

MINUTES

COSM

Commissioners

COSM Legislative Remote Session

Tuesday, November 24, 2020, 6:00 pm - 8:00 pm

Virtual Remote Meeting

- I.

Call to Order - Pledge of Allegiance

- President Bibb called to order a remote working session of the Commissioners of St. Michaels at 6:00 p.m. Also present were Commissioners Tad duPont, Joyce Harrod, Jaime Windon, and David Breimhurst, Town Manager Jean Weisman, Police Chief Anthony Smith, Public Works Director Jeff Richardson, Legislative Clerk Suzanna Warnick, Meeting Coordinator Kim Weller and approximately 35 members of the public. The Pledge of Allegiance was recited.

II. Agenda Amendments

- There were no agenda amendments

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III. Announcements from COSM and Staff

- President Bibb read a personal statement regarding testing positive for Covid-19 and is made part of these minutes (Exhibit A). Mrs. Weisman reminded everyone who might be interested in serving on a Town board or commission to submit an e-mail to her and appointments will be made at the Commissioners' December 9th meeting.

Chief Smith said that police officers are considered essential personnel and must come to work even if exposed to the virus, but at the same time, he said officers must follow procedures to support public safety, including self-monitoring, taking temperatures, wearing masks and maintaining proper social distancing.

Commissioner Breimhurst requested that Commissioner Bibb's complete written statement be entered into the record and made available to the public.

Commissioner Windon said she had a number of public questions during the day and asked Mrs. Weisman if she would outline the safety measures being taken by the Town. Mrs. Weisman said the Town has tightened safety measures and that she was in regular consultation with the County Health Commissioner concerning the appropriate precautions.

IV. Comments from the Public

- Paulette Florio of S. Talbot Street inquired about contact tracing. Mike Estrella of E. Chew Street urged any Commissioner with any concern about their health to reach out to those people with whom they had contact. Jonathan Dietrich of Locust Street and Alexis Roiter of N. Harbor Road urged everyone to be more vigilant and observe masking and distancing. Ms. Florio urged the police to check the winery and distillery on weekends because she noted that patrons there were not wearing masks.

Chief Smith urged people to use greater caution and said that officers would increase policing for masking and distancing violations, considering surges in Covid-19 cases.

The Commissioners and the public continued to discuss public safety with regard to the virus. Mrs. Weisman read additional public comments.

V. Special Presentations and Announcements

- Delegate Johnny Mautz
- Mrs. Weisman said Mr. Mautz had a last-minute conflict and will make his presentation at the Commissioners' December 9th meeting.
- FY21 Budget Review
- Commissioner duPont opened the regular discussion of the budget. Commissioner duPont said real estate taxes have come in over predictions, which is good, and income is holding steady and appears to be ahead of last year. Commissioner duPont said the amusement tax is a third off from last year so far, but the final quarters may show lower than projected numbers. Commissioner duPont reiterated his conviction that the Town needed to cut departmental costs by ten percent.

VI. Consent Agenda for Minutes

- Minutes of November 10, 2020
- President Bibb said the Consent Agenda included minutes for November 10, 2020. As there were no comments or changes, he called for a motion to accept the agenda as presented. Commissioner Harrod made the motion, which was seconded by Commissioner Breimhurst, and which then passed on a roll call vote of 5-0 in favor.

VII. Ordinance Eligible for Discussion and Vote

- Ordinance No. 518 - Emergency Order No. 7 for State of Emergency

- AN EMERGENCY ORDINANCE DECLARING A SEVENTH EXTENSION OF THE STATE OF EMERGENCY IN THE TOWN OF ST. MICHAELS AS A RESULT OF COVID-19 INITIALLY DECLARED PURSUANT TO EMERGENCY ORDINANCE NO. 506 AND EXTENDED PURSUANT TO ORDINANCE NOS. 507, 509, 511, 514, 516 and 517; PROVIDED THAT THE TITLE OF THIS EMERGENCY ORDINANCE SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO A CONTINUING STATE OF EMERGENCY IN THE TOWN OF ST. MICHAELS
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- Mrs. Weisman said this ordinance was the 7th extension of the Commissioners' original emergency ordinance and read the title of Ordinance No. 518 into the record as noted above.

Commissioner duPont suggested having the extension be 90 days instead of 60 days. President Bibb made a motion to make the extension for a 90-day period. Commissioner duPont seconded it, and the motion passed on a roll call vote of 5-0 in favor.

Commissioner Windon made a motion to set aside the normal ordinance adoption procedures to declare an emergency ordinance. Commissioner Breimhurst seconded it, and the motion passed on a roll call vote of 5-0 in favor.

President Bibb made a motion to adopt Ordinance No. 518 as amended. Commissioner Windon seconded it, and the motion passed on a roll call vote of 5-0 in favor.

VIII. Bids and Contracts

- Schummer Bid Award
- Grace Street Box Culvert Guard Rail
- Mrs. Weisman said the bid is for the guardrail only and not the box culvert, which had already been installed. Mrs. Weisman said the County engineers were recommending a guardrail as a safety measure, and the project requires additional funding for which the Town is responsible. Jeff Richardson said he could research whether the Town could do the guardrail to save money. Jeff Knapp of Miles Avenue suggested that the Town go back to Schummer, the contractor, and ask if they could do the guardrail for under \$10,000.00. President Bibb suggested that the County provide the Town with the specifications and the engineering report for the guardrail. Mrs. Weisman said she would request that information.
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IX. Items for Discussion

- Planning Consultant
- Guidelines and RFP

- Commissioner Breimhurst asked if the Commissioners had had a chance to read the RFP and that he was looking for approval to go ahead with issuing the RFP for a Planning Consultant. Planning Commission Chairman Jeff Knapp said he felt an overview of the Town's needs would be helpful. Commissioner duPont suggested that everyone read the two past parking studies commissioned by the Town. Mrs. Weisman read public comments on the subject of the RFP, including a comment from Dennis Glackin of Harbor Road, who said that planning can and should move forward, but it need not require a commitment of funding right away. Mrs. Weisman said all she needed was a consensus from the Commissioners to issue the RFP and recommended a mid-January response time. President Bibb asked for a consensus. Commissioner Breimhurst said he would refine the RFP based on tonight's comments and invited any other suggestions from the Commissioners or the public be emailed to him or Mrs. Weisman, and he would see that they were incorporated and the RFP issued.

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Boy Scout Lease and Use Agreement

- President Bibb said the Scout Lease Agreement has been revised and re-written by Jean Weisman and Mr. Richardson from Easton. Mr. Breimhurst suggested an adjustment of the termination requirements be expanded and include a timeframe. The Commissioners were in agreement. Commissioner Harrod made a motion to approve the Boy Scout Lease Agreement as amended. President Bibb seconded it, and the motion passed on a roll call vote of 5-0 in favor.

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X. Comments from the Public

- There were no additional comments from the public.

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XI. Comments from the Commissioners

XII. Calendar

- The issue of the Green Street repair was placed on the agenda for the Commissioners' meeting on December 9th, along with the Mulberry Street sidewalk repair and a presentation from Johnny Mautz.

The Commissioners agreed to adhere to their regulations regarding the structure of their meetings.

President Bibb said there would be no meeting on December 23, 2020 unless there were urgent issues to be addressed.

XIII. Announcement of Future Meetings

- December 9 2020 - Virtual Zoom Meeting 6:00 pm
- Meetings and announcements were as noted above. Mrs. Weisman added that the Town Offices would be closed Thursday and Friday this week for the Thanksgiving holiday.
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XIV. Adjournment

- The meeting was adjourned at 8:45 p.m.

EXHIBIT A

Our first order of business is to inform you that the commissioners met in closed session last night to discuss a situation that may have an impact on the town employees regarding the surge of covid-19 cases in the county.

News travels fast in small towns and, by now, you may have heard that I myself have tested positive for the virus. Although I do not have an active case at the moment, the test administered by the county health department indicated that I may have had a relatively symptom-free case in the past.

Around November 9th, two weeks ago, I had severe headaches which I attributed to chronic seasonal allergies. I now realize the headaches could have also been symptomatic of the virus. For my own peace-of-mind I went to the county for a covid test last Thursday, the 18th. At the time, I was told I did not need to quarantine since it had been ten days since my headache episode and that the virus would have already run its course. This past Saturday, the 20th, I was informed by the county that my test came back positive. The molecular test used by the county is able to detect traces of DNA left behind after the virus dies and disintegrates. My test indicated a fragment of that DNA remained present. Thus, I had a positive result, but was informed that no further action was necessary on my part since the virus was no longer active. Regardless, out of an abundance of caution, I have been in self-imposed quarantine since receiving my test result.

I was shocked when I got the test results and my immediate concern was for the safety of my family. In retrospect, I now realize that I should have been extra cautious when I first started experiencing symptoms, and that I should have done more to protect everyone around me.

My fear now is that I may have exposed town employees and others to the virus during the time I could have been contagious, between November 7th and the 19th. As President of the town commissioners, I had felt it was my duty to check in occasionally with the department heads and other town employees. That involves going to the town

office, the police station and the public works facility. As a result of my visits, all town employees have been advised by the health department to get tested and have their temperatures checked when they report to work. I pray that none of them, or anyone else I had contact with, including my fellow commissioners become infected.

I realize now that I had become lax about face coverings and personal contact over the past few weeks...perhaps a false sense of security because of the relatively safe bubble we seem to have here in St. Michaels. Now with new cases surging in the county and across the nation, it is clear that I should never have left my guard down. For that I offer heartfelt apologies to our town employees, my fellow commissioners, and, most of all, the residents of the town of St. Michaels. As a commissioner I should be held to a higher standard. I promise now that I will work harder than ever to win back your trust and vow that I will redouble my efforts to do everything possible to protect the health and welfare of our community.

You should know that the town has reached out to the county health department for further guidance and we are working closely with our county health officer, Dr. Frieda Wadley.

During our closed session last night, the commissioners shared their concerns about compliance with the town's masking and social distancing regulations. We and others have witnessed violations by visitors, residents, and by some town employees. Our employees had been operating under past guidance about where and when they would be required to wear masks. We have now updated that guidance to require all employees to be fully masked, nose and mouth, while inside and outside for the duration of their shift. This is not optional. An initial offense will trigger a warning, and a subsequent offense carries a heavy penalty.

We are not doing this lightly. Our goal is to ensure that everyone is protected and safe. As we've learned from my own experience, anyone of us could be infected and spreading the virus without knowing it. We are also hoping that this measure will serve as an example for other employers and workers in town.

In addition to the new guidelines for our employees, the town commissioners have decided that we will not enter any town building or facility unless it is absolutely necessary, and unavoidable. If we do need to enter a building, the staff will be notified well in advance.

Make no mistake about it. We may feel like we're in a bubble, but that bubble can be punctured easily by careless behavior. The evidence is all around us. Over the past four days alone, 54 new cases of coronavirus have been reported in Talbot County. The new cases are coming in at more than double the rate we experienced during the first wave in the spring.

This is a dangerous surge and we should all be doing our part to curb it. I promise to do my part, and again apologize for any lapse of judgement in the past that may have put others at risk. It won't happen again.