The Wicomico County Council met in Legislative Session on Tuesday, March 19, 2024 at 10:00 a.m. in Council Chambers, Government Office Building, Salisbury, Maryland.

In attendance: John T. Cannon, Council President; Jeff Merritt, Vice President; Joe Holloway, James Winn, Shane Baker, Shanie Shields, and Josh Hastings.

Present: Laura Hurley, Council Administrator; Lynn Ingold, Executive Office Associate, and Robert A. Benson, Council Attorney.

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

- Legislative Minutes from March 5, 2024
- Open Work Session Minutes from February 20, 2024 – Proposed FY24 Capital Projects Budget Amendment
- Open Work Session Minutes from February 20, 2024 – Letter of Support for HB 557-Sales and Use Tax Exemptions-Aircraft Parts and Equipment-Repeal of Reporting Requirements
- Open Work Session Minutes from February 20, 2024 – Letter of Support for SB 961-Wicomico County Vehicle Laws-Prohibition on Roadway Solicitations
- Open Work Session Minutes from February 20, 2024 – Letter of Support for HB 899 and SB 691 – Higher Education-Firefighters and EMS Recruitment and Retention-Scholarship and Loan Repayment Assistance
- Open Work Session Minutes from February 20, 2024 – Letter of Support for SB 897-Income Tax Subtraction Modification-Death Benefits-Law Enforcement Officers and Firefighters
- Open Work Session Minutes from February 20, 2024 – Proposed Amendments to the Regulations for Parks and Recreation Facilities
- Closed Session Minutes from November 21, 2023 – To Consider the Acquisition of Real Property for Public Purpose and Matters Directly Related Thereto

A proclamation was presented to the Endometriosis Association to recognize March as Endometriosis Awareness Month.

A proclamation was presented to the Life Crisis Center to recognize March as Professional Social Work Month.

A proclamation was presented to recognize March as Women's History Month.

A proclamation was presented to the Wicomico High School Girls Basketball team for winning the Bayside Championship, winning the Regional II Championship, and being State finalists.

Robert A. Benson, Esq., Council Attorney

Public Hearing: Legislative Bill No. 2024-01: An Act to Amend Chapter 90 of the Wicomico County Code titled "Tax Exemptions," Section 90-9, to allow a property tax credit to be granted to an auxiliary of a bona fide volunteer fire company, and to provide that only one tax credit is allowed per dwelling.

Mr. Benson said I know the Council knows this, but for the benefit of the public, in December the Council adopted a tax credit provision for volunteer fire associations within Wicomico County and provided a mechanism to allow that to happen that is provided for under Maryland law. He said the original contained a definitional section for what would be considered a member of a volunteer fire

company. He said, since its adoption, a question arose as to whether an auxiliary of a volunteer fire department was included within that definitional section. He said, in looking at it and in speaking to a number of different volunteer fire companies, we got a mixed answer as to whether auxiliary members were considered members of the volunteer fire companies. He said some said they were and some said they weren't, so the purpose of this is to clean up any discrepancy to include auxiliary members as being part of the group that would be entitled to a tax exemption. He clarified, they have to meet the same conditions that a volunteer firefighter has to meet, specifically, they have to earn 50 points and those 50 points are pursuant to the definitional section of the Wicomico County Volunteer Firefighters Association, which follows the Maryland Volunteer Firefighters Association rules.

Mr. Benson said, when this was adopted, Ms. Oland from the Finance Office suggested that the application process include proof that the person making the application meets the 50-point qualification that is required when they get a tax exemption from the State of Maryland for income taxes, so, as part of that, they have to meet that definitional section.

Mr. Benson said the other purpose of this is to clarify that, if there is more than one member who owns a property, the County is only granting one tax exemption per property.

Mr. Benson said that is the purpose of this, but there was an email that came in about this. He explained, the original provision that was adopted established a maximum amount per year of $750,000. He said that was done because it was not readily apparent how many volunteer fire members there would be or what the total impact could be on the budget for the County, so when the Council adopted this they elected to put in a maximum dollar amount so that issue is taken care of. He clarified, I mention this because I know the Council got an email and I just wanted to make sure that we address the issues that were raised in the email.

Mr. Cannon opened the Public Hearing.

Mr. Jim Adkins came to the podium and said, first of all, I would like to thank the Council and Mr. Benson for their hard work on this. He said it looks like we're going to get this Legislation passed through the County for the firefighters and for the auxiliary members; however, there are still several issues on this that need to be addressed. He said there is a lot of concern and a lot of questions by the firefighters and the auxiliaries in the County on how this is going to be handled and whether or not they're going to be taxed on it. He said about a month ago there was a meeting held here and some information was given concerning Queen Anne's County and how they handled it. He said we were going to get back with Queen Anne's County and find out how they handled it because our County, I believe rightfully so, thinks that this is a taxable income, but the other counties aren't taxing it, so are they violating IRS laws, or have they just found a way to work around it? He said I believe this County, now that they have put this Legislation in effect, needs to determine how they're going to do it. He then asked, are we going to have the property owners pay taxes and then they get a refund check from the County? He said that seems like a major burden on the Department of Finance to have to turn around and write checks for all the firefighters and auxiliaries in the County. He said I'm certainly not a lawyer and certainly not an IRS agent, so I don't know the IRS laws, but it seems to me, and I suggested this to a couple Councilmembers, that if the Finance Department were to issue their tax statements, the tax statements currently show a State tax, a Chesapeake Fund tax, and then the County tax, and you add all three of them together and you get your tax bill. He said I would like someone to look into, after you get to the County property tax, that there be a fourth heading called the Firefighters Tax Credit, which would be deducted from the State, the Chesapeake Bay, and the County taxes, and then it would say

how much that person owed the County. He said that way you're not getting a refund, you're getting a credit and you're paying what you're told you owe, so the County is not paying you back, you are reducing it as you pay it. He said there are a lot of questions left to be answered on this and a lot of misinformation out there in the fire companies. He said, if you talk to each one of the fire companies, each one of them has a pretty good sense of what they think it's going to be, but there are not very many of them that correlate with each other. He said there is a lot of misconception out there and this has been going on for a year, so I think we need to get it settled and straightened out.

There were no further public comments. Mr. Cannon closed the Public Hearing.

Mr. Benson said, in response to Mr. Adkins, I think I would defer to Ms. Oland on this or to a CPA because I'm not a tax attorney. He said the issue is not whether this is taxable from the County's point of view, the issue is whether the County is going to issue a 1099. He said the IRS is going to decide whether it's taxable, and I think the IRS thinks it's taxable, so whether or not the County issues a 1099, I think the IRS believes that this tax credit is a taxable event. He clarified, the issue from the County's perspective is not whether it's taxable, that's federal law, the issue from the County's perspective is whether or not the County is going to issue a 1099. He said, from my perspective, the legalities of that I will leave to Ms. Oland, but whether the County issues a 1099 or not, I think it's a taxable event, but that's a federal law issue, not a County or State law issue.

Mr. Benson added, in State law, with regard to the credit on income taxes, State law specifically includes auxiliaries as being recognized as being part of volunteer fire departments, and the County's Legislation is consistent with State law as it relates to the County's tax credit by including auxiliaries in it.

Mr. Cannon said we heard in instances with other counties that maybe the waiving of property taxes was less than a certain dollar amount, which didn't qualify for a 1099, but I'm not sure if that was the case in all counties. Mr. Benson said there is a $600 threshold, so if it's under $600, it's not taxable. He said, in this instance, it could be more than $600.

Ms. Pam Oland, Director of Finance, came before Council and said, in everything that I have done research, including talking to our outside public accountant and talking to someone who previously was in the IRS, this is a taxable event. She said we are providing a benefit that is greater than $600, and we as a County are then required to give a 1099. She said, if we provide something over $600, it is our requirement as an entity to issue a 1099.

Ms. Oland said, as to the mechanism as to how we're doing this, we are going to attempt, and I say attempt because we are practicing in our system, but we have two hurdles to overcome. She said part of the reason to get this prior to April 1 from the fire departments is so we can load it into the system and provide it when they get their bill so they will not have to actually get a check back. She said the one kink to that is the second part of that with providing a 1099. She then asked, if we don't actually cut them a check, how do we get them into our system to do a 1099, so we have to practice both pieces of that. She said we are attempting to just put it on their tax bill as a credit and reduce their tax bill and then figuring out how we can issue a 1099 without issuing a check.

Ms. Oland said those are the two steps we are currently practicing and figuring out if we can do the way I just described. She said, as I have stated before, I am the Finance Director for Wicomico County, and based on my research, I believe this is the appropriate way for the County to respond. She said I do not know how other counties are going to respond or are responding, but this is my advice to you as the County Council and the Administration of the County.

Mr. Merritt said it's probably best left up to the person who is preparing the taxes for the particular individual to decide what to do, to which Ms. Oland responded, when we provide a 1099, we submit those to the federal government kind of like your employer submits your wages. She said, when your tax returns go in, the federal government does an electronic match of everything associated with your social security number, and 1099s and W2s and all those kinds of things are doing an electronic match, so we will be providing a 1099 to the federal government for this credit.

Mr. Benson said I think in 2017 there was an Act presented to Congress to try to make these tax exempt, but to my knowledge that never passed, but it is a federal issue, not a County issue or a State issue.

Mr. Holloway said, since this has made the news and some of the folks read our brief book, I had a couple calls over the weekend asking what someone would have to do to join a fire department and get a tax credit. He said I don't know if that's going to be a big push for people to want to join the auxiliaries, but the auxiliary members don't have to take the classes like the firefighters do, so there's not as much to go through other than helping out with various events supporting the firefighters. He then clarified, you have to do this for three years prior in order to get this credit, that is what this Bill says. He said it says "has maintained active service status as determined by the Wicomico County Volunteer Firefighters Association for at least three consecutive calendar years from January 1, 2021." He then asked, if I'm reading that right, does that mean they have to be a member of the volunteer auxiliary for three years before they get this credit, to which Ms. Oland responded, before they would get it for the first time, yes. She said, again, my understanding of this Legislation was to try to retain those firefighters that we currently have and now the auxiliary as well, and hopefully recruit new. Mr. Holloway clarified, somebody can't just join the fire department and start getting this credit immediately, to which Ms. Oland responded, they need to show dedicated service, and I am making a total assumption here that it's not just that they can show up tomorrow and do one thing and get 50 points, but it is a year-long worth of service to get 50 points. She said, again, the intention of this is the 50 points is something that is determined by State law to get an income tax credit, and we are using that same mechanism instead of creating a second way to determine whether or not they provided service to the volunteer system.

Ms. Oland said the deadline is April 1 and I have received four departments, so I'm just stating that publicly. Mr. Winn clarified, four departments for just the auxiliary, to which Ms. Oland responded, no, for everything. She clarified, I only received four departments that have submitted their stuff.

Mr. Hastings asked, how many departments are there, to which Ms. Oland responded, 11, plus I believe there are still a couple qualified volunteers within the City of Salisbury. She clarified, I don't know that for a fact, but I believe there are. She said, again, there are 11 departments that are considered volunteer and then there is the City of Salisbury.

Ms. Oland said, per the deadline, it needs to be in our office, and I'm not taking postmarks or anything like that, but in our office by close of business on April 1.

Mr. Merritt clarified, when you say you're missing information, what exactly is missing, to which Ms. Oland responded, I haven't received any submission. Mr. Merritt clarified, nothing, to which Ms. Oland responded, nothing. She repeated, I received submissions from four departments.

Mr. Cannon asked, what do you mean by received submissions from four departments, to which Ms. Oland responded, at this point in time I have not had the opportunity to review those submissions, but they have submitted. She said I have done a quick look and the information that we requested including the 50-point form, a social security number, a physical address and the SDAT form appear to be in those.

She clarified, I have not looked at each person in the department, but I did a quick look at what was submitted for the department. She said, again, of those four departments, I can't tell you whether or not they submitted their auxiliary members or not because, again, I have not looked at the individual departments, but I just wanted to put it out there that we close our doors at 4:30 p.m., the building is open till 5:00 p.m., so submissions will be accepted until 5:00 p.m. on April 1.

Mr. Cannon said I was under the impression that individuals would be submitting this themselves, to which Ms. Oland responded, no, it has to come through the fire departments. She explained, I'm not going to just accept that someone walks in the door and hands me a 50-point form because how am I to know that they actually did 50 points? She said I am expecting the fire departments to sign off on those forms and submit those forms. She said the Legislation is written that it is coming from the fire departments, not from the individuals.

Mr. Cannon clarified, if you're an individual who wants this tax break, you have to make sure that you give your information to the fire station and then they certify it and send it to Ms. Oland, to which Ms. Oland responded, yes. She said that is also how the 50-point form works for the State where they have to have a signature on the State side for the income tax, I believe. She said, again, I have no way of knowing a role of a volunteer fire department member, so I do not want to accept individual people because I can't say whether or not they actually have done what they're supposed to do. She said the only way I will accept them is if the department submits on their behalf.

There being no further discussion, on motion by Mr. Merritt, seconded by Mr. Baker, and by roll call vote, Mr. Holloway, aye; Mr. Hastings, aye; Mr. Winn, aye; Mr. Merritt, aye; Mr. Baker, aye; Ms. Shields, and Mr. Cannon, aye, Legislative Bill No. 2024-01 was unanimously approved.

Laura Hurley, Council Administrator

Submission of Appointments to the Wicomico County Personnel Board and the Wicomico County School Building Commission.

Mr. Bunky Luffman, Director of Administration, came before Council and said, for the Personnel Board, each member serves a three-year term. He said the Board meets when there is a formal grievance with personnel or a policy issue or change, and I started in December 2022 and the Board has not met since then. He said the person we're putting up is Matt Creamer who obviously probably knows more about our personnel than anyone else since I'm sure he wrote most if not all of it. He said he has certainly had a hand in it over several decades, so I think he's a great choice and hopefully you will agree.

Mr. Luffman said, for the School Building Commission, members serve an ongoing term and I'm on it personally. He said they assist the County School Board in planning, building, construction, rehabilitation and maintenance projects as required, as well as auditing building design specification contracts prepared by architects and/or contractors to determine the best technical and most practical approaches to benefit the community.

Mr. Luffman said, for the Personnel Board, Ms. O'Hara is here if there are any questions, and for the School Building Commission we have Leisl Ashby who staffs that Commission if there are any questions.

Resolution No. 29-2024 – Confirming the Appointment of Matthew E. Creamer, III as a Member of the Wicomico County Personnel Board.

There being no discussion, on motion by Ms. Shields and seconded by Mr. Hastings, Resolution No. 29-2024 was unanimously approved.

Resolution No. 30-2024 – Confirming the Appointment of Sara Guy, PhD as a Member of the Wicomico County School Building Commission.

There being no discussion, on motion by Mr. Hastings and seconded by Mr. Merritt, Resolution No. 30-2024 was unanimously approved.

Resolution No. 31-2024 – Adopting the Capital Improvement Program for Fiscal Years 2025-2029.

Ms. Pam Oland, Director of Finance, came before Council and said Council received an amended CIP with some changes associated with typographical errors and adjustments associated with the Resolution Council passed at the last meeting to fund the Civic Center roof and two projects for the marinas. She said both of those had funding in them for fiscal 25, thus we recommend you remove that funding from the CIP that was submitted and also correct the typographical errors, and those changes have all been highlighted.

Mr. Cannon asked if it will be necessary to have a motion to do that, to which Mrs. Hurley responded, since it's attached to the Resolution in the brief book, I don't think a motion is needed.

Mr. Cannon said Mr. Luffman sent an email in response to Mrs. Hurley, but I didn't understand it, and I don't mean to lay this on him at the last minute. Mr. Bunky Luffman then came before Council.

Mr. Cannon said the 2024 CIP for Corrections had a total of about $3.5 million for FY25 and 26 and the total appropriation through FY28 was about $4.4 million, and yet the CIP for FY25 changed from $3.5 million to $6.8 and the total five year has gone from $4.4 million to $22.5 million. He said I didn't quite understand what Mr. Luffman's explanation was. He clarified, it was thorough, but thoroughly confusing to me, so I didn't know if you could help with that a little bit as far as what Corrections is actually doing.

Ms. Oland responded, in the FY24 CIP there was talk about building expansion for the current correctional facility, and in looking at that while completing this submission, it was determined that for funding purposes it made more sense to split the project up. She said the original project that was in the FY24 CIP had it as a one-year project and they have also expanded the scope. She said they have added, I believe, a generator to the scope of that project, so the scope has expanded and now we're splitting it over two years. She clarified, splitting it over two years does require escalation, and also when they got their original quote, that also requires escalation because costs have gone up since we did that.

Ms. Oland said something I have stated to you guys frequently is that this is best estimate. She said we are putting this together in the fall and we don't keep changing the rates, we update them when we are getting ready to issue a second CIP, which is why numbers have changed, and we also look at the numbers for the closest amount when we're doing the budget. She explained, when we're submitting the budget for fiscal 25, we will also look again at those estimates in here, and those dollar amounts could change based on additional information we received between the time this gets adopted and the time we actually present the capital budget. She added, as you know, we have come back to Council on previous occasions when costs change on a project. She said these are always the best estimates we have at the time and, again, I would probably not work for Wicomico County if I had a crystal ball and was able to guess all of these things 18, 24, or 36 months in advance because I would probably do something else, but we're doing our best estimates based on information we have received.

Mr. Cannon responded, I appreciate that, and I have a request for three projects, but it's only a request because, in my opinion, it's not going to change what we do today, which is any type of amendments to these projects. He clarified, it doesn't have to be today, but I would like to get a more detailed explanation on the Health Department, Emergency Services, and Corrections. He explained, I say Emergency Services because the CIP for FY25 and 26 was $3.5 million and now it's $6 million for the same two years, so there are some really descriptive issues as to what exactly expanded, square footage or whatever it may be. He said also, for Public Works, I think I have an idea, but the CIP goes from $10 million for 2026 last year to now $34.7 million for the five years, and I would just really like to know breaking down what really is going to be happening for that time period.

Ms. Oland responded, on Public Works, again, as you know, the amount going into our landfill has continued to grow and the timeframe we are looking at the additional expansion to that has had to move up and we have also gotten better estimates. She said it becomes a judgement call for Finance and Administration as to when you put something on the CIP because we can load a lot of projects on here that don't have great estimates and then we get asked why we changed the amount, and it is because we didn't have a great estimate, but we wanted to warn you about the project. She said or we can get better estimates, get a better timeline and then put it on in a timeframe that makes more sense. She said it's one of those which is the best way, and the path I have chosen to take, because I'm the one who helps craft this and make the recommendations to Administration, is that we don't just put projects on here to put projects on here, we put projects on here when we feel there is a reasonable estimate and a reasonable timeframe as to when we think we're going to start spending. She said, if we just threw everything on here, this thing would also be massively long and then we would get asked the next year why things came off or changed. She said, again, it's never perfect, so it's the best estimate we have at the time and the best timeframe without what we believe will massively change the next year.

Mr. Cannon said I appreciate that, and this isn't to be critical of anything that has been done or any major changes, it is just simply so that if someone in the public asks why they're doing this, I can at least give them an answer. Ms. Oland responded, again, the main answer is that things get on here when we feel they have a reasonable estimate and a reasonable timeframe. She clarified, I will say that there are a couple things on here for the Health Department Hurdle building, but life changed from the time we submitted this in December until now. She said we still don't have a date as to when we're moving into the new building, so at this point in time I maybe don't recommend taking those projects off because we're still in the process. She said we also don't have on here what we think it's going to cost to renovate because we don't know those answers yet either and we submitted this before that happened.

Ms. Oland said, again, the capital budget that gets adopted in any fiscal year is fluid but the only way we can come to you and get an appropriation. She said, if you approve the capital budget, those items must be spent on those concepts unless Administration comes back to you and says we would like to make a change, and then you have to approve that change. She clarified, this gives us a roadmap and a plan, but what you adopt in June is what actually allows us to spend, and if we don't want to spend it on that or something has changed, the only way to change that is to come back to this table and ask for a change. She clarified, we can't just say we don't want to do that now and change it, and we can't change an Emergency Services project to a Corrections project without your approval.

Mr. Luffman said, for the landfill, several months ago we brought in Maryland Environmental Services who helped us with how much room we have now and how much room we'll have when we open these

new cells, and we also had Wayne Strausburg looking at the landfill. He said, taking all of that into consideration, we thought it best to move it up.

Mr. Holloway said, speaking of the landfill, our landfill supposedly is an enterprise fund, to which Ms. Oland responded, it is an enterprise fund, not supposedly. Mr. Holloway then asked if there is any anticipation in the future that it will be like the Airport where that has been an enterprise fund but we are transitioning that into a department that is not enterprise. He said the cost of cells is going up, so is there any anticipation that in the future we may have to fund part of the landfill out of the general fund, to which Ms. Oland responded, the current plan is no. She said the current plan is that we present to Council a balanced budget that the landfill supports itself with the revenues that it can generate. She said, if we are not willing to set the rates to support that construction and that growth, that is the point in time that we would have to look at that consideration, but I don't suggest we do that, I suggest we continue to make it an enterprise fund and that those who are utilizing our facility pay the cost and it doesn't go on the general taxpayer. She said those who utilize the facility, primarily commercial haulers, are the majority of what goes into our landfill, so we have to make sure our rates sustain and allow us to expand as needed to support the volume going into the landfill.

Ms. Shields said I looked at Emergency Services and since I wasn't on the Council when we did the new Sheriff's Office, I was asked why the Sheriff's Office is so big, and I was under the impression and was told that Emergency Services was going to be a part of that. She said then I see in 2029 there is $20 million dollars, so what is that for, to which Ms. Oland responded, the decision for the construction of the facility happened prior to me taking this role and in a previous Administration as well, but the original intent was to build the facility with both attached. She said the facility you see there now is just for the Sheriff's Department as that is the space needed for the size of the force we have and to meet standards associated with Sheriff's Departments and having the secured facilities we need to have, etc. She said the decision was made before we ever broke ground that this would have to be split into two phases, so phase one was to build the facility for the Sheriff's Department, but there are plans and the building was constructed in such a way to allow for an addition. She said I believe but am not 100 percent sure, but if you're looking at the building from Business 50, on the right hand side of the facility would be an extension for Emergency Services. She said at that point in time when that is completed then Emergency Services would move out of the correctional facility.

Ms. Shields said the public is under the impression that they think it's too big, so I'm just going to give you what the public is saying. She said I thought it was too big, but I was accepting that Emergency Services would be in there with the Sheriff's Department, but when I saw this $20 million dollars, I knew you were going to build a building. Ms. Oland responded, those decisions were previously made to split it into two phases. Ms. Shields responded, then I'm going to have to correct what I've told people.

Mr. Cannon asked what the plans are at this point in time for the old Sheriff's building, to which Mr. Luffman responded, I know the Warden is doing a feasibility study on that to see if she can expand to that area and that is the extent as far as I know. Ms. Oland said that is part of the building expansion numbers that are in FY27 and 28 for Corrections, so that is the $15 million that is currently there as an estimate for Corrections. She clarified, you need to have a backup facility for Emergency Services. She said, to give the Warden the space back in the correctional facility, we will maintain that second radio site when we expand the Sheriff's Office to be in the old Sheriff's Office because they have all the infrastructure there currently. She said, again, we are looking at what the highest and best use is for that facility. She said because of where it is located on the campus associated with Corrections, it has some

synergies associated with the space and we would not have to build another building, but there are continued issues. She explained, it is an older building and would need some maintenance and it would need some renovations to make it suitable for the needs of the correctional facility.

Mr. Cannon said I guess maybe the question might be, because you have a plan of about $5.4 million for FY25 and 26 on building expansion, are we going to go through with that expansion and then do a study for the old Sheriff's Office, to which Ms. Oland responded, we've already done the study. She said it's two different pieces of stuff we are looking at. She said the stuff we're looking at expanding right now is primarily related to medical for the correctional facility to meet requirements and to meet the needs of the population we have. She said my understanding is that the expansion of the old Sheriff's Office would be more of removing the intake out of the correctional facility and having intake over in the Sheriff's facility so you would be able to do some additional changes in the main correctional facility if intake was no longer there. She said again, that would require some additional looking at how to secure the campus so you can get from one building to the next, but, again, having it right there and already built could save the County funds in the future by not having to build another facility to expand.

Mr. Cannon said the only other question I have is the phone system for the Health Department. He said it doesn't say the Fritz building, but I assume it is and not for the Hurdle building, to which Ms. Oland responded, it's actually for all buildings, but with the new technology it would be something we could pick up from the Hurdle building and take with us. She said we are doing kind of the same thing with the Sheriff's Department where we had to buy a new a new phone system because the old system was no longer supported and they had no ability to make fixes to it, so we bought a new one, but that is one that, with the new technology, you can kind of just pick it up and move it, so it would be the same thing.

Mr. Luffman added, my assumption is that they would move out of Hurdle after the lease that we're currently involved in with the Verizon property ends, unless we wanted to speed it up, but then we would have to have that conversation.

Ms. Shields said I went to Fruitland yesterday and looked at the school. She said I know you explained why you didn't put the $20 million in the CIP, but how far out are you going to do the new school because up to FY29 it's not there, to which Ms. Oland responded, as I stated last time, that is a flaw and I should have put the funding in. She said, based on the current estimates, the additional funding should have gone in FY27. Ms. Shields said, when I saw that the school is 60-years-old and it was considered a neighborhood school from the discussion I had with someone, I think from the design I saw, it would make me want to go back to elementary school because it's a nice design. She said I know that with the cost of materials and things, if we can get it sooner, I think the community would appreciate it.

Mr. Hastings said I appreciate a very healthy CIP kind of showing, even if it's not strong, that we kind of know where we're going to be in year four or year five, so I appreciate that you put it in there and kind of shows intent that we can kind of rely on, so I appreciate that and want to say thank you.

Mr. Merritt said I agree with keeping Fruitland on track and would like to make a motion that we allocate $20 million dollars out of pay-go to go towards Fruitland Primary so it can get started on time. Ms. Shields seconded the motion.

Mr. Paul Wilber, County Attorney, then came before Council and said I think the issue is that the Executive has submitted this CIP, which the Council can decrease a project or delete a project, but can't add a project or increase a project, so that's the problem. Mr. Cannon clarified, not for education, to which Ms. Oland responded, not even for education. She said you may break the revenue cap for

education, but it doesn't ever say that you can add to the budget or add to the CIP. She clarified, as I have stated in the past, we can take this recommendation into account because we haven't yet submitted the budget, but the Charter states that the Council has the ability to adopt or decrease, but they may not add to a project or add a project on the CIP.

Mr. Benson said there is a provision in the State Education Article that says, when the County Board of Education includes an item in their CIP, the County Council, regardless of what the County Charter says, has the ability to amend to increase the CIP for the Board of Education, and State law overrides the County Charter, they have supremacy over that. He said, for whatever reason, the Legislature addressed this and said that the County Council in a Charter County can do that.

Mr. Cannon clarified, so if it's been proposed by the Wicomico County Board of Education, the County Council can restore it, to which Mr. Benson responded, that's correct.

Ms. Oland said I do not recommend Council take $20 million dollars for one project. She said, if Council wants us to add it to our bonding, I would be more amenable to that. She said, again, the Executive proposed a CIP and I don't believe it's the highest and best use for the Council and our County to tie up funds for $20 million dollars out of fund balance for one project. She said, if Council wants to change that to say that they would like it to be bonded, I think that's a better use of County funds because you have the ability in the future to renegotiate that bond at a lower interest rate and you're not giving up the interest on $20 million dollars right away. She said that's my recommendation to the Council.

Mr. Holloway said it's very obvious from people who watch Council business that we're rolling in the dough right now with the increases in interest rates on our reserve fund and the increase in assessable base. He said, if you all look at your tax bills, especially if you're on that three-year rotation, you'll see it, so it's easy to say let's spend this $20 million dollars. He said it's very easy to say that, but I guess one of the advantages of being here for awhile is that you have the history of seeing what the Council has been through in the past. He clarified, I'm talking about when we went through a recession and we were doing RIFs for employees and having to give early retirement for folks. He said the State is in trouble if you read what's going on in the State, and when the State got in trouble the last time, they passed down half the teachers' pensions to the County, so we had to pick that up, and they cut our highway user revenues completely. He clarified, everything we spent on our County roads we got from the State, so we had to pick that up. He said we also had to pick up part of the Department of Assessments. He said we don't know what the educational Blueprint is going to cost us. He said there was an article in Sunday's paper, so even the news media is saying they don't know what's going on and they don't know what it's going to cost. He said we have a water and sewer project out there we're working on and we have no idea in the world what that's going to cost us. He said we have the SWOT study we're doing for the fire departments and EMS services. He said I read a SWOT report that was done on another locality and basically what the SWOT report said was to give them more money, so that's going to cost us more. He said we just bought the Verizon building as we've talked about. He said I asked about the Collective Bargaining Agreement and I understand that the Executive's office is working on that and we know every year that ends up costing us more money. He said we're going through Airport upgrades, which was an enterprise fund but now it's not, so we are going to be spending money on the Airport. He said we have a Humane Society that's going to have their hand out wanting money from the County. He said we have three other projects that unfortunately I can't talk about because they are real estate contracts for things where we met in closed session, but that's going to cost the County money.

Mr. Holloway said it's easy to say let's give this $20 million dollars because we have it, but it's also easy to look at all these projects. He said I don't agree with the County Executive on much, we have our differences, and I don't even really agree right now with bonding $20 million dollars because we're at approximately 5 percent interest rates. He said you can watch TV and say the Fed is going to lower the interest rates, and hopefully that happens and gets our economy back on track, but the difference between borrowing $20 million at 3 percent and 5 percent is about $11 million or something like that.

Mr. Holloway said that is where I'm at on this, so I'm going to be on the conservative side of doing this. He said, as far as the school goes, I've been in there and looked at that school also. He said I supported the Beaver Run project and I voted for the West Salisbury project, at least I believe I did, it's been a long time, but we've not seen the plans for Fruitland Primary. He said I served on the School Building Commission through two projects, one was Bennett and one was Bennett Middle, and I can say right now that these schools are over the top. He said the majority of the people on the School Building Commission have no experience in building, and I don't either, but my grandfather said whenever you put another corner on a building, you added to the cost greatly, and Mr. Winn is in that business. He said you have architects coming in and telling the School Building Commission what they need as far as the building goes. He said I've not seen the inside of that school and I'm sure there are a lot of things about it that need changing or replacing, but I'm just not going to be able to support it right now.

Mr. Cannon clarified, did you say you haven't seen the plans for the school, to which Mr. Holloway responded, I have not. Mr. Cannon said they put out a 32-page paper in October, to which Mr. Holloway responded, I didn't see it.

Mr. Cannon said I think I stressed at the last meeting that the project planning document has groundbreaking starting in January 2025, to which Mr. Holloway responded, if they get the money. Mr. Cannon clarified, right, but I think the reason we're that far ahead of the project is because we gave them almost $1.4 million dollars last year, so I think, with that in mind, they certainly expected it to be moving forward as committed originally, and that's my point. He said I'm conservative too, Mr. Holloway, as far as how we're going to spend our money, but we know the school has to be done and we also know that, if we delay it, delays are extremely costly. He said the State planning approval has already been given and it expires, I believe, maybe next year, and then the State would have to begin their process all over again. He said there are cost escalations that we know about. He said we held up West Salisbury one year and asked them to come back and cut it by 10 percent, but I think when they came back two years later it had increased by millions and it was just cost escalations that came into effect, so delays aren't always the best means to get something done.

Mr. Cannon said my concern is that the State cost sharing is reducing every year, so the percentage of what the State will put towards schools in Wicomico County will be less next year than it is this year. Mr. Holloway asked if Mr. Cannon has documentation on that, to which Mr. Cannon responded, the Board of Education is going to be coming in, but that is what they have shared with us. Mr. Holloway said I want to see the documentation on that, to which Mr. Cannon responded, that's what they said and I have to take it at face value when they tell us something that extreme.

Mr. Cannon said I'm as conservative as Mr. Holloway, but I think the project needs to be moved forward. He said, as I said a couple of weeks ago, I think the train has already left the station, so we need to make sure we put it back and keep it on track.

Mr. Winn said I have not yet been in the building and I was hoping to go in there this week. He said I didn't realize this was going to happen today where someone just made a motion and then bam, we're going to talk about it. He said I was hoping to talk about this with the Board of Education when they came here later this afternoon. He said we're putting a roof on a 50-year-old Civic Center, but why don't we tear down the Civic Center and build a whole new one? He said, if there's a problem with the school, we need to fix the problems, and maybe an addition would save us millions of dollars instead of just building a brand new one. He said I am all for brand new schools and giving the kids the best, but our infrastructure is crumbling around us in our County and I think the plan we have going on with the County right now is to get our infrastructure up and ready and then to fund this when we can financially afford it once we get our roofs fixed, our dock boards fixed, our landfill in check, and everything in check, and then we can go ahead and appropriate $20 million dollars back to back for another building. He said we are in the middle of Parkside, we are in the middle of Pirate's Wharf, we just finished Beaver Run, we're in the middle of the Sheriff's Department, and we want to do an addition in 2029 for EMS. He said Mr. Holloway is right that we have the SWOT analysis right around the corner and we don't know what that's going to cost us. He said we have a lot of expenses that are right around the corner and I'm very frugal. He said I will spend money where I need to spend money in my own life, but I cannot see right now spending the money on a building when we have many, many other projects. He clarified, like I said, I'm all for spending all sorts of money for our kids, but we have to be reasonable, and I just can't go with this right now. He said I have to go into the building myself and look around. He said I have not been invited to go into the Fruitland Primary School either to see how bad it is.

Mr. Cannon said I think that's part of the commitment that has already been made where we did $1.4 million last year and the Executive is saying we're going to put $4 million in this year, and Ms. Oland stated they were going to build the school in FY27 and 28. He said what we're saying is that we think we need to start sooner because, if we wait until FY27 and 28, it's going to add millions of dollars of cost escalations to the school, to which Mr. Winn responded, I just don't want to hamstring our County when we're allocating $20 million here and then are we going to cut all these other projects that are needed in the County? He said that's my concern, I don't want to see us go backwards. He said it's a juggling act and it's not easy, but I get that, it's just the commitment is still there for 2027. He said, if we can get it in there for 2027, the commitment is there, I just don't see the need to jump right in it right now.

Mr. Cannon asked, what happens when the $20 million goes up to $22 million or $25 million, to which Mr. Winn responded, like the Civic Center roof. He said I don't disagree with you, we just need to make sure we can handle all the projects we have right now.

Mr. Holloway said the offset also works the other way. He said I know we're not supposed to be in the investing business, but the offset works both ways. He said, if we have the money in reserves, it's earning interest at a higher rate now.

Mr. Holloway said, getting back to whether we need the school or not, they're on a three or four year rotation of doing new schools. He said, when I was on the School Building Commission I was told that what happens is, when the schools are in that rotation and they know they're coming up, they quit doing maintenance. He clarified, they probably fix the door locks or the windows if they won't open, but the hard maintenance gets put off. He said then when you go in the school and look at it you think the school looks terrible. He said I went into Beaver Run and what I saw there was that the school was in pretty rough shape. He said a lot of the stuff could have been fixed because it was minor, but what really got me about that school, and I supported that school, is they tore down a gymnasium that was

probably maybe 20 years old, a brick gymnasium. He said what people would give to have that building on their farm or property to put boats in, but you couldn't move it because it was brick. He said it was because it didn't fit in the plan, so I asked, why don't you make these plans so that you can keep that gymnasium, and they said oh no, no. He said that was a sin to tear that down, it really was a sin.

Mr. Holloway said, when Bennett was built they had an auction for some of the equipment, so I went there to look around. He said a local attorney who graduated from Bennett in '69 was there and said this building looks just like it did in '69, so why are they building a new school and why aren't they fixing this one? He said we have this building, and are we going to tear it down in another ten years as it's pushing 50 years old? He said just tear them down, you got the money, spend it, it doesn't make sense to me.

Mr. Baker said spending $20 million out of pay-go would still leave us with a very healthy reserve, to which Ms. Oland responded, yes, but we have made decisions, Verizon being a perfect example, of when opportunities have presented themselves to the Council, we have utilized those funds to our advantage. She said taking $20 million dollars off the plate in June when we adopt the budget, I believe there is a better use for those funds and it is not to obligate them to one project. She said I believe, if Council feels that this project needs to be funded for 2025, that it should be funded with a bond.

Mr. Holloway said look at all the pay-go in our capital improvement plan right now, there is page after page of pay-go, and that's money we have in reserves, to which Mr. Cannon responded, it's $10 million. Mr. Holloway said, if we do this and we have other issues, we might deplete our reserves down to the minimum, and what I'm saying is that we have these opportunities to do this because we have pay-go.

Mr. Winn said I took a Dave Ramsey course, but it's been a long time, it was at Oak Ridge, but they taught us on paying off our debts before we start investing, investing, investing, and I see us creating a whole bunch of debt right now, unnecessary debt when this next year and the year after we can really knock out our debt and then we can fund for a beautiful school. He said that's what I see, and if we're going to make a vote on this, I'm just going to vote no.

Mr. Merritt said, if we pause this to 2027, the almost $1.4 million dollars in construction documents we might as well just throw away because they're only valid for two years. He said I believe Wi Middle is behind Fruitland and Wi Middle is already 94 years old today, so that's going to delay that project and it will be 100 years old before it gets replaced, to which Mr. Winn responded, that is $1 million versus by the time we're done building this building it could cost us quite a bit more money.

Mr. Winn said I don't think the Sheriff's building was projected for as much money as it's been built right now, to which Mr. Holloway responded, the first set of plans that came in for the Sheriff's Office the Council rejected, so it would have been a lot more if those plans had gone through.

Mr. Cannon said I think the public needs to recognize also that we're not doing this in a cavalier manner. He said we certainly recognize that $20 million is a lot of money, but right now, from what we understand, we have about $80 million in reserves and this would reduce it to $60 million in reserves, which is still a pretty large number.

Ms. Oland clarified, you're talking about another $11 million. She said you're talking $31 million for 2025. Mr. Cannon said I thought the other $11 million was reduced from the $4 or $5 million in expenses that we just put into 2024, to which Ms. Oland responded, the number in front of you right now is still $11 million because most of what came out was $4 million dollars' worth of debt we were going to borrow for the roof. She said the roof was a $4 million dollar debt and $100,000 pay-go, so the

numbers that changed from the last version to this version primarily changed on the debt side. She said we went from a $10.7 million debt number to a $6.7 million debt number. She clarified, yes, the pay-go number went down, but not as significantly as the debt. Mr. Cannon said it was about $1 million, to which Ms. Oland responded, approximately. She said it was $100,000 for the roof and then the two harbor projects. She said there was $75,000 for Nanticoke Harbor and I think $200,000, so you're talking about a $500,000 change. Mr. Cannon clarified, and the Executive would still have the privilege to reduce any other pay-go expenses if she so chose to do so, to which Ms. Oland responded, correct. She said it went from approximately $11.3 million to about $11 million, so it went down about $300,000.

Ms. Oland said, again, if Council feels that it needs to move forward, I would not obligate us $20 million to pay-go. She said you could leave the $4 million dollars as pay-go and then $20 million dollars as debt. She said I know they have talked that they would need some dollars as pay-go because, to keep it going until we can actually borrow in the November-December timeframe, which is our typical timeframe to go to market, they would need some actual cash that we would have to have on hand and not wait till the bonding, but I do not recommend $20 million dollars in one project from pay-go.

Mr. Cannon asked, what if it was $10 million in pay-go and $10 million bonded, to which Ms. Oland responded, I still think that's a lot for one project in pay-go. She said, if you notice, again, we are doing probably 30 projects out of pay-go for $11 million and you're talking one project for $10 million.

Mr. Baker clarified, I think this Council was under the impression for a while, whether it was our fault or not, that we had $50-some million in pay-go, and that increased from $50-some million to $80-some million, and that is what sparked this conversation, to which Ms. Oland responded, I'm giving you my recommendation.

Mr. Holloway asked if we have a lot of money borrowed at a high interest rate, or is most of our money at a low interest rate right now, to which Ms. Oland responded, any project, and I do not have these off the top of my head, I would have to pull the audit, but any debt that had the ability to be refinanced during the low interest rate terms was refinanced, so we took those opportunities. She said this past year there was no refunding offered because, again, the rates were too high, but two or three years ago we did a major refunding that refinanced a significant portion of our debt at a lower interest rate.

Mr. Holloway asked, what is our approximate debt right now, to which Ms. Oland responded, as of June 30, 2023 we had $160 million in debt. She said we borrowed an additional $11.8 million and around $170 million should be our end of 2024. Mr. Holloway clarified, that's what we owe right now, to which Ms. Oland responded, that's what we owe, $170 million. She said our borrowing capacity as of June 30, 2023 was $269 million and that is predicated on our assessible base, which went up. Mr. Holloway clarified, we have never gone anywhere close to that, to which Ms. Oland responded, no. She said we also have a P&I policy, which is what we would get closer to as our P&I policy is 12 percent, and with 2024's numbers we are currently at about 7.5 percent.

Mr. Luffman then suggested that Ms. Oland explain P&I, to which Ms. Oland responded, P&I is principal and interest. She said we have a policy as to how much of our current revenue we are going to spend on principal and interest in the general fund and that policy says that we shouldn't spend more than 12 percent of our revenue on principal and interest. She said, for 2024, it is estimated that we are going to spend about 7.5 percent, so we're under that policy as well. She clarified, that is a policy, not a limit, so you could break that, but I don't recommend it.

Ms. Shields said Ms. Oland said she made an error in this and the school in the CIP should be in 2027, to which Ms. Oland responded, I said, if we were going to do it, I would have funded the rest of the project in 2027 and 2028. She said, again, if Council is making the amendment, that would actually move it to be $20 million in FY25 and then, honestly, there would have to be a number for FY26 for the remainder and I think that's a $27 million dollar number. Mr. Cannon said it's $20 million in 2027 and then it would be another $6-7 million in 2028, to which Ms. Oland responded, no, it would 2026 and 2027.

Ms. Shields said I'm thinking about the cost. She said we're dwelling on $20 million, but if we push it out, it would cost more, to which Ms. Oland responded, there would be an escalation in cost, yes, most likely assuming that the bottom doesn't drop out of the construction market and the world. Ms. Shields said Mr. Merritt said the study is two years, so we would have to pay for another study, to which Ms. Oland responded, I think the study could be updated and not for the full price, but that is me talking, I can't answer that question. Ms. Shields clarified, I'm saying we would have to pay for that.

Ms. Oland said, again, Council put a motion on the table to add $20 million of pay-go and my recommendation as your Finance Director is that you amend that motion to be $20 million of debt.

Mr. Benson said I just want to clarify something. He said I didn't know exactly how this was going to come up today, so when I answered, I didn't give details, but I went back and found my notes, so I just wanted to add clarity to this. He said, under the County Charter, the Council normally can only approve, eliminate, or decrease budget items submitted by the County Executive; however, in State law, which has supremacy over the County Charter, in Education Article 5102, State law permits the County Council to restore any denial or reduction made by the County Executive in the annual budget submitted by the County Board of Education. He said, on page three of the Board of Education Capital Improvement Plan and Budget, the Board of Education included $20.5 million dollars for FY25 for the Fruitland Primary school. He said accordingly, under the State law, which has supremacy over the County Charter, in this instance the County Council can restore the funding to the Board of Education budget. He said right now it's $4 million dollars in the County Executive's budget, and the County Board of Education has $20.5 million, so the Council can restore funding anywhere between $4 million and $20.5 million dollars.

Ms. Oland said the amendment would actually technically need to be $16.5 million dollars.

Mr. Cannon asked Mr. Merritt if he would be willing to amend his motion to $16.5 million dollars. Ms. Oland said, again, I would recommend you amend it to debt. Mr. Cannon said all we have to do is see if Mr. Merritt will amend the motion and whoever made the second would agree.

Mrs. Hurley clarified, it should be to restore rather than to add.

Mr. Baker asked, are we going to make a vote on the total amount and where it's coming from, to which Mr. Cannon responded, the amendment is that we are going to add it and it will make it a total of $20.5 million. Mr. Baker asked if it will all be coming out of wherever we decide, to which Ms. Oland responded, I'm fine with leaving the $4 million dollars as pay-go, so it would be whether Council wants the $16.5 million to be additional pay-go or do they want that to be debt.

Mr. Cannon said, based on the original motion, I would say it is going to be a motion to amend it to increase it by $16.5 million for a total of $20.5 million from pay-go, to which Mr. Merritt responded, correct, out of pay-go.

Mr. Merritt made a motion to change his original motion to be $16.5 million from pay-go for the Board of Education for a total of $20.5 million to the Board of Education from pay-go. Ms. Shields seconded the motion.

Mr. Hastings said I want to make sure State law says we have the ability to add, and this is a little bit of a discrepancy as to whether or not we could do that. He then asked if State law is silent on whether or not that is paid through pay-go or bond, to which Mr. Benson responded, it is silent on that issue.

Mr. Hastings said it used to be that the State of Maryland would pay for 92 to 95 percent of capital construction costs for schools, and I'm sure that indeed is going down over the coming years, and Mr. Holloway is completely right that we have an incredible amount of debt and an incredible number of projects coming up very soon. He said it would be nice to know the opportunity costs of particular options. He clarified, it would be nice to see an option one, two, three, four, etc., whether or not that is coming from pay-go and whether or not that is the full amount. He said I still don't fully understand in my own right how much we will lose if we pull back now, and I don't doubt for one second that the State of Maryland is not going to be a great partner in the next couple of years and we need to take advantage of them now while they are a partner.

Mr. Hastings clarified, for this particular motion, I think the recommendation from Ms. Oland is for the $16.5 million to be bonded and then keeping the $4 million in pay-go, to which Ms. Oland responded, Council's motion currently has it all as pay-go.

Mr. Cannon said cost sharing from the State in fiscal year 2024 was 100 percent, in 2025 it is 98 percent, and in 2026 it will be 95 percent.

On motion by Mr. Merritt, seconded by Ms. Shields, and by roll call vote, Mr. Holloway, nay; (Mr. Hastings said I would rather this follow the recommendation of Ms. Oland, to which Mr. Cannon responded, we are taking a vote, yes or no. Mr. Hastings said I will vote no for now, but I would rather see it come back) Mr. Hastings, nay; Mr. Winn, nay; (Mr. Holloway said we can extend this until the next meeting. Mr. Winn then said I would like to make a motion to extend this to the next meeting, to which Mr. Cannon responded, we are in the middle of a vote) Mr. Merritt, aye; Mr. Baker, aye, and Ms. Shields, aye, Resolution No. 31-2024 was amended to add $16.5 million from pay-go to the Fruitland Primary school project.

There being no further discussion, on motion by Mr. Hastings and seconded by Mr. Merritt, Resolution No. 31-2024 was approved as amended. Mr. Holloway opposed.

Resolution No. 32-2024 – Extending the Date for the Adoption of the Capital Improvement Program from March 19, 2024 to April 2, 2024.

Mrs. Hurley explained, this was actually put on the agenda in case the CIP needed to be postponed today, so I don't think this Resolution is needed based on the action Council just took. Mr. Cannon asked if we should bring it up and make a motion to table it, or do we just want to remove it from the agenda? He said I will entertain a motion, and if the motion does not go through, then it will not pass.

Mr. Hastings made a motion to approve Resolution No. 32-2024. There was no second. Resolution No. 32-2024 failed.

Resolution No. 33-2024 – Amending the FY 2024 Budget Position Control Document (Exhibit F) to amend the Position and Title of Senior Legal Assistant and Legal Assistant for the Office of the State's Attorney.

Ms. Jamie Dykes, State's Attorney, and Ms. Pam Oland, Director of Finance, came before Council. Ms. Dykes said this is two swaps, so two senior legal assistants for two legal assistants. She said the pay is out of sync, and in order to properly advertise positions and do the proper recruiting, the titling needs to be changed.

There being no further discussion, on motion by Mr. Hastings and seconded by Mr. Baker, Resolution No. 33-2024 was unanimously approved.

Anjali Chatelle, CPA, Internal Auditor

Resolution No. 34-2024 – Accepting the Wicomico County Anonymous Reporting Hotline Manual.

Ms. Chatelle said the current hotline was procured by Resolution 86-2020, but I could not find a policy on managing it, nor was it in the Internal Auditor's manual, so this is standard operating procedure (SOP) establishing that procedure for administering the hotline.

Ms. Chatelle explained, the hotline purpose is to report irregular or improper practices anonymously. She said the Internal Auditor will administer the hotline, the Council Administrator will be the backup, and the administrator will forward the cases to the investigators. She said those investigators are the Council Attorney to investigate Council complaints and then the County Attorney to investigate all other complaints, so that's for the Executive Office, Sheriff, State's Attorney, etc. She said the Internal Auditor can assist as the attorneys direct, so they will be the heads for those investigations. She said the Internal Auditor can use the data from the actual complaint in assessing risk to drive future audits.

Ms. Chatelle said the County and Council Attorneys will be responsible for investigating, case closure, and determination, and the documentation they retain they do not provide to the Internal Auditor. She clarified, I will accept it if they want to give it to me, but they can retain it themselves, and I think part of that is so that they have the confidentiality as attorneys.

Ms. Chatelle said the communication expectations are also outlined in the SOP and there is also a summary report process as outlined. She said, in the past, the Internal Auditor prepared a memo that was submitted as part of the internal audit plan, so instead it will just be a separate report on the hotline for the prior fiscal year.

Ms. Chatelle said there are also anti-retaliation provisions that are in the Wicomico County personnel manual, so the SOP just references to the personnel manual that is maintained elsewhere.

Ms. Chatelle said there is also a section on the system requirements to allow for anonymous reporting, for not altering the data, and to comply with the County security and data protection requirements. She said I updated those requirements based on what I had from the IT Department. She said I sent it there and they said it was okay as far as those basic settings, so I think it's in compliance currently.

Ms. Chatelle said, if the County wants to change the hotline procedure over time, the SOP can be amended to reflect those changes. She said there could be other Departments that maybe want to get involved later, so we could have some sort of mandatory training or education part so there's reserve for future use on that over time.

Mr. Cannon said this took a lot of work getting this back on track because it was off for a couple of years.

Mr. Holloway said one thing you need to add is the number as you don't have the hotline number on the manual, to which Ms. Chatelle responded, we could, in theory, change the vendor over time, so this isn't specific to a vendor. Mr. Holloway said, if we changed the vendor, we would probably have to look at the manual again anyway. He said, if somebody looks this up on our County website, they are going to see hotline manual and ask, where's the number? He said it's on the website somewhere else, but it would just be obvious that it should be in here I would think. Ms. Chatelle responded, I have it on the Internal Auditor's webpage for the public and then it's on the cards and fliers that I provided to Human Resources to share with people, and then it's also downstairs in the lobby. She said we could add it in some sort of way if you want, but if it's okay, it's just on the Internal Auditor's website.

Mr. Cannon clarified, this isn't being done, Mr. Holloway, for the outreach, this is being done to establish the process, to which Mr. Holloway responded, I understand that, but this is going to be available to the public. Mr. Cannon said I'm not in favor of this.

Mr. Winn said, when we get a new number, are you going to have to come back to us and we will have to amend this, to which Ms. Chatelle responded, exactly.

Ms. Chatelle said the other thing is, if the needs of the County change, there has been discussion that we should have an ombudsman, and that's currently not feasible, but if the current new solution doesn't work and we have to look at some other method, the current hotline provider cannot provide ombudsman services. She said I have asked and they won't do that, so if we have to go to another hotline provider, that could happen over time.

On motion by Mr. Holloway, seconded by Mr. Merritt, Resolution No. 34-2024 was amended to include the number for the Wicomico County Anonymous Reporting Hotline Manual. Mr. Cannon opposed.

Mr. Merritt said, just for perspective and public knowledge, how many hotline complaints have we gotten in twelve months, to which Ms. Chatelle responded, currently we have had over 10 for this year, but in the past we have had as little as one. Mr. Merritt clarified, for this year being 2024, to which Ms. Chatelle responded, no, the current fiscal year.

Mr. Cannon said we haven't really had a hotline, to which Ms. Chatelle responded, when I first came here I found the box buried under other boxes of the cards.

Ms. Chatelle asked, for clarification for when I update this, should the website address as well as the phone number be on there, to which Mr. Holloway responded, yes.

There being no further discussion, on motion by Mr. Holloway and seconded by Ms. Shields, Resolution No. 34-2024 was unanimously approved as amended.

Public Comments:

Ms. Molly Hilligoss came to the podium and said I'm the Executive Director of Habitat for Humanity of Wicomico County and I am a resident of Wicomico County in District 3. She explained, the reason I'm here is that I thought it was very important for the public and Council to understand the issues we're having, not that Habitat is having, but that your constituents are having with critical home repairs. She said critical home repairs exploded as one of our programs at Habitat for Humanity and I've provided copies of our current waiting list. She said we have 111 projects, and these are families that need critical

home repairs, 30 of which have active roof leaks, and these are projects we don't have the funding for right now. She said I've already done the due diligence to reach out to Secretary Jake Day with DHCD, and the State has $10 million in funding for critical home repairs for the entire State. She said, when you divide that out between 23 counties and Baltimore City at $20,000 a piece for a project, which is low, that would be about 500 projects for the State divided equally amongst all the counties, which doesn't happen, especially for Wicomico County, and that would be about 20 projects. She said clearly, even if we referred part of our waiting list to the State, only 20 would be able to be served, and that's if they meet all the guidelines. She said one of the challenges right now is that insurance companies are using drone technology to go up in the air and determine who they're going to cancel, so if that roof is failing, you better bet your bottom dollar that insurance companies are canceling those policies, and when they don't have homeowner's insurance then that eliminates them from any help from the State.

Ms. Hilligoss said currently, out of the projects in front of you which do not have the names of the clients, just the addresses and the requests for services, they have been referred by the Health Department, Tidal Health, MAC Center, Chesapeake Health Care, Priority Partners, Hope Inc., an anonymous therapist, next door neighbors, Chesapeake Housing Mission, the VFW, and the Commander of the American Legion. She said we need a financially prudent plan that is going to address critical home repairs, and the cool thing is that you guys have plenty of money based on all of these meetings I have been listening to, so what I would recommend is an emergency roof revolving fund. She said this way it's not a handout, the families would be served with a deferred loan, so when that house is sold or refinanced at some point in the future, the County gets paid back. She said this makes a whole lot of sense. She said the families on that list do not have the ability to make a monthly payment, so how are they going to get that project completed? She said I don't have all the answers, but I'm all for a public-private partnership and I wanted you guys to be aware of the need.

Ms. Hilligoss said also attached in the packet is the 2022 census report from FFIEC. She said 10 percent of the homes in Wicomico County are currently vacant and I expect that to increase if there isn't some type of action taken so that people can age in place in a safe home. She said, in addition, the last page shows the population from the census website. She said the American Community survey estimates that 22 percent of Wicomico County population are from ages 60 to 85, and these are the people who would be served with an emergency roof revolving fund.

Ms. Casey Taylor came to the podium and said I reside at 29550 Stillwater Drive in Shadow Hills off of Connelly Mill. She said I am the past President of our HOA, and as of January 1, 2024, I am now the Vice President of the HOA. She said I just wanted to come before County Council today to give a recap of the timeline of events that have occurred since finding out about the Jeep event, Safari at the Quarry, that is taking place on May 4 and 5.

Ms. Taylor said September 11 was the first time seeing and hearing anything about this event. She said I had several homeowners reach out to me regarding the posts they saw on Facebook called Safari at the Quarry. She said, on September 13, I personally reached out to the County Executive's office regarding this post and looking for more information. She said I left a message and never received a call back. She said, on September 19, I spoke at the 10:00 a.m. County Council meeting regarding the HOA's concerns and that we were told in 2018 that the site would be used for recreational use such as biking, hiking, and kayaking, not an off-road adventure park. She said, shortly after that Council meeting, I obtained a copy of the MOU.

Ms. Taylor said, on September 22, I received a call from the County Executive's office asking if I would be willing to come in for a meeting. She said a meeting was scheduled for September 28 at the County Executive's office. She said there were at least seven of us included in this meeting. She said homeowners expressed concerns regarding the MOU and how it did not have the best interest of the homeowners of Shadow Hills or citizens of Wicomico County. She said we were assured by the County Executive that Brad Hoffman was her friend and that she trusted him. She said this statement was a red flag immediately. She said, after about 20 minutes, Ms. Giordano excused herself from the meeting leaving Bunky Luffman to lead the rest of the meeting. She said I found this to be very unprofessional as she did not care to hear the rest of our concerns. She said it was concluded at the end of the meeting that we would gather our thoughts and concerns and email them to the County Executive and they would be taken into consideration. She said an email was sent on October 2, 2023 to the County Executive's office with no response.

Ms. Taylor said, on October 17, I spoke at the County Council meeting regarding the meeting with the County Executive to get it on the record. She said, on October 18, a second email was sent out asking for an update to the County Executive and the response was "we will be meeting with Live Wire in the next couple of weeks to discuss your concerns."

Ms. Taylor said, moving on to November 7, I spoke at the County Council meeting just to keep them up to date. She said it was then decided to hold a Work Session. She said, on December 5, a Work Session was held and I will not go into details as it's pretty lengthy, but the public can view this on the County website. She said I would like to point out that Mr. Hoffman stated that this event would be only for tagged and licensed vehicles. She then passed out a handout and said, as you can see from the first event on May 4 and 5, it does not state this. She said it does, however, state that it will only be tagged and licensed vehicles at the next event in July. She said take note also as to the times listed on this paper that I just handed out. She said the MOU states 8:00 a.m. to 5:00 p.m. and this is stating 9:00 a.m. to 6:00 p.m., a breach of the contract.

Ms. Taylor said, moving on to January 12, I sent an email asking if the MOU had been updated and the response back on January 16 was "no updates have been made." She said, on March 7, a certified letter was sent along with an email to Ms. Giordano with an abstract of the MOU. She said, if you would like a copy of this, I have plenty with me and I would be more than happy to hand them out. She said the response from Ms. Giordano was "Thank you for your reply. Please direct your future correspondence to the County Attorney, Paul Wilber." She said, as your constituent, we all have every right to communicate with our elected officials. She said Ms. Giordano is inappropriately using the County Attorney at taxpayers' expense as her proxy so she can avoid the concerns of her constituents. She said such power of one person in an elected position has shown to be harmful and detrimental to Wicomico County citizens. She said the fact that they are holding these events next door to us is not acceptable. She said the impact that this will have on our community by decreasing property values and environmental concerns are just a few. She said the County Executive has ignored our requests time and time again.

Ms. Taylor said an article posted on February 5 from Shop Local Delmarva states that about two years ago Hoffman started securing the site for off-roading adventures reaching an MOU with the County as to how specific the property would be utilized. She said, on September 1, the County Executive signed into this MOU with Live Wire for less than one year, 364 days, so she would not have to get community input. She said between the time the County Executive took Office and September 1, the time the MOU was signed, the County Executive had more than nine months to reach out to surrounding communities.

She said this was more than ample time to alert the people who would be affected the most, the stakeholders, not just Jeep clubs and off-road enthusiasts who do not live in Delmar.

Ms. Taylor then asked for a show of hands of how many residents from the surrounding area are here, to which there was a show of hands and many people stood up. Ms. Taylor said it was stated by Ms. Julie Giordano that only three homeowners were concerned about this, but look here today. She then asked, how many people are here concerned about this event? She said all of us. She said we did not have public input.

Mr. Mike Goldberg came to the podium and said I also live in the Shadow Hills subdivision located in northern Wicomico County near Delmar and I'm speaking on behalf of the Shadow Hills Homeowners Association. He said Shadow Hills is located right next door to the Connelly Mill sand quarry at which certain off-road motorsports events are scheduled to take place. He said the quarry site consists of three parcels totaling 234 acres. He said, other than the quarry itself, the site remains mostly undeveloped, heavily forested land with abundant natural resources. He said the County Executive, Julie Giordano, unilaterally entered into a memorandum of understanding, MOU, with Live Wire Media to stage a variety of off-road motorsports events at the site. He said contractually, these events may include many types of vehicles including Jeeps and Broncos as well as various noisy, unlicensed vehicles such as quads and ATVs. He said Ms. Giordano entered into this agreement without the knowledge of Shadow Hills or other nearby residential communities. He said there was no public notice, there was no opportunity for public comment to express concerns, neither was the County Council consulted or advised of the agreement. He said, knowing that these events would be strongly opposed, the County Executive signed the MOU under the cloak of darkness completely blindsiding the citizens of Wicomico County, the most affected stakeholders, and the County Council.

Mr. Goldberg said you may ask, why is Shadow Hills so concerned about the MOU and the off-road events? He said it must first be understood that the MOU is an umbrella contract under which any number of events involving many different types of off-road vehicles can be held. He said the first event involving Jeeps is to be held May 4 and 5, which is only the first of many other events that will follow thereafter. He said the County Administrator, Bunky Luffman, publicly represented that the May Jeep event would be a "singular event," but you only need to view Live Wire's Safari at the Quarry website or Facebook page to see that other events for a variety of vehicle types are being planned, including an open wheel event which is already being advertised to take place in July. He said furthermore, Brad Hoffman, the principal of Live Wire, has repeatedly stated that he has no interest in staging events for ATV type vehicles, but this is belied by the fact that such events are specifically provided for in the MOU and are already being promised on their social media site, thus the intent is clear, and it is equally clear that we are being misled.

Mr. Goldberg said, keeping in mind that Shadow Hills is a mere 300 feet away from the event site, the noise generated by these events will disturb the peace and tranquility of our neighborhood. He said up to 200 vehicles will participate at any given time, some with custom exhausts. He said these vehicles may emit up to 80 decibels each and remain within the legal limits. He said, multiplied by 200 vehicles, the noise levels will far exceed the 30 to 35 decibels publicly asserted by Mr. Hoffman, which will be a major disruption to the quiet enjoyment of our homes. He said, once again, we are being misled.

Mr. Goldberg continued, furthermore, Live Wire has no viable plan to control traffic on Connelly Mill during the events. He explained, Connelly Mill Road has only two lanes, carries a great deal of commercial traffic, and has a frequently used railroad crossing and switching yard immediately adjacent

to the event site entrance. He said the site has no staging or parking areas to accommodate participating vehicles and there is no on-street parking, so their plan is to simply keep vehicles circulating on and around Connelly Mill Road until they can enter the site. He said many will undoubtedly continuously circulate through the cul-de-sacs in Shadow Hills, thus creating a dangerous situation for our children, generate excessive noise, and impede accessibility. He said I pray that none of my neighbors need emergency medical services on May 4 and 5. He said, astonishingly, Live Wire's traffic management plan calls for only one, perhaps two, law enforcement officers to direct traffic assisted by volunteers who are untrained, uncertified, and unauthorized to control traffic on a County highway. He said this is an accident waiting to happen.

Mr. Goldberg said the combination of these disruptions leads to our greatest concern, the impact on our property values. He said, as one who has spent most of his working life in commercial real estate banking and related industries, I can tell you with all assurance that high noise/high congestion events like these regularly taking place right next door to a residential community will suppress real estate values. He said, as with most of you, our homes are the biggest investment we will make in our lifetimes. He said we cannot afford to lose the value of our homes to provide a disruptive playground for out-of-area off-road enthusiasts. He said participants in these events come from all around the region, most do not reside or pay taxes in Wicomico County, but they get to use this County property for disruptive events by paying a fee to a private company while the rest of us who simply want to take a walk in a natural area are prohibited from entering. He said we are the ones who must live with the financial and other consequences, not them. He said the inequity is palpable. He said one of the biggest reasons people choose to live in our community is because it's next door to these wooded parcels, which are now to become an off-road motorsports track. He said, when the County acquired this land in 2018, it was with the understanding that it would be used for low-impact recreational uses, such as hiking and biking, etc. He said the property has many environmentally sensitive areas, wildlife including bald eagles, and other natural resources that either have been or will be disturbed. He said these events are inconsistent with the character of our quiet neighborhood, they are not economically sustainable, they are disruptive, they will diminish the value of our homes, and this is not the highest and best use of publicly-owned land. He said it should be for all the people of Wicomico County, not just a select few, particularly when the impacts are so disruptive. He said, if we wanted to live beneath a circus tent we would be living in Ocean City rather than making our homes in the quiet corner of Wicomico County.

Mr. Goldberg said Ms. Giordano has publicly asserted that these events will be low-impact, but let me tell you, repeatedly disturbing a residential neighborhood, impeding access, hammering property values, and disturbing a large natural area is anything but low impact, so I say to the County Executive, if you want these events so badly and if you believe them to be low impact, then have them in your backyard, not mine.

Mr. Goldberg said many of you may ask, I don't live near Connelly Mill, so why should I care? He said you should care because this could happen to your neighborhood next. He said you should care because the MOU is legally unsound and an unmitigated disaster. He said, as someone who has spent the better part of his life negotiating contracts, drafting contracts, reviewing and approving contracts, and administering contracts for complex commercial construction loans, construction services, and engineering design services, I can tell you that this MOU is among the worst contracts I have ever laid my eyes on filled with many dangerous ambiguities, inequities and pitfalls, thus exposing Wicomico County taxpayers to significant financial liabilities. He said any rookie financial analyst looking at this MOU will immediately understand that it's a money loser for the County. He said the County is to

receive 10 percent of net profits, which means Live Wire can apply a proportional share of its corporate tax liabilities and overhead expenses, such as salaries, etc., against the gross profits. He said, as such, the net profitability is likely to be zero or less. He said, in contrast, for similar events in Ocean City being promoted by Live Wire, they pay upfront permit fees that ensure that the City's costs are recovered. He said the County will also incur direct costs including preparation of the event site and deputy sheriffs to control traffic, which will ultimately become necessary since the traffic control plan is unworkable, thus we ask the County Council to use its authority to ensure that all County expenditures in relation to these events are properly and publicly accounted for rather than being buried in an obscure budget line item. He said we must have the transparency Ms. Giordano promised during her campaign, but that promise has already been broken. He said it appears that the only ones who are likely to profit are Live Wire and the vendors at the related entertainment venue at Kylan Barn in Delmar. He said furthermore, tax revenues generated will likely be insufficient to cover the County's costs. He clarified, perhaps these events will generate some revenue for hotels or restaurants, but they will benefit at the expense of the value of our homes and the tranquility of our neighborhood. He said this is inherently unfair.

Mr. Goldberg said it must also be noted that the County Executive's attorney, Paul Wilber, publicly claimed to have reviewed the MOU, and if so, the review was grossly inadequate and by all appearances it was simply rubberstamped. He said the County Executive's attorney had a duty to protect the interests of the citizens of Wicomico County, but clearly he has failed miserably in this obligation.

Mr. Goldberg said I must also point out that the terms of the MOU are already being violated. He explained, the agreement only allows Live Wire to use 111 acres, which is the sum of only two of the three parcels owned by the County, but on their Facebook page, Live Wire is advertising that the event site consists of 274 acres; therefore, this must encompass the third contractually excluded 123-acre parcel, and that still leaves 40 acres unaccounted for. He said furthermore, the trail map posted on Live Wire's internet site even clearly depicts the trails deeply encroaching into the environmentally sensitive 123-acre parcel which they are contractually prohibited from using. He said there is another impending contractual violation that Ms. Taylor referenced. He explained, the MOU requires events to end at 5:00 p.m., but Live Wire is advertising that they will last until 6:00 p.m., thus extending the disruptions well into the dinner hour; therefore, we ask Mr. Luffman, the County Administrator, to fulfill his duty of enforcing the terms of the MOU, particularly those few tidbits that just provide the most minimal of protections to our community and this environmentally sensitive site.

Mr. Goldberg said, among other things that render the MOU unsatisfactory is that the requisite due diligence was either grossly inadequate or not undertaken at all. He said due diligence is like studying before an exam or being assured there is not a big rock beneath the water before you dive in head first. He said, before signing the MOU, the due diligence should have included the submission and careful review of proforma financial projections, community impact statement, economic impact statement, Live Wire's financial statements, wetlands investigations, traffic management plan, conceptual trail plan, and review of insurance requirements among other things. He said there is no indication that any of these things were done, but if they were, they were done poorly and incompletely.

Mr. Goldberg said, equally as important, the due diligence process should have included public outreach, particularly to the affected stakeholders, as well as in-depth consultation with the County Council and the various law enforcement and EMS units having jurisdiction, but we were never advised. He said we, therefore, ask the County Council to obtain all documents relating to the MOU including addenda, contracts, impact studies, evidence of insurance and financial documents, etc., and make

them available to the public. He said the secrecy in which these events have been shrouded must end. He said the County Executive cannot claim ignorance of the many deleterious issues related to the MOU or these events or blame such ignorance on her lack of experience in either business or governing. He said she has been thoroughly informed in writing of the many contractual deficiencies and the consequences thereof, and now has a unique opportunity to correct her egregious errors by canceling these events for convenience and abandoning the MOU in its entirety. He said knowing what she knows now, to do otherwise would simply be reckless and irresponsible; thus, we ask the County Council to take appropriate measures to amend the County Charter in such manner as to restrict or obviate the County Executive's authority to enter into contracts unilaterally and without the Legislative Body's consent. He said clearly too much authority has been vested in the Office of the County Executive and it is being abused. He said, as history undisputedly proves, too much power concentrated in too few people invariably results in the misuse of such power, thus benefiting the preferred few while causing irreparable harm to others.

Ms. Mikele Dahlen came to the podium and said this is a difficult statement to make, so I'm hoping you can bear with me if I get a little shaky, but I'm going to do my best. She said I live at 8533 Shadow Lane and I serve as the President of the Shadow Hills HOA. She said, on behalf of the HOA, we wish to express our deepest concerns about the highly detrimental impacts our community will suffer in consequence of the MOU between Wicomico County and Live Wire, LLC for the Safari at the Quarry off-road events. She said, like others have said, we were neither informed nor consulted prior to execution of the MOU and we strongly reject the County Executive's complete lack of transparency in this regard as well as her ongoing unwillingness to communicate with us in a meaningful or productive manner and her complete disregard for our legitimate concerns.

Ms. Dahlen said I am here today to put on public record an extremely distressing phone call I received from Ms. Giordano on March 5, 2024. She said, to ensure accuracy and for evidentiary purposes, we took notes contemporaneously with the conversation, and the call was audibly witnessed in its entirety by my husband, James Dahlen. She said, upon receiving the call from Ms. Giordano, I was initially hopeful that she intended to have a productive conversation regarding our community's concerns. She said, unfortunately, this was not the case. She said I can only describe the conversation that ensued as being intensely hostile and intimidating. She said Ms. Giordano immediately took an adversarial posture and literally began the conversation by yelling at me, and continued to do so for eight to ten minutes. She said I was simply shocked to have been verbally accosted in such a vitriolic manner, particularly by a government official, while given no opportunity to respond in the midst of her tirade.

Ms. Dahlen said please allow me to share some of the comments she made during the conversation and responses I would like to now offer. She said Ms. Giordano yelled that we had no right to question her actions or what the County does with its own land.

Ms. Dahlen said, as her constituents, taxpayers, and citizens of Wicomico County, we have every right, even an obligation to question her actions and make her aware of our grievances provided that we do so respectfully in good faith and through the appropriate processes as we have done since the very beginning. She said I will also remind Ms. Giordano that the citizens of Wicomico County own that land and it is not her personal possession to dispense with at her whim.

Ms. Dahlen said Ms. Giordano yelled, "you all need to just stop, no matter what you do, this event is going to happen whether you like it or not."

Ms. Dahlen said the statement was made with the clear intent to intimidate. She said we will not stop, we will continue to strenuously oppose these events through every appropriate channel available.

Ms. Dahlen said Ms. Giordano loudly rebuked our efforts to appeal to the County Council and to speak publicly at Council meetings for redress of our grievances.

Ms. Dahlen said, once again, this was an inexcusable attempt to intimidate us into silence, but we will not be silenced, we will appropriately continue to work with the Legislative Branch of the Wicomico County Government to protect our community.

Ms. Dahlen said Ms. Giordano venomously articulated that our HOA was entitled, selfish, and arrogant for opposing the Safari at the Quarry events and the MOU.

Ms. Dahlen said, other than being entirely inappropriate in its message and the tone of its delivery, I will respond to this comment by stating that we are asking for nothing. She said there is absolutely no sense of entitlement to something we do not possess or have not already earned, we simply wish to defend ourselves against the frivolous and unnecessary land use that defines these off-road events in order to preserve the value of our homes, the peace, tranquility, and safety of our neighborhood, and the many natural resources that exist on the event site. She said we are pursuing what we believe to be in the best interest of our community and the general public just as Ms. Giordano and Live Wire are pursuing what they perceive to be in their own best interests, but there is one big difference; we are doing so with the effort to protect, not to damage others. She said our homes are immovable and fixed in one place, but these events can be held anywhere that others will welcome them, perhaps even in Ms. Giordano's own neighborhood. She said it is unfortunate that Ms. Giordano believes it to be arrogant to use fair and appropriate means to oppose the actions of an Elected Official with whom we disagree.

Ms. Dahlen said Ms. Giordano accused the members of our community of being bad citizens and continued by saying, "if your goal was to make a businessman feel unwelcome in Wicomico County, you have definitely succeeded."

Ms. Dahlen said these statements were articulated in an obviously derogatory manner in an attempt to discredit our motivations. She said good citizenship is defined by actively and conscientiously pursuing through appropriate and lawful means what one believes to be in their own best interest and with concern and sensitivity to the interests of other in and around their community. She said I believe the residents of Shadow Hills have met this threshold. She said furthermore, it is not our objective to make anyone feel unwelcome, and we support entrepreneurship, but when a business activity irreparably harms our community, its property values, and its quality of life, it is our right and obligation to oppose it. She said Live Wire stages similar events in many other areas where they are welcome, from Ocean City to Berlin to Virginia Beach, which are far better suited to such activities rather than a quiet residential neighborhood.

Ms. Dahlen said Ms. Giordano repeatedly referred to our HOA as "you people." She said this use of verbiage can only be intended to demean and belittle and I do not believe its necessary to further explain its inappropriateness.

Ms. Dahlen said Ms. Giordano chided our efforts to reach out to regulatory agencies in an effort to protect the environmentally sensitive event site.

Ms. Dahlen said the environmental concerns pertaining to the use of the event site are quite legitimate. She said our research has revealed that the site, particularly parcel 168 which is supposed to be excluded but has now apparently been made part of the trail course, contains wetlands, wildlife hubs and corridors, and an abundant variety of wildlife including bald eagles, as well as the Paleo channel, which is Salisbury's water supply. She said, although these lands are presently underregulated, this does not diminish their environmental sensitivity or value. She said, as good environmental stewards, our community fully intends to continue to work with the Maryland Department of Environment as well as with other regulatory agencies and environmental groups to protect this unique and dwindling habitat from unnecessary abuse.

Ms. Dahlen said Ms. Giordano inaccurately alleged that some Shadow Hills residents accosted a contractor at the event site. She said this is entirely misleading. She said it is my understanding that, when the residents and the unknown driver and passengers riding in an unlicensed off-road vehicle came upon one another, both stopped and initially asked one another to identify themselves and their purpose. She said subsequently, a respectful and productive conversation took place for more than a half hour during which time both sides offered their points of view. She said, at the end of the conversation, both wished one another well, shook hands, and parted ways. She said, if only Shadow Hills had been provided with a similar opportunity to have a productive conversation with Ms. Giordano before she signed the agreement, perhaps better solutions could have been found, but we were given no such opportunity then or now.

Ms. Dahlen said, although I attempted many times to deescalate and hold a rational conversation, my attempts were to no avail. She said I managed to express at some point that she was not allowing me to speak or respond and explicitly told her with the necessary volume "you are yelling at me and berating me and you need to stop, and this is not how a Public Official behaves, you are out of line," but her tirade continued. She said at one point I told her that her verbal assault was causing my heart to pound and she responded screaming "my heart is pounding too," and then launched right back in.

Ms. Dahlen said I was on the verge of hanging up and told her that her actions on this call had destroyed my trust in her as a Public Official. She said somehow this seemed to resonate and she indicated that she was highly stressed about the entire situation and then the conversation became more civil, but guardedly so. She said, at this point, I attempted to convey my many concerns regarding the detrimental impacts to our community of which other speakers today have described in detail. She said I expressed my dismay about her not reaching out to our community before signing the agreement with Live Wire, to which Ms. Giordano responded something to the effect of "we meant to do better in informing and speaking with your neighborhood, but it fell through the cracks."

Ms. Dahlen said, although I understand that a new Administration is very busy, nine months have transpired between the time she assumed Office and the time the MOU was executed, which is more than ample time to reach out to affected stakeholders for an issue with such significant consequences. She said, before I got off the phone call, I reiterated to Ms. Giordano that her behavior was completely uncalled for. She said, by the end of the call, I felt physically ill, sick to my stomach, and my hands were shaking. She said I felt unsafe after being so angrily attacked by the County's highest Elected Official. She said my husband and I remain concerned about how Ms. Giordano might further react based on her intimidating and hostile behavior during the call and how her reactions might affect our children. She said, as a former sexual assault services coordinator responsible for four counties in Virginia, I interfaced with many different Government Officials both elected and bureaucratic on issues of legislative

advocacy. She said, although at times we represented different sides of a given issue, never had I been spoken to by a Public Official in such a disrespectful and malicious manner as Ms. Giordano spoke to me during this call. She said I hope to never experience such a thing again. She said I, therefore, ask the County Council to consider any available remedies to censure or reprimand Ms. Giordano for behavior unbecoming of a Government Official. She said I am a taxpayer and responsible citizen of Wicomico County and never should have been subjected to such verbal abuse.

Ms. Lisa Collier Purnell came to the podium and said I reside at 8715 Shadow Lane in the Shadow Hills subdivision. She said I do not have prepared remarks as I did not think they were necessary because I knew that our President, Vice President, and other officers of the Board would do a wonderful job, and you did. She said I just want the record to reflect that I am both appalled and saddened to hear the last testimony. She said the last remarks that I and other members of Shadow Hills would be classified as being bad citizens, entitled, selfish, and arrogant is extremely troubling. She said I am a taxpayer of Wicomico County, I live here, but I work in Washington, DC. She said I have been a public servant for 27 years and I have never heard of any public servant behaving the way that Ms. Giordano has. She said those of us who live in Wicomico County and work elsewhere, it is because we desire less traffic, we desire less crime, better air and water quality, but more importantly, less noise. She said I don't have to reiterate everything that you have already heard, but I will implore upon the Council to do everything in your authority to remedy and bring a resolution to this matter.

Ms. Holly Campbell came to the podium and said I'm also a resident of Shadow Hills and I am a neighbor to Ms. Mikel who spoke, and I was home after she received that phone call and I did get a call from her after being very much shaken up, and that is part of the reason I came today because I felt bad for her to have to come address this. She said I have a couple of technical points that I just thought were worth mentioning to the Council as somebody in real estate. She said, when I found out about this I thought certainly, if I was representing somebody looking at land use, I would run through a few simple analyses before I even attempted to see what I could do with a piece of property, so of course I did that here and I came across some questions like zoning. She said that property is in R8A zoning, according to the City of Salisbury zoning, and that is a City of Salisbury property even though we understand the County owns it. She said I've lived there almost 18 years and many of these people have been there that long or longer, and during that time we already have experienced constant illegal use of that property by kids, people, whoever finds out about it and goes back there. She said the Sheriff's office has plenty of records of other things that have happened. She said I think somebody dragged a boat back there and set it on fire once and vehicles, and there have been all kinds of incidences that have taken place over the years back there. She said, as a resident, when these things would happen, if you called for support we were usually told nobody knew which jurisdiction it was, and on top of that, neither Salisbury or the County own a vehicle that can access that property to police it, and that is part of the reason we can never get any action or response. She said we have dealt with over the years at 3:30 a.m. there being four-wheelers revving all through the night, it definitely happens. She said I live on the back cul-de-sac, so I back right up to these parcels. She said I think parcel 168 backs up to my property along with several others. She said we've kind of dealt with that over the years, and it's been troubling, but not been like a massive issue, but it is increasing all the time as more people find out about it.

Ms. Campbell said I don't know if any of you have set foot on this property, but I would encourage you to go out there and see the site. She said it is beautiful, it is very unique, it undoubtedly will attract every four-wheeler and every Jeep enthusiast to come out there because it's kind of a really cool spot for that, but does that make it a good idea for the County to conduct public events out there or create safety

issues for the rest of us? She said I say no, and that comes from almost 20 years of living there and experiencing what I experienced. She said I believe that the Jeep events in Ocean City attract 1,700 Jeeps and they have waves, and that's the same thing that will be planned for May with at least four waves. She said they are advertising at least 200 per wave, so my understanding is they are expecting 800 to 1,800 Jeeps to traipse through these courses, not 200. She said, while they will be done in waves according to them, that's a lot of Jeeps, a lot of vehicles, and a lot of people. She said 800 to 1,000 vehicles has to be at least a couple people per vehicle and spectators, so that is thousands of people who are going to set foot on that site and we're going to repeat that how many times a year, so 10,000 to 20,000 people are going to be accessing that site, so you better believe you're going to have a major security problem because you can't secure that site unless you build a fence around the whole thing. She said it's accessible from the County park on the back side from Henry Parker, so if you run through the back of those woods, you're going to end up at that quarry, and right now people go down the railroad tracks, they go through the woods, they come from all directions to get back there. She asked, if the City and County can't police it now, how are you going to police it when you have 20,000 people back there? She said it's advertised what an amazing culture of four-wheel drive lifestyle is going to be back there, that's what's all over their website. She said I urge you to read all the posts on the website which endorse that they want to build a 4 x 4 culture around that site, and our understanding from people we know who ride in these types of events is that they're losing sites all over the country, and if this becomes one, you better believe you're going to see a lot more people coming to it.

Ms. Campbell said we have legitimate concerns about the zoning and how is it allowed to be a public racetrack, for lack of a better word at this point, on a residentially zoned property. She said I know if I sold this to somebody, I don't think if I put somebody else's name on the data other than Wicomico County, could another citizen conduct an event like this on that R8 zone? She said I understand the City and County may have some exemptions to their own zoning rules, but I read pretty clearly in our title 17 of the Salisbury City zone that it said you're exempted from your own code as long as the property is used for public use. She said that's a large caveat, and I don't feel that a for-profit adventure for another private person who is at a 90 percent profit stake in it is for public use.

Ms. Campbell said, on top of that, if I were to sell this property, I would look at Merlin maps to see what I would run across and who I would have to talk to – DNR, MDE, forestry, wetlands. She said there is going to be a list a mile long of people I would have to go through to ever get anything approved to do that there. She then asked, has any of that been done? She asked, is the County responsible for those same tasks because, when I pull the Merlin maps, there are layers and layers and layers of conservation initiatives on that property. She clarified, I don't know what all of them mean, but if you pull them like I did, there are five, six or seven of them, biodiversity, all kinds of things back there, and there are two creeks at the bottom of it. She said, while I don't think they're critical areas, I believe there are some wetlands on the maps, so there are a lot of things to look at in this, I believe, that are pretty technical.

Ms. Campbell said the last thing I want to point out is fire safety. She said, if I am going to renovate a commercial building with a new tenant, we are going to have to submit for fire suppression compliance. She then asked if an outdoor event has to have some type of fire safety, especially with thousands and thousands of Jeeps back there. She said right now there are probably close to a million Jeeps in recall for fire hazards. She said, if you google it, you will find the same stuff I did. She then asked, who is going to ensure compliance that these Jeeps running out there are not under recall for a fire hazard. She said, when you walk that site, most of what you walk through are 6-foot grasses. She said, when you're not right in where the ponds are, all around the ponds are about 6-foot tall grasses and those lead out to

forestry that surrounds the whole property. She said it engulfs our entire neighborhood. She said look at the satellite images if you haven't been out there, it is nothing but woods. She said we are nestled in the middle and the quarry pit is nestled in the middle, and there are some other communities nearby that have contiguous forest. She asked, what happens if your Jeep catches fire and those grasses go? She asked, is the County willing to risk that? She said we have 45 homes immediately adjacent, we have probably $18-22 million dollars' worth of real estate plus people living in them. She said this is like a Saturday weekend event, so what if they have a disaster, how quick can a fire start and on those grasses they are highly ignitable, you should go see them. She said I'm pretty sure we're not allowed to burn under a lot of conditions, so I feel there are significant risks that have never even been considered. She then asked, what would the loss of life be if you had a wildfire that spread to our neighborhood, and everybody is home on the weekends.

Ms. Campbell said the financial soundness by all means should be questioned because I was a CPA before I was a realtor, and I have definitely never seen nor would I ever sign any kind of contract or agreement that looks like this. She said it is the most open-ended. She said 10 percent of net, let's face it, it doesn't take a CPA to calculate net. She said a lot of people here are businessowners, and your book income and your tax income I'm pretty sure are different. She said your net income you report to the IRS is probably different than what you actually earn, so there is a large ability to play with the numbers, and what does the County stand to gain from that? She said to me there are massive amounts of risks, liabilities, and a very, very small incremental amount of income potential, and I don't think that is enough to ever justify this as public use. She said I feel like on a lot of those levels it just should never even get off the ground, and I truly believe, if the first event gets off the ground, you are going to have a problem you cannot reverse because we already know how bad it is with decades of only a few people knowing what it's like back there. She said it's going to get a lot worse, I truly believe that.

Ms. Campbell said, in addition, on the fire note, are there fire vehicles that have to be at an event like this if you have thousands of people? She said, if the County conducts an event, I would assume there have to be ambulances and fire trucks available. She asked, if a police vehicle can't get back there, how is a fire truck going to get back there? She said there is one way in and one way out. She said, if you have 5,000 people back there and you have a fire start and the grass catches, how is everybody going to get out? She asked, are they going to drive across the train tracks, are they going to drive through the woods? She said there is a dirt lane and one way in and one way out. She said I couldn't have a building renovated with one way in and one way out and be able to occupy that or conduct an event that way, so I don't understand how the property can be safely used by the public in the manner that it sits.

Ms. Heather Lankford came to the podium and said I'm the County's engineer and sort of the point person for this project, and I think I'd like to put some things at rest for you guys. She said I actually just left the site with MDE Mining and there has been nothing out of compliance in their purview. She said I left the site last week Thursday or Friday with MDE Land, Water and Air, and they also looked at Merlin and the wetlands as well. She said we walked the trails, we looked at any remedial issues, any endangered species. She said a lot of the concerns you guys have I also as an engineer have to look into those, and there was no noncompliance and that report will be closed out.

Ms. Lankford said, as far as the noise concerns, we talked about the decibels and in regards to the actual machines that are out there mining now, it is not comparable. She said I also want to jump back and say it's not a racetrack, these are Jeeps going 5 to 10 miles per hour and maybe 200 Jeeps. She said we've had calls, or MDE has had calls concerning massive ramps being built in endangered species, but, again,

they came out and I just left the site right before I got here in the midst of some of these comments and none of that is there. She said we have done measurements on how far away things are, we've adjusted the LODs on the concerned parcel, so that falls within our scope of the areas and that actually was to assist in the concerns you guys had with people getting in there with quads or bikes or safety.

Ms. Lankford said, as far as it goes with public safety and individuals being called, we actually called the officers last week due to people being on site and they do come and they do take people out. She said we have had individuals swimming in there and we do call. She said we have cameras up, specifically additional cameras that were put up due to some issues that happened with the equipment that was on site. She said even more have been put up due to the fact that we want to ensure that this facility is maintained and people are not going on there for things that are not approved. She said, again, we're looking into that, and if you have concerns and there is something you want to speak about in regards to who has been there recently, I would be more than happy to listen to anybody if you contact me in the Engineering Department, and we can go from there.

Ms. Denise Hardin came to the podium and said I live in Shadow Hills. She said I have spoken before and I want to remind the Council that our community's argument and objection to what goes on in what used to be called the pit is not something that is a result simply of what this County Executive has allowed to be planned, our problems with that pit area are historic. She said my husband and I have been in the community since 2006 and we along with other neighbors have called law enforcement on the noise back there. She said someone just spoke about decibel levels and that there were no problems, but I know recently, I think a month or so, ago you had a work session and someone from Mr. Hoffman's group and Ms. Giordano were here talking that they had run a test and they were a football field away from the community. She said you can have that equipment a football field or two football fields away from the community, but you can't keep the noise out of our community. She said, when I was here before, I spoke about going inside in the summertime, leaving my deck, going inside and closing my windows and doors because of the racket going on in my backyard. She said we have a finished basement that I spoke about going downstairs into our finished basement with the windows and doors closed, and it still sounded like 100 chainsaws were in our backyard taking down trees. She said the decibel level from equipment mining as opposed to Jeeps, four-wheelers, ATVs, etc., there is a difference. She said the noise reverberates off the houses. She said I was out walking recently as I like to walk our neighborhood and we live in the back of the neighborhood near the pit. She said I was at the front of the neighborhood near Connelly Mill Road, there was another resident there walking as well, and somebody was back there with a chainsaw vehicle and our heads at the same time snapped up because we thought it was that close to us because the sound hits those houses and bounces off, so don't be persuaded by someone telling you the vehicles or machines are a football field away from the community. She clarified, their machines may be a football field away from the community, but their noise is in my family room, and I want you to understand that.

Ms. Hardin said, again, we are not people who are a bunch of "you people" who are complaining or who just decided we're going to have a problem and protest against this, we have been complaining about that pit for at least a decade, probably longer. She said a few vehicles, as Ms. Campbell was talking about, people get the word out. She said, when people were calling it the pit, my husband and others would go back there because we got permission at one point from the private landowners to put up signs and try to keep those people away. She said, first of all, they would tell us to mind our own business or that they were given permission by the landowners to be there. She said, in addition to that, we had neighbors who would say my nephew from Virginia is coming up this weekend and he's staying

with me because he's going to be riding at the pit. She said, when my husband and other neighbors would go back to that land area, at one point my husband counted 60 vehicles back there. She said there were Delaware plates, Virginia plates, and Maryland plates as far as the people who would go back there and ride and start barrel fires to keep warm. She said please understand that we're not just being a bunch of nervous nellies, we're not being a bunch of reactionary people, we have tried for at least a decade to do something with that area, and when the County took it over, I jumped for joy because I thought the government is back there and they're going to be doing things and it is going to be controlled. She said from time to time you would hear some idiot get back there and they might be back there 15 minutes or half an hour, but they would leave. She said what we were dealing with when the County got involved was all day long for hours, grinding and tire squealing, motors revving, and there could be four-wheelers and then at night after the four-wheelers left the heavy vehicles came in. She said you could hear Jeeps and trucks back there at 2:00 or 3:00 in the morning. She said the noise is intolerable, I said that before. She said maybe there's no impact to ducks and geese and crickets, but there is an impact to the quality of our lives, and we're not going to stop until this gets resolved. She said we can't live. She said we're homeowners, we're paying taxes, we're paying mortgages. She said our stake in this we can't sever ourselves from, so we're not going away, so please try to understand, it isn't about the activity. She said people like to ride Jeeps, go do it somewhere else. She said someone suggested Ms. Giordano's backyard, I think that would be a great place for it.

Mr. Bill Hardin came to the podium and said I live in Shadow Hills. He said imagine working a long day and then you come home, and forget about football. He said, if you're back there, don't even think about watching football, it's not going to happen. He said you come home and this is just one or two motorcycles back there. He then played a recording from his cell phone and said that's from our porch. He said the point is, and I know the engineer attempted to do damage control, I get it, I've been in this kind of situation before, but the point is it is a quality of life issue. He said, if anyone in this room, Ms. Giordano, the young environmental person who came up here, if you think it's not a big issue, have it in your own backyard and then talk about it. He said the type of management that is being put out with the County Executive, and I feel bad about this because I actually sat on the review board for the County when we decided to go with a County Executive, so shame on me, shame on me because it's bulldog management and it never works. He said I've managed people for years, hundreds of people in law enforcement. He said bulldog management never works, it will be headed for destruction sooner or later, you guys will be getting lawsuits, I guarantee it, and you remember I said this, it's going to happen. He said a wrong thing done in a wrong way is wrong. He said a wrong thing done in a right way is wrong. He said a right thing must be done in a right way, and this is not the right way.

Mr. Joe White came to the podium and said I'm from Wicomico County. He said I feel for the folks in Shadow Hills and I know your issue is very important, and I will say that I was at the work session when Brad Hoffman was here and one of the comments he made and he was very specific that it was 200 Jeeps for the day, so to me that should be on record somewhere as it was said that they were talking about 200 at a time, and I do think that is something you should keep an eye on.

Mr. White said, at the meeting today there were a couple things that I thought were very poignant. He said we started off with a really proud moment with the Wi High Girls Basketball team here. He said there were 15 girls up here, which is actually more than you have on one team, so probably varsity and some of the girls who played on JV, and they should be very proud. He said we had a very poignant discussion about capital improvements with the Fruitland Elementary School and then you circled back with Shadow Hills. He said I think, as a volunteer in the community whether it's the fire department,

helping out with fundraisers, or youth sports, and I've talked about this several times here, but I think one of the things the County residents are really looking for is usage of their assets. He said you all were talking about assets earlier, and our parks are assets. He said Connelly Mill is an asset unless it's a liability, which maybe it's a liability right now more than an asset. He said I've also had a great opportunity with four of the Councilmembers here in the past with some of our sports events. He said Mr. Holloway came out to our opening day for Pittsville rec soccer in the fall, and Mr. Winn took me up on an offer on a very rainy day in Mardela and he saw many people out there, and I was with the Heritage Day parade with President Cannon and Mr. Merritt and I don't know if they knew, but behind them there were trailer-loads of about 300 kids who were going to play soccer that day in Sharptown.

Mr. White said my point is that it's great to have all the parks, even a school, but if you have a school and you don't put teachers in it or you don't put programs, what difference does it make if you spend $20 million dollars or $4 million dollars or $16.5 million dollars or you got it for free? He said we are talking about some assets in our community that aren't being utilized, and I know you have a work session with the Board of Education later today. He said I want to invite you all to Pittsville this Saturday at 9:30 a.m. where a group of volunteers are using Pittsville Park to run free youth soccer for the youth in Pittsville. He said we had 60 kids last year, only four of which had ever played in the County Parks & Rec organization. He said right down the road you'll see a great softball field that's closed with chains on it. He said it's owned by the Board of Education and I've asked to use it and have been told no. He said I was told it's not safe. He said it's unfortunate that you're going to see kids crammed in a park area when we have another one down the road. He said that's an asset that's not being used, so as a taxpayer in the County, whether it is the Executive Branch or Legislative Branch that comes back and says we'd like to use taxpayer dollars to build more assets, I'm going to say so what, what are we going to do with it? He said I'm asking you to come out to our events. He said the Wicomico County Parks & Rec softball Little League opening day is on April 26 at Winterplace, come and see how many young ladies are out there and how important it is. He said we saw the group of 15 ladies up here earlier for them to have leadership opportunities, some of which are going to be in drama clubs, some are going to be in sports, some are going to be in school, but we need as many as possible.

Mr. White said I would also say that we should reconsider our setup for Parks, Rec & Tourism as I still think having those two very important Departments combined makes it hard. He said this event out at Connelly Mill is a Tourism event in a Parks & Rec park that's not being used as Parks & Rec, and I think this is where the rubber is meeting the road where there is a disconnect between what the community wants and needs and what's able to be done.

Mr. White said the last thing I will tell you is that you're talking about those capital improvement projects and the Parks, Rec & Tourism Department has their meeting next week and I know Mr. Winn is at many of those meetings, but I think you need to see what they're thinking of spending too. He said I've been at their meetings and I know that they're discussing an acquisition, and I know that's closed, and maybe that's not still being considered, I don't know, but ask what the programming is going to be. He said you spend a nickel, what are you going to do with it? He said you spend $20 million dollars, what are you going to do with it? He said that's going to be the question.

Ms. Joan Smith, President of the Wicomico County Education Association, came to the podium and said I am a Wicomico County resident and taxpayer. She said I wanted to thank President Cannon, Vice President Merritt, Ms. Shields and Mr. Baker for your support of Fruitland Primary. She said that is just so highly appreciated and I believe very commendable of you. She said we are, after all, at a tipping

point. She said we are at a point where funding our schools is so far behind the needs of the system in both operational needs and in capital development that recovery seems more costly in order to have the kind of schools we want for our children and that we need for this community. She said our local economy and survival of our community depend upon the reputation of our schools. She said underfunding the school system to a point where the reputation starts to slip, the quality of the structure is aged and difficult to repair because the parts are no longer made or because systems are beyond repair, where an experienced, highly qualified workforce within the system chooses to leave for a better situation for themselves and their family, it all effect's Wicomico County's economy. She said employers and families who can choose where to live settle in other counties or neighboring states. She said our local economy suffers. She said property values decline. She said because public school funding is so reliant on property taxes, revenue declines and the economy of our community begins a downward spiral that becomes increasingly difficult to reverse. She said we are at that point where our buildings and our educators are forced to do more and more with less and less. She said we understand that the Blueprint is here, we understand the confusion, and we're hoping that it will be here sooner than later to lift our community and our schools, but we do have a sizable, healthy rainy day fund that far exceeds any other County in this State. She said I ask that you fully fund the budget that is put forth by Wicomico County's Public Schools. She said our schools must be safe, equipped to 2000s standards, and be a healthy place. She said let me repeat a healthy place because did you notice other items on that budget of learning for our students and for our community?

Ms. Holly Campbell came back to the podium and said I think I just want to address the intelligence of the people in the room. She said I don't believe under any circumstance that Wicomico County would embark on a partnership agreement with a private citizen for the 10 percent net profits of 200 Jeeps coming to drive at 5 miles an hour. She said I doubt there would be enough income from something like that to ever warrant an ounce of even this meeting even occurring, so the agenda is not for a one-time event, a small event, the agenda is different, so please consider that in your evaluation.

Mr. Jim Adkins came to the podium and said I'll shorten my spiel a little because the people speaking about the Safari at the Quarry have done an excellent job, and I don't need to get involved in that other than to say I fully support them, so I'm going to scratch that off my list.

Mr. Adkins said there are a couple of things you're going to be talking about this afternoon and I'm going to start with the first one, the two additional holidays for County employees. He said I guess I wasn't paying attention at the last Council meeting, but I felt that the Council was headed towards the addition of two personal holidays to get in line with the other counties versus these floating holidays. He said floating holidays are just that – they're floating. He said some years you're going to get them, some years you're not going to get them. He said they create a problem that I feel the County never addresses as an ex-County employee. He said the County does not address and deal with essential personnel who work 12 or 24-hour shifts and work weekends, holidays and evenings. He said you have Christmas, for example on Sunday. He said the County is going to take Monday as a Christmas holiday, but the essential employee who is working on Sunday on Christmas away from their family is being paid straight time. He said the person working on Monday because the County observes it as a holiday is getting paid overtime. He said I always had a little bit of a problem with that when I was sitting at the 911 center on Christmas and my family was home and I was getting paid straight time and the people working Monday were getting double time. He said I always had a problem with that and never could figure it out. He said it's in the personnel manual you're going to be talking about this afternoon.

Mr. Adkins said, regarding the CIP, I'm glad Fruitland Primary got taken care of because I firmly believe Wi Middle is right behind that, and as an alumni of Northwestern when it opened nearly 60 years ago, by the time you get done with Wi Middle and Fruitland, it's going to be time for Northwestern to have some attention paid to it. He said, in order to fund these schools, we need to tighten our budgets on some things. He said, according to the County's website, and I know this isn't going to be a popular opinion, but it's mine, but according to the County's website, the County has 50 parks. He said included in that count is the Civic Center, which you shouldn't count, Cove Road, the West Metro Core and Pirate's Wharf, two projects that aren't there yet. He said we're looking in the CIP, which is a planning document, at spending money at Cove Road. He said we've purchased property down there and we're going to expand Cove Road. He said, before we spend money and expand Cove Road, can we find out why two, three, or four times a year in the summer Cove Road is closed because of high bacterial levels in the water? He said it doesn't happen at Sandy Hill, it doesn't happen at Roaring Point, it doesn't happen at Cedar Hill, but it happens at Cove Road every year. He then asked, what's causing those high bacteria levels and why are we going to spend all this money to improve and create this great park when it's going to be closed because of dirty water? He said Pirate's Wharf and West Metro Core are great ideas, but they're not really necessary right now. He said we have Billy Gene Jackson Park that needs work, we have the Adkins Park in Powellville that needs help, so we have a lot of parks that need to be upgraded and taken care of before we keep adding more parks on and on and on. He said, as you're looking through the CIP and you're worried about the $20 million in pay-go that you just approved for Fruitland, I'm sure you can find a lot of pay-go in there that you can cut out and eliminate that we don't really need right now. He said there is a time and a place for those improvements, but this is not the time and place I don't believe for those kinds of things.

Mr. Adkins said the money spent on Nanticoke and Cedar Hill for the docking, boardwalks, and boat ramps, some of these parks need to pay for themselves. He said the average cost for a boat slip over 12 feet in length at Cedar Hill is a little more than $1,000 a year. He said it's supposed to hold 140 boats, so if it's only at half capacity, that's 70 boats at $70,000 a year. He said that's a lot of bulkheading, boardwalks, and piers you're building down there. He said, at Nanticoke Harbor, which is three miles away from Cedar Hill, you can get a bargain. He said you can rent the same size boat slip for about $200 less. He then asked, what's the difference? He said they're three miles apart, why is one $200 less than the other one? He said let's look at making some of these places pay for themselves instead of looking for everybody to keep using them and the County to keep fixing them. He said you have to pay to go to the dump in this County, you have to pay to get rid of your trash, you need to pay for some other things.

Council Comments:

Ms. Shields said I wish we could find a way, if a violation has been made for this MOU, to cancel that event or, if you're not going to cancel the event, you need to get one of those counters like people use in clubs and count the cars and when it reaches 200, turn them away. She asked, are we going to do that? No. She said I live on Jersey Road and wish I could hit the mega million because the first thing I would do is buy a house off of Jersey Road. She said, when the cars go by, those Crown Victorias and those boys that raise their things up, my little great granddaughter when she first heard that she jumped, it scared her so bad, and sometimes it feels like they're coming into your home. She said I go down Connelly Mill Road all the time in Delmar and I see that neighborhood and I think it's disrespectful. She said I'm ashamed of how the County Executive has treated a constituent and County resident in the way she talked to the person. She said you have to be more mature when you're talking to people. She said, whether you agree or disagree with them, you need to show them respect. She said I've always

said that respect means a whole lot to people, even if you disagree with them, and I believe we should be ashamed here because she is actually representing the government. She said I think if there is any way we can help these people to not have this event because we have to think about violence. She said people are crazy now and we have to think about people bringing guns in there. She asked, who is going to search these people, who is going to do that? She said you don't know what kind of element is coming in there, you don't know, and it seems there should be some way even without this event to make this place secure with a fence or some kind of security so people can't get in there for nothing. She said, if it's not going to be secure, you need to have a security company or something.

Ms. Shields then addressed Ms. Lankford in the audience and said bald eagles are an endangered species. She said I went back there because I wanted to see it for myself and I wasn't going to drive my brand new car in the mud, but I went and looked and I know for a fact that those Jeeps are not going to be going 5 to 8 miles an hour. She said they're not going to do it, it's a lie because they're not being policed. She said you tell the County Executive she is wrong and disrespecting the neighborhood, she needs to cancel the event, and I'll tell you off the record what I would do. Addressing the audience, she said you need to protest and continue to protest and continue to protest because one day somebody is going to listen. She said I'm listening and my vote would cancel the event if I could vote on it. She clarified, I don't know if we can or not, but I would cancel the event.

Mr. Hastings said I just want to say to the folks of Shadow Hills that I know you all have better things to do on a Tuesday at 10:00 a.m. and I deeply apologize. He said we are the Legislative Branch, we're not the Executive Branch, but my goodness, you didn't deserve that. He said the way things have been handled, it could not have gone any worse, but just as one person I want to say I'm sorry, it should not have gone that way. He said, if this were to come to a vote right now for Council it would be unanimous and quite powerfully saying no, but you all have to deal with this and live with this immediately. He said all we can do is be forward looking for the most part and try to make sure things like this don't happen. He said it was a very different story a couple of years ago when there was talk about getting fill and sand from this property and then it's going to be a park very soon. He said that's what we were told, but obviously that's not the case. He said I just want to say that I'm sorry you all have had to deal with what you've had to deal with, I know it's not easy, and I have your back, so thank you for being here.

Mr. Baker said, as far as the Safari at the Quarry, I think this Council could entertain or look at passing Legislation so we could govern any County property that is used in a contractual purpose, couldn't we Mr. Benson? Mr. Benson responded, the current Code has the one-year provision in it, so you have to either eliminate the one year or shorten it. Mr. Baker clarified, but we could, to which Mr. Benson responded, you could. Mr. Baker said I think this Council needs to seriously think about that as this has been a pretty hot button topic.

Mr. Holloway clarified, that one-year threshold is for contracts, to which Mr. Benson responded, it's for leases.

Mr. Baker said I wasn't specifically talking about a contract, I'm talking about County property.

Mr. Holloway asked, is there anything we can do to regulate County property? He said I know it's in the City, but it's owned by the County, so can we put some kind of zoning limitation on that property we own in the County, to which Mr. Benson responded, not that I'm aware of. He said it's in the City, so City zoning applies. He said, as Ms. Campbell said, there is a revision in the City code acknowledging that a County-owned property is exempt from City zoning so long as the property is used for a public purpose.

He said the only issue here is whether the intended use is a public purpose, but, to be blunt about it, that's a City issue as to whether they're going to attempt to enforce their City zoning with regard to that. He said there are two sections of the County Code that deal with this, one has to do with County property, which is subsection 22, and leases, and that has one year or more. He said there is a second section that is subsection 19 that has to do with County contracts that also has a provision for a year, but it has to do with monies being expended by the County. He said the problem with this MOU, from my perspective among others, is that it is impossible to tell how much money the County is going to spend when you read the MOU. He said the County Executive may know what it is, but when you read the MOU, you physically cannot tell how much money the County may expend in support of this project.

Mr. Holloway said I'm probably going to get the same answer I just got, but I'm going to raise the question differently. He then asked, as a Legislative Body, can this Council pass a Resolution or Legislation that says that any property that the County owns has to have approval from the Council before it is leased, to which Mr. Benson responded, I think you can do that, but I'm saying the current provision has a one-year length in it and you either need to remove the one-year and have all County contracts come before the Council or you need to modify the term. Mr. Holloway clarified, I'm not talking about having all contracts because we know we deal with that when doing contracts for the Civic Center as far as the rodeo and stuff like that. He said I'm talking about County properties and such. Mr. Benson said I guess the only issue here is whether this MOU is a lease or something other than a lease.

Ms. Shields asked if we can refuse to pay the expenses and let her pay for it, to which Mr. Holloway responded, it's in her budget and we've already approved the budget.

Mr. Baker said, for the firefighters, I talked to the Executive about putting together a document explaining how the process will go. He said I'm assuming she's still working on that or hasn't gotten it together yet, but I talked to her about it so we can get some more information to the firefighters.

Mr. Baker said, according to Ms. Oland, the firefighters' paperwork needs to be in by the 1st of April, so please spread the word.

Mr. Merritt said I always want to thank everybody for coming out, especially during a day meeting. He said, to see all of these people, it's good. He said, to the folks of Shadow Hills, I'll echo what everybody else has said - I apologize for what you're having to go through. He said you shouldn't have to be going through this, it's pretty inexcusable.

Mr. Merritt said I'd like to recognize a couple of guys who have launched a grassroots effort to pick up litter in our County – Bruce Robson and Mark Engberg. He said I don't think either of them are here, but Mr. Winn and I joined Mr. Robson on Sunday and in 90 minutes the three of us cleaned up Route 50 on both sides from Mill Street to the Route 13 overpass, so if three guys can do that in 90 minutes, imagine if a youth group or church group were to get out with 20 to 30 people how much ground you could cover. He said the litter is a problem whether it is intentionally dropped out of a vehicle or whether it's something that blows out of a pickup truck. He said it still ends up on the side of the road and ends up in our waterways and doesn't provide a good look for our County, especially for people coming in on the main roads. He said I commend Mr. Robson and Mr. Engberg for devoting their time to do this. He said they probably have 100 other things to do with their time, but they've chosen to take this on and we're trying to get them all the help we can.

Council President Comments:

Mr. Cannon said I really appreciate everyone coming out at 10:00 in the middle of the day and everyone spoke well. He said, from a Council perspective, there are always limitations between the Executive and Legislative Branches of Government, but I think it's safe to say that we can certainly reach back out to the Executive and ask for some clarification in writing. He said we can ask for more specifics as far as true County expenses, which I have been concerned about for some time whether it is paid time or comp time. He said I think the financials need to be a little more specific so we understand what's going on. He said obviously a lot of time is being spent out there right now, nothing that was ever formally budgeted as a line item, so I would like to really know what that is because that does come into effect as far as what the County's expenses are to each and every one of you. He said, in addition, I think the safety concerns, fire, EMS, and the Sheriff's Department as far the plans to address those issues because I don't think it's been explained to anyone to date. He said we've expressed those concerns about liability assurances before as to truly what the liability might be. He said, as for the environmental concerns, Ms. Lankford shared some of those specifics, but I think it would help to have some of this in writing. He said any assurances that are in place for the noise and for the neighbors, I want something more specific as to how they could certainly say that this could be a more peaceful event and less threatening event to those of you who have property located so close to this property where you are certainly within your right to be concerned about your property rights, I get that 100 percent. He said this should be an easy lift for the Executive to respond to this request in writing. He said we are all supposed to be working on the same side and we're all supposed to be working with the citizens of Wicomico County. He said I think it was very clear from what was expressed here that came from the heart of the citizens of Wicomico County and this neighborhood, and we will certainly ask in writing that this be addressed with some type of clarification. He said, again, I appreciate everybody coming out.

There being no further business, on motion by Mr. Baker, seconded by Mr. Merritt, and unanimously approved, the Legislative Session was adjourned at 1:15 p.m. to go into Open Work Sessions.

John T. Cannon, President, At-Large

Jeff Merritt, Vice President, District 2

James Winn, At-Large

Shanie P. Shields, District 1

Shane Baker, District 3

Josh Hastings, District 4

Joe Holloway, District 5

Laura Hurley, Council Administrator