

August 22, 2023

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.  
Patrick McLaughlin  
Philip L. Dumenil  
Christopher M. Corchiarino

**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 Wilson, at 4:45p.m. in the Office of the County Commissioners, The Liberty Building, 107 N. Liberty Street, Centreville, Maryland.” The Board adjourned in Closed Session at 5:25 p.m. Those in attendance were Mr. Todd Mohn, County Administrator, Ms. Margie Houck, Executive Assistant, Patrick Thompson, County Attorney, Chris Drummond, Planning Commission Attorney, Ms. Amy Moredock, Director and Stephanie Jones, Principal Planner, Planning and Zoning.

The Board discussed Chester Haven Beach.

**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 Wilson , 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 5:45 p.m. Those in attendance were Mr. Todd Mohn, P.E., County Administrator, Ms. Margie A. Houck, Executive Assistant to the Commissioners, Ms. Beverly Churchill, Director, Human Resources and Ms. Nicole Hepfer, Chief Budget and Finance Operation.

The Board discussed a new position and Boards and Commission.

August 22, 2023

**MEETING CALLED TO ORDER:**

The meeting was called to order at 5:45 p.m.

**MINUTES:**

On a motion made by Commissioner Wilson, seconded by Commissioner Dumenil, the Board unanimously agreed to approve the amended Agenda for the current meeting, the Regular and Closed Session Minutes of August 8, 2023.

**ANIMAL CONTROL COMMISSION:**

On a motion made by Commissioner Moran, seconded by Commissioner Corchiarino, the Board unanimously agreed to appoint Gail Schaffer to fill the vacancy on the Animal Control Commission. This term will expire on December 31, 2026.

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

**NEW POSITION REQUEST ERP BUSINESS ANALYST:**

On a motion made by Commissioner Corchiarino, seconded by Commissioner Wilson, the Board unanimously agreed to move to approve the new position request for an ERP Business Analyst to be assigned within Human Resources and Budget & Finance Departments.

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

**PRESS AND PUBLIC COMMENTS:**

1. Ms. Sharon Nuzback – Road Closures on 50 QAC side

August 22, 2023

**LEGISLATIVE:**

**QUEEN ANNE'S COUNTY 2011 COMPREHENSIVE WATER AND SEWERAGE PLAN HEARING:**

The County Commissioners of Queen Anne's County held a public hearing at 5:35 p.m. on Tuesday, August 22, 2023, in the Commissioner's meeting room located in the Liberty Building, 107 North Liberty Street, Centreville, Maryland 21617. The purpose of the hearing is to consider amending the Queen Anne's County 2011 Comprehensive Water and Sewerage Plan on the following amendments:

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

**KN/S/G WASTEWATER TREATMENT PLANT RERATING** – This text amendment reflects an increase in wastewater treatment capacity at the County's sole wastewater treatment plant. The wastewater treatment plant, known specifically as the Kent Narrows/Stevensville/Grasonville treatment plant, has been tentatively approved by the Maryland Department of the Environment to expand its capacity by 10%, from 3.0 million gallons per day to 3.3 million gallons per day, via a rerating due to its superior performance with only minor improvements being necessary.

No public testimony

**SEWER AND WATER ALLOCATION POLICY REVISION** – This text amendment is to replace in total the current Allocation Policy, which resides as Appendix 1 within the Comprehensive Water and Sewerage Plan, to reflect the additional capacity gained by the above referenced treatment plant rerating.

Press and Public Comments:

1. Ms. Jennifer Williams
2. Mr. Barry Waterman

**CHESTER SEWER AND WATER MAPS** - This 'house-keeping' map amendment reflects the adoption of the County's 2022 Comprehensive Land Use Plan and its reduction in size of the Chester Growth Area. All properties residing within Tax Map 57 - all of parcel 39, and large portions of parcel 43 (Lot 1 and 2) and parcel 68 will be mapped from S-3/W-3 to S-6/W-6.

No public testimony

August 22, 2023

**STEVENSVILLE SEWER AND WATER MAPS** – This ‘house-keeping’ map amendment of the Bay City subdivision is to change the sewer and water service area designation from S-1/W-1 to S-6/W-6 for the following lots to reflect the then owners of the lots opting out of service due to severe environmental constraints when the subdivision was first served with sewer and water in 1994.

All properties reside on Tax Map 56:

Parcel 413 – Lot 32 – 502 Broad Creek Drive

Parcel 419 – Lot 12 – 501 Broad Creek Drive

Parcel 420 – Lot 8 – 605 Chesapeake Drive, Lot 9 – 603 Chesapeake Drive, Lot 10 – 209 Chenoweth Drive

Parcel 422 – Lot 4 – 519 Victoria Drive, Lot 5 – 517 Victoria Drive, Lot 6 – 515 Victoria Drive, Lot 26 – 518 Romancoke Road, Lot 27 – 600 Romancoke Road, Lot 28 – 602 Romancoke Road

Parcel 425 – Lot 26 – 415 Willman Way

Parcel 426 – Lot 21 – 412 Wallman Way, Lot 22 – 414 Wallman Way, Lot 23 – 416 Wallman Way,

Lot 24 – 418 Wallman Way

No Public Testimony

**KENT ISLAND ESTATES AND ROMANCOKE SEWER MAPS** - This ‘house-keeping’ map amendment of the Kent Island Estate subdivision is to change the sewer service area designation from S-1 to S-6 for the following lots to reflect the then owners of the lots opting out of service due to severe environmental constraints when the subdivision was first served with sewer in 2016.

All properties reside on Tax Map 70:

Parcel 84 – Lots 2 and 4 – 0 Elm Road

Parcel 98 – Lot 8 – 0 Romancoke Road

Parcel 99 – Lots 22 & 23 – 0 North Lake Drive, Lots 50 & 51 – 0 North Lake Drive

Parcel 103 – Lot 1 – 0 Kent Road, Lot 2 – 0 Dorchester Road, Lot 14 – 0 Dorchester Road, Lot 15 – 0 Dorchester Road, Lot 16 – 0 Dorchester Road

Parcel 104 – Lots 66, 67, 71, 72, 73/74 – all of 0 Talbot Road

No public testimony

August 22, 2023

**PUBLIC HEARING – COUNTY ORDINANCE #23-08**

A BILL ENTITLED AN ACT CONCERNING Revisions to the Queen Anne’s County Ethics Ordinance. FOR THE PURPOSE of revising Chapter 8 of the Code of Public Local Laws of Queen Anne’s County (the County Ethics Ordinance) to comply with the requirement that a County Ethics Ordinance contain provisions substantially similar to those in State law (Title 5 of the General Provisions Article of the Annotated Code of Maryland); BY AMENDING Sections 8-13 and 8-14 of the Code of Public Local Laws of Queen Anne’s County

Patrick Thompson, Esquire, County Attorney conducted the hearing on behalf of the County and noted all legal requirements were met.

Press and Public Comments:  
None

**PUBLIC HEARING - COUNTY ORDINANCE #23-05:**

A BILL ENTITLED AN ACT CONCERNING Revisions to the District Standards for the Airport Protection and Kent Island Gateway (APKIG) District in Queen Anne’s County, as part of the 2023 Comprehensive Zoning Code Update; FOR THE PURPOSE of revising the District Standards for the Airport Protection and Kent Island Gateway (APKIG) District in Queen Anne’s County; revising the permitted uses in such district; providing that land uses in the APKIG shall comply with Federal Aviation Administration and Maryland Aviation Administration requirements; revising the density/intensity requirements in such district; revising the dimensional and bulk requirements for such district; revising the provisions on off-site directional signs and design standards in such district; and generally revising and updating the District Standards for the APKIG District in Queen Anne’s County.

Patrick Thompson, Esquire, County Attorney conducted the hearing on behalf of the County and noted all legal requirements were met.

Press and Public Comments:  
None

August 22, 2023

**PUBLIC HEARING COUNTY ORDINANCE 23-06:**

A BILL ENTITLED AN ACT CONCERNING the Rezoning of three parcels of land in the Fourth Election District of Queen Anne’s County as part of the 2023 Comprehensive Zoning Code Update; FOR THE PURPOSE of rezoning Parcels 301, 273 and 273, Lot 1 on Tax Map No. 56 from Urban Commercial (UC) Zoning District to Airport Protection and Kent Island Gateway (APKIG) District;

Patrick Thompson, Esquire, County Attorney conducted the hearing on behalf of the County and noted all legal requirements were met.

Press and Public Comments:  
None

**ADOPTION OF COUNTY ORDINANCE #23-07:**

A BILL ENTITLED AN ACT concerning the Repeal and Re-Adoption with amendments of the Local Public Laws of Queen Anne's County, Chapter 14, CHESAPEAKE BAY CRITICAL AREA ACT, Official Chesapeake Bay Critical Area Overlay Map. FOR THE PURPOSE OF amending part of existing Map 57, Parcel 287, 351, and 352 (Nash Court) located on the Official Critical Area Overlay Map to redesignate 2.811 acres from Limited Development Area (LDA) to Intensely Developed Area (IDA).

On a motion made by Commissioner Wilson, seconded by Commissioner Corchiarino, with Commissioner Corchiarino opposing the Board agreed to adopt the decision and findings of fact as drafted regarding the growth allocation petition submitted by Nashville Properties, LLC to reclassify 2.811 acres of Limited Developed Area to Intensely Developed Area. As part of the motion, Commissioner Corchiarino asked questions and/or made comments on this topic.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
McLaughlin	x	
Dumenil	x	
Corchiarino	opposed	

August 22, 2023

On a motion made by Commissioner Wilson, seconded by Commissioner Corchiarino, with Commissioner Corchiarino opposing the Board agreed to adopt County Ordinance #23-07 to reclassify 2.811 acres of Limited Developed Area to Intensely Developed Area for the growth allocation petition of Nashville Properties, LLC.

Commissioners	Yes	No
Moran	x	
J Wilson	x	
McLaughlin	x	
Dumenil	x	
Corchiarino	opposed	

**WEEKLY CORRESPONDENCE AND PRESENTATION OF DOCUMENTS FOR SIGNATURE:**

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

**CCR05 CHESTERHAVEN BEACH PARTNERSHIP, LLC RECONSIDERATION:**

This is for a “reconsideration vote” to include the Chesterhaven Beach Property in the Chester Growth Area. The owner has agreed to the condition that the remaining lots of record would be reconfigured and reduced to a maximum of 90 single family lots of approximately 15,000 sf each. Furthermore, he has agreed not to pursue Growth Allocation as part of the reconfiguration and overall density reduction from 180 lots down to 90 lots. This would facilitate the County to recapture 22,500 gpd of sewer allocation and allow the owner to extend public water to serve the lots. The owner has stated his interest for many years to extend public water to the property and avoid drilling individual wells for each lot which is clearly better from an environmental standpoint. The County has adequate water allocation for the site and he would need to purchase water allocation and construct the new water lines to the property.)

Comprehensive Rezoning Request (CRR) 05 submitted by Chesterhaven Beach Partnership, LLP(CHB) is an application to add what is known as Tax Map 57, Parcel 25 to the Chester Growth Area. CHB had 186 recognized lots of record given a plat recorded in 1959. The owner administratively combined several lots and acquired a single sewer allocation reducing the subdivision to 181 lots. The owner acquired 2 additional sewer allocations and was later granted sewer allocations for the remaining 178 lots. The owner has secured and paid for 20% of the sewer allocation for the remaining 178 lots of record. The 20% deposit was required by the Sanitary Commission to reserve the allocations in a Public Works Agreement. At its 10 May 2022 meeting, the Board agreed to reject CRR 05 CHB. The Commissioners moved that should

August 22, 2023

the property owner seek and obtain a declaratory judgement or equivalent court ruling establishing the legal grandfathering of the lots, the Commissioners would reconsider CRR 05 CHB. On 4 May 2023, Joe Stevens, on behalf of Chesterhaven Beach Partnership, LLC, submitted a letter outlining a lack of basis for filing for a declaratory judgment since there is no controversy on which to base such a claim. He cites the County’s long history of recognition of the original lots in CHB. Mr. Stevens also included significant documentation which substantiates the County’s position. Staff has consulted with both the Planning Attorney and the County Attorney to review the CHB submittal. Both agree that the Court only has declaratory judgment jurisdiction over actual controversies. There is no such justiciable issue between the County and the owner of the Chester Haven Beach property. The recognition that the condition of reconsideration (a declaratory judgment) is not possible legally is a recognition that the condition was unenforceable and without remedy. Taking up a reconsideration to include the property in the Growth Area without satisfaction of this condition is justified provided it is directed by the entity of the motion which passed at the 10 May 2022 Commissioner meeting.

The Board tabled this item.

**REPLACEMENT OF QACTV’S SHARED PRODUCTION STORAGE SERVER:**

Mr. George Harvey, Media Broadcast Manager submitted to the Board for their approval a request to replace the storage server. The current server for QACTV’s Shared Production Storage is nine years old and has limited support. This purchase will upgrade the editing network from 1Gbe to 10Gbe and will come with Media Asset Management (MAM) software installed speeding video production processes. The cost for the replacement server is \$52,697.00. Adequate funding is in the QACTV Capital Equipment Budget.

On a motion made by Commissioner Dumenil, seconded by Commissioner Corchiarino, the Board unanimously agreed to approve the replacement and upgrade of QACTV’s Shared Storage Server from Studio Network Solutions in the amount of \$52,697.00.

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

**PROPERTY LIEN – 1118 PRICE STATION ROAD – NUISANCE VIOLATION:**

August 22, 2023



Ms. Vivian Swinson, Zoning Administrator, submitted to the Board for their review a property lien. This is nuisance violation Resolution #23-07 for unmanaged high vegetation on property owned by Palmer F. Councell located at 1118 Price Station Road. A lien will be attached to this property in the amount of \$400.00 to reimburse the County for the cost of grass cutting.

On a motion made by Commissioner Wilson, seconded by Commissioner Corchiarino, the Board unanimously agreed to approve the Resolution to place a lien on the property located at 1118 Price Station Road, Price, MD in the amount of \$400.00.

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

**PROPERTY LIEN – 1009 BAYSIDE DR., STEVENSVILLE – NUISANCE VIOLATION:**

Ms. Vivian Swinson, Zoning Administrator, submitted to the Board for their review a property lien. This is nuisance violation Resolution #23-08 for unmanaged high vegetation on property owned by Jerud W. Ryker. located at 1009 Bayside Dr. A lien will be attached to this property in the amount of \$220.00 to reimburse the County for the cost of grass cutting.

On a motion made by Commissioner Corchiarino, seconded by Commissioner Wilson, the Board unanimously agreed to approve the Resolution to place a lien on the property located at 1009 Bayside Dr., Stevensville MD in the amount of \$220.00.

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

**PROPERTY LIEN – 135 MAINSAIL DR., STEVENSVILLE – NUISANCE VIOLATION:**

Ms. Vivian Swinson, Zoning Administrator, submitted to the Board for their review a property lien. This is nuisance violation Resolution #23-09 for unmanaged high vegetation on

August 22, 2023

property owned by James F. Blackwell, Jr. located at 135 Mainsail Dr. A lien will be attached to this property in the amount of \$260.00 to reimburse the County for the cost of grass cutting.

On a motion made by Commissioner Dumenil, seconded by Commissioner Wilson, the Board unanimously agreed to approve the Resolution to place a lien on the property located at 135 Mainsail Dr., Stevensville, MD in the amount of \$260.00.

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

**HUMAN RESOURCES DRAFT STANDARD OPERATING POLICY:**

Ms. Beverly Churchill, Director of Human Resources submitted to the Board for their review and approval Human Resources Draft Standard Operating Policies. This includes updates to various Standard Operating Policies. There are revisions to: Emergency Action Plan, Educational Assistance, Employee Recognition, IT, Meal and Breaks, Violence in the workplace and a revision to the Employee Handbook - County Dress Code.

On a motion made by Commissioner Wilson, seconded by Commissioner Dumenil, the Board unanimously agreed to approve that the Emergency Action Plan, Educational Assistance, Employee Recognition, Information Technology, Meal & Work Break and Violence in the Workplace Policies and the Employee Handbook revisions be adopted as presented and to be effective in seven business days.

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

**CONCOURS D'ELEGANCE WELCOME LETTER:**

Concours D'Elegance is a prestigious automobile show that will be held on September 24<sup>th</sup> at the Kent Island Yacht Club and will have rare and classic automobiles as well as draw visitors from all around the world. They are asking for a welcome letter that they can place in their brochure.

August 22, 2023

On a motion made by Commissioner Dumenil, seconded by Commissioner Wilson, the Board unanimously agreed to move to execute the welcome letter for the Concours D'Elegance automobile show to be held at Kent Island Yacht Club.

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

**BATTS NECK PARK IN-LINE HOCKEY RINK REFURBISHMENT:**

Mr. Steve Chandlee, Director of Parks and Recreation submitted to the Board for their review and approval the Batts Neck Park In-Line Hockey Rink Refurbishment. The Department of Parks and Recreation is requesting permission to contract ATC Corp. to pave, color coat and stripe the In-Line Hockey Rink at Batts Neck Park for \$145,450. Parks and Recreation will be utilizing the National Cooperative Purchasing Alliance Contract #08-18. Funding shall come from the In-Line Hockey Rink Capital Project.

On a motion made by Commissioner Wilson, seconded by Commissioner Corchiarino, with Commissioner Moran absent the Board agreed to to authorize the Department of Parks and Recreation to contract with ATC Corp to replace, pave, color coat and stripe the In-Line Hockey Rink at Batts Neck Park in the amount of \$145,450 utilizing the National Cooperative Purchasing Alliance Contract #08-18.

Commissioners	Yes	No
Moran	Absent	
J Wilson	x	
McLaughlin	x	
Dumenil	x	
Corchiarino	x	

**BUDGET AMENDMENT #CC-13:**

This amendment establishes additional budget authority for the Fire Chief’s Association’s small equipment purchases in the amount of \$115,768. The additional budget authority will be used to cover the cost of 160 pagers from Magnum Electronics, Inc. Funding for the pagers will come from ARPA grant funding that is currently available.

August 22, 2023

On a motion made by Commissioner Wilson, seconded by Commissioner McLaughlin, the Board unanimously agreed to approve Budget Amendment #CC-13 Fed Recovery Funds (ARPA).

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

**US 50/301 RAMP MANAGEMENT AND ACCESS CONTROL PILOT PROJECT LETTER:**

The Board drafted a letter to Secretary Paul J. Wiedefeld requesting initiation of the US 50/301 Ramp Management and Access control pilot project.

On a motion made by commissioner Corchiarino, seconded by commissioner Dumenil, the board unanimously agreed to execute the us 50/301 Ramp Management and Access Control Pilot Project letter to Maryland Department of Transportation Secretary Paul J. Wiedefeld.

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

**PRESS AND PUBLIC COMMENT:**

None

**COMMISSIONER’S ROUNDTABLE:**

Commissioner Wilson discussed the following:  
 A fiber one was cut that is why we don’t have cell service  
 Everside Ribbon Cutting

Commissioner Dumenil discussed the following:  
 Attended many Sessions at the MACo Summer Conference

August 22, 2023

Went to the New Teacher Breakfast

Commissioner McLaughlin discussed the following:

Commissioner Corchiarino discussed the following:

Met with Secretary Paul J. Wiedefeld at MACo

Commissioner Moran discussed the following:

Toured the Wye School

KNDF Meeting

Reviewed the Ramp Management and Access Control Pilot Program

There being no further business, they adjourned at 6:45 p.m. to meet again on Tuesday, September 12, 2023.

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EXECUTIVE ASSISTANT

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PRESIDENT

August 22, 2023