

July 28, 2020

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

James J. Moran
Jack N. Wilson, Jr.
Stephen Wilson
Philip L. Dumenil
Christopher M. Corchiarino

MEETING CALLED TO ORDER:

The meeting was called to order at 5:00 p.m.

CLOSED SESSION:

Pursuant to State Government Law Section 3-305(b) (1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; “The County Commissioners held a Closed Session on a motion of Commissioner Dumenil, seconded by Commissioner Corchiarino, at 5:00 p.m. in the Office of the County Commissioners, The Liberty Building, 107 N. Liberty Street, Centreville, Maryland.” The Board adjourned in Closed Session at 5:15 p.m. Those in attendance were Mr. Todd Mohn, County Administrator; Ms. Margie Houck, Executive Assistant; Patrick Thompson, Esquire, County Attorney; Ms. Beverly Churchill, Director of Human Resources and Mr. Jonathan Seeman, Director of Budget, Finance and IT.

In open Session:

On a motion made by Commissioner J. Wilson, seconded by Commissioner Corchiarino, the Board unanimously agreed to appoint Edward Clower to the broadband industry position for Broadband Advisory Council for the remainder of term.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	

Corchiarino	x	
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On a motion made by Commissioner J. Wilson, seconded by Commissioner Corchiarino, the Board unanimously agreed to re-appoint Harry Langway and Marty Ronning to a five-year term on the Electrical Examiners & Supervisors Board to begin immediately and end June 30, 2025.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

On a motion made by Commissioner Dumenil, seconded by Commissioner J. Wilson, the Board unanimously agreed to appoint Arthur Ebersberger and Kathy Deoudes to a four-year term on the Planning Commission to begin immediately and end December 31, 2024.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

On a motion made by Commissioner Dumenil, seconded by Commissioner S. Wilson, the Board unanimously agreed to fill four vacant part-time golf attendant position.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

CLOSED SESSION:

Pursuant to State Government Law Section 3-305(b), (7) to consult with counsel to obtain legal advice on a legal matter; “The County Commissioners held a Closed Session on a motion of Commissioner Dumenil, seconded by Commissioner Corchiarino, at 5:15 p.m. in the Office of the County Commissioners, The Liberty Building, 107 N. Liberty Street, Centreville, Maryland.” The Board adjourned in Closed Session at 5:30 p.m. Those in attendance were Mr. Todd Mohn, County Administrator; Ms. Margie Houck, Executive Assistant; Patrick Thompson, Esquire,

County Attorney; Ms. Beverly Churchill, Director of Human Resources and Mr. Jonathan Seeman, Director of Budget, Finance and IT.

The Board discussed the location of the Mid-Shore Regional Landfill and Sudlersville’s Water and Sewer Plant.

MINUTES:

On a motion made by Commissioner J. Wilson, seconded by Commissioner Corchiarino, the Board unanimously agreed to approve the Agenda as amended for the current meeting and the Regular and Closed Minutes of July 14, 2020.

PRESS AND PUBLIC COMMENTS:

The following persons spoke to the Commissioners on subjects of interest to them:

1. Mary Ella Jordak

WEEKLY CORRESPONDENCE AND PRESENTATION OF DOCUMENTS FOR SIGNATURE:

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

CDBG – EMERGENCY RENTAL ASSISTANCE & QUARANTINE SHELTERING:

Mr. Michael Clark, Chief of Housing & Family Services, submitted to the Board for their review and approval, CDBG - CV-1-8 Emergency Rental Assistance & Quarantine Sheltering Grant Agreement and Program Forms.

The Board reviewed two originals of the Grant Agreement and Authorized Signature Forms for the above-named projects. Funds for Emergency Rental Assistance will be used to provide three months of rental assistance to Queen Anne’s County households whose income has been negatively impacted by loss of employment or reduction in hours as a result of the COVID-19 crisis. Funds for Quarantine Sheltering will be used to pay for necessary sheltering at hotels for low- and moderate-income Queen Anne’s County residents who must be quarantined due to the COVID-19 crisis.

On a motion made by Commissioner S. Wilson, seconded by Commissioner Corchiarino, the Board unanimously agreed to approve and sign the CV-1-8 Emergency Rental Assistance & Quarantine Sheltering Grant Agreement and Program Forms.

Commissioners	Yes	No
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Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

PROPERTY LIENS:

Ms. Vivian Swinson, Zoning Administrator, submitted to the Board for their review and approval, Property Liens.

- Map 581, Grid 22, Parcel 791, 114 Robinson Lane, Grasonville (\$590.00)
- Map 63, Grid 2, Parcel 102, 100 Annapolis View Road, Stevensville (\$280.00)
- Map 76, Grid 00, Parcel 42, 117 Howard Road, Stevensville (\$235.00)
- Map 58E, Grid 4, Parcel 568, 938 Chester River Drive, Grasonville (\$240.00)
- Map 58D, Grid 24, Parcel 120, 3809 Main Street, Grasonville (\$240.00)
- Map 58H, Grid 12, Parcel 281, 120 Collier Road, Grasonville (\$240.00)
- Map 58H, Grid 18, Parcel 287, 203 Gravel Run Road, Grasonville (\$260.00)

An independent contractor hired by the Zoning Office to cut grass at the above referenced addresses after the property owner ignored repeated attempts by the Zoning Inspector to get the site to comply with Queen Anne’s County Code Chapter 19 Article II § 19-2 L. (2) which states: A person may not allow any vegetation to grow higher than 12 inches on any lot or parcel that is: (a) Less than three acres in size; and (b) located in an approved or recorded residential subdivision or any part of which is within 200 feet of a neighboring residence.

On a motion made by Commissioner Dumenil, seconded by Commissioner J. Wilson, the Board unanimously agreed to approve Resolutions 20-17 through 20-23 to place a lien on each of the properties listed in the County Zoning Administrator’s memorandum dated July 28, 2020 for nuisance violations. As part of the motion, Commissioner J. Wilson made comments on this topic.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

TOWN OF SUDLERSVILLE – REQUEST FOR SUPPORT: #3

Mr. Mohn submitted to the Board for their review and approval, Town of Sudlersville - Request for Support.

The Board reviewed a letter from Maryland Environmental Service to the Town of Sudlersville. MES provides water and wastewater maintenance services to the town. The town has fallen behind with their monthly payments for this service. MES has issued a 60-day termination notice for continuing services unless outstanding bills are paid. The Town does not have the ability to pay off this debt and would like our help to assist them with the development of a plan. The plan would include a review of the town's finances and recommendations for a means to return to solvency. The Town is also in the process of developing an agreement with MES to extend their service contract for four additional months to ensure uninterrupted service.

On a motion made by Commissioner Dumenil, seconded by Commissioner Moran, the Board unanimously agreed to assist the Town of Sudlersville with a financial and legal review and the development of a plan to return their public utility system to solvency.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

BUDGET AMENDMENT:

On a motion made by Commissioner Corchiarino, seconded by Commissioner J. Wilson, the Board unanimously agreed to approve Budget Amendment CC-2.

#							Date	7/7/2020
QUEEN ANNE'S COUNTY								
REQUEST FOR BUDGET AMENDMENT								
FY2021								
							Increase (Decrease)	
							Amount	
Description of expenditure/revenue accounts to increase/(decrease):								
			Fund	Account Code				
Increase	CDBG Housing Study	Fed Community Services & Dev-CDBG	730	730030	32185		\$ 25,000	
Increase	CDBG Housing Study	Consultants	730	730030	5020		\$ 25,000	
Justification:								
This amendment recognizes the remaining amount for the CDBG Housing Study Grant that was meant to be in FY20.								
However, COVID-19 prolonged the process of selecting an agency to perform the Housing Study, which is now set to be completed by OCT/NOV 2020.								
There is currently \$25,000 of existing budget authority in the Housing Study activity. This amendment will increase it by an additional \$25,000 and the total for FY21								
will be \$50,000.								
NO ADDITIONAL COUNTY FUNDS ARE REQUESTED								

Commissioners	Yes	No
Moran	x	
J Wilson	x	

S Wilson	X	
Dumenil	X	
Corchiarino	X	

On a motion made by Commissioner J. Wilson, seconded by Commissioner Corchiarino, the Board unanimously agreed to approve Budget Amendment CC-3.

#	CC-3							Date	7/7/2020
QUEEN ANNE'S COUNTY									
REQUEST FOR BUDGET AMENDMENT									
FY2021									
								Increase (Decrease)	
								Amount	
Description of expenditure/revenue accounts to increase/(decrease):								Fund	Account Code
Increase	Homeless Solutions	Fed CARES Grant	708	708030	32220			\$	10,000
Increase	Homeless Solutions Rapid Re-Housing	Fed CARES Grant	708	708040	32220			\$	10,000
Increase	Homeless Solutions Homeless Prevention	Fed CARES Grant	708	708050	32220			\$	67,841
								Total Increase in Revenue	\$ 87,841
Increase	Homeless Solutions	Other Exp	708	708030	8995			\$	10,000
Increase	Homeless Solutions Rapid Re-Housing	Other Exp	708	708040	8995			\$	10,000
Increase	Homeless Solutions Homeless Prevention	Other Exp	708	708050	8995			\$	67,841
								Total Increase in Expenditures	\$ 87,841
Justification:									
This amendment recognizes the Homelessness Solutions Program funding through the CARES Act.									
NO ADDITIONAL COUNTY FUNDS ARE REQUESTED									

Commissioners	Yes	No
Moran	X	
J Wilson	X	
S Wilson	X	
Dumenil	X	
Corchiarino	X	

On a motion made by Commissioner J. Wilson, seconded by Commissioner Dumenil, the Board unanimously agreed to approve Budget Amendment CC-4.

#	CC-4							Date	7/7/2020
QUEEN ANNE'S COUNTY									
REQUEST FOR BUDGET AMENDMENT									
FY2021									
								Increase (Decrease)	
								Amount	
Description of expenditure/revenue accounts to increase/(decrease):								Fund	Account Code
Increase	Moderately Priced Housing	MPDU Fee In Leu	713	713000	35227			\$	250,000
Increase	Moderately Priced Housing	Housing Subsidy/Loan	713	713000	8310			\$	250,000

Justification:							
	This amendment recognizes the revenue for the final installment for the MPDU Fee In Lieu of Agreement for the Gibson Grant Community, as well as						
	increasing the number of loans that are made available to first time home buyers in FY2021.						
	NO ADDITIONAL COUNTY FUNDS ARE REQUESTED						

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

LETTER TO GOVERNOR HOGAN:

On a motion made by Commissioner Dumenil, seconded by Commissioner Corchiarino, the Board unanimously agreed to sign the following letter:

We appreciate your continuing leadership during these very challenging times. As we all continue our focus on the economic recovery and reopen Maryland, we support the continuation of implementing more restrictive guidelines at the local level versus rolling back these conditions statewide. Collectively with our local health officer, we have worked hand-in-hand with our local businesses, our food service establishments and our citizens to make sure proper protocols have been developed and are being followed to reduce the spread of the virus. Our positivity rate is now below the state average and we have recently achieved the 10% goal of population tested. We are actively monitoring these key metrics in and around our jurisdiction and we will be continuing to assist, reinforce and message the importance of safe practices both to citizens and visitors in our community.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

AMENDED SHA KENT NARROWS LEASE:

Mr. Shane Moore, Chief Roads Engineer, Department of Public Works, submitted to the Board for their review and approval, amended SHA Kent Narrows Lease.

The Board reviewed the lease and plat that amends the original 1992 lease between the State Highway Administration and Queen Anne’s County, by which the County leases portions of SHA right-of-way “to promote economic redevelopment of the Kent Narrows area and for

other mutual economic and other benefits to be derived”. This lease amendment serves to convey two areas totaling 0.144 acres of SHA right-of-way currently leased by QAC back to SHA, so that SHA may convey the property to Schulz Development, LLC. Attached are two (2) August 12, 2020 Department of Transportation Action Agendas for your review. SHA has indicated they would like to present the County executed lease amendment at the August 12, 2020 Board of Public Works. The County Attorney as well as staff have reviewed and approved the lease amendment.

On a motion made by Commissioner Dumenil, seconded by Commissioner Corchiarino, the Board unanimously agreed to sign the amended SHA Kent Narrows Lease. As part of the motion, Commissioner S. Wilson made comments on this topic.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

RESOLUTION 20-24 – REFUNDING BY THE MARYLAND ENVIRONMENTAL SERVICE OF ITS REVENUE BONDS (MID-SHORE II REGIONAL LANDFILL PROJECT), SERIES 2011:

County Attorney Patrick Thompson met with the Board and gave an overview of Resolution 20-24 Refunding by the Maryland Environmental Service of its revenue Bonds Mid-Shore II Regional Landfill Project, Series 2011

REFUNDING BY THE MARYLAND ENVIRONMENTAL SERVICE OF ITS REVENUE BONDS (MID-SHORE II REGIONAL LANDFILL PROJECT), SERIES 2011

FOR THE PURPOSE OF acknowledgment and acceptance by the County Commissioners of Queen Anne’s County (the “County”) of the issuance by the Maryland Environmental Service (the “Service”) of refunding bonds to refund in whole or in part its outstanding Revenue Bonds (Mid-Shore II Regional Landfill Project), Series 2011 (the “Series 2011 Bonds”); acknowledging the County’s continuing obligations under the existing Waste Disposal Service Agreement (the “Service Agreement”) between the Service and the County and as described herein; authorizing the approval, execution and delivery of any additional documents, certificates or instruments related to the contemplated refunding, including a continuing disclosure agreement; and generally relating to the refunding of Series 2011 Bonds and the Service Agreement.

RECITALS

The Maryland Environmental Service (the “Service”) was created by, exists under, and exercises the powers contained in Sections 3-101 through 3-130 of the Natural Resources Article of the Annotated Code of Maryland (2012 Replacement Volume and 2019 Supplement), as amended to date (the “Act”), including (among others) the powers (i) to borrow money and issue bonds or notes for the purpose of paying all or any part of the cost of any one or more “projects” (as defined in the Act) and to provide for the security of such bonds or notes and the rights of the holders thereof; (ii) to enter into contracts with the federal or any state government, or any unit, instrumentality or subdivision thereof, or with any municipality or person within or without the State of Maryland, providing for or relating to any project of the Service; and (iii) to issue refunding bonds for the purposes of refunding any bonds or notes then outstanding which were issued by the Service under the provisions of the Act and to provide for the security of such refunding bonds and the rights of the holders thereof. The County constitutes a “municipality” for purposes of the Act.

The Service issued its \$18,275,000 Revenue Bonds (Mid-Shore II Regional Landfill Project), Series 2011, dated February 16, 2011 (the “Series 2011 Bonds”) in order to finance the cost of the acquisition, design, construction and equipping of the first cell at a sanitary landfill located in Caroline County, Maryland known as the Mid-Shore II Regional Solid Waste Facility Landfill (the “Mid-Shore II Landfill”). The Series 2011 Bonds were issued pursuant to an Indenture of Trust dated as of February 1, 2011 (the “Original Indenture”), between the Service and The Bank of New York Mellon, as trustee (the “Trustee”).

In connection with the issuance of the Series 2011 Bonds, the Service entered into a Waste Disposal Service Agreement (each, a “Service Agreement” and collectively, the “Service Agreements”) with Talbot County, Maryland, and the County Commissioners of each of Kent County, Caroline County and Queen Anne’s County, Maryland (collectively, the “Subdivisions”). Pursuant to the Service Agreements, the Subdivisions deliver to the Mid-Shore II Landfill the Acceptable Waste (as defined in the Service Agreements) generated within their respective boundaries and pay Tipping Fees (as defined in the Service Agreements) for each ton of Acceptable Waste that is delivered to the Mid-Shore II Landfill and Supplemental Fees (as defined in the Service Agreements) in the event that the Total Costs (as defined in the Service Agreements) of the Mid-Shore II Landfill exceed the Landfill Revenues (as defined in the Service Agreements).

Since the issuance of the Series 2011 Bonds, the Service has also issued (i) its \$4,500,000 Revenue Bonds (Mid-Shore II Regional Landfill Project), Series 2014, dated May 22, 2014 (the “Series 2014 Bonds”) in order to finance the cost of the acquisition, design, construction and equipping of the second cell at the Mid-Shore II Landfill, and (ii) its \$8,915,000 Revenue Bonds (Mid-Shore II Regional Landfill Project), Series 2018, dated August 8, 2018 (the “Series 2018 Bonds”) in order to finance the cost of the development and construction of Cell Number 3 of the Mid-Shore II Landfill. The Series 2014 Bonds were issued pursuant to the Original Indenture, as supplemented by that Supplemental Indenture of Trust dated as of May 1, 2014, between the

Service and the Trustee (collectively, the “First Supplemented Indenture”). The Series 2018 Bonds were issued pursuant to the First Supplemented Indenture, as supplemented by that Second Supplemental Indenture of Trust dated as of August 1, 2018, between the Service and the Trustee (collectively, the “Existing Indenture”).

The Service has determined to issue Additional Bonds as permitted by the Existing Indenture in an original aggregate principal amount not to exceed Twelve Million Dollars (\$12,000,000) (the “Refunding Bonds”) for the purpose of refunding in whole or in part the outstanding Series 2011 Bonds and paying any costs relating to such refunding as permitted by applicable law. The Refunding Bonds will be issued as Additional Bonds pursuant to a Third Supplemental Indenture of Trust between the Service and the Trustee that supplements the Existing Indenture (the “Third Supplemental Indenture” and, together with the Existing Indenture, the “Indenture”), and will be payable from the revenues under the Service Agreements from the operation of the Mid-Shore II Landfill and other payments provided for in the Service Agreements.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, THAT:

Section 1. The County acknowledges and accepts the issuance of the Refunding Bonds for the purposes described in this Resolution, and acknowledges that the issuance by the Service of the Refunding Bonds for such purposes is contemplated under the existing Service Agreements (as Indebtedness, as referred to therein) and the Indenture (as Additional Bonds, as referred therein). It is acknowledged and agreed that the Refunding Bonds will be sold by the Service in such manner as the Service determines. This Resolution may be provided by the Service to the Trustee, bond counsel to the Service and any purchaser of the Refunding Bonds as evidence of the County’s acknowledgment of and consent to the issuance of the Refunding Bonds.

Section 2. The County acknowledges and agrees that the Refunding Bonds constitute Indebtedness (as defined in the Service Agreements) under the Service Agreements and a part of Total Costs (as defined in the Service Agreements). It is further recognized that the County is obligated under its Service Agreement to pay its Proportionate Share (as defined in such Service Agreement) of the Total Costs in connection with the performance of its obligations under its Service Agreement, which Total Costs include (without limitation) costs of providing waste disposal services under such Service Agreement and debt service payments with respect to the Refunding Bonds and other Indebtedness.

Section 3. The Service Agreement of the County remains in full force and effect.

Section 4. The President of the County Commissioners of Queen Anne’s County and the Executive Assistant (the “Authorized Officials”) are each hereby authorized and directed, on behalf of the County, to take any and all actions necessary or appropriate in connection with the

issuance of the Refunding Bonds, including (without limitation) the undertaking of continuing disclosure obligations in connection therewith and the approval, execution and delivery of all agreements, certificates, consents, assignments or other documents or instruments necessary or appropriate to consummate the issuance of the Refunding Bonds and the related matters contemplated under this Resolution. Other appropriate County officials are hereby authorized and directed, on behalf of the County, (i) to approve, execute and deliver closing certificates or instruments as to matters within the scope of their respective duties, obligations and responsibilities and (ii) to attest to the County seal.

Section 5. The Authorized Officials are each hereby authorized and directed, on behalf of the County, to review and approve, with such changes, omissions, insertions and revisions as they may deem desirable or necessary, the information contained in Appendix A of (i) the Preliminary Official Statement of the Service relating to the Refunding Bonds (the “Preliminary Official Statement”) and (ii) the Official Statement of the Service relating to the Refunding Bonds (the “Official Statement”), which information is to be in substantially the same form as in the Preliminary Official Statement, concerning the County and each are hereby authorized to approve, execute and deliver any documents and to take any and all other actions necessary to consent to the inclusion of the County’s information and certify the accuracy thereof, included in such Preliminary Official Statement and/or Official Statement.

Section 6. The provisions of this Resolution shall be liberally construed in order to effect the transactions contemplated by this Resolution.

Section 7. If any provision of this Resolution is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Resolution which can be given effect without the invalid provision or application, and for this purpose the provisions of this Resolution are declared severable.

Section 8. This Resolution shall take effect from the day of its adoption.

On a motion made by Commissioner J. Wilson, seconded by Commissioner Dumenil, the Board unanimously agree to adopt Resolution 20-24.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

PRESS AND PUBLIC COMMENTS:

The following persons spoke to the Commissioners on subjects of interest to them:

1. Keith Griffith

COMMISSIONER'S ROUNDTABLE:

Commissioner Dumenil discussed the following:

Noted on hiring 4 position on the Blue Heron Golf Course and extending the hours. Highlighted the need for our area medivac.

Commissioner S. Wilson discussed the following:

Noted the overwhelming public response to the removing of the medivac helicopter. The state is considering closing several bases which our area is one of them.

Commissioner J. Wilson discussed the following:

Noted the importance of keeping out medivac helicopter in our area especially with the increased dangers.

Highlighted on the businesses dealing with COVID-19.

Noted how schools will be handling enrollment this fall.

Noted that we've become a virtual society, if you would not say something to someone's face, don't put it on social media.

Commissioner Moran discussed the following:

Would like to put out a policy for our area businesses dealing with COVID-19.

Noted how schools will be handling enrollment this fall.

Noted the turmoil this country is going through. The nation has lost the art to compromise.

Commissioner Corchiarino discussed the following:

Highlighted on the businesses dealing with COVID-19 and their employees.

Noted how schools will be handling enrollment this fall.

Asked people to talk with each other not at each other.

There being no further business, they adjourned at 6:35 p.m. to meet again on Tuesday, August 11, 2020.

EXECUTIVE ASSISTANT

PRESIDENT