

The Wicomico County Council met in Legislative Session via Zoom videoconference on Tuesday, April 21, 2020 at 10:00 a.m.

In attendance: Larry W. Dodd, President; John T. Cannon, Vice President; Joe Holloway, Josh Hastings, William R. McCain, and Nicole Acle. Ernie Davis was absent.

Present: Laura Hurley, Council Administrator; Robert Taylor, Council Attorney; and Lynn Sande, Executive Office Associate.

Mr. Dodd thanked everyone for their patience as the Council goes through changing the structure of their Council Meetings. He said, as previously mentioned at the last Council Meeting, a majority of Councilmembers decided they would move forward with doing video conferencing by Zoom during the coronavirus pandemic. He said the public cannot attend the meetings in person, but they can be viewed in real time on local Public Access Channel PAC 14, on the internet at www.pac14.org via livestream, and on YouTube. He said the public may listen to the meeting by telephone by calling the telephone number shown on the Agenda and entering the meeting ID number. He said, after the meeting, it will be replayed on PAC 14, YouTube, and the County's website.

On motion by Mr. Holloway and seconded by Mr. McCain, the Consent Agenda consisting of the following items was unanimously approved:

- Legislative Minutes from April 7, 2020
 - Open Work Session Minutes from March 3, 2020 – Appointments to Boards and Commissions
 - Open Work Session Minutes from March 3, 2020 – Discussion with Wicomico County Board of Electrical Examiners
 - Open Work Session Minutes from March 17, 2020 – Update on COVID-19
 - Open Work Session Minutes from March 17, 2020 – Discussion on Emergency Declaration
 - Closed Session Minutes from March 17, 2020 – To Discuss Personnel Matters Involving the County Attorney and Finance Director
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Laura Hurley, Council Administrator

Mrs. Hurley said, at the request of the Council President, Resolution No. 23-2020 is being removed from today's Agenda.

Veto of Legislative Bill No. 2020-02 and Charter Provision for Council's Reconsideration, Section 411-D: Legislative Bill 2020-02 – To extend the Moratorium on the Issuance of Building Permits for Agriculture Storage Tanks that will store Dissolved Air Flotation (DAF) Washdown Water from a Rendering Process. Mrs. Hurley said this Bill was introduced on March 17, 2020. She said Council then held a Public Hearing and adopted the Bill on April 7, 2020. She said the Legislation was then presented to the County Executive on April 8 for which he has 21 days to return the Bill to the County Council with his approval or veto. She said the Bill was returned to the Council Office on April 13 with the Executive's veto. She said, per Charter Section 411-D, upon veto, the County Executive shall provide in writing a statement of the reasons for the veto, and the veto message shall be entered in the journal of the County Council, and, not later than at its next Legislative Session day, the County Council may reconsider the Bill. She said, if upon reconsideration at least five Members of the County Council vote in the affirmative, the Bill shall be law. She said the Council Office has not received a written veto message explaining the reasons for

the veto, but they do have the cover sheet with the Executive's signature vetoing the Bill. She said a copy of the Bill as adopted on April 7, 2020 is in the briefing material for Council's discussion today.

There being no discussion, on motion by Mr. Hastings, seconded by Mr. Cannon, and by roll call vote, Mrs. Acle, aye; Mr. Hastings, aye; Mr. Holloway, aye; Mr. McCain, aye; Mr. Cannon, aye, and Mr. Dodd, aye, Legislative Bill No. 2020-02 was unanimously approved.

Resolution No. 24-2020 – To Authorize the County to Acquire an Easement on 114.37 Acres, more or less, within the Quantico Creek Rural Legacy Area from Cherry Walk Farm, LLC. Mrs. Hurley said the property is located on the southerly side of Cherry Walk Road and is designated as tax map 35, parcel numbers 26 and 75.

There being no discussion, on motion by Mr. McCain, seconded by Mr. Holloway, and by roll call vote, Mrs. Acle, aye; Mr. Hastings, abstained; Mr. Holloway, aye; Mr. McCain, aye; Mr. Cannon, aye, and Mr. Dodd, aye, Resolution No. 24-2020 was approved.

Robert Taylor, Council Attorney

Introduction: Legislative Bill No. 2020-03 – An Act to Provide Chapter 37 Entitled Ethics Law is Amended to Comply with the Maryland Code. Mr. Taylor said, as explained in the material in the Brief Book, this is conforming to the requirements of the State Code, which were changed a year ago, but they had a grace period to come into compliance, and that is what this does. He said there are several changes in the Ethics Law, which he can go through if Council wants him to, or he can defer on doing that.

Mrs. Acle asked if they need to submit new financial disclosures because of the change in the Ethics Law, to which Mr. Dodd responded, he believes they still have to do that every year. Mr. Taylor said he does not think this requires Councilmembers to file new financial statements now. He said, if Council does not want him to go through the changes, he would suggest they each read through it because, obviously, they pertain to people on Council.

Mr. McCain said he just received something where he was supposed to update that. He then asked if he has to update that, to which Mr. Taylor responded, in terms of this Legislation, he does not believe this changes anything in terms of the statements Councilmembers have submitted. He said Mr. McCain can read it, and, if Mr. McCain wants him to look at something specific he has received, he can send it to him and he will look at it. Mr. McCain said his question is whether Councilmembers have to do this every year, to which Mr. Taylor responded, he has not actually read through the law with that in mind, but his understanding is yes, they do. Mr. McCain said he thought Mr. Taylor said they did not, but he is saying they do, to which Mr. Taylor responded, he is saying this does not change the reporting requirements. He said it has other changes in it, but it does not require Councilmembers do anything special just because they are passing this ordinance, or will pass it at the next meeting, he assumes. Mr. Dodd asked whether he still has to file if he has not filed yet, or does he need to do it a second time if he has filed, to which Mr. Taylor responded, that is correct. He said it does not specifically change filing requirements, but it does have other changes in it that pertain broadly to the Ethics Law.

There being no further discussion, by roll call vote, Mrs. Acle, aye; Mr. Hastings, aye; Mr. Holloway, aye; Mr. McCain, aye; Mr. Cannon, aye, and Mr. Dodd, aye, Legislative Bill No. 2020-03 was unanimously introduced. Mr. Dodd said the Public Hearing will be on May 19 at 10:00 a.m.

Public Comments:

Mrs. Sande and Mrs. Hurley read the Public Comments as follows:

William Wallace of Wicomico County:

Hello, my name is William Wallace and I am a resident of Wicomico County. I would like to express offense at council member Holloway's dismissive response to Executive Director Ashley Teagle of Wicomico Public Library and the value of her professional input on a capital project for her organization. As council member Cannon saliently pointed out at the same April 7th meeting, it is common practice to consult with an organization's leadership e.g. Board of Education and Sheriff's Department regarding their input on the capital projects and expansions related to their organization.

Why then would councilman Holloway so derisively disregard the practical critiques offered by Mrs. Teagle? What's more, I take particular umbrage with the use of the phrase "throw a monkey wrench" when referring to a black woman's, Director Teagle, who council member Holloway has met on more than one occasion and should know to consider his words more carefully when referring to her, again, professional recommendations and critiques as the leader of the organization at issue before this official body. Thank you for your consideration.

Molly Hilligoss, Executive Director of Habitat for Humanity:

These are public comments from the last meeting.

- 1. Our laid off staff is experiencing issues with MD Unemployment weekly claim certifications – with the libraries closed, and the lack of Wi-Fi, low income people that can't afford Wi-Fi, and the Telecert phone number (410-949-0022) rings busy constantly, how are people supposed to recertify each week?*
- 2. Has the county administration received an estimate on the tax revenue shortfall projected due to Covid-19 and how will the county adjust staff/operations?*
- 3. The CARES Act has a provision that prohibits evictions for 120 days from the date of signature. This means, sometime in August, landlords will start demand letters and evictions. What can the county do to assist landlords to mitigate their losses and keep people in their rental homes/apartments? The homeless situation was dire prior to Covid-19. With a probable recession coming, landlords can't expect the same rents if people aren't working. Unemployment doesn't cover basic necessities.*
- 4. SU Beacon Center projects (based on conference call this week), a 30% decline in retail sales for this area post Covid-19. It's probably too soon to tell, but what if SU experiences a drop-in attendance at 30%? What is the economic ripple effect and how can the county prepare business owners for this and assist with education or other mitigation options.*

Randy Morris of Salisbury, Wicomico County:

My name is Randy Morris, I reside in Salisbury, Wicomico County, Maryland. I am part of a Facebook group named Wicomico County for Second Amendment Sanctuary, which is group of over 1800 concerned citizens. Maryland last legislative session spawned 18 horrendous antigun bills targeting the civil rights of law-abiding citizens, many would have become felons overnight if most of those bills had passed. One did pass, which has already caused confusion and is up for a legal battle. During this pandemic, Our President recognized gun stores and gun ranges as being essential as the 2nd Amendment is a core civil right and necessary to self-defense and the common defense. Our Governor recognized our Presidents list of essential business and activities. As a result, those same legislators that spawned those bills against our rights, sent a letter to the Governor and to the press in an attempt to persuade the Governor to reverse his executive order and deny law abiding citizens their rights. At a time when our economy is so fragile that the fear of another economic depression looms, while convicts are being released, many are out of work; the fear of having to defend oneself and family has grown. I find that those that want to deprive citizens their right to be very horrifying. Those same legislators are promising that the next legislative session will be far worse in attacks on the rights of law-abiding citizens. Our Sheriff submitted to the County a Second Amendment Sanctuary Resolution draft that by now should be available for your review. I am urging the County Council to show their support for the Constitution and the Bill of Rights contained therein. I am urging the County Council to show the citizens of Wicomico County that the Council backs our Citizens and our Sheriff. I am urging the County Council to adopt a Second Amendment Sanctuary Resolution as a form of reassurance and protection to the Citizens and Law Enforcement of Wicomico County as well as sending a message to Annapolis. Cecil, Hartford, Calvert, Carrol and Alleghany Counties have adopted such resolutions, other counties are reviewing such resolutions such as St. Mary's, Washington and Caroline. 2A Sanctuary Resolutions are being urged by our other surrounding Counties as well. There is an online petition for a Wicomico County 2A Sanctuary Resolution which has over 1800 signatures which I will attempt to attach. It is also available at www.change.org/p/wicomico-county-council-wicomico-county-maryland-for-second-amendment-sanctuary

Norman Bennett of Mardela Springs, Wicomico County, Maryland

Dear Council Members: My name is Norman Bennett, I am a resident of Mardela Springs, Wicomico County, Maryland. I am writing you today with great concern. This great concern is not only with the current pandemic, but with a continued onslaught against our civil rights. Since 2013, there has been a continued onslaught against our civil rights, mainly our right to keep and bear arms. This onslaught has been perpetuated by extremist in our State and Federal Legislatures whom are backed by extremists' organizations that push for extreme gun control under the guise of common-sense gun safety legislation. There is no common sense in the reasoning or in their version of gun safety. They target law abiding citizens while relaxing penalties against criminals. Now they have even called for the release of criminals prematurely because of this pandemic. As a veteran, I fought for our rights as well as others abroad. I took an oath to uphold the Constitution. I continue to uphold that Oath by writing you today. With this current pandemic, we have seen new gun owners at a rate never seen before. Firearm dealers and firearm educators are busier than ever before. Our citizens are facing great concerns which are a pandemic, convicts being released and immediately reoffending, a crippled economy and people stuck at home more than ever before with the fear of a home invasion. The extremist solution is to shut down gun shops so that law abiding citizens cannot defend themselves. Thankfully our Governor ignored them, for now. These same extremist have vowed to make next legislative session even more volatile towards our

rights. I am urging you to pass a Second Amendment Resolution to show Annapolis and DC that Wicomico County backs their citizens' rights and backs our Sheriff and local law enforcement upholding the Constitution. Thank you for your time in hearing my concerns.

Bill Chambers, President/CEO, Salisbury Area Chamber of Commerce:

Good afternoon. It is imperative that the Airport Resolutions on finishing the City water line to the SBY Airport and a discussion on such, be taken up at April 21, 2020 Council meeting. Does anyone understand the long-term damage that our County will face IF we are forced to return the State Grant dollars? The Council process of pointing fingers and not governing has to stop! There needs to be real leadership on this issue, a project that should have sailed through as our neighboring jurisdictions seem to have no trouble getting public works projects with State money built. A project that has already begun and a project where over \$300,000.00 has already been spent. The Salisbury Area Chamber of Commerce and our seven-hundred-member businesses and organizations are watching.

Mike Dunn, President/CEO, Greater Salisbury Committee:

On behalf of the combined 100-plus businesses and individuals that make up the Greater Salisbury Committee, we are calling on Council President Larry Dodd to put this matter on the upcoming April 21 County Council agenda; to do whatever is necessary to schedule and hold a public hearing (likely a virtual public hearing) on this matter; to convene the needed "official" work session on this matter; and to move this matter forward. If that involves getting the project engineers back at the Council table to answer Council questions, then let's make that happen. To not bring this matter forward after it was tabled at the last meeting of the Council two weeks ago is irresponsible. It no longer matters how this project became mired in endless delays. The GSC has been closely watching this project for the better part of a year, and we are fully aware that there has been much rancor, much back and forth, and much political "blamesmanship" throughout. None of that matters now. What matters now is moving this airport water project forward, without useless delay. In these unsettling times, the last thing we need is to be the county that had to give the state of Maryland its money back because we couldn't get a project off the ground.

Greg Padgham, Executive Director, Tri-County Council:

As the Lower Shore's EDA designated Economic Development District (EDD), the Tri-County Council serves as the facilitator of the Region's Comprehensive Economic Development Strategy Report (CEDS) for purposes of reporting to the economic Development Administration (EDA) of the US Department of commerce. The CEDS is the result of input from the Tri-County Council CEDS Committee, a body composed of more than fifty stakeholders from all three Lower Shore Counties, and which includes elected officials, economic and workforce development professionals, chambers of commerce, industry trade groups, and representatives of higher education. The Tri-County Council is currently in the process of its annual months-long update of the CEDS whereby it reevaluates the existing goals and concomitant strategies and either affirms, revises, or removes one or more of them.

During its most recent meeting in February of this year, the 2021 CEDS Committee identified or reaffirmed a number of infrastructure projects deemed critical to the economic resilience and development of the Lower Shore. Foremost among these projects is the extension of the water main to

the Regional Airport. Referencing the existing 2020 Tri-County Council CEDS Report, the Committee was clear in emphasizing the importance of the water main extension to the following aspects of the CEDS:

- 1. Economic Resilience – with its focus on broad-based diversification of the economy as a critical factor in the ability of the Lower Shore to avoid, withstand, or recover from major economic shocks to the economy (pp25-37);*
- 2. Goal 1: Healthy Economy – which stresses the importance of helping resident businesses increase their competitiveness while attracting new industry sectors through strategy, among others, of supporting economic clustering as a feeder for diversification and job creation (pp38-39);*
- 3. Goal 2: Competitive Workforce – which seeks, among other things, to ensure job seekers have access to apprenticeships and other training opportunities necessary for existing and emerging industries (pp40-41);*
- 4. Goal 3: Infrastructure – which indentifies a stable and expanding infrastructure as necessary to economic diversification and growth, with water and sewer expansion and upgrade being of critical importance (pp 42-44)*

In evaluating Lower Shore infrastrucutre projects, the CEDS Committee consistently emphasized the importance of diversification of the economy (a function of economic resilience) as part of a strategy for long-term stability. A common theme which emerged was the notion that economic resilience is more comprehensively achieved by providing an environment which supports both new and emerging sectors as well as existing and traditional sectors of the economy. During the deliberative process, the CEDS Committee voiced the opinion that assets such as the Airport and any subsequent projects designed to leverage those assets were consistent with the broader notion of promoting and supporting both emerging and traditiaonl economic sectors as they diversify the base of the economy.

As a facilitator of the process, I feel confident in stating the extension of the water line to the Airport does indeed represent a direct leveraging of existing significant assets as discussed by the CEDS Committee in February 2020, as well as in 2019 when the current CEDS Report was drafted and submitted to EDA. In contrast to other regional assets, the size and scale of the economic impact to the Lower Shore of a robust Regional Airport would be profound and far reaching, and would impact a diverse and wide range of economic sectors. The Salisbury Airport 2019 Economic Forecast and the Maryland Aviation Administration's "Economic Impact of Airports: Wicomico Regional Airport" (December 2018) provides the detail supporting this statement, and are, I believe, consistent with the Tri-County Council's CEDS Committee evaluations.

Further opportunity for "leveraging" exists in the area of funding. The Lower Shore's designation as an EDD through the Tri-County Council presents the possibility of applying for competitive infrastructure grants from the EDA of up to fifty percent cost of projects falling within the category of "critical infrastructure" such as water, as well as projects which enhance workforce development and manufacturing supply chains.

For these reasons, the Tri-County Council supports the Ocean City-Salisbury-Wicomico Regional Airport Water Main Extension Project. If you have any questions, or need clarification regarding this matter, please do not hesitate to contact me.

Eric Jones, President of Kilbirnie Homeowners Association:

As a Wicomico County resident and current serving President of the Kilbirnie Estates Homeowners Association (KHA), I wanted to reach out in regards to the Wicomico County Resolutions 20-2020 & 21-2020. Members of the community I represent have voiced their concerns of the annexation of the water main proposed along the western border of our community on Walston Switch Road. I do not speak for all in the community but I proudly call this place home and would like to voice my concerns about possible repercussions that the water extension may have today and years from now. I feel the best place to voice these concerns and ask questions would be a public hearing on this matter. I am formally requesting a public hearing or town hall meeting on this infrastructure improvement before the matter is voted upon, approved and constructed. I understand that due to the current state of society that this public forum cannot happen now but I look forward to attending a public setting and discussing the matter in person. Please feel free to reach out and contact me anytime.

Joan Wharton, District 2 Resident, Centennial Village:

I am writing as a constituent who lives in District 2 of Wicomico County and would like to express a very validated concern, as well as try to get some answers with regard to the below mentioned matter.

My husband and I are athletes and very active people who love the outdoors. We have instilled this love for athletics and the outdoors in our 5-year-old son. With all the restrictions being mandated on us since the COVID-19 pandemic, one thing that is helping us muscle through this as small business owners, being severely impacted by the economy closing, and as parents who are homeschooling our son for three to five hours a day, while trying to keep our business afloat at this time, is running, riding our bikes, and hiking on our local trails. Running, cycling, and hiking outdoors is what is giving us a joy and a peace during this extremely difficult time.

As a mother who is trying to keep her child happy and somewhat shielded from what is happening around us, I am doing everything I can to get him outdoors where he is the happiest and the healthiest. This past Friday afternoon, I took my child to Cedar Hill knowing that the trail there was not closed, barricaded, or roped off like all of the other trails in the County. We were the only two in the entire park/marina and had a wonderful hike, full of smiles, nature lessons, and laughter. It made my heart happy to know that he was happy and enjoyed the hike. As we were approaching my car smiling and laughing, I see a Wicomico County Recreation & Parks "Park Ranger" pull up next to my car. As I approached the "Park Ranger" he told me, in front of my child, that it was forbidden to hike on all County trails, including the one we had just hiked. My son was extremely upset, and while in the car asked me why hiking on trails was against the law. I was very upset and aggravated, to say the least, about how this situation was handled in front of my child, and the fact that trails are closed.

I would like to ask why Wicomico County has decided to close all of their trails, forbidding their own citizens/taxpayers to utilize these trails? Many of us are trying to get through this extremely difficult time by exercising, getting some vitamin D, and enjoying the beauty of our great outdoors. My family and I refuse to sit in our house like caged birds. Give us the benefit of the doubt to have enough intellect to social distance, wash our hands, and do what is best for our families and our community. I do know that our surrounding counties have some of their trails open, so I have been taking my son on weekly field trips to get him out and active. I have attached an excerpt from Governor Hogan's "order" which DOES allow for hiking, biking, and running as long as social distancing is maintained.

Watching my son in tears driving by our local playground in Centennial because he can't even step foot on the park that he grew up in, or go on hikes because it is forbidden in our County is truly making me as a mother, a business owner, a community volunteer, and law-abiding citizen extremely upset, and I have had enough. I know that others in the community feel the same way.

My family and I are asking Wicomico County to open all County trails back up for the mental and physical wellbeing of all its citizens. Thank you, Mrs. Acle, for taking the time to hear my concerns and should you need to reach me, feel free to call me. Thank you again.

Jessica Peters, Walston Switch Road, Wicomico County:

Good Morning Council Members. As a property owner that would one day be negatively impacted by the proposed Airport Water Pre-annexation Agreement, I am requesting you to please vote NO should it come up again. None of the properties between the water tower and airport should be forced into being part of the City - not today, not tomorrow, not next year, not 7,300 or 10,950 days from now, NOT EVER. There must be other options and We the People deserve to know what they are and why they are not being presented or pursued. I want you all to know: We see what you're doing and we don't like it. This now almost commonplace practice of pushing things through with absolute minimal public input & discussion is really getting old and regularly casts many of you as underhanded and sneaky. Trying to slide that pre-annexation vote through during the last meeting, with no allowed public presence or real-time comments, was really a new low though and felt almost - dare I say - criminal. Watching local government leaders, from my home where I am legally demanded to be, exploit a worldwide pandemic to further their personal agenda or that of friends and colleagues was both disheartening and disgusting. This must stop. Please do better.

Council Comments:

Mrs. Acle said she would like to thank the community for writing in and sharing their concerns. She said she thinks they all have the same end goal of water at the Airport, and working towards that in trying to get a Public Hearing to address the citizens' concerns is at the top of her agenda.

Mrs. Acle said she would like to comment in regards to the note submitted by Mr. Wallace. She said she does not think it was Mr. Holloway's intention to insult with the phrase "throw a monkey wrench". She said the phrase can be found in just about every dictionary, either referencing to an actual type of wrench itself or a disruption, as she believes Mr. Holloway intended it.

Mr. Hastings said, with the COVID-19 situation, obviously, it is a really tough situation in Wicomico where likely tomorrow they will have 200 cases confirmed. He said they will probably hit that mark likely tomorrow the way they are going. He said folks have reached out to him asking what this means for budget impacts, and they would like to know more information as far as whether this is going to hurt Wicomico Schools or jobs in the future in the County. He said he agrees that maybe that is something they want to continue to try to help get information out to the public as they hear it.

Mr. Hastings said, in reference to the comment about opening the trails, this is something that is going County by County. He said parks with recreational areas, such as slides, or any other kind of children's area confined together is something that should be closed, and they should not be together in those kinds of places. He said, when it comes to hiking or biking, a lot of the other Counties around Wicomico

and across the State have kept their spaces open, and that might be something Wicomico might want to consider, especially as they continue to open back up.

Mr. Hastings thanked the frontline workers and essential workers. He said PRMC is in his District, and a lot of folks are out there are facing a struggle every day that is pretty scary.

Mr. Hastings said happy 50th anniversary of Earth Day. He said people on the planet are what is most important.

Mr. Holloway said he wants to reply to Mr. Wallace's letter. He said, if he offended anyone by that statement, he apologizes; however, he would like to say, if Mr. Wallace would like to talk about this with him one-on-one, he would be glad to talk to him. He said, if Mr. Wallace knew much about his life and his past, he would know that he is very sensitive to any kind of statement that would insult anyone as far as a racial slur. He said that was not intended, so he would be glad to discuss that with him. He again apologized if he offended anybody. He said that was not his intent.

Mr. Holloway said, on the Kilbirnie issue, it has been a busy couple of weeks with the folks who live in that area. He said they have had a lot of folks call with a lot of questions. He said apparently there are a lot of questions that maybe could be answered by the County Executive's Office, or somebody from the Airport Commission if they have a public meeting, but nobody seems to think they need to have a public meeting, and they want to do it on the computer. He said, as they can see today, they had one Councilperson who could not attend because he was having internet problems, so that is not really a fair way to have a public meeting, and he does not really agree with these meetings like they are having them because it does not give the people a chance to engage as they should be able to, but he guesses they can call it better than nothing at this time. He said there are about 250 homes in Kilbirnie and up Walston Switch Road, and these folks would like a voice before this is voted on. He said there have been some phone calls and emails made by folks promoting this project, but they do not live in that neighborhood. He said Council has to listen to the folks they represent. He said he had a phone call yesterday from a gentleman who lives on the other side of the County asking him why this is being held up, and he explained it to him. He said he gave him some of the facts, and some of the things they know about, and told him Council has asked for public hearings, and has asked for another Work Session, but did not get that. He said, when he explained to him the ins and outs of it, he understood and thanked him for what Council is doing. He said, until they can get this public hearing arranged, and he means a public hearing, not a Zoom hearing, and get the facts out there, he does not think they should move forward on it. He said the other point is that Parsonsburg Volunteer Fire Department has served that area well for a number of years, and he thinks they would like to have a voice in this also, and he has heard from them. He said he would like to keep this tabled until they can arrange a public hearing.

Mr. Holloway said everybody stay safe during this time. He said his wife has a message for their Governor that she wants the beauty shops open, so he told her he would say that.

Mr. Cannon said he understands what Mr. Holloway is saying, and he has always appreciated the value of the public's input, and has always said that, but his concern is the time restriction they are under with the projects at the Airport. He said he has great reservations about the fact that the pre-annexation and the waterline Resolutions were not on the Council's Agenda today. He said his opinion is, when they do not allow these Resolutions to come to the table, they do not allow the benefit of the citizens, nor the seven members of this Council, to even discuss these issues politically. He said they could have spent a

lot of time today discussing these issues, and most likely answering a lot of the questions that the public has. He said he has tried to answer whatever he can to every email he gets. He clarified, he does more than just saying thank you for your concerns, please email the Council with whatever concerns you might have in addition to this. He said he tries to review the facts and explain to these individuals what his perception is of the true facts of the case. He said so often he thinks members of the community rightfully do not understand all of the circumstances, and that is what their responsibility is as a Council, to make sure that they email them back, or call them, or hold Council Meetings whereas in a Work Session they can explain to the public exactly what is being done. He said he thinks that is the best way to address their concerns, and to educate them as well. He said public hearings are what has been requested, but not everyone in the public realizes that, when the Council holds public hearings, it is not an exchange of information, it is not answering their questions, it is just listening to them talk about what their concerns might be. He said they are getting those same results through emails, and they are getting the same results through the Public Comments they have had during these virtual meetings. He said, again, he thinks the fact that maybe a Town Hall had not been held months ago is probably something that would have helped to resolve these issues, but they are past that now. He said they have to work with what they have, and he would say it is incumbent upon the Councilmembers to try to resolve this issue by calling or emailing these individuals who have these concerns, and he would say that the Council itself maybe should send a letter out saying what the pros and cons are, as well as the Executive Branch. He said the State of Maryland is investing \$4 million dollars in this project, and the Federal Government is investing another \$18 million dollars in the Airport, so he has to say, why would it be that the County Council in Wicomico County would go to great lengths to try to hold these measures up. He said creating such delays, he thinks, as of now, is incomprehensible, and he would definitely want to see these Resolutions back on the table by their next meeting to give the public a chance to hear from Council as to what the issues are, and what the misperceptions might be.

Mr. McCain said he wants to start off thanking their first responders and healthcare providers, and all the other volunteers who are helping them get through COVID-19. He said he wants to particularly thank Peninsula Regional Medical Center and the health system. He said, under their leadership, they were very well prepared for this, they have reacted extremely well and provided the best protection they could ever imagine, so he wants to thank them.

Mr. McCain said he wants to address the Airport issue. He said, actually, Mr. Cannon's comments were very well said, and he really agrees with everything Mr. Cannon stated, but there are a few other points he would like to make. He said he was very disappointed that this is not on today's Agenda; it should have been. He said this is the future of their Airport, and this is not just about Wicomico County, this is about the entire region. He said this very well might be the most important economic development project their region has experienced in decades, and actually, at this point, it is a fairly straightforward project. He said the Airport cannot continue to operate into the future without potable water and a public water source, and the current situation of not moving this forward puts a lot of things at risk, including their existing airline carrier. He said, without potable water, it puts their continuation in jeopardy, and eliminates any possibility of expansion of new businesses without the public water.

Mr. McCain said this is a project that has taken years to get to this point. He said, in fact, 2016 was when it was studied as to the best way to provide water to the Airport. He said everything was investigated, from wells, to bringing it from a public source, and it was determined at that time that the most cost efficient and effective means to bring water and provide water to the Airport was via the City of

Salisbury's water system. He said the City has the capacity and the willingness to do that, and this is an access denied line, so this line is only to provide water to the Airport. He clarified, the only thing that is servicing this line and the only purpose is to provide water to the Airport, and that was approved back in 2016 by the Council, and that was what started the process. He said it has taken all these years to get them to this point because they had to do the planning, they had to do the engineering, they had to do the contract bidding, and they had to do easement acquisitions, and that has all been done. He said now here they are, and now all they have in front of them is the operating agreement and the pre-annexation agreement, which is part of the requirement. He said this was discussed back in January, and, actually, he will quote their former Public Works Director, who presented this to Council back in January. He said Mr. Baker started his comments off when he was presenting by saying "This is a very routine agreement", which it is because, in essence, the County builds it and the City manages the water, and at the end of the day, that is really all they are talking about.

Mr. McCain said he just wants to make it very clear to some of the concerns that are being expressed, there is no annexation, nothing is being annexed. He said the water line is a denied access line, and it is only to provide water to the Airport, and the City cannot annex people. He said people keep expressing their concern about being annexed, but the City cannot annex them. He said they have to petition to be annexed, but annexation is not part of the conversation. He said, unfortunately, the part of the agreement that is termed pre-annexation is just a legal requirement that the City has to do because they do not do urban service agreements anymore, and anytime they provide water outside of their municipality, there has to be an agreement, and that is really all this is.

Mr. McCain said they have heard the support from Tri-County Council, and, as he said earlier, this is a regional issue, and their Lower Shore Counties are depending on this happening. He said they have heard from the Chamber of Commerce, which represents all their businesses throughout their region, and the Greater Salisbury Committee, which represents 100 business leaders, and private citizens, and everyone realizes the importance of their Airport, so they need to move forward.

Mr. McCain said they also need to realize the construction was supposed to begin in February, and a 90-day extension had to be put in place. He said that extension expires May 12. He said, on May 12, the contractor's contract is up, and that is already an extension, so time is of the essence. He said they need to get this on the Agenda, and he just cannot stress the importance of that enough.

Mr. McCain said Council is hearing from the public. He said, as Mr. Cannon said, they do not have public hearings on Resolutions, but they get comments all the time, and all those comments go to all the Councilmembers, so they are hearing from the people who are expressing their concerns, they are hearing those comments, and trying to get back to them. He said hopefully some of these comments in their Public Comments today will help clarify some of these issues. He said they are hearing from everyone, and that is all being taken into consideration, and Council appreciates their concerns.

Mr. McCain said, even though schools are not in session, it is acceptance time, and a lot of their students are receiving offers to their college choices, and he actually wants to recognize a few he is aware of who have received a couple of very noteworthy scholarships. He said Alex Sewell from Bennett has been given a full scholarship to the Maryland Honors Program, and twins Patrick and Bryant Seberchar from Bennett have both been accepted to Yale. He said there are many other noteworthy ones, so please share those with him because he likes to give them a little facetime, and wants to congratulate them.

Council President Comments:

Mr. Dodd said he appreciates everyone's comments and all the comments that were read. He said there are a lot of concerns and a lot of discrepancies on a lot of the comments. He said several things that were not mentioned are that they do not have an Airport Manager available, they do not have a Public Works Director, they do not have a professional engineer, they do not have a Finance Director, they do not have a County Attorney, they do not have an Assistant Director of Administration, and their current Director of Administration will be retiring soon, and has already put in his resignation letter. He said this is not an Open Work Session on this, so he is not going to go any further, but he does thank all the citizens who have contacted him. He said everyday somebody is even bringing up something Council missed as a reason not to move forward with this project, but he appreciates everybody's concern, and thanks them for calling in or sending in emails.

Mr. Dodd thanked all the frontline workers and thanked all the nurses, doctors, and EMS. He said a lot of people do not realize they have to wear their PPE gowns over and over again all week long. He said not too long ago when he was riding the ambulance and fire trucks every day, they would put on their personal protective equipment, and they would just use it one time, take it off and dispose of it, and use another one, but now there are shortages of these masks and these gowns, so it is very difficult. He said they are going to have to try to clean them after every use and put them back on, so God bless all of them out there working for them.

There being no further business, by roll call vote, Mrs. Acle, aye; Mr. Holloway, aye; Mr. Hastings, aye; Mr. McCain, aye; Mr. Cannon, aye; and Mr. Dodd, aye, the Legislative Session was adjourned at approximately 11:00 a.m. to go into Open Work Sessions followed by a Closed Work Session pursuant to General Provisions Article 3-305 (b)(7) to consult with legal counsel to protect the attorney-client privilege.

The Wicomico County Council met in a Closed Work Session on Tuesday, April 21, 2020 at approximately 11:30 a.m. via Zoom videoconference.

In attendance: Larry Dodd, Council President; John T. Cannon, Vice President; Joe Holloway, William R. McCain, Josh Hastings, and Nicole Acle. Ernie Davis was absent.

Present for the Closed Work Session: Laura Hurley, Council Administrator; Robert Taylor, Council Attorney; and Lynn Sande, Executive Office Associate.

The purpose of the Closed Work Session was to consult with legal counsel to protect the attorney-client privilege

There being no further discussion, on motion by Mr. Cannon, seconded by Mr. Holloway, and unanimously approved, the Closed Work Session was adjourned at approximately 12:15 p.m. The legal authority for the second Closed Session is General Provisions Article, Section 3-305(b)(7).

Signatures on next page

AGENDA
COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

NOTICE REGARDING PUBLIC ATTENDANCE AND ACCESS

The public cannot attend this meeting in person, but it can be viewed in real time (live) on the local public access channel (PAC14) and on the Internet at www.pac14.org and on YouTube. The public may listen to the meeting by telephone: 1+301-715-8592, meeting ID 948 1676 2941, Password 7YHrMs (live, during the meeting only). After the meeting, it will be replayed on PAC14, YouTube, and on the County's website. Any portion of the meeting conducted in closed session will not be available for public access. The materials in the Council's public briefing book will be available on the County's website - <https://www.wicomicocounty.org>

LEGISLATIVE SESSION 2020-09

April 21, 2020

10:00 a.m.

10:00 a.m.

Larry W. Dodd, President
Call meeting to order
Opening Prayer and Pledge of Allegiance

Approval of Consent Agenda:

- Legislative Minutes from April 7, 2020
- Open Work Session Minutes from March 3, 2020 - Appointments to Boards and Commissions
- Open Work Session Minutes from March 3, 2020 - Discussion with Wicomico County Board of Electrical Examiners
- Open Work Session Minutes from March 17, 2020 - Update on COVID-19
- Open Work Session Minutes from March 17, 2020 - Discussion on Emergency Declaration
- Closed Work Session Minutes from March 17, 2020 - To Discuss Personnel Matters Involving the County Attorney and Director Finance

Motion to Approve by Mr. Joe Holloway, second by Mr. Bill McCain.

By roll call:

- Ernie Davis - Absent
- Nicole Acle - Yes
- Josh Hasting- Yes
- Joe Holloway- Yes
- John T. Cannon- Yes
- Bill McCain- Yes
- President-Yes

Laura Hurley, Council Administrator:

1. Veto of Legislative Bill No. 2020-02 and Charter Provision for Council Reconsideration, Section 411-D

Motion to Approve Legislative Bill 2020-02 as originally adopted by Mr. Josh Hastings, second by Mr. John T. Cannon

By roll call:

- Ernie Davis- Absent
- Nicole Acle- Yes
- Josh Hasting- Yes

- Joe Holloway- Yes
- John Cannon- Yes
- Bill McCain- Yes
- President- Yes

2. Resolution No. 23-2020 – Authorizing the County Executive to Accept a Grant Award in the Total amount of \$2,000 from the Community Foundation of the Eastern Shore to Provide Emergency Housing in Response to COVID-19 - Mrs. Michelle Bradley, Director of the Local Management Board
(REMOVED FROM AGENDA)

3. Resolution No. 24-2020 - To Authorize the County to Acquire an Easement on 114.37 Acres, more or less, within the Quantico Creek Rural Legacy Area from Cherrywalk Farm, LLC. The Property is located on the Southerly Side of Cherry Walk Road and is Designated on Tax Map 35, as Parcels 26 and 75 – Mr. Frank McKenzie, Chief, Technical Services, Wicomico County Department of Planning, Zoning and Community Development

Motion to approve Resolution No. 24-2020 by Mr. Bill McCain, second by Mr. Joe Holloway.

By roll call:

- Ernie Davis - Absent
- Nicole Acle - Yes
- Josh Hasting- Yes
- Joe Holloway- Yes
- John Cannon- Yes
- Bill McCain- Yes
- President- Yes

Robert Taylor, Council Attorney:

Introduction: Legislative Bill No. 2020-03: An Act to Provide in Chapter 37, titled "Ethics Law" is amended to comply with the Maryland Code – Mr. Wayne Strausburg, Director of Administration

Motion to Introduce Legislative Bill No. 2020-03

By roll call:

- Ernie Davis- Absent
- Nicole Acle- Yes
- Josh Hasting- Yes
- Joe Holloway- Yes
- John Cannon- Yes
- Bill McCain- Yes
- President- Yes

Public Comments – Please limit all public comments to three minutes or less; any presented material may be submitted to Councilmembers - Please include 10 Copies. We are also accepting written Public Comments by email to lhurley@wicomicocounty.org or by mail at the Council Office at P.O. Box 870, Salisbury, MD 21803. All public comments received one hour prior to the meeting will be read into record at the meeting by the Council Administrator.

Council Comments

Council President's Comments

Adjourn

Motion to Adjourn By roll call:

- Ernie Davis- Absent
- Nicole Acle- Yes
- Josh Hasting- Yes
- Joe Holloway- Yes
- John Cannon- Yes
- Bill McCain- Yes
- President-Yes

Open Work Sessions:

1. Forest Conservation Easement Relocation – 6405 Rockawalkin Rd., Salisbury, MD- Mr. Tyler Walston, Wicomico County Department of Planning, Zoning and Community Development
2. Forest Conservation Easement Relocation – Song Sparrow Circle, Delmar, MD- Mr. Tyler Walston, Wicomico County Department of Planning, Zoning and Community Development

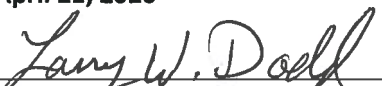
Closed Work Session:

To Consult with Legal Counsel

The County Council reserves the right to close a portion of this meeting as authorized by Section 3-305(7) and Section 3-104 of the General Provisions Article of the Annotated Code of Maryland.

Legislative Minutes

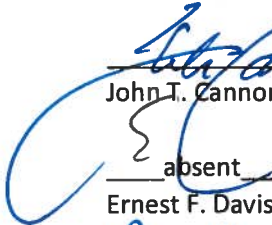
April 21, 2020



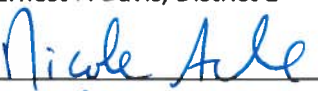
Larry W. Dodd, President, District 3




John T. Cannon, Vice President, At-Large



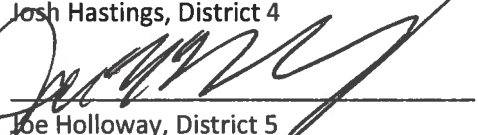
absent
Ernest F. Davis, District 1



Nicole Acle, District 2



Josh Hastings, District 4



Joe Holloway, District 5



William R. McCain, At-Large



Laura Hurley, Council Administrator