

August 13, 2019

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 5:25 p.m.

CLOSED SESSION:

Pursuant to Section 10-503(c) of the State Government Article of the *Annotated Code of Maryland*, the County Commissioners went into closed session for the purpose of conducting an administrative function meeting; “The County Commissioners held a Closed Session on a motion of Commissioner Dumenil, seconded by Commissioner Corchiarino, at 5:25 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;

The Board discussed Boards/Commissions.

In Open Session:

On a motion made by Commissioner J. Wilson, seconded by Commissioner S. Wilson, the Board unanimously agreed to appoint Rev. Mark Farnell, Michael Meyer and Michael Murphy to a three-year term on the Social Services Advisory Board to begin effective immediately and end June 30, 2022.

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 re-appoint Dave Crow and appoint Shane Moore to a two-year term on the Employee Awards Committee to begin immediately and end December 31, 2021.

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

On a motion made by Commissioner S. Wilson, seconded by Commissioner J. Wilson, the Board unanimously agreed re-appoint Joseph Zimmerman to a two-year term on the Spending Affordability Committee to begin immediately and end September 30, 2021.

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

MINUTES:

On a motion made by Commissioner J. Wilson, seconded by Commissioner S. Wilson, the Board unanimously agreed to approve the Agenda for the current meeting and the closed minutes and regular minutes of July 23, 2019.

PRESS AND PUBLIC COMMENTS:

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

1. Mary Margaret Revell Goodwin – Bloomingdale Building
2. Linda Friday – Teacher of the year, QAC goes Purple, Project Bright Future
3. Lisa Schrader – Estate Planning of family farm

WEEKLY CORRESPONDENCE AND PRESENTATION OF DOCUMENTS FOR SIGNATURE:

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

**CERTIFICATION FOR COOPERATIVE LOCAL-STATE LIBRARY AID PROGRAMS
FY2020:**

Ms. Irene M. Padilla submitted to the Board for their review and approval, Certification for State Aid - FY 2020.

The Board reviewed the Certification for Cooperative Local-State Library Aid Programs for FY2020. In order to be eligible for its State Share of the minimum cooperative local-state library aid program, a county government must provide the required minimum contribution (23-503 of the Education Article, Annotated Code of Maryland).

On a motion made by Commissioner J. Wilson, seconded by Commissioner S. Wilson, the Board unanimously agreed to sign the Certification for Cooperative Local-State Library Aid Programs for FY2020.

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

TOWN OF BARCLAY RESOLUTION 19-01:

Ms. Amy G. Moredock, Principal Planner, submitted to the Board for their review and approval, Town of Barclay Resolution 19-01.

On behalf of the Town of Barclay, Town Attorney Patrick Thomas has submitted an Annexation Plan for County review and action. In addition, Mr. Thomas has requested that the County approve the proposed zoning reclassification of the lands. This approval takes the form of the County approving a waiver of the 5-year hold on the existing zoning classification.

Specifically, the petition for annexation includes 4 parcels totaling approximately 83 acres adjacent to the Town of Barclay. The Town introduced the proposal at its 19 June 2019, town council meeting and approved it to move forward to a public hearing scheduled for 21 August 2019 at 7 pm. The land which is the subject of the proposal is zoned Agricultural. The town wishes to annex and reclassify 3 parcels as Industrial and 1 parcel as Residential.

The Town’s requested re-designation exceeds the zoning density limit of a 50% increase in density from the current zoning; therefore, there is a 5-year hold on the zoning unless the Town requests and the County grants a waiver of that requirement. The Town has requested that waiver of the County. [In 2006, the Maryland General Assembly passed specific guidance for annexation. Most of the changes dealing with annexation apply to Town requirements for

annexation. However, a change to the “5-year rule” is applicable to the County comments on annexation. A standard applies to annexation projects that prohibits any zoning reclassification that results in different uses or substantially higher densities than that permitted by the existing county zoning for five years unless the County grants a waiver.]

In accordance with Maryland Annotated Code § 4-415 (Annexation plan) and § 4-416 (Planning and zoning authority), the Town and County must adhere to the following process:

- Once received by the County Commissioners, the proposal must be forwarded to the Planning Commission for findings of Comprehensive Plan and Zoning consistency.
- If requested (as it has been in this case), the Planning Commission must make findings on the granting of a waiver on the 5-year hold on the current zoning.
- The Commissioners will receive a letter of recommendation from the Planning Commission.
- The County Commissioners will then submit a letter of approval of the proposed annexation and waiver (if it is found to be consistent); generally, this process should occur prior to the Town’s public hearing.

The Town must provide the annexation plan to (1) the county governing body, (2) regional and state planning agencies at least 30 days prior to the public hearing, and (3) the Maryland Department of Planning. While the County received the notice in a timely manner, there is not sufficient time for the County to process this item for public review prior to the Town’s 21 August 2019 hearing. Unfortunately, the Planning Commission’s August meeting predates the Commissioners’ meeting, so the Planning Commission will be unable to review and put forward its findings until its 12 September 2019 meeting.

That means the earliest date that the Commissioners may act on this item will be at their 24 September 2019 meeting. I have conveyed this timeline to Mr. Thomas to illustrate that the County will be unable to offer comment prior to the Town’s 21 August 2019 public hearing. He has noted that the Town will hold its hearing on 21 August 2019 and leave the comment period open until the Town receives a letter from the County. A second hearing will be scheduled at which time the Town will vote on the annexation resolution.

The Board reviewed a letter to the Town of Barclay which outlines the County review process and timeline for that review. Mr. Thomas has requested that the County send such a letter so that it may be read into the record at the Town’s 21 August 2019 public hearing (thus establishing the need to keep the comment period open for an extended period of time).

On a motion made by Commissioner Moran, seconded by Commissioner S. Wilson, the Board unanimously agreed to forward the Town of Barclay Resolution 19-01 to the Planning Commission for Findings of Comprehensive Plan and Zoning Consistency and grant for a waiver of the 5-year hold on current zoning and to execute and send a letter to the Town of Barclay outlining the County review process and timeline. As part of the motion, Commissioner Moran made comments on this topic.

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

RESILIENCY PLANNING & FINANCING:

Ms. Amy G. Moredock, Principal Planner, submitted to the Board for their review and approval, Resiliency Planning and Financing.

Having committed to participation in the University of Maryland’s Resiliency Planning and Financing project for Global Sustainability, Queen Anne’s County now must select key individuals to staff a Queen Anne’s County workgroup to carry out the project charge.

ACTION ITEMS:

1. Workgroup Members

Citing the University of Maryland’s guidance document: Each County is expected to assign key individuals to represent the County. These individuals may come from community development, planning, public works, communications, energy, transportation, or environmental organizations. They can or should also include those individuals who attended the Maryland Climate Leadership Academy [Cohn Quinn and I attended the Academy]. Up to five people who receive full support from executive level at the County should represent the County at individual county meetings, as well as at scheduled Resiliency Planning and Financing meetings. These individuals should be dedicated to representing the County’s best interests and be willing to know where and how to get the needed answers to help the process move forward in a timely manner.

Staff has produced the following list of suggested participants for consideration:

- Jim Bass (Coastal Resilience Program Manager/Eastern Shore Land Conservancy)
- Steve Cohoon (Public Facilities Planner, Department of Public Works)
- Lee Edgar (Chief of Engineering, DPW)
- Jay Falstad (Executive Director, Queen Anne’s Conservation Association)
- Tom Leigh (Planning Commission member/Clean Water Expert/circuit rider)
- Eric Johnson (Emergency Planner, Emergency Services)
- John Kling (Floodplain Manager, DPW)
- Amy Moredock (Principal Planner, Planning and Zoning)
- Cohn Quinn (Parks and Recreation)

2. Workgroup Charge and Timeline

The QAC workgroup will be charged with the completion of the tasks outlined in the University of Maryland's guidance document as follows (staff has attached a Roster and Charge document to accompany the appointment letters):

- Understanding County Assets. An inventory that characterizes the county's social and built environment characteristics will be completed. The results will show what defines the county as being unique, both positively and negatively. The assets will be categorized and prioritized. Timeline: August 2019 - September 2019.
- Determining Goals and Objectives. Once the social, and built environment characteristics are identified, many of the goals and objectives will start to emerge and allow the workgroup to finalize priorities and timelines for short-, medium-, and long-term solutions. This will also include the framework for financing that will become more robust in future phases. Timeline: September 2019 - October 2019.
- Developing the Elements of a Plan. The counties will prioritize individual and collective climate actions. Timeline: October 2019-December 2019.
- Gaining Feedback, Review and Approval. Once the Resilience Plans are drafted, they will be shared with stakeholders across all of the counties and include engaging state and federal partners. There will be a summary of collaborative opportunities identified where the counties can promote cooperation and collaboration as they pursue joint funding and financing. Timeline: December 2019 - January 2020.
- Future Step: Resilience Financing. After the Plan has been vetted by county stakeholders and finalized, the financing information obtained from steps listed above will be used to develop the framework for a financing strategy for each county along with opportunities identified and developed for all participating counties. The second phase beginning in early 2020 will primarily focus on financing and will result in a clear understanding of each county's financial capacity of needs relating to their implementation strategy. It will also include sharing lessons learned from the process with other counties in Maryland, as well as other states in the Mid-Atlantic and beyond. Timeline: January 2020-December 2020.

The Board agreed to hold this item until the next meeting. Commissioners Moran and J. Wilson made comments on this topic.

COMMERCIAL REAL PROPERTY TAX CREDIT REQUEST:

Ms. Jean Fabi, Economic Development Manager, submitted to the Board for their review and approval, Commercial Real Property Tax Credit Request Reichardt Kent Island, LLC.

Background:

Pursuant to County Ordinances 11-24, as amended, and 13-08, it is the discretion of the County Commissioners to grant a real property tax credit for certain businesses making significant real property improvements which, when complete, increases the full fair market value of a property, as determined by the Department of Assessments and Taxation, by at least \$25,000 and which is owned or occupied by a business which [sic] establishes to the satisfaction of the Department of Economic Development that it will create a minimum of 12 new full-time positions with 36 months of completion of construction. [Sect. 5-10.4 of the Code of Public Laws of Queen Anne’s County and Sect. 9-319(d) of the Tax Property Article, Annotated Code of Maryland]. The tax credit is applied to the increase in the assessed value and is prorated over five (5) years (80% the first taxable year; 60% the second; 40% the third; 20% the fourth; and 0% the fifth).

Request:

The Department of Economic and Tourism Development has received and evaluated a request for a commercial real property tax credit for the project known as Dogwood Acres Pet Retreat on property owned by Reichardt Kent Island, LLC, located at 1220 Sonny Schultz Boulevard, Stevensville, MD. The project is construction of a two-story facility (20,785 s.f.) with accessory caretaker dwelling, indoor kennel runs and play yard, with 7,079 square feet of outdoor kennels, and parking. Construction commenced in May under Building Permit BC 19-07-0026.

The Department recommends approval of the Commercial Real Property Tax Credit for this project based on the following:

1. The project is proposing to create up to fifteen (15) new full-time jobs within 36 months of completion of the project, exceeding the minimum of twelve (12).
2. The project has an estimated cost of \$3 million, which exceeds the minimum increase required by the Ordinance of \$25,000. The current base value of the property according to SDAT records is \$966,900. The overall estimated assessed value is \$4 million.

This property is not within the designated Queen Anne’s County Enterprise Zone and therefore not eligible for the commercial real property tax credit under that program. Should the tax credit be approved, the Department will monitor the project for compliance with job creation requirements through annual employment reports.

On a motion made by Commissioner J. Wilson, seconded by Commissioner Dumenil, the Board unanimously agreed to approve the request for a Commercial Real Property Tax Credit for the project known as Dogwood Acres Pet Retreat on property owned by Reichardt Kent Island, LLC, at 1220 Sonny Schultz Boulevard, Stevensville, MD with the condition that the project results in the creation of at least 12 new full-time positions within 36 months of completion.

Commissioners	Yes	No
Moran	x	

J Wilson	x	
S Wilson	x	
Dumenil	x	
Corchiarino	x	

SUBSCRIPTION TO OFFICE 365:

Ms. Megan DelGaudio, IT Manager/GIS Specialist II, submitted to the Board for their review and approval, Subscription to Office 365.

County IT staff requested to move to a subscription (and cloud) based model (Office365 or O365) for the upgrade of the Microsoft Office suite. The majority of county users are currently using Office 2010. This office suite is supported only until January of 2020. Over the past few years there has been a push from Microsoft (MS) to move to a subscription model. We would like to move to this model for the following reasons:

- Microsoft will no longer be supporting software for 10-year intervals. Office 2019 support will end in 2025.
- Classic licensing requires purchase of an Office license for each PC. Subscription licensing is user based so we can put Office on laptops of users for no additional license cost.
- To move email to the cloud will segment email from our network, put the backend hardware updates for this application on Microsoft and allow for 24/7 access if the network was to be impacted in some way.
- Updates for O365 are run weekly so users would retain the latest in functionality while also staying up to date with security.
- Keeping Office current will take the burden off of IT staff to regularly update this application.

County IT staff put out a Request for Quote to get the best price and received 23 responses. They ranged in price from \$104,328 annually to \$75,840. The least expensive quote was from Innova Consulting Group out of Kansas for \$75,840. We will be working with a local vendor for implementation.

Funds for this project are available in the County IT Infrastructure capital project. If approved, this licensing will be added in as an FY21 operating expense.

On a motion made by Commissioner Corchiarino, seconded by Commissioner Dumenil, the Board unanimously agreed to approve the recommendation of County IT Staff to move to email in the cloud and a subscription-based model for Microsoft Office using funds from the County IT Infrastructure project for FY20 then Operating funds for FY21 onward. As part of the motion, Commissioners Corchiarino, Moran and J. Wilson made comments on this topic.

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

BOE REQUEST FOR APPROVAL OF TRANSFERS:

Dr. Andrea M. Kane, Ph.D., Superintendent, submitted to the Board for their review and approval, Request for Approval of Transfers.

In accordance with Section 5405(b) of the Annotated Code of Maryland, the Board of Education requests County Commissioner approval of the transfers listed below between major state categories, for the period ending June 30, 2019.

Major Category: Instructional Salaries - Addition \$155,000

- Lower than anticipated salary attrition savings for classroom teachers plus funding for over hires at Kennard Elementary, Centreville Middle, and Stevensville Middle schools.

Major Category: Pupil Services - Addition \$4,700

- Temporary secretary for student records and additional budget for Pupil Personnel Worker mileage reimbursements.

Major Category: Health Services - Addition \$2,800

- Additional budget for Nurse Substitutes

Major Category: Operation of Plant - Reduction (\$162,500)

- Savings from salary lapse for Custodians and savings from Electricity, Heat and Non-Instructional Equipment

On a motion made by Commissioner Moran, seconded by Commissioner Dumenil, the Board unanimously agreed to approve the Board of Education request to transfer major categories: from Operation of Plant to Instructional Salaries, Pupil Services, and Health Services for the period ending June 30, 2019. As part of the motion, Commissioner Moran made comments on this topic.

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

BOE – ADDITIONAL APPROPRIATION REQUEST:

Dr. Andrea M. Kane, Ph.D., Superintendent, submitted to the Board for their review and approval, Additional Appropriation Request.

In accordance with Section 5-135(c) of the Annotated Code of Maryland, the Board of Education requested approval of an additional appropriation request of \$300,000 in restricted (grant) funding, for the period ending June 30, 2019.

Queen Anne’s County Public Schools was the recipient of the Federal Striving Readers Comprehensive Literacy grant to improve literacy skills, reading, and writing for children from birth through grade 12. This grant totaled \$1,000,000 over a 3-year period (FY2018 - FY2020).

Grant award processing delays at the Maryland State Department of Education were due to the competitive application and review process.

- Year 1 award - (FY2018 - \$400,000): Approval and funding was not made available until 7/25/18 (FY2019) and had to be fully spent by 9/30/18 - 67 days
- Year 2 award - (FY2019 - \$300,000): Funding was made available 10/1/18, however, with the delay in the Year 1 approval, this award basically doubled the funding and expenditures in one fiscal year.

During FY2019, nearly \$662,000 of the \$700,000 grant was spent. This unanticipated restricted expenditure, in connection with all other grants, requires QACPS to seek additional appropriation authority, as required by state law.

This request for the additional appropriation authority of \$300,000 in Federal restricted grants, for the period ending June 30, 2019 will increase the FY2019 Restricted Budget to \$7,066,500.

On a motion made by Commissioner Moran, seconded by Commissioner Corchiarino, the Board unanimously agreed to approve the Additional appropriation request of restricted (grant) funding for the period of June 30, 2019.

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

BUDGET AMENDMENTS:

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

#	CC-2				Date	7/8/2019		
Entered By _____ QUEEN ANNE'S COUNTY REQUEST FOR BUDGET AMENDMENT								
FY 2020								
							Increase (Decrease) Amount	
Description of expenditure/revenue accounts to inc/(dec):				Fund	Account Code			
increase	Bridge Fund	Transfer out	596	596010	8990	\$	215,200	
increase	Bridge Fund	Prior Year Fund Balance	596	596010	39920	\$	215,200	
increase	General Fund - Other Misc Transfers	Transfer in	100	180010	39910	\$	215,200	
decrease	General Fund - Gen Revenue	Prop Tax Revenue	100	199000	30101	\$	(215,200)	
Net Effect on General Fund							\$	-
Justification:								
County Ordinance 19-11 was adopted on June 11, 2019 and established a Tax Credit Against County Property Tax on certain real property owned by Volunteer Fire Department Members.								
In order to fund this credit for FY20, the County Commissioners approved transferring funds from the Bridge Fund to the General Fund in order to cover the cost of the credit which is shown as an offset to property tax revenue. The estimated cost for FY20 is \$215,200.								
This amendment established the budget authority for that transfer.								

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. As part of the motion, Commissioner Moran made comments on this topic.

#	CC-3				Date	7/29/2019	
QUEEN ANNE'S COUNTY							
REQUEST FOR BUDGET AMENDMENT							
FY2020							
							Increase (Decrease) Amount
Description of expenditure/revenue accounts to increase/(decrease):				Fund	Activity	Account	Project
Parks Preventative Maintenance							
decrease	Parks Preventative Maintenance	FY11 Prior Year Fund Balance	410		39931	400215	\$ (60,000.00)
decrease	Parks Preventative Maintenance	FY12 Prior Year Fund Balance	410		39932	400215	\$ (150,000.00)
decrease	Parks Preventative Maintenance	FY13 Prior Year Fund Balance	410		39933	400215	\$ (90,000.00)

decrease	Parks Preventative Maintenance	Improvements other than Buildings	410		9042	400215	\$ (300,000.00)
						Total Decrease in Project	\$ (300,000.00)
Parks Capital Equipment							
decrease	Parks Capital Equipment	FY12 Prior Year Fund Balance	410		39932	400221	\$ (100,000.00)
decrease	Parks Capital Equipment	Additional Equipment	410		9050	400221	\$ (100,000.00)
						Total Decrease in Project	\$ (100,000.00)
Davidson Property Improvements							
decrease	Davidson Property Improvements	Proceeds of 2016 Bonds	410		39716	400393	\$ (105,000.00)
decrease	Davidson Property Improvements	Land-Improvements to Site	410		9034	400393	\$ (105,000.00)
						Total Decrease in Project	\$ (105,000.00)
ADA Compliance							
decrease	ADA Compliance	FY15 Prior Year Fund Balance	410		39935	400763	\$ (98,801.00)
decrease	ADA Compliance	Improvements other than Buildings	410		9042	400763	\$ (98,801.00)
						Total Decrease in Project	\$ (98,801.00)
Athletic Field Irrigation							
decrease	Athletic Field Irrigation	FY17 Prior Year Fund Balance	410		39937	400837	\$ (50,000.00)
decrease	Athletic Field Irrigation	Improvements other than Buildings	410		9042	400837	\$ (50,000.00)
						Total Decrease in Project	\$ (50,000.00)
Reengineering Technology							
decrease	Reengineering Technology	FY16 Prior Year Fund Balance	410		39936	400801	\$ (50,000.00)
decrease	Reengineering Technology	Additional Equipment	410		9050	400801	\$ (50,000.00)
						Total Decrease in Project	\$ (50,000.00)
Public Drainage							
decrease	Public Drainage	Proceeds of 2019 Bonds	410		39719	400359	\$ (5,187.00)
decrease	Public Drainage	FY13 Prior Year Fund Balance	410		39933	400359	\$ (25,000.00)
decrease	Public Drainage	FY14 Prior Year Fund Balance	410		39934	400359	\$ (14,813.00)
decrease	Public Drainage	Improvement other than Buildings	410		9042	400359	\$ (45,000.00)
						Total Decrease in Project	\$ (45,000.00)
						Total Project Decreases	\$ (748,801.00)
This amendment adjusts the above capital projects that were reduced during the FY20 budget work sessions.							
No new 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 S. Wilson, the Board unanimously agreed to approve Budget Amendment CC-4.

#	CC-4						Date	7/18/2019	
Entered By _____		QUEEN ANNE'S COUNTY							
REQUEST FOR BUDGET AMENDMENT									
FY2020									
							Increase (Decrease)		
Description of expenditure/revenue accounts to increase/(decrease):							Fund	Account Code	Amount
Increase	Tourism - Grant Fund	Other State Op Grants	500	515507	33590		\$	25,961	
Increase	Tourism - Grant Fund	Advertising	500	515507	8070		\$	25,961	
Justification:									
This amendment is to increase the Tourism Grants budget by \$25,961 to reflect the total awarded grant amount of \$51,961.									
The current budget has \$26,000 included for this grant.									
No additional County funds are requested.									

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

QAC CENTRE FOR THE ARTS UPDATE:

Mr. Rick Strittmater, Executive Director; Mr. Tom Helfenbein, Board President; and Mr. Bob Hammond, Board Vice President presented to the Board for their review, Queen Anne’s County Centre for the Arts Update.

- Programs, exhibitions, concerts, open mics, classes and yearly events.
- Discuss the new building, progress made.
- How they will spend the 25,000.00 allocation
- They also touch on the present make of the board of directors.

PUBLIC HEARING:

The County Commissioners of Queen Anne’s County, Maryland held a public hearing at 6:10 p.m. in the County Commissioner’s Meeting Room in the Liberty Building, 107 N Liberty Street, Centreville, Maryland 21617 to receive public comments on County Ordinance 19-13.

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

COUNTY ORDINANCE NO. 19-13

A BILL ENTITLED

AN ACT CONCERNING the Prohibition of the Release of Non-Biodegradable Balloons within Queen Anne’s County as set forth herein;

The County Commissioners of Queen Anne’s County find that the release into the atmosphere of large numbers of balloons inflated with lighter-than-air gases poses a danger and nuisance to the environment, agricultural industry, wildlife and marine animals;

FOR THE PURPOSE of protecting the waters, animals and overall environment of Queen Anne’s County from the toxic impact of non-biodegradable balloons that are released within Queen Anne’s County by criminalizing the willing release of non-biodegradable balloons within Queen Anne’s County.

BY ADOPTING new sections 13-14 through 13-16 of a new Article IV of Chapter 13 of the Code of Public Local Laws of Queen Anne's County.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that the intentional release of non-biodegradable or non-photodegradable balloons in Queen Anne’s County is hereby prohibited through the enactment of new sections 13-14 through 13-16 of a new Article IV entitled “Release of Balloons” of Chapter 13 of the Code of Public Local Laws be and is hereby ADOPTED to read as follows:

Article IV Release of Balloons

§13-14 Definitions.

Balloon

A. A nonporous bag of tough light material, generally latex or mylar, whether filled or unfilled.

Person

A. Any natural person, firm, corporation, partnership, or other organization or group, however organized.

§13-15. Release of Balloons Prohibited.

It shall be unlawful for any person or persons to knowingly and intentionally release, organize the release of or intentionally cause to be released into the atmosphere of Queen Anne's County any Balloon unless such Balloon is either biodegradable or photodegradable.

The provisions of this section shall not apply to (i) Balloon(s) released by or on behalf of any agency of the State of Maryland, or the United States or pursuant to a contract with the State of Maryland, the United States, or any other state, territory or government for scientific or meteorological purposes; (ii) hot air Balloon(s) that are recovered after launch; or (iii) the negligent and unintentional release of any Balloon(s).

§13-16. Violations and Penalties

Any person who violates this Article shall be guilty of a civil infraction and subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00).

The following persons gave public testimony:

1. Jay Falstad
2. Christine Weed
3. Mark MacSkimming
4. Tim Trumbauer
5. Ron Broderick
6. Benti Goney
7. John Shaw
8. Michelle Obrein
9. Matthew Haushner

LEGISLATIVE SESSION:

On a motion made by Commissioner Corchiarino, seconded by Commissioner Moran, the Board unanimously agreed to adopt County Ordinance 19-12.

A BILL ENTITLED

AN ACT CONCERNING County Transfer Tax;

FOR THE PURPOSE of clarifying that County transfer tax on a sale to a first-time Maryland homebuyer may be paid in accordance with an express agreement; and generally dealing with the Queen Anne’s County Transfer Tax;

BY AMENDING Section 5-11 D. of the Code of Public Local Laws of Queen Anne’s County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND that Section 5-11 D. of the Code of Public Local Laws be and is hereby AMENDED to read as follows:

§5-11. Definitions; rate; exemptions.

...

D. Exemptions. The County transfer tax does not apply to any instrument of writing exempt from the state transfer tax, including exemptions under §§ 13-203, 13-207, and 13-404 of the Tax-Property Article of the Annotated Code of Maryland, provided, however, that the entire amount of County transfer tax shall be paid by the Seller of improved, residential real property that is sold to a first-time Maryland home buyer who will occupy the property as a principal residence, unless there is an express agreement between the parties to the agreement that the County transfer tax will not be paid entirely by the Seller pursuant to §14-104(c) of the Real Property Article of the Annotated Code of Maryland.

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

PRESS AND PUBLIC COMMENTS:

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

COMMISSIONER’S ROUNDTABLE:

Commissioner J. Wilson discussed the following:

Wished everyone a happy fair week
Project Bright Future advertising will be out soon
MACo Conference – hot topic will be education

Commissioner S. Wilson discussed the following:

Rode with first responders

Commissioner Dumenil discussed the following:

Ask A Commissioner – watch on QACTV7
Rode with first responders
DESAC Meeting
Worked with Planning & Zoning for Q&A session for Grasonville Citizens
Thanked fellow Commissioners & Administrator for keeping him informed while he was away last month

Commissioner Corchiarino discussed the following:

Thanked everyone for coming out for the balloon hearing

Commissioner Moran discussed the following:

Traffic concerns and putting out survey to see how bridge construction is going to impact businesses and schools/buses

There being no further business, they adjourned at 7:10 p.m. to meet again on Tuesday, August 27, 2019.

EXECUTIVE ASSISTANT

PRESIDENT