-10-02-0005-C
      - Kent Narrows Hospitality, Inc. – Holiday Inn Express
    - MAJOR SUBDIVISION #05-14-05-0006-C
      - Walter Properties, LLC – Perry’s Retreat
- **One (1) Concept Plan**
  - CONCEPT PLAN SP# 18-01-0015, Bluegrass Solar, LLC
    - Proposing to construct an approximate 311.5± acre solar array operation within a 538-acre site boundary.
    - Requesting Concept Plan approval and a Favorable Recommendation to the Board of Appeals
    - PC: Approved for Board of Appeals hearing
- **Board of Appeals**
  - **Two Variance Requests**
    - BOA-19-02-0024 – Hubbard – pier extension
    - BOA-19-02-0025 – Helmer – variances for addition and shed

  - No Conditional Use at March BOA

**Zoning:**
- Building Permit Information (Source: Energov & Sungard):
$35,000,000
$30,000,000
$25,000,000
$20,000,000
$15,000,000
$10,000,000
$5,000,000
$0

[Graph: Building Permit Tracking 2019]

<table>
<thead>
<tr>
<th>March 2019</th>
<th>March 2018</th>
<th>2019 Year to Date</th>
<th>2018 Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit Applications Submitted</td>
<td>108</td>
<td>172</td>
<td>287</td>
</tr>
<tr>
<td>Permits Issued</td>
<td>140</td>
<td>166</td>
<td>318</td>
</tr>
<tr>
<td>Residential</td>
<td>88</td>
<td>122</td>
<td>207</td>
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<tr>
<td>Commercial</td>
<td>52</td>
<td>44</td>
<td>111</td>
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<tr>
<td>Construction Value</td>
<td>$8,286,075</td>
<td>$7,474,258</td>
<td>$30,361,325</td>
</tr>
</tbody>
</table>

- **Highlights of Commercial Permits Issued in March:**
  - **Use Permits:**
    - 220 Possum Point Farm Lane, Centreville, John and Paige Evans, Special Events Permit for “Evans Heaven LLC” Weddings & events, 20 events per year
    - 202 Drummer Dr, Grasonville, 202 Drummer Drive LLC, Use permit for 13,308 sq. ft. outdoor display for “Backyard Billy’s”
    - 7404 Church Hill Rd, Chestertown, Rebecca Middleton, Use permit for “Contagious Creations” Retail/Online sales of T-shirts, signs and banners, 2 employees, 990 sq. ft.
    - 220 Log Canoe Circle H, Stevensville, KRM-Chesapeake, LLC, Use permit for “Recorded Resources Corporation”
    - 1707 Main St, Chester, Chesapeake Outdoors, LLC, Use permit for “Tips BBQ” Food trailer with smoke pit, 5 employees.
New Commercial:
- 224 Canal St, Grasonville, Carolyn Prendki, Home office for “Case Marine Construction and Salvage, Inc.”, 2 employees.
- 3020 Church Hill Rd, Centreville, Michael Hood, Use permit for “M.L. Hood Trucking” to park trucks overnight at address, 2 employees.

Commercial Renovations:
- 346 Thompson Creek Mall, Stevensville, TC Shopping Center, Tenant Build out for “Sport Clips”
- 1845 Main St, Chester, Kent Towne Market East LLC, Remodel Chik-Fil-A to include additional service area with attached canopy at drive thru window
- 800 Abruzzi Dr F, Chester, Maryland General Land Co., Tenant Fit out for Benkovich Orthodontics
- 450 Kent Manor Dr, Stevensville, JVVS, Inc., Construct a foundation slab & banquet tent.

Inspection and Enforcement Activity for March:
- Citations Issued: 1 YTD Issued: 7
- Total fines issued: $500.00 (YTD Issued: $3500.00; YTD Paid: $3000.00)
- Nuisance Complaints/Code Violation Inspections Conducted: 25 (7 of which in Critical Area) (YTD: 80/9)
- Zoning Inspections Conducted: 290 (108 of which within Critical Area) (YTD: 679/281)
- Liquor Law Compliance Inspections: 73 (YTD: 204)

Zoning Boards:
- Board of Appeals
  Meeting Date – March 20, 2019
- Applications Heard:
  BOA-19-02-0024 – John Hubbard – conditional use approval for pier extension – Approved
  BOA-19-02-0025 – Dennis Helmer – set backs and area coverages for additions - Approved

License Commission (Liquor Board):
- Meeting Date – March 5, 2019
- Temporary Licenses issued to:
  Chesapeake Bay Environmental Center – Date of event – March 15
  Get Pumped for Pets – Date of event – March 31
  Kent Island Vol. Fire Dept. – Date of event – April 6
  Chester Wye Center – Date of event – April 26
  Crushin’ Orange for LLS – Date of event – May 4
  Charm City Run Events and Shore Rivers – Date of event – May 5
  Shore Rivers – Date of event – September 15
- Hearing held for new Class “B” beer license for Smoke, Rattle & Roll (Centreville) – Approved
- Review application for Advertising the transfer of a Class “D” beer, wine & liquor license for Red Eyes Dock Bar 2.0 – Approved

EMW:mes
Mr. & Mrs. David Stant  
408 S Church Street  
Sudlersville, MD 21668

Dear Mr. & Mrs. Stant:

As per your son’s, Chris Stant, request the meter at your location was replaced and sent to National Metering Services, Inc. for calibration. Enclosed you will find a copy of their report showing there was no problem with the meter as it passed all calibration tests. Therefore, all previous readings and invoices were correct.

The following is the historical data for your location:

<table>
<thead>
<tr>
<th>Year</th>
<th>Gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/2012</td>
<td>6,700</td>
</tr>
<tr>
<td>3/2013</td>
<td>7,620</td>
</tr>
<tr>
<td>6/2013</td>
<td>6,850</td>
</tr>
<tr>
<td>9/2013</td>
<td>6,770</td>
</tr>
<tr>
<td>12/2013</td>
<td>8,880</td>
</tr>
<tr>
<td>3/2014</td>
<td>8,360</td>
</tr>
<tr>
<td>6/2014</td>
<td>7,630</td>
</tr>
<tr>
<td>9/2014</td>
<td>7,222</td>
</tr>
<tr>
<td>12/2014</td>
<td>3,974</td>
</tr>
<tr>
<td>3/2015</td>
<td>4,314</td>
</tr>
<tr>
<td>6/2015</td>
<td>6,425</td>
</tr>
<tr>
<td>9/2015</td>
<td>6,542</td>
</tr>
<tr>
<td>12/2015</td>
<td>6,363</td>
</tr>
<tr>
<td>3/2016</td>
<td>4,740</td>
</tr>
<tr>
<td>6/2016</td>
<td>33,450</td>
</tr>
<tr>
<td>9/2016</td>
<td>12,364</td>
</tr>
<tr>
<td>12/2016</td>
<td>7,309</td>
</tr>
<tr>
<td>3/2017</td>
<td>7,380</td>
</tr>
<tr>
<td>6/2017</td>
<td>6,960</td>
</tr>
<tr>
<td>9/2017</td>
<td>7,960</td>
</tr>
</tbody>
</table>
As you can see the meter has only been changed twice since your connection to the water system. As per the water ordinance and Town’s fee schedule, if the meter is tested and is found to be accurate the cost of testing is the responsibility of the property owner. See attached section 4-1 of the water ordinance and National Metering Service Inc. certifying report.

Currently the outstanding balance on your account is $624.79; representing the remainder of the December 2018 invoice, the January 2019 invoice, and the February 2019 invoice. Due to your claims the meter was wrong, the Town did not assess any late fees or turn the water off as is the policy; this account needs to be brought current or an approved payment plan entered to avoid future late fees and the possibility of the water being shut off.

Sincerely,

Elizabeth Jo Manning
Town Administrator

Enclosures

CC: Queen Anne’s County Commissioner jack Wilson
Queen Anne’s County Administrator, Todd Mohn

CC: Alan Quimby—
This is to certify that meter number 67736550 was tested by National Metering Services, Inc., with test facilities located at 163 Schuyler Ave, Kearny, N.J., on March 19, 2019. Test results are as follows:

**Water Company:** Town of Sudlersville

<table>
<thead>
<tr>
<th>Size: 5/8x3/4&quot; Mfg: Neptune Model: ___ Address: _______ Test read: 010456550</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Flow Rate</strong></td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>High Flow</td>
</tr>
<tr>
<td>Intermediate Flow</td>
</tr>
<tr>
<td>Low Flow</td>
</tr>
</tbody>
</table>

Note: Test equipment is State of New Jersey & State of Connecticut Bureau of Weights and Measures certified and certified by the State of New York Public Service Commission. Proof of certification attached.

**STATUS OF METER AS RECEIVED**

ACCRUATE X HIGH ___ LOW ___ STOPPED ___ REPAIR ___ SCRIP ___

FAILED ___ PASSED X
4-1 Meters.

A. The minimum water meter size shall be 5/8 inch by 3/4 inch. The minimum meter size for new construction must comply with the State law requirements for sprinkler systems.

B. All meters shall be furnished by and remain the property of the Town. The Commission reserves the right to stipulate the size, type, and make of meter to be used as well as the location of the meter setting.

C. When practicable, the meter shall be set in the basement at a convenient location or in a meter box near the curb or property line. In the event a customer desires to change the installed position of a meter, meter box, or vault such change in location shall be made by the Town at the cost and expense of the property owner.

D. The Town shall be responsible for maintaining the meter during normal wear and tear, but the property owner shall be responsible for damages resulting from freezing, hot water, neglect, vandalism, or other external damages that could be prevented by the customer. When such damage occurs, the Town will replace the meter at cost to the property owner.

E. A property owner may be required to install a suitable check valve and relief valve in the service line on the outlet side of the meter to prevent the return of hot water to the meter and shall pay the cost of any repairs necessitated by failure to do so.

F. The quantity of water recorded by the meter shall be accepted to be the amount of water passing through the meter, which amount shall be deemed conclusive by both the property owner and the Town, except when the meter is found to be registering improperly or has ceased to register. In such cases, the quantity may be determined by the average registration of the meter in the corresponding past period when the meter was operating properly or by the average registration of the new meter, whichever method is deemed by the Town to be most representative of the conditions existing during the period in question.

G. The Town reserves the right to remove and test any meter at any time and to substitute another meter. In case of a disputed account involving the accuracy of a meter, such meter shall be tested by the Town upon written request of the customer. If the meter is found to be inaccurate, the Town shall bear the cost of replacement, otherwise the property owner shall bear the cost of testing.

H. The property owner and/or customer shall permit no one except the Town or its agent to remove, inspect, or tamper with the meter, meter seal, or
any other property of the Town located on the property owner's property. The property owner and/or customer shall promptly notify the Town of any malfunction or injury to the meter.
April 10, 2019

Alan Quimby
Queen Anne's County Sanitary Commission
107 N. Liberty Street
Centreville, Maryland 21617

Todd Mohn
County Administrator
Queen Anne's County
107 N. Liberty Street
Centreville, Maryland 21617

RE: Perry's Retreat Subdivision, Grasonville, Maryland
Map 58H, Parcel 201 and Map 65, Parcels 4, 45 and 46

Dear Alan and Todd:

I represent Walter Properties, LLC and Elm Street Development who are the owner and developer of the above captioned property.

In February, 2015 sewer allocation was requested and granted for 128 single family homes.

The Planning Commission granted preliminary subdivision approval for 128 lots on March 12, 2013. Conditional final approval was granted on August 13, 2015.

Work on final detailed engineering infrastructure was promptly undertaken by DMS & Associates.

Shortly thereafter the builder, who had contracted with Elm Street to purchase the lots, defaulted due to a change in market conditions locally and regionally.

Walter Properties and Elm Street Development agreed to amend their contract and delay settlement and finalization of subdivision plans.

Elm Street secured a new builder, however they desired to modify the development plan to provide for 156 lots.
A revised Concept Plan for the 156 lots was approved by the Planning Commission on December 14, 2017. Final STAC review was received at the May 30, 2018 meeting.

Shortly thereafter Elm Street, commenced working on final engineering and also contacted their lender to update the financing commitment.

The lender modified the financing commitment which required renegotiation with the property owner and the builder. Those negotiations have been completed and addendums to the contracts have just been executed by all parties.

On March 14, 2019 the Planning Commission granted an extension until August, 2019. DMS has estimated that final engineering work and governmental reviews and approvals will, at a minimum, be six (6) months.

Elm Street intends to immediately request allocation for the 28 additional lots and is prepared to promptly render the requisite deposit for the 28 lots as to sewer and for the 156 lots as to water.

The Planning Commission’s extension to August 2019 is somewhat optimistic and dependent on timely review by administrative agencies. Subsequent to final approval bonds will have to be posted and financing finalized which hopefully can be accomplished by December 31, 2019.

On behalf of my clients, I respectfully request that commitment for sewer (and water as applied for) be extended to December 31, 2019, reserving a right to another request for extension not to exceed six (6) months, provided we have demonstrated substantial progress towards final plat approval and recordation. I personally feel a January 15th to March 15th time frame for final approval, recordation and settlement is realistic.

Elm Street has expended over $750,000.00 on this project, and Walter Properties, LLC has also expended monies towards finalization of this project which includes a commitment to deed over 37 acres to the County, originally envisioned as a site for work force or elderly housing.

Very truly yours,

Michael R. Foster

CC: Walt Thompson, Walter Properties, LLC
Elm Street Development
April 07, 2019

To: The County Commissioners of Queen Anne’s County, 107 N Liberty St., Centreville, MD

From: Ira Kurz, 607 Auckland Way, Chester, MD

Re: DRRA expiration date for the K. Houvanian Four Seasons Development

As a local homeowner and resident, I support the established expiration date of September 12, 2022 for the DRRA, as this was the intent of the statute. Exceptions for big corporations is not in keeping with the letter of law. The zoning statutes of 2022 should be applicable to construction begun in that time frame... not grand-fathering- in a delayed project, which was conceived knowing well, that there would be delays & court challenges. Typically, the developer will be asking the County in the near future for numerous additional exceptions to permit further development of an already over-sized project. The incursion of river-front land will probably be on the next agenda.

Respectfully submitted,

Ira Kurz
April 14, 2019

Queen Anne’s County Commissioners
107 N. Liberty Street
Centreville, MD 21617

Re: Four Seasons Development

Dear Commissioners:

I attempted to present my concerns over this project at the Commissioner’s meeting last week but after being extremely taken aback by K. Hov’s presentation I found myself unable to effectively communicate during the comment session after deciding to not stick to my prepared statement. I am therefore following up with this written statement of not only objection to any request for extension by K. Hov but also to stress the importance to the Commissioners to investigate and hold accountable the quality of the infrastructure being completed.

I am a resident of Bayside and a Project Director handling commercial projects, working with multiple architectural and engineering teams from around the country for projects encompassing over 10 jurisdictions in Maryland, DC and Northern VA. I understand there is no turning back with this project but QAC must continually be made aware of what is currently not working and what will present further challenges to an already challenged infrastructure.

I’m greatly concerned about several aspects of the Four Seasons Development including:

1) The bizarre road design on Castle Marina involving narrow channeled driving lanes while taking a substantial amount of roadway for landscaping. Navigation of large vehicles through the labyrinth such as full-size motor homes, moving trucks, and trucks hauling large boats to the marina will be met with challenges. The curb along the narrow section as you exit the roundabout heading north on Castle Marina is already scarred by contact with tires. Moving trucks have been witnessed being forced to drive over the curb to exit. I can see no civil engineering need for the current design, only a desire by the development to have an overly landscaped approach rather than a functioning roadway. Motorists exiting at this location are also forced to be off center with the original roadway and then immediately compensate in order to not continue traveling down the side of the road toward the first house’s mailbox. If a vehicle should breakdown in the current single lane channels, there will be no way to get around them and no way for a tow truck to access them without driving down the wrong side of the road and back tracking. Heaven forbid a breakdown occur on a Sunday afternoon in the summer when the traffic is already backed up on Main Street and there is nowhere for cars to back up to. With the intended design of the roadway to be extended to the roundabout on Main St and further redesign of
that intersection proposed, each Commissioner and those involved with the
approval process need to be very concerned about the impact this will have on
the Main Street intersection that is so heavily used by residents and tourists. I
eourage each of you to drive down Castle Marina as often as possible to
experience firsthand the inferior quality of the road construction and design.
Ultimately, the large swath of landscaping down the middle of the road needs to
2) The unsatisfactory quality of the pavement surrounding the entrance to the
development. There have been continual issues with the stability of the
pavement requiring motorists to navigate potholes for weeks on end. Additional
layers of pavement since added has reduced the problem but still remains
incomplete and not level. The road has been through several processes of laying
pavement and the next day immediately collapsing in multiple areas creating
large potholes. Since a vehicle is forced to travel in the channel there is no option
other than to traverse the potholes. This happened many times where they would
dig out and patch the pothole areas and immediately the next day new potholes
would appear. Weeks would then pass by before they would repair again and the
process repeat itself with immediate potholes. They repeatedly fixed the main
sections of roadway coming to and from their entrance to Main St, however left
the section of road exiting to the north on Castle Marina half paved for weeks on
end. After all, this only impacted the current residents on Castle Marina, not
those coming to their development for sales. Only after this last paving session
where they appeared to perform more due diligence and better prepare the
roadway did they finish out the pavement on this northern section and only one
hole has appeared. However, the pavement is not complete as it is far from level
with the curb which is causing water to collect and unable to access any drainage
infrastructure. While QAC is not known for quality road construction, this takes it
to a whole new level of inferior construction.
3) The environmental impact to the Eastern Shore’s ecosystem, not just from
construction but also increased traffic and residences. For those of us who have
had to pass by this development since the land was stripped have continually
been witness to the standing water that has no where to go and now no
vegetation to help with absorption. When the soil alone can’t handle the volume,
where do you expect this water to go when it is covered by housing and
pavement? They touted their filtration system in the meeting but that is only for
the water that actually makes it to the retention ponds. It doesn’t account for the
flooding that has been occurring along Castle Marina, the increase in standing
water along the Cross Island Trail, and the standing water throughout the fields
that doesn’t drain to the ponds. As the development continues to build out it is
concerning that their poor storm water management and roadway infrastructure
will increase these problems. This also posses an enhanced health risk for
residents of Four Seasons and Castle Marina with the increased mosquito and
tick populations spawned by increased standing water.
4) The priority of planting landscaping prior to completion of the roadway or the sidewalk down Castle Marina. It has never been a safe route to travel down Castle Marina via foot or bike to the Cross Island Trail. It has become more so with the addition of the complex roadway. While we can now access the sidewalk at the start of the roundabout the sidewalk needs to be immediately completed down Castle Marina to ensure safety. Instead, over the last weeks they have been more concerned with planting landscaping in the berm along Castle Marina. I can only imagine the purpose of the berm is to hide the water drainage problems on the other side. The sidewalk needs to be installed immediately so instances like the other resident reported at the meeting last week about the student having to carry his bike through the yard don’t have to continue.

5) The lack of accountability by the developers as well as Queen Anne’s County surrounding the construction of the Four Seasons development. The developers have continued to fail at being good stewards of this community and its environment. QAC needs to take a long hard look at past performance and current conditions before approving future expansions of this project. QAC also needs to represent their constituents and ensure the residents of this county are being provided with infrastructure that will enhance their way of life rather than complicate it further.

These are only a few key issues I feel compelled to bring to your attention. These do not take into consideration the concerns expressed by so many other QAC residents about the financial stability of this organization. QAC Government needs to keep this fact at the forefront of all your decisions regarding this development.

Regards,

Debra Moye
406 Blenny Lane
Chester, MD 21619
April 8, 2019

The Board of County Commissioners
Queen Anne’s County, Maryland
107 North Liberty Street
Centreville, MD 21617

RE: In Support of K. Hovnanian’s Four Seasons at Kent Island, LLC

Dear Commissioners:

The Queen Anne’s County Economic Development Commission supports K. Hovnanian in its efforts to Petition to extend the termination date of the Developer’s Rights and Responsibilities Agreement due to continuous litigation and administrative challenges that delayed the start of the project.

The substantial economic development benefits that Four Seasons at Kent Island will bring to Queen Anne’s County should be supported and encouraged. Increased tax revenues, increased spending in our local businesses and increased community engagement are all benefits that will impact our entire community. In addition, the EDC recognizes the investment that K. Hovnanian has made thus far to bring this project to fruition and that is it is committed to moving forward under the established agreements. The company has shown its commitment to the project through its investment in public water and sewer infrastructure improvements that not only serve its project, but also the community.

Thank you for your time and consideration.

Sincerely,

Jesse Parks, Chairman
Lisa Palmatary Schrader  
24856 Bridgetown Road  
Goldsboro, Maryland 21636  
Phone number 410-739-7866  

04/04/2019  
Agricultural Preservation Advisory Board  

Dear Sirs,  

I own the property at 651 INGLESIDE RD INGLESIDE 21644-0000, Known as LOT 1 - 244.90 ACRES S/E KANE CROSS RDSN/E INGLESIDE.  

In 2006, we as in my deceased husband, and I, sold our development rights on approximately 130 acres. I have in the last few months, found minerals in place on the whole entire property. 16,000,000 tons to be exact.  

When we sold the Development Rights, I was unaware that there would be an easement in place for anything other than sprawl development.  

Development rights, when the housing boom was going on in our county, was a way to stop sprawl development.  

My farm is not going to be developed, mining is certainly not developing. I have lived and worked in Queen Anne’s County all my life. As well My parents, grandparents.  

Mining this property would give me the opportunity to leave my children and grandchildren an inheritance their father would want. A mining operation open’s jobs in the county.  

I contacted, Queen Anne’s County Commissioner Jim Moran, he stated that he is in the concrete business, and suggested I get a lawyer and appeal the easement.  

Jimmy, David, Randy, Tommy, and Dale, you all know me. Will you advise me how to move forward?  

Respectfully submitted,  

Lisa Palmatary Schrader  

CC: Donna Landis Smith
April 5, 2019

Re: We Need Your Help to Reduce Child Hunger This Summer

Dear Board of County Commissioners:

We like to think of summer vacation as a carefree time for kids. However, for too many Maryland children, the summer months are a time of stress and anxiety. When schools close for the summer, the free and reduced-price school meals that many low-income children rely on also come to an end. As a result, many children spend their summer vacations worried about how to get enough to eat.

To meet this need, the federally funded Summer Food Service Program operates summer feeding sites throughout Maryland. Free summer meals for children are available at schools, libraries, parks, faith-based organizations and other community locations that provide federally reimbursed food as well as a safe place to play. However, only 22% of the children in Maryland who need these meals are getting them. In your county, Queen Anne’s County Food and Nutrition Services and MD Food Bank do an excellent job of running the summer meals program at various sites, but further outreach and support is crucial to reaching as many kids as possible. Summer 2018 meals data for Queen Anne’s County specifically is attached.

No Kid Hungry works to tear down these barriers that make it hard for kids to get the healthy food they need in the summertime. We need your help to ensure that all low-income children have access to food they need in the summer. Here are some ways that you can help:

- Let summer activity providers, neighborhoods leaders and community groups others know they may be eligible to serve free meals through the federal Summer Food Service Program. (Flyer attached).
- Share the importance and availability of free summer meals in your community on social media platforms. (See examples of social media posts on the back of this letter.)
- Let families know where to find meals: by posting the summer meals website locator mdsummermeals.org, calling 211 and texting: Text FOOD or COMIDA to 877-877
- Distribute summer meals flyers in your district office. We will send these over when the design is complete in May.
- Visit a summer meals site in your district! No Kid Hungry Maryland can help identify a summer site with you.
- Support funding for summer programs in communities of need, which can also provide free meals.

Since summer can be a challenging time for many low-income families who see their tight budgets further strained by increased childcare costs and grocery bills, No Kid Hungry Maryland is also leading efforts to bring an innovative new approach to ensuring that low-income children have reliable access to the healthy food they need when schools are closed. The Summer SNAP for Children Act (HB 338 and SB 218) is moving through the state legislature now and we hope that children can benefit beginning in the summer of 2020.

Summer SNAP for Children will provide a $30 per child/per summer month benefit and a $10 per child/per winter break benefit for food to low-income children to reduce food insecurity and improve diet. Summer SNAP for Children builds on
the federal SNAP/FSP program, which provides monthly benefits for food on an electronic benefits card. There are 1,284 children in Queen Anne’s County that could benefit – and these children are in families that are among the most vulnerable in our community. For example, to be eligible for SNAP benefits, a single parent with one child must have an annual income of less than just $22,000.

Summer SNAP for Children also benefits the local economy – every $1 in SNAP generates $1.79 in local economic activity. In addition, as families become aware of the supplement, more families that are eligible may participate in SNAP. With an average monthly federal SNAP benefit of $120 per person, per month, even a modest increase in SNAP take-up will significantly benefit residents and the local economy. The local Department of Social Services will need to apply to the state for Summer SNAP for Children funding and the county will have to match the state funding at the same ratio as school construction costs. Will you help bring this support to the children in your community?

- Share information about Summer SNAP for Children with local leaders and encourage them to apply to participate.
- Allocate matching funding for the program from the county’s budget and/or from private donations.

Thank you for your partnership in making No Kid Hungry a reality in Maryland. Please contact Kara Panowitz, Senior Manager for Summer and Afterschool Meal Programs, at kpanowitz@strength.org or (410) 205-1013 for additional information, resources and summer site visit opportunities.

Sincerely,

Kevin Large
Director, No Kid Hungry Maryland
klarge@strength.org
410-913-4214
Sample Facebook Posts:

Free food, friends and fun! Kids and teens can get FREE meals all summer long at sites across the community. Text FOOD to 877-877 to find a site near you, call 211, or visit: mdsummermeals.org #summermealsmd @nokidhungrymd @mdpublicschools

Schools OUT but food, friends and fun are still IN! Kids and teens can get FREE healthy meals during the summer in a fun, safe place. Text FOOD to 877-877 to find a site near you. To learn more, call 211 or visit: mdsummermeals.org. #summermealsmd @nokidhungrymd @mdpublicschools

FREE summer meals are fun and easy! No application or ID necessary! Free summer meals will help families save money. Text FOOD to 877-877 to find a site near you or to learn more, call 211 or visit: mdsummermeals.org. #summermealsmd @nokidhungrymd @mdpublicschools

Sample Twitter Posts:

@USDA funds #SummerMealsMD 4 kids & teens! Find a site near you by calling 211 or visit mdsummermeals.org @nokidhungrymd @mdpublicschools

Free #SummerMealsMD help make sure kids & teens get food they need 2 stay healthy in the summer. For sites: mdsummermeals.org @nokidhungrymd @mdpublicschools

Sample Constituent Newsletter Article

Free summer meals are available for kids 18 and under during the summer! Kids and teens can walk into sites around the county for a free meal, no ID required. To find a site near you, go to mdsummermeals.org or call 211 and ask for the closest summer meals site, starting in May (sites are updated nightly, so continue to check back for new locations through June). If you are interested in serving meals, they can be served in parks, libraries, schools, community centers, pools, faith-based centers and many other places. To see if your location is eligible and to be connected with a meal servicer, contact Kara Panowitz, No Kid Hungry MD, at kpanowitz@strength.org or 410-205-1013.
Queen Anne’s Summer Meals Data

2017-2018 School Year: Free and Reduced Price Eligibility is 25.34% of enrolled students = 1,987 / 7,840

Percent of FARMS eligible students reached with afterschool meals: 12.93%

<table>
<thead>
<tr>
<th>County</th>
<th>Sponsor</th>
<th># of sites</th>
<th>Operating days</th>
<th># of Meals</th>
<th>ADP for summer meals</th>
</tr>
</thead>
<tbody>
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<td>QUEEN ANNE’S</td>
<td>QUEEN ANNE’S BOARD OF ED</td>
<td>6</td>
<td>21</td>
<td>10,243</td>
<td>248</td>
</tr>
<tr>
<td>QUEEN ANNE’S</td>
<td>MD FOOD BANK</td>
<td>1</td>
<td>9</td>
<td>134</td>
<td>9</td>
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<tr>
<td>QUEEN ANNE’S COUNTY SUMMER 2018 TOTALS</td>
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<td>7 TOTAL SITES</td>
<td>-</td>
<td>10,377 TOTAL MEALS</td>
<td>257 TOTAL AVG. DAILY PARTICIPANTS</td>
</tr>
</tbody>
</table>

Information listed reflects summer meals during summer 2018. For more information contact Maryland No Kid Hungry Senior Manager, Kara Panowitz at kpanowitz@strength.org or Outreach Associate, Noora Kanfash at nkanfash@strength.org.
Free Summer Meals Program in Maryland

Summer should be a time for fun. But when school is out, many kids who rely on school meals need a place to meet up and eat up.

The Summer Food Service Program (SFSP) is a federal child nutrition program funded by the USDA and designed to provide healthy meals to children and teens ages 18 and under during the summer.

In 2018, 3,101,037 free summer meals were served in Maryland.

Where can free meals be served?
Free meals can be served anywhere in the attendance area of a school that has 50% or more students eligible for free or reduced priced meals. Free meals can also be served if programs have 50% or more students eligible for free or reduced priced meals. Some examples of sites are:

- Parks
- Apartment complexes
- Community centers
- Schools
- Faith-based centers
- Camps

Who can set up a site?
Anyone! A staff member of an organization, neighbor, teacher, school nurse or counselor, principal, or volunteer.

Where does the food come from?
Each site is matched up with a sponsor who organizes the food service for your location. Sponsors can include local school systems, food banks, local management boards and other organizations.
How many meals can be served?
Sites can be reimbursed for up to two meals or one meal and one snack per day per child. The two meals can be breakfast and lunch or breakfast and dinner.

What are responsibilities of the site to serve meals?
It is the responsibility of the site to determine who from the location will distribute meals. This person attends a training with the sponsor about food safety, distributes meals, and keeps daily records of meals served.

Who pays for the meals?
The USDA reimburses the sponsor for the meals.

Do sites handle money?
No, sites do not handle money. Money is handled through the sponsor.

What's the difference between an open site and a closed site?
An open site is a walk-in site where anyone 18 and under can receive a meal. No ID is necessary. A closed site is a summer program in which youth must be enrolled in a program, such as a summer camp, to participate.

How can I find out where summer meals are served?
For open sites that any child can attend, go to mdsummermeals.org for a list of locations. This website is updated nightly, so please check back as summer approaches.

How do I get more info and get connected to a sponsor?
You can contact Kara Panowitz, Out of School Time Manager, Share Our Strength at kpanowitz@strength.org or 410-205-1013.
April 18, 2019

Via Hand Delivery

Queen Anne's County Commissioners
  c/o Todd Mohn, P.E., Administrator
107 Liberty Street
Centreville, Maryland 21617

Re: Supplemental Submittals, Petition to Confirm Tolled Expiration Date of the DRRA.

Dear Commissioners,

Please find attached a response to a letter from the Queen Anne’s Conservation Association (“QACA”) to the County Commissioners (“Commissioners”) dated April 9, 2019; as well as letters prepared by the two project engineers concerning the application on current stormwater management and environmental regulations on the Four Seasons’ design. I ask that you please review these letters and include each with the public hearing record on the Petition to Confirm Tolled Expiration Date of the DRRA.

Should you have any questions please do not hesitate to contact me.

Very truly yours,

STEVENS PALMER, LLC

Joseph A. Stevens

cc: Patrick E, Thompson, Esq., County Attorney (with enclosures, via email only)
    J. Steven Cohoon, Dept. of Public Works (with enclosures, via email only)
    Michael Wisnosky, Planning Director (with enclosures, via email only)
    Mike Irons, K. Hovnanian (with enclosures, via email only)
    Kenneth Mahieu, VP and Chief Legal Counsel, K. Hovnanian (with enclosures, via email only)
April 18, 2019

Via Hand Delivery

Queen Anne’s County Commissioners
c/o Todd Mohn, Administrator
107 Liberty Street
Centreville, Maryland 21617

Re: Response to Queen Anne’s Conservation Association’s Letter concerning Petition to Confirm Tolled Expiration Date of the DRRA.

Dear Commissioners,

I am responding to a letter from the Queen Anne’s Conservation Association (“QACA”) to the County Commissioners (“Commissioners”) dated April 9, 2019 in which QACA makes several arguments in opposition to K. Hovnanian’s Petition to Confirm Tolled Expiration Date. The underlying premise of QACA’s legal analysis is flawed. Contrary to QACA’s statement in Footnote 1 of its letter, K. Hovnanian does not “request an eight (8) year extension of the DRRA,” nor does it seek to “extend [or amend] the DRRA, without consideration.” K. Hovnanian is seeking concurrence that the term of the DRRA was suspended under the doctrine of tolling primarily as a result of: the County’s breach of the DRRA; the injunction issued by the Circuit Court resulting from mistakes made by the County in preparing the Critical Area growth allocation overlay maps; and, the illegal and unconstitutional denial of K. Hovnanian’s routine Tidal Wetland’s License by the State Board of Public Works, none of which was anticipated or foreseeable. Given the false premise on which QACA builds its position, and as further explained below, the three arguments it makes in the April 9th letter all fail.

QACA’s first contends the “plain language of the DRRA precludes the relief requested...” because the DRRA expressly provides that it “shall be void after twenty (20) years in any event.” See page 2 QACA Letter April 9, 2019. This statement misquotes the DRRA and is misleading. Section 13.2 of the DRRA accurately reads as follows:

This Agreement shall run with and bind the Subject Property so long as the Four Seasons development is under construction and development, but in any event this Agreement shall be void 20 years after the effective date of this Agreement.
The term "in any event" modifies "so long as the Four Seasons development is under construction and development." Thus, the DRRA could terminate sooner than 20 years if construction is complete, if not then the term is 20 years. Such language, however, does not preclude the application of the doctrine of tolling. The term of the DRRA is not changing, it remains 20 years, but is suspended from running for the time that litigation and administrative challenges halted development processes for the Four Seasons, and is therefore, not at odds with DRRA Section 13.2.

As recognized by Judge Sause in Civil # 9494, tolling of the DRRA due to a breach by the County had nothing to do with "consideration" or the DRRA being a "extensively negotiated" contract between the parties as QACA submits. In Civil # 9494 the Circuit Court declared the DRRA did not commence until the day following the day on which the County rescinded a directive that halted the review of the Four Seasons development applications by County agencies. See Petition Exhibit 5, Court's Opinion page 5. Judge Sause's Opinion in Civil # 9494 has set the stage for the Commissioners to confirm that the DRRA has tolled as requested by K. Hovnanian.

In its second argument, QACA states that the relief K. Hovnanian seeks is "equitable tolling" and that the existence of an enforceable contract precludes such relief. QACA cites County Com'rs of Caroline County v. J. Roland Dashiell & Sons, Inc., 358 Md 83 (2000) as authority for precluding here the application of tolling. In Dashiell, however, the Court held that a party may not pursue a cause of action for unjust enrichment when a contract exists between the parties concerning the same subject matter on which the unjust enrichment claim rests. Id. at 96. K. Hovnanian asserts no unjust enrichment or quasi contract claim, and Dashiell is completely distinguishable from the circumstances encountered by K. Hovnanian. Contrary to QACA's claim, Dashiell is silent on the general issue of equitable relief in the context of a contract dispute. Conversely, in Chesapeake Bank of Maryland v. Monroe Muffler/Brake, Inc., 166 Md. App 695 (2006), the Court of Special Appeals specifically states that "equitable principles... may affect the construction or performance of contracts..." Monroe permits "reform" of a contract where "the equities are such that [the contract] should not be enforced." Id. at 718-19 (quoting Gardiner v. Gardiner, 200 Md. 233 (1952)).

Regardless, QACA again misses the point. K. Hovnanian seeks no "relief" or change from the term of the contract. The DRRA is for 20 years, but was suspended for a specific time period in accordance with National Waste Managers v. Anne Arundel County, 135 Md. App. 585, 612-613 (2000). In National Waste a special exception (a land use or zoning tool) expiration date was tolled due to legal challenges. Similarly, the DRRA is a land use tool authorized under the Land Use Article, not simply a contract between parties, and thus, tolls due to failed litigation and illegal denials of necessary approvals.

Judge Sause in Civil # 9494 applied the National Waste standard by resetting the term of the DRRA to start when the County rescinded a directive that halted the review of
the Four Seasons development applications by County agencies, thereby the 20 year term did not begin until the County and K. Hovnanian settled their dispute on October 28, 2003. See Petitioner Exhibit 12, Settlement Agreement (submitted at the April 9, 2019 public hearing).

QACA’s third argument supposes that K. Hovnanian is seeking to extend the DRRA through agreement, which it is not. In a confusing paragraph with incorrect citations (reference to Land Use Article §7-306 should be to §7-305, and to QACC §18-300 et seq. should be to §18-1300 et seq.) QACA tries to make a case that the parties to the DRRA have no authority to agree to extend the term of the DRRA through amendment or otherwise. Again, this argument is irrelevant because K. Hovnanian is not requesting the County Commissioners extend/amend the DRRA, and its Petition to Confirm Tolled Expiration Date is not premised on the DRRA statutory provisions.

K. Hovnanian seeks recognition of the suspension ("tolling") of the DRRA while litigation and illegal denials stopped the processing of the development application. As held in National Waste, to fail to apply the tolling doctrine “would mean that a developer facing a time-related condition could almost always be thwarted in its efforts by the inevitable delay resulting from litigation, regardless of the merits; the right to proceed would necessarily expire before a court could rule otherwise. We cannot accept that logic, which elevates legal gamesmanship to new heights.”

Simply stated, QACA misunderstands the issue before the Commissioners, then relies on statutory and case law that provides no support for its misguided legal positions.

Very truly yours,

STEVENS PALMER, LLC

Joseph A. Stevens

cc: Patrick E. Thompson, Esq., County Attorney (via email only)
J. Steven Cohoon, Dept. of Public Works (via email only)
Michael Wisnosky, Planning Director (via email only)
Mike Irons, K. Hovnanian (via email only)
Kenneth Mahieu, VP and Chief Legal Counsel, K. Hovnanian (via email only)
April 16, 2019

Mike Irons
K. Hovnanian’s Four Seasons at Kent Island, LLC
Division President
101 Chester Station Lane
Chester, MD 21619

RE: ENVIRONMENTAL DESIGN REGULATIONS FOR FOUR SEASONS AT KENT ISLAND, PHASE 1

Dear Mr. Irons:

There were several inaccurate comments made at the County Commissioner’s hearing on April 9, 2019 concerning application of current environmental standards on the development of the Four Seasons. The implication of such statements was that (due to the protections under the DRRA) Phase 1 did not have to meet all of the current applicable environmental standards. As discussed in more detail below, Phase 1 engineering and design does meet all current applicable environmental design standards.

Stormwater Management:
Phase 1 conditional final subdivision and site plan approval occurred in 2005 ("2005 Plans") and included stormwater plans that complied with the 2000 Maryland Stormwater Manual. These plans utilized a network of water quality stormwater ponds and disconnection credits to comply with the applicable regulations.

In 2009, the Maryland Department of the Environment revised the Manual in several ways, most notably, to require that stormwater plans incorporate Environmental Site Design Practices (ESD). These are small-scale stormwater practices that are intended to be distributed throughout a project, and (to use the language referenced in the performance standards) they are to be implemented “to the maximum extent practicable” (MEP). Prior to final site plan and subdivision approvals for Phase 1 in 2016, at Hovnanian’s direction, we voluntarily redesigned the project’s stormwater plan in accordance with the 2009 Stormwater Manual, which is still the latest and greatest stormwater standard for the State and Queen Anne’s County.

Queen Anne’s County Department of Public Works (DPW) approved the revised stormwater plan as meeting the requirements of the latest standards in the manual. The plan utilized the following ESD practices:

- Disconnection of Rooftop Runoff
- Rainwater Harvesting
- Micro-Bioretention
- Bio-Swales
Final subdivision and site plan approval for Phase 1 of Four Seasons implements ESD to the MEP as evidenced by DPW’s stormwater management plan signatures dated 11/6/16. The stormwater management plan covers all onsite and offsite improvements in Phase 1, including the elevated water storage tank, pump station, and road improvements in the county and State Highway Administration rights of way.

**Sediment and Erosion Control:**
The Maryland Department of the Environment also revised their design standards for sediment and erosion control subsequent to the conditional final subdivision and site plan approval in 2005, with their “2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control” being the latest design manual. At Hovnanian’s direction, we revised the Sediment and Erosion Control Plans for all aspects of the Phase 1 improvements prior to obtaining final subdivision and site plan approval in 2016 to comply with the new standard. This includes three distinct plan sets that cover the onsite improvements (including adjacent road improvements in the county and State Highway Administration rights of way); the elevated water storage tank; and the pump station/force main. Approval of these plans is evidenced by the Queen Anne’s County Soil Conservation District’s sediment and erosion control plan signatures dated 1/18/2017 (re-signed 1/16/2019), 5/3/2016 (re-signed 4/18/2018), and 9/13/2017, respectively.

After a significant rainfall event in February 2018, we redesigned and enlarged the sediment basins for Phase 1, at Hovnanian’s direction, to improve the capacity to detain water onsite and reduce the discharge of stormwater runoff. We enlarged one basin and designed a new temporary sediment trap such that throughout Phase 1, there is approximately three times the required volume provided in the sediment traps as compared to the requirements dictated by the 2011 Manual.

Hovnanian has also implemented a stormwater filtration system to filter all the runoff that accumulates in the sediment basins and discharge the clear filtered water into the adjacent tidal creeks. The goal is that no runoff leaves the construction area without having been filtered. Based on my 16 years of experience in Maryland, this approach goes far beyond the requirements of the applicable standards for a project under construction in this state.

**Conclusion:**
I hope this clarifies that the Phase 1 construction plans comply with all currently applicable environmental regulations. Despite the project’s relatively long history, the improvements being constructed today are state-of-the-art in terms of environmental protection.

Sincerely,

Steve Layden, P.E., LEED AP
Senior Project Manager

Cc: Joseph Stevens, Stevens Palmer, LLC
April 15, 2019

Mr. Mike Irons, Division President
K. Hovnanian at Kent Island, LLC
101 Chester Station Lane
Chester, Maryland 21619

RE: Petition to Toll - Hearing Comments Concerning Application of Environmental Regulations on the Four Seasons at Kent Island Phases 2, 3 and 4.

Dear Mike,

Lane Engineering, LLC is retained by K. Hovnanian for final subdivision and site plan design of Phases 2, 3 and 4 of Four Seasons at Kent Island. During the public hearing held on April 9, 2019 there were statements made by some that (due to the “freeze” on land use regulations contained in the DRRA) the project’s environmental design will not be in compliance with current State and County regulations pertaining to stormwater management and sediment and erosion control.

As the licensed Professional Engineer responsible for the site infrastructure design of Phases 2, 3 and 4, I can assure you that these phases are being designed to meet current State and County regulations pertaining to stormwater management and sediment and erosion control. Phase 2 plans are currently under review by County Department of Public Works engineering staff, and by the County Soil Conservation District. Phase 2 stormwater management plans are also being reviewed by Maryland Critical Area Commission staff for “10 Percent Rule” compliance. Phases 2, 3 and 4 stormwater facilities are being designed to incorporate Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) per the 2009 Maryland Stormwater Design Manual. The proposed design for the project includes the following ESD practices that will be implemented throughout the project at various locations:

- Disconnection of Rooftop Runoff
- Bio-Swales
- Micro Bio-Retention, and
- Submerged Gravel Wetlands
The sediment and erosion control plans for phase 2, 3 and 4 incorporate the enhanced measures currently being utilized in phase 1 including “Rain for Rent” filtering of waters leaving the proposed sediment basins. Additionally, the sediment basins have been designed with a dry storage capacity well in excess of what is required per the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control in order to provide maximized runoff volume capture.

We note that some opponents of the Petition have also suggested the project may not be in compliance with The Chesapeake Bay Total Maximum Daily Load (TMDL) or “Pollution Diet” and the Queen Anne’s County Watershed Implementation Plan (Phases I-III). As you may be aware, these items are Federal initiatives that require Bay jurisdictions (States/Counties/Municipalities) to broadly address pollutant loadings in the Chesapeake Bay watershed from all sources. These items are not specific regulations that apply to the review and approval of individual development projects.

In summary, Phases 2, 3 and 4 of the Four Seasons community are being designed in compliance with all current and applicable environmental regulations.

Sincerely,

Lane Engineering, LLC

Timothy W. Glass, P.E.
Vice President
COUNTY ORDINANCE NO. 19-04

A BILL ENTITLED

AN ACT CONCERNING the Definition of "Truck Stop and Travel Plaza" under Chapter 18 of the Code of Public Local Laws of Queen Anne’s County, Maryland;

FOR THE PURPOSE or revising and clarifying the definition of Truck Stop and Travel Plaza in Chapter 18 of the Code of Public Local Laws;

BY AMENDING the definition of Truck Stop and Travel Plaza in Chapter 18 App: Appendix a: Glossary of the Code of Public Local Laws.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND that the definition of Truck Stop and Travel Plaza in Chapter 18 App: Appendix a: Glossary be and is hereby AMENDED to read as follows:

TRUCK STOP AND TRAVEL PLAZA

A facility primarily intended for commercial trucks, tractor trailers and recreational vehicles and truck service facility that consists of fuel sales and a restaurant, facilities a fast-food restaurant and/or convenience store on one lot or adjacent lots, and may also include vehicle service and repairs, ancillary retail overnight lodging activities and shower and locker room facilities, all managed as a unit with off-street parking provided on the property.

SECTION II

BE IT FURTHER ENACTED that, upon introduction, this Ordinance shall be referred to the Queen Anne’s County Planning Commission for investigation and recommendation.

SECTION III

BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-sixth (46th) day following its enactment.
INTRODUCED BY: Commissioner Moran

DATE: January 22, 2019

PUBLIC HEARING HELD: April 9, 2019 @6:50 p.m.

VOTE: ___________ Yea ____________ Nay

DATE OF ADOPTION: ______________________

EFFECTIVE DATE:  _______________________


NOTICE OF PUBLIC HEARING

A public hearing will be held by the County Commissioners of Queen Anne’s County on the Petition of K. Hovnanian’s Four Seasons at Kent Island, LLC requesting that the County Commissioners, acting as public principal under a Developer Rights and Responsibilities Agreement dated September 17, 2002 (the “DRRA”) confirm that the DRRA has been tolled by operation of law and that the expiration date of same is therefore extended for a period of 96 months until September 17, 2030.

The hearing will be held:

Tuesday, April 9, 2019
At 7:00 p.m.
County Commissioners Meeting Room
107 N. Liberty Street
Centreville, Maryland 21617

Copies of the Petition and Request for hearing may be obtained at the County Commissioners Office, 107 N. Liberty Street, Centreville, Maryland 21617, prior to the hearing during the hours of 8:00 a.m. to 4:30 p.m. or on-line at www.qac.org.

Speakers will be limited to three minutes each. Written testimony of any length may be submitted on or before the hearing date to the County Commissioners, 107 N. Liberty Street, Centreville, Maryland 21617.

All hearing sites are accessible to individuals with disabilities. Sign language interpreters and assistive listening systems will be available for individuals with
disabilities. If any such assistance is necessary, please contact Mrs. Tina Miles at 410-758-4406 or TD 410-758-2126 at least seven (7) days before the scheduled hearing.

By Authority of
THE COUNTY COMMISSIONERS
OF QUEEN ANNE’S COUNTY
Margie A. Houck
Executive Assistant to Commissioners