



**Commissioners of
St Michaels
Working and Legislative Session
November 8, 2023, 6:00 pm - 8:00 pm
St. Michaels Branch of the Talbot Co.
Library
106 S. Fremont Street
St. Michaels, MD 21663**

AGENDA and DOCUMENTS

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AGENDA

**Commissioners of
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Working and Legislative Session
Wednesday, November 8, 2023, 6:00 pm - 8:00 pm
St. Michaels Branch of the Talbot Co. Library
106 S. Fremont Street
St. Michaels, MD 21663**

1. 6:00 pm - Call to Order for Working Session - Pledge of Allegiance
2. Announcements from COSM and Staff
3. Comments from the Public
4. Special Presentation
 - a. Verizon Presentation Regarding Utility Poles
 - b. Historic District Residence Association
Local Tax Structure
5. Consent Agenda for Minutes, and Events
 - a. Minutes
September 27, 2023 - Meeting Minutes
October 11, 2023 - Meeting Minutes
 - b. Events
Event Permit #2023-27 - Midnight Madness
Event Permit #2023-28 - Shop With A Cop
 - c. Department Reports
Police Department
Finance
Planning and Zoning
Public Works
6. Commission Appointment
 - a. Appoint an Individual to the Talbot County Economic Development Commission
7. Old Business
 - a. Marketing in St. Michaels
 - b. Future Location of Police Department
8. New Business
 - a. Mediation Agreement with Mid-Shore Mediation and St. Michaels Police Department
 - b. RFP for Interior/Exterior of Environmental Concern Building
 - c. Approve Design Fees for Jail and Bathroom Improvements

d. Parks & Recreation Advisory Board Request To Add Additional Board Member

9. Comments from the Public
10. Comments from the Commissioners
11. Commissioners Proposed Calendar 2023
12. Announcement of Future Meetings - to be held at Library

November 10, 2023 - Veterans Day - Town Office Closed

November 22, 2023 - No Meeting Due to Holidays

November 23, 2023 - Thanksgiving - Town Office Closed

November 24, 2023 - American Indian Heritage Day - Town Office Closed

December 13, 2023 - Working Session

December 25, 2023 - Christmas Day - Town Office Closed

December 27, 2023 - No Meeting Due to Holidays

13. Adjournment of Open Session

Public Participation: All comments from the public will be taken during the period set aside for "Comments from the Public." The "Comments from the Public" portion of the Commission agenda shall have a limited time period as determined by the Commissioners, and shall be at the beginning and at the end of each agenda. To be recognized, a member of the public should raise his or her hand and wait to be recognized by the President. Comments and questions should be kept brief and to the point, and be directed to the President.



Board: Town Commission

Meeting Date: November 8, 2023

Agenda Subject: Presentation by Verizon Regarding Utility Poles

Recommendation: Presentation and Discussion

Background Information:

Representatives from Verizon will be making a presentation on the overall safety of the utility poles in our community.

Action:

No action needed.



Board: Town Commission
Meeting Date: November 8, 2023
Agenda Subject: Presentation from the St. Michaels Historic District Residents Association Regarding Local Tax Structure
Recommendation: Discussion.

Background Information:

The St. Michaels Historic District Residents Association has requested to give a presentation to the Commissioners regarding the local tax structure as it relates to residences and businesses in St. Michaels. See correspondence dated October 10, 2023.

Action:

Discussion.

St. Michaels Historic District Residents Association

October 10, 2023

The Commissioners of St. Michaels
Town Office
St. Michaels, MD 21663

Dear Commissioners:

As residents of St. Michaels and as members of the St. Michaels Historic District Residents Association, we wish to bring to your attention the attached Issues Brief that we have prepared that discusses an urgent problem that we ask you address and prioritize: the need of St. Michaels to support a tourist economy with robust municipal infrastructure that is largely paid for by homeowners and not the businesses which benefit economically from tourism growth.

We believe that our Issues Brief makes a compelling case for the COSM to begin a careful and thoughtful examination and assessment of how best to develop a more equitable system of sharing the revenue burden between residents and businesses. In the past, discussions about how the Town taxes residents and businesses has been clouded by myths and misinformation. We hope that our paper will assist you to put the issue of Town taxation in better perspective based on facts that show that homeowners--not businesses--bear the most significant tax burden in supporting our tourist-driven economy. We also urge you to carefully assess the impact of recent acquisitions by the CBMM of tax paying businesses which effectively removes them from Town tax roles.

We recognize that any action you may take to remedy this tax imbalance will be somewhat complex and time consuming. In responding to this letter, it is our earnest hope that you will make a commitment to the homeowners who have signed below that a diligent and creative process will soon begin to address an urgent problem so that our tax system will be fair for all who live and work in this wonderful community.

We would like to request an opportunity to discuss the issues raised in our Issues Brief at an upcoming public Town meeting over which you preside. We look forward to learning of your plans to address the concerns that we have raised.

Sincerely,

(Signatures attached)

The following signatures include members of the SMHDA and their neighbors.

Teresa Fannon	218 E. Chestnut	Marie Martin	104 Cherry
Tommy Fannon	218 E. Chestnut	Michael Meier	203 Cherry
Karen Douglass	212 E. Chestnut	Evan Carraway	103 Locust
Rob Douglass	212 E. Chestnut	Michele Boyd	113 E. Chew
Courtney Surls	222 E. Chestnut	E. Ann Watson	109 E Chew
Mark Caylor	222 E. Chestnut	Jim Porter	206 W. Chew
Stacey Sass	220 E. Chestnut	Connie Porter	206 W. Chew
George Sass	220 E. Chestnut	Sue Ann Raring	104 W. Chew
Valerie Schumann	106 E. Chestnut	John Novak	104 W. Chew
Victoria Chandler	109 E. Chestnut	Meg Pease-Fye	Grace
David Wells	116 E. Chestnut	Arlene Beebe	200 W. Chestnut
Patti Wells	116 E. Chestnut	Roy Beebe	200 W. Chestnut
Charolotte Estes	207 E. Chestnut	Richard Skinner	107 E. Marengo
Gerry Estes	207 E. Chestnut	Kathleen Skinner	107 E. Marengo
Amy Bayer	406 Water	Mark Berman	960 Marea Terrace
Doug Rollow	405 Water		
Sarah Milhaupt	408 Water		
Craig Mahler	417 Water		
Miriam Mahler	417 Water		
Daniel Spiegel	200 Mulberry		
Marianne Spiegel	200 Mulberry		
Barbara O'Brien	105 Mulberry		
Kimberly Hassenberg	202 Mulberry		
John Hassenberg	202 Mulberry		
Walda DuPriest-Brandt	111 Mulberry		
Phyllis Kennedy	406 St. Mary's Square		
Brian Hines	404 St. Mary's Square		

**The Economy of St. Michaels
A Story of Unfair Burden Sharing**

A close look at the numbers reveals St. Michaels has perhaps the most unique, and unfairly distributed economy of any small town in Maryland. Its businesses depend on ever growing numbers of tourists for financial viability. Yet, it is a small tourist town with a tourism economy supported in large measure by its residents, not its businesses. Its homeowners occupy a unique and over-burdened locality among the state's more complex economies.

The town of St Michaels covers a mere square mile. But its economic impact on Talbot County is consequential. It is the driving force of the County's \$300 million tourism industry. The Inn at Perry Cabin is the second largest employer in the County. Two thousand County residents owe their jobs to tourism, but very few live in St. Michaels.

A thriving tourist economy can only be sustained by robust and efficient infrastructure far larger in scale than needed for a town of 1,071 full time residents. Its cost components are numerous: well-trained police, a substantial professional Town staff, outsourced garbage collection, professional street cleaning, large and well-maintained water and sewer systems, well-repaired streets, sidewalks and parking lots, comfort stations for visitors and regulations that require residents in the large Historic District to strictly maintain the appearance of their homes, sometimes at great expense, in ways which preserve the historic character of the town—yet another draw for tourists.

The costs of tourism in St. Michaels are borne in large part by Town homeowners, not by the businesses that benefit directly from tourism. The infrastructure needed to support Talbot County's and the Town's tourism economy imposes a heavy tax load on St. Michaels homeowners, while those who benefit most are taxed the least or not at all in the case of the Chesapeake Bay Maritime Museum (CBMM).

THE TAX REVENUE MYTH

We've heard business leaders tell us that tourism helps keep taxes low in St. Michaels. In fact, the exact opposite is true. Homeowners pay much higher taxes *because* of tourism. It's natural to assume that more economic activity means more tax revenue—a reasonable assumption for town economies in general—but not here.

- St Michaels imposes *no* business taxes unlike the vast majority of Maryland small towns. The property tax rates for business structures that produce revenue are the same as residential property tax rates.
- Only two sectors of the tourism economy in St. Michaels help to directly defray the cost of maintaining the tourism infrastructure—lodging such as hotels, B&Bs and amusements such as tour boat excursions. They are taxed by Talbot County and a portion of the revenue generated by this tax is remitted to the Town, minus five percent kept by the County. Owners of these businesses typically pass on the County tax to their customers.
- Together those taxes contribute about one quarter (23%) of the Town's revenues.

- Real estate taxes comprise the bulk of the rest, with the heaviest load on homeowners.
- There are 877 taxable properties in St. Michaels.
- Just 81 (9%) are commercial properties. (*source: MD Dept. of Commerce*)
- The largest property in town (15 acres and expanding) is occupied by the CBMM. Its 80,000 yearly visitors put the heaviest strain on the Town's infrastructure, but it is tax exempt.
- The CBMM recently acquired The Patriot, a tourist excursion boat which charged passengers an amusement tax. The status of its purported purchase of the iconic Crab Claw harborside restaurant which paid a property tax is not clear. These purchases could adversely impact the Town's tax revenue by removing these two businesses from the tax rolls. Unlike many non-profits around the country, the CBMM does not make a voluntary "payment in lieu of taxes" (PILOT) to St. Michaels.
- The shops and restaurants pay no taxes other than whatever portion of the real estate tax is included in their rent.
- Homeowners pay 32% **more** in property taxes than county residents who, in many cases, live right across the street from their highly taxed St. Michaels neighbors.
- Real estate ads for homes in close proximity to St. Michaels feature three prominent words
- "NO TOWN TAXES." Nearby county residents enjoy all the perks with none of the burden of paying for them.

THE HIGH COST OF TOURISM INFRASTRUCTURE

- A police force **three times larger** than what would normally be needed in a town of 1,071 full time residents. Police account for 35% of the Town's yearly budget—a substantial proportion of expenses.
- Larger buildings needed to accommodate police and town staff.
- Three expensive and maintenance-intensive public comfort stations.
- Employees working on Sundays to remove trash generated by weekend revelers.
- Manicured parks, brick sidewalks and parking lots.
- Marketing and advertising costs to promote the Town to attract visitors.
- Public recreation facilities,
- Extra insurance and utility costs.

The homeowners pay the largest portion of these costs. Some newcomers may be able to ignore the tax burden, but the Town has multi-generation families living in poverty. The largest segment of the population is 65 and older, and many seniors are scraping by on meager social security checks. Yet they also pay to build and maintain the infrastructure that supports tourism.

IN COMPARISON

Residents of similar-sized or larger towns in Talbot County are far less encumbered.

- St. Michaels has 25 full-time employees, a budget for nine police officers whose salaries and benefits amount to an average of \$114,000 each per year.
- Oxford has 11 employees, two of whom are police officers.

- Trappe, with its larger, and rapidly growing, population has 6 employees and no police officers since they depend on Talbot County.

WHERE DOES THE TOURISM MONEY GO?

- 97% of the commercial buildings are owned by non-residents who, in some cases, live as far away as California, Florida and Texas.
- More than 90% of the business operators who rent those buildings do not live in St. Michaels.
- Due to a lack of affordable housing options, lower wage workers commute **to** St. Michaels from as far away as Denton and Cambridge.
- The non-resident landlords, business operators and their employees spend their income in far off states, or nearby in Easton, Cambridge, and Annapolis. Even if they wanted to spend their wages and profits in St. Michaels, they couldn't find the basic necessities of everyday living since these businesses are no longer part of the Town's economy. And whatever they do spend here goes right back out again into the pockets of non-resident landlords, business operators, and their employees.

THOUGHTS FOR THE FUTURE

The lack of tax equity in the St. Michaels tourism economy between homeowners and businesses has evolved slowly over the years as traditional shops, e.g., the Acme, have been replaced by those that cater almost exclusively to visitors. It is an issue that needs to be sensibly addressed in a manner based on facts and sound analysis. St. Michaels is one of just a handful of municipalities in Maryland that does not impose any general taxes on its businesses. Town revenue is totally dependent on property taxes and remittances from the Talbot County tax on accommodations and amusements.

The COSM needs to begin a period of study and assessment of various tax options other towns use to raise revenue from business activity. Some may require state legislative action. The COSM must seek public comment on any plan that they develop. It is certain that many business operators may strongly oppose any change from the current no-tax status quo. There are sure to be claims about high rents, growing costs and the fact that any tax will be passed on to visitors. These concerns must be placed in context of the economy in which these businesses operate. Should additional revenue be raised for the Town from its businesses, a careful evaluation of the current residential property tax rates should take place along with consultation of homeowners. The time has come to bring tax equity and sensible burden sharing to the economy of St. Michaels.

MINUTES



**Commissioners of
St Michaels
Meeting Minutes- Legislative Session
Wednesday, September 27, 2023, 6:00 pm - 8:00 pm
St. Michaels Branch of the Talbot Co. Library
106 S. Fremont Street
St. Michaels, MD 21663**

1. 6:00 pm - Call to Order for Working Session - Pledge of Allegiance

Commissioner Breimhurst, President, called to order a live and remote Working Session of the Commissioners of St. Michaels at 6:00 p.m. in St. Michaels, Maryland and the Pledge of Allegiance was recited. Also present at the meeting were Commissioners Joyce Harrod, Al Mercier, Tad DuPont and Katrina Whittington. Other Representatives included Town Administrator Rob Straebel, Town Planner Steve Ball, Town Clerk Vickie Sharp, Public Works Operation Manager Brian Thompson and Captain Oswald. Members of the public were present as well as remote attendees on Zoom.

2. Announcements from COSM and Staff

Commissioner Harrod mentioned that there is another open house for the library. There was a tour conducted at the CBMM welcome center, grand opening on December 2nd. Toured Ferry Cove – oyster farming.

Commissioner Breimhurst – closing day for EC property on September 28, 2023, possible future home of Town Office. There will be multiple public sessions for the master plan at the Environment Concern property at Christ Church.

Town Manager Rob Straebel - The town has received a grant from MDOT for nature trail extension, \$48,360 for construction drawings. An RFP was sent out for website redesign, 9 proposals received, and a committee of staff members was set up to review the RFP's. An RFP for IT services is on the website, current IT contract is expiring December 1st. Re-advertising for the Town Clerk on constant contact, Indeed, Talbot County Chamber of Commerce, Town website and social media. Resumes are due October 23rd. Environmental Concern Master Planning meetings are at Christ Church Tuesday 6-8pm on October 3rd and Wednesday October 4th from 4-6pm Health insurance quotes have been received, there is a 2.28% decrease for employees due to younger staff. The Town had CPR training for 18 employees.

Public Works Brian Thompson – Update on smart meters, everything is updated and reading. We are still working out some minor issues. Out of 1,270 meters, only 85 are left to be changed due to needing parts.

3. Comments from the Public

A volunteer for the Farmer's Market wants to add a Market Day on December 2nd. No objections from the Commissioners to adding the December 2nd Market Day.

4. Presentation by Choptank Electric

Maintenance program regarding pole safety. Most recent one filed was in 2018 and poles are inspected on a 10-year cycle. Choptank does not do this, they hire an independent contractor

RAMS (Resource Asset Management Solutions) out of Cambridge. They inspect the safety and integrity of the pole (rotting, woodpecker damage etc), visual inspection, sounding inspection. If there is an emergency after the inspection, they will stay on site and a crew is dispatched. Verizon poles – if any issues are identified Choptank works with the local Verizon district to make changes happen since the pole is a Verizon asset. Verizon has completed their inspections in 2021/2022. Choptank coordinates with 911 and if a pole is hit and there is a dispatch number for Choptank. There was public comment regarding the poles and safety in St. Michaels. The emergency number for Choptank Electric is 800-410-4790.

5. Ordinances for Discussion

Ordinance No. 551 - Burning Outdoor, **AN ORDINANCE REPEALING AND REENACTING AS AMENDED THE TOWN OF ST. MICHAELS CODE, CHAPTER 122, “BURNING OUTDOOR”**, FOR THE PURPOSE OF BETTER REGULATING OUTDOOR BURNING IN THE TOWN OF ST. MICHAELS IN ACCORDANCE WITH CURRENT FIRE CODES AND BEST PRACTICES. Added section 122-5 cooking equipment to draft ordinance. Commissioner Breimhurst questioned the enforcement of 10ft distance, Chief Oswald noted that was Fire Chief Cooper’s recommendation.

Commissioner Harrod motioned to move the draft burning ordinance to the public hearing on October 25th, seconded by Commissioner Mercier, was passed on roll call vote 5-0 in favor.

6. Old Business

7. New Business

Review of Town finances – Town purchased the Environmental Concern property. The renovation of the building, meeting room and Police Station, per Tim Crosby \$275 per square foot. Town will take a closer look at what improvements need to take place, possible cutting of the meeting room and keeping meetings at the library. Surplus properties that have been sold are the Long and Foster building at 109 S. Talbot Street, 2 lots on Fremont Street and 800 S. Talbot Street. Chief Oswald noted the current location is ideal for the Police Station, noted the prison restroom needs to be updated. Commissioner duPont suggested that the current administrative building at 300 Mill Street be rehabilitated into a police station, dependent on the open space grant with the State. Commissioner duPont noted the Town should get multiple estimates from contractors other than Tim Crosby.

Trash truck – acquired in 2012, currently pick up approximately 40 cans Talbot Street and the parks. The DOT inspection noted this is the last year the body of the truck can be repaired. Brian Thompson noted that it takes about a year to get a new truck. A new truck would cost \$230,000, Commissioner duPont suggested using dump trucks for bulk items and using a dumpster at the Public Works area. Brian Thompson brought up the issue of smell, animals and public dumping. Commissioner Breimhurst suggested a fee for bulk pickup to go towards a private hauler.

8. Comments from the Public

Adia Khalil stated her concern regarding the budget. Also, as a representative from Loding Association stated her concern about another percent increase. It was also noted that no major renovations should be done at the Environmental Concern (new administrative offices) and to stop neglecting the Police Department. Ms. Khalil also stated her concerns with the attorney fees the Town is incurring.

Roy Myers spoke about the DNR and FEMA grants. He also noted that we should get State funding for the Police Department and is concerned about the Reserve funds, suggesting that there should be a minimum threshold the Town cannot go below.

Doug Rollow, municipal leasing for the trash truck which will give us current expenditure we could use as a starting point.

Kristen Greenaway inquired if the cost of the police station includes raising Mill Street. Commission Breimhurst confirmed that it does and anticipates Mill Street will be paid for by grants.

9. Comments from the Commissioners

Commissioner Harrod inquired about the number of police officers and Chief confirmed there are 5 police officers and himself, hiring is ongoing.

10. Announcement of Future Meetings - to be held at Library

October 11, 2023 - Working Session
October 25, 2023 - Legislative Session
November 8, 2023 - Working Session
November 22, 2023 - Legislative Session
December 13, 2023 - Working Session

11. Adjournment of Open Session

Commissioner Whitting made a motion to adjourn, seconded by Commissioner duPont at approximately 7:58pm

Public Participation: All comments from the public will be taken during the period set aside for "Comments from the Public." The "Comments from the Public" portion of the Commission agenda shall have a limited time period as determined by the Commissioners, and shall be at the beginning and at the end of each agenda. To be recognized, a member of the public should raise his or her hand and wait to be recognized by the President. Comments and questions should be kept brief and to the point, and be directed to the President.

MINUTES



**Commissioners of
St Michaels
Meeting Minutes - Working Session
Wednesday, October 11, 2023, 6:00 pm - 7:30 pm
St. Michaels Branch of the Talbot Co. Library
106 S. Fremont Street
St. Michaels, MD 21663**

1. 6:00 pm - Call to Order for Working Session - Pledge of Allegiance

Commissioner Breimhurst, President, called to order a live and remote Working Session of the Commissioners of St. Michaels at 6:00 p.m. in St. Michaels, Maryland and the Pledge of Allegiance was recited. Also present at the meeting were Commissioners Joyce Harrod, Al Mercier, Tad DuPont and Katrina Whittington. Other Representatives included Town Administrator Rob Straebel, Town Planner Steve Ball, and Chief Oswald. With members of the public and Zoom present as well.

2. Announcements from COSM and Staff

Commissioner Breimhurst began the meeting with a moment of silence for the events going on in Israel. Commissioner Whittington participated in St. Michaels Oktoberfest. Commissioner duPont participated in the Talbot County Tourism Economic Board meeting and discussed the Environmental Concern public meetings about the use of the space. Also discussed was Rt. 33 and sidewalks/curbs. Commissioner Breimhurst noted that himself and Rob Straebel met with the district engineer for the SHA regarding the sidewalk project. Out of 46 curb cuts, 45 must be redone for ADA compliance.

Rob Straebel also noted Senator Mautz was at the meeting with the district engineering regarding the sidewalk issues and ADA compliance. Interviewing 2 firms regarding website redesign. Environmental Concern property roof's being looked at for repair as well as exterior paint. Reminder there is no public access to the property at this point due to heavy machinery being used. A tour or open house is upcoming. We have 40 applications for the Town Clerk position. The town sold 124 Fremont Street for \$207,000 and 122 is listed at \$149,500. The buyers for 800 Talbot Street have pulled out of the transaction, the title should be cleared in 3-6 months. There is a preconstruction meeting for the Canton Street extension project to determine the schedule next week. The next meeting for the Boundary Lane Waterfront Park Master Plan is October 24th at Christ Church parish hall.

Commissioner Mercier inquired about the price of 800 Talbot Street; Rob mentioned it is around \$460,000.

Commissioner Breimhurst noted that the State Highway changed the location of the speed limit side at the North end of town.

Steve Ball – Sustainable Communities application and plan for renewal for the next 5 years, the Planning Commission recommended approval with minor adjustments. Cannabis Zoning text is with the Planning Commission and will go back to them on November 2nd.

3. Comments from the Public

There were no public comments

4. Consent Agenda for Minutes, and Events

Consent agenda and department reports were approved, Commissioner duPont made a motion to accept the consent agenda, seconded by Commissioner Whittington, was passed on roll call vote 5-0 in favor.

5. Ordinance for Public Hearing

Ordinance No. 549 - Architectural Extensions Setbacks, **AN ORDINANCE AMENDING THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340, "ZONING," ARTICLE IX, "DENSITY AND DIMENSIONAL REGULATIONS", §340-101G (3), "ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS," FOR PURPOSES OF CLARIFICATION OF EXTENSIONS OF ARCHITECTURAL ELEMENTS INTO SETBACKS.** Commissioner Harrod motioned to adopt Ordinance 549, seconded by Commissioner duPont, was passed on roll call vote 5-0 in favor.

6. Old Business

Casey Rauch gave a presentation on the future trail alignment map.

There was public comment asking if the State can build a road on the nature trail, Casey Rauch stated that the State mentioned they will not build a road.

Roy Myers gave an update on the FEMA grant and the 2 different projects. Funding for the first project \$111,000, take out the 10% matching grant we have about \$99,000 available. Asking for approval to select Rauch as contract engineer and approval for the first phase of concept designs.

Commissioner Breinhurst gave approval for the Climate Change and Sea Level Rise Commission to use Casey Rauch as the contract engineering with no objections from the Commissioners.

7. New Business

The Town is working with Bayland Consultants regarding sea level rise. Staff are asking the Commissioners to consider a study for an analysis to mitigate the flooding at the Environmental Concern property, the cost is \$7,000. Motion to approve a contract with Bayland Consultants.

Commissioner Harrod suggested revisiting this issue next fiscal year, Commissioners agreed.

Request to purchase unimproved accessway that is owned by the Town located on West Chew Ave. Code requires subdivision lot line adjustment approved by the Planning Commission. Request to consider the appraisal and approve the request to sell the property.

RFP for IT consulting services, ICSI contract is expiring December 1, 2023. Commissioner Breinhurst stated the Staff can proceed to issue the RFP.

8. Comments from the Public

Roy Myers would like to reserve time with the Commissioners in November to review the reports for West Harbor Rd/East Chew study and the San Domingo Creek study. Sue Ann Rearing noted the fall spirit in St. Michaels this year is better than ever. John Nelson asked the Commissioners to place "Michaelmas Day" also known as "The Feast of St. Michaels" on the calendar September 29th to be celebrated by the Town.

9. Comments from the Commissioners

Commissioner duPont stated that there is no resolve with the Boy Scouts. The old lights at the Boy Scout cabin are in storage. Commissioner Harrod inquired about a letter from the Historic District. The Historic District would like to be put on the agenda for the November 8th meeting.

10. Announcement of Future Meetings - to be held at Library

October 25, 2023 - Legislative Session

November 8, 2023 - Working Session

November 10, 2023 - Veterans Day - Town Office Closed

November 23, 2023 - Thanksgiving - Town Office Closed

November 24, 2023 - American Indian Heritage Day - Town Office Closed

December 13, 2023 - Working Session

December 25, 2023 - Christmas Day - Town Office Closed

11. Adjournment of Open Session

Commissioner Harrod made a motion to adjourn the meeting, seconded by Commissioner duPont at approximately 7:20pm.

Public Participation: All comments from the public will be taken during the period set aside for "Comments from the Public." The "Comments from the Public" portion of the Commission agenda shall have a limited time period as determined by the Commissioners, and shall be at the beginning and at the end of each agenda. To be recognized, a member of the public should raise his or her hand and wait to be recognized by the President. Comments and questions should be kept brief and to the point, and be directed to the President.



THE COMMISSIONERS OF ST. MICHAELS

SETTLED 1670-1680
INCORPORATED 1804

300 MILL STREET
P.O. BOX 206
ST. MICHAELS, MD 21663

TELEPHONE: 410.745.9535
FACSIMILE: 410.745.3463

Permit Number: 2023-27
Date Received 10/26/23
Commission Review 11-8-23
Date Issued
Certificate of Insurance Received

PUBLIC EVENT AND TOWN USE PERMIT APPLICATION

Venue Requested: Muskrat Park
The Wilson Reading Garden
Frederick Douglass Park
Hollis Park
Clint Bradley Park
Back Creek Park
St. Mary's Square
Other:

Dates of Use Requested: Saturday, December 2, 2023
Time of Event Requested: will be all day but specifically need for road closure for raffle & amplified music/MC 10:30pm - 12:30 am
Purpose of Event: Midnight Madness

- Permits Requested:
[X] Sign Permit Public Event
[X] Outdoor Speakers associated with Public Events in CC, MC and HD Zones
Public/Private Event Held in Public Park
Exception request to allow Alcoholic Beverages on Town Property
Farmer's Market
[X] Parade/ Road Closure

COMPLETED APPLICATION TO BE SUBMITTED A MINIMUM OF 60 DAYS PRIOR TO THE EVENT.

1. Name of Applicant and/or Responsible Person
St. Michaels Business Association - Kim Hannon, President

Address of Applicant
P.O. Box 1221 St. Michaels MD 21663

Phone Number () Kim Hannon cell Fax () _____

Cell Number (443)336-2461 Email smbamd@gmail.com

On Whose behalf is this event being conducted? (Organization, Corporation, etc.)
St. Michaels Business Association

2. Chairperson and/or responsible party for the event, if other than above:
(Include information how this person may be contacted at any time during the event).

Name see above

Address _____

Phone Number () _____ Fax () _____

Cell Number () _____ Email _____

3. To whom is the permit to be issued?

Name St. Michaels Business Association

Address P.O. Box 1221 St. Michaels MD 21663

4. Location(s) of the event
The Galley Restaurant 305 S. Talbot Street

Provide a map showing the location of all venues, proposed street closing and parade, biking or running routes, sanitary facilities.

6. Estimated number of Attendees Approx 250

7. Running/ biking events and parades shall provide an estimated time for road closures if applicable (**Provide approvals from State Highway (SHA) and St. Michaels Police Department with this application**). Please note that the Town has been notified by SHA that they will no longer provide traffic management sign boards at the entrances into Town. It shall be the responsibility of the applicant to obtain traffic management signs and coordinate the placement of said signs with SHA for any closures to MD Rt. 33.

8. Traffic Management Plan which includes street closures, times for such closures, detour routes, public notification signage, the availability of additional personnel as required to assist in safe vehicular and pedestrian movement

SHA closure - see attached map

9 A description of activities planned during the event including vendors and their locations
MC/Music & Raffle of Gift baskets MC/Music 9pm - approximately

12:30am or when the last gift basket is drawn

Actual drawing starts at 11pm

10. Is the use of outdoor speakers being proposed Yes No

If yes, provide a map showing the proposed location(s) and hours of use.

*Dates/Hours of Use: Date: 12/2/23 9pm to 12:30am (music/MC portion)

Date: 12/2/23 10:30pm to 12:30am (Talbot Street closure)

*Permitted hours: Sunday 1pm – 6pm, Monday – Friday the use of outdoor speakers shall cease no later than 7pm, with the exception of Midnight Madness- music and announcements after 10 pm shall be restricted and must end by midnight.

11. A communication plan is required outlining the methods of information for distribution to the residents and businesses that may be directly impacted by the public event. (e.g. Town Web Site, notices posted in public locations such as the post office and library, door hangers etc.). The required notification shall be available for review by the public a minimum of 15 days prior to the Commissioners review of the application.

12. Parking Plan required when venues utilize commercial parking, or the anticipated number of attendees exceeds 1000 persons. Handicapped provisions must be shown on plan.

13. For all permits on Public Property a Certificate of Insurance (COI) will be required to be submitted naming the Commissioners of St. Michaels as Additional Insured. COI must be submitted at least one week prior to event.

14. Signage for Public Events

The Commissioners of St. Michaels recognizes that there are functions conducted in the municipality that contribute to the small-time charm and character of the Town that may require signage not specifically set forth in this chapter applicants for such functions shall supply the following information as set forth in Chapter 340 Zoning, Subsection 40 Signs. Therefore, such applicants for such events shall submit the following application to Codes Enforcement Officer for temporary signage or to the Commissioners of St. Michaels for their consideration and approval as part of a full public event application.

The number, type and location of the proposed signage banner at The Galley - Midnight Madness

Please attach a drawing of the signage proposed and map of sign locations (if other than property location or if multiple signs are proposed).

Type(s) of Signage (circle all that apply based on provisions below):

Community sponsored event sign

Temporary Signage

Festival or community sponsored functions

Charitable fundraising activities or special events for which signage is proposed to be located on utility poles.

14. Request for exemption for alcohol to be served on Town Property?

Yes _____ No _____

Chapter 80 (Alcoholic Beverages) is attached

(If yes, provide a map showing the proposed pouring locations)

15. Sanitary Facilities Total Number _____,

Number of Handicapped Accessible Units _____

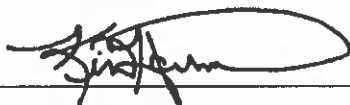
(If yes, provide a map showing all locations)\

16. Recycling Facilities - Applicant must provide one recycle can per trash can.

By signing, I have read and understand the requirements of the St. Michaels Code, Chapters 80, 216, 250 and 224 (copies attached) and accept the responsibility of ensuring that all rules and regulations are complied with.

I further acknowledge that all venues which involve the sale or consumption of alcoholic beverages are in compliance with all State and County Liquor Licensing Requirements.

Signature of applicant _____



Date 10/26/23

Permit issued by: _____

Commissioners of St. Michaels

_____ Date

_____ St. Michaels Police Chief (if needed)

_____ Date

_____ St. Michaels Zoning Officer (if needed)

_____ Date

Event/ Road Closure

PUBLIC NOTIFICATION OF ROAD CLOSURES

The applicant for a special event, which involves the closure of MD Rt. 33, shall be responsible for obtaining and installing appropriate signage to notify the public of such road closure. The sign shall contain the following information:

Date of the event 12/2/23

Times of road closure 10:30pm - 12:30am approximately

Purpose of the event Midnight Madness

I hereby certify that I have read and understood the requirement for public notification as set forth above and will secure and install such signage a minimum of **7 days prior** to the event. Signage to be installed at the southern and northern entrances into the Town.

Signage to be removed with 48 hours after the conclusion of the event.

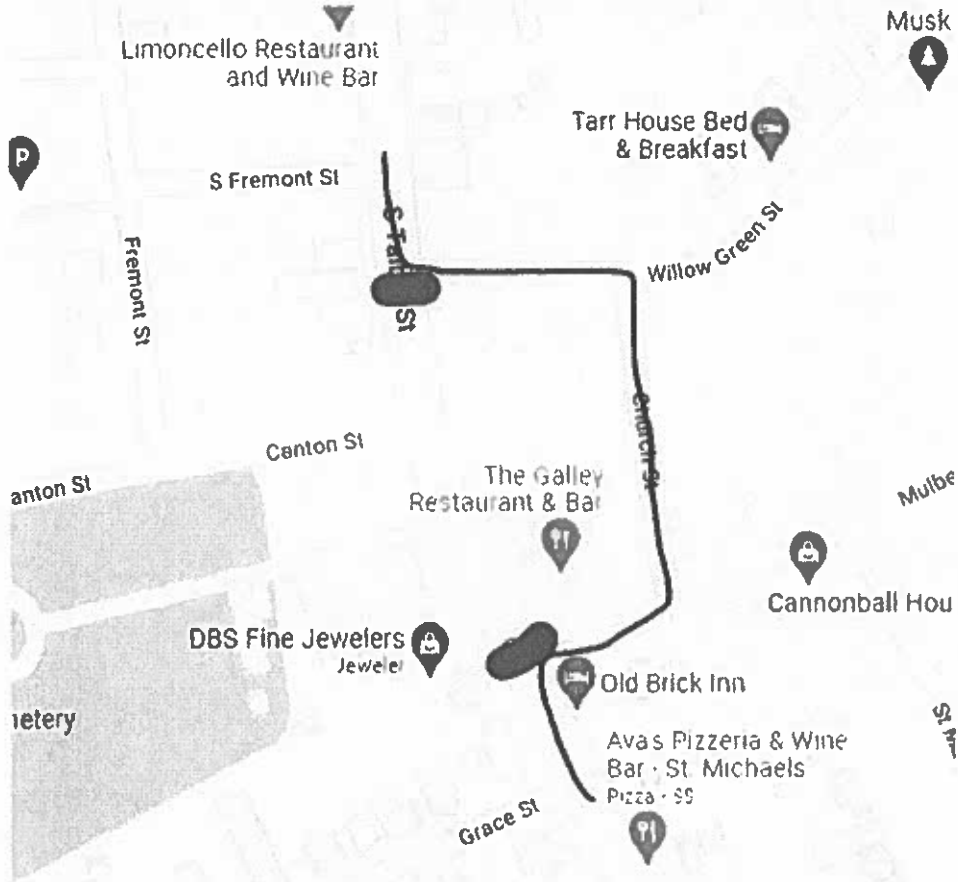


Signature

10/26/23

Date

Midnight Madness Road Closure 10:30 pm – Approximately 12:30am



TRAFFIC CONTROL PLAN:

TRAVELING RT 33 WEST - RT 33(S. TALBOT ST) -R/ MULBERRY ST - L/CHURCH ST - L/WILLOW GREEN ST - R/ RT 33

TRAVELING RT 33 EAST - RT 33(S. TALBOT ST) - L/WILLOW GREEN ST - R/CHURCH ST - R/MULBERRY ST - L/RT 33

TOWN OF ST. MICHAELS POLICE OFFICERS TO SET UP ROAD BLOCK ON RT 33 AT INTERSECTIONS OF RT 33 @ MULBERRY STREET AND RT 33 @ WILLOW GREEN ST TO REDIRECT TRAFFIC STARTING AT 10:30PM UNTIL APPROXIMATELY 12:30 AM



Maryland Department of Transportation Special Event Permit - Data Sheet

Event Name:	<u>MIDNIGHT MADNESS - ST MICHAELS</u>		
Submittal Date:	<u>10/26/23</u>		
Start Date:	<u>12/2/23</u>	End Date:	<u>12/3/23</u>
Start Time:	<u>10:30PM</u>	End Time:	<u>12:30AM</u>
Purpose/Type:	<u>ANNUAL COMMUNITY EVENT</u>		
Organizer:	<u>ST. MICHAELS BUSINESS ASSOCIATION</u>		
Contact Person:	<u>KIM HANNON</u>	Daytime Phone:	<u>443-336-2461</u>
Address:	<u>P.O. BOX 1221</u>	Evening Phone:	<u>SAME</u>
	<u>ST MICHAELS, MD 21663</u>	Email Address:	<u>SMBAMD@GMAIL.COM</u>
Number of Participants:	<u>N/A</u>	Number of Vehicles:	<u>N/A</u>
		Rain/Snow Date:	<u>N/A</u>

Proposed Route (Written Description)

TRAVELING RT 33 WEST - RT 33(S. TALBOT ST) -R/ MULBERRY ST - L/CHURCH ST - L/WILLOW GREEN ST -R/ RT 33 TRAVELING RT 33 EAST - RT 33(S. TALBOT ST) - L/WILLOW GREEN ST - R/CHURCH ST - R/MULBERRY ST - L/RT 33

Will you be occupying all or part of a travel lane?	No <u> </u>	Yes <u> X </u>	
Will you be closing all or part of a roadway?	No <u> </u>	Yes <u> X </u>	
Have you enlisted local police assistance ?	No <u> </u>	Yes <u> X </u>	Number <u>10-745-9500</u>
Have you enlisted Maryland State Police assistance?	No <u> X </u>	Yes <u> </u>	Number <u> </u>

THE EVENT ORGANIZER IS RESPONSIBLE FOR OBTAINING LOCAL AND/OR MARYLAND STATE POLICE ASSISTANCE AND APPROVAL SIGNATURES

Place an "X" on the line next to the MDOT SHA District(s) your event will take place in.

- District 1 Dorchester / Somerset / Wicomico / Worcester
- District 2 Caroline / Cecil / Kent / Queen Anne's / Talbot X
- District 3 Montgomery / Prince George's
- District 4 Baltimore / Harford
- District 5 Anne Arundel / Calvert / Charles / St. Mary's
- District 6 Allegany / Garrett / Washington
- District 7 Carroll / Howard / Frederick

Attach The Following

- Map of affected routes
- Cue sheets (If Available)
- TRAFFIC CONTROL PLAN** - including details on how intersections will be controlled and by whom, a detour plan, locations of police officers, locations of marshals/volunteers, and locations of traffic control devices.
- Other Event Details:

(Contact the MDOT SHA District Office in which the majority of your event takes place to determine if any additional information is required.)

Submit completed DATA SHEET and SIGNATURE SHEET to the MDOT SHA - NO LATER THAN 60 DAYS PRIOR TO YOUR EVENT



Maryland Department of Transportation Special Event Permit - Signature Sheet

Event Name: MIDNIGHT MADNESS IN ST. MICHAELS

Organizer's Acknowledgement

I/We hereby affirm that the Organizer of the Event and all Participants will comply with the Laws of the State of Maryland and any applicable county and municipal ordinances and will adhere to the terms and conditions set forth in the Permit. My/Our signature(s) below confirm that the Organizer and all Participants agree to hold harmless from any liability incurred by them or to others associated with this Event, or the various governmental agencies providing assistance for this Event. The Organizer may be required to obtain Liability and Property Damage Insurance with limits of at least \$300,000 per Incident/\$1,000,000 aggregate.

Organizer: ST. MICHAELS BUSINESS ASSOCIATION

Representative: KIM HANNON

Signature: 

Terms and Conditions

- 1 This Event shall adhere to the route, number of participants, and vehicles (Not more than 10% higher than the numbers on this Permit), Date(s), and times shown on Page 1.
- 2 The Organizer shall ensure the the approved **TRAFFIC CONTROL PLAN** is followed.
- 3 In the event of winter weather during the event, the MDOT SHA will require access to all State Highways for weather related operations. This may require cancellation of the event.
- 4 Immediately following the event, the Organizer shall clean up all litter, temporary signs and other event materials and return the roadway to a condition equal to or better than its condition before the event.
- 5 Additional Stipulations:

Agency Approvals

Before signing and giving approval for your agency, consider the following:

- 1 Ensure you have the approval authority to sign for your agency to commit manpower and resources.
- 2 Ensure you have looked over the entire application package, including Route Map, Cue Sheets and Traffic Control Plan. If you identify any problems, have the event Organizer address them prior to signing.
- 3 If reimbursement is required, ensure you have mutually agreed upon the amount (In writing) and terms under which payment will be made.

Local Government / Police

St. Michaels Police Department

Agency Name	Signature	Print Name	Date
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Local Government / Police

Town of St. Michaels

Agency Name	Signature	Print Name	Date
-------------	-----------	------------	------

Local Government / Police

Agency Name	Signature	Print Name	Date
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Maryland State Police

Signature	Print Name	Date
-----------	------------	------

MDOT SHA

Signature	Print Name	Date
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/1/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.


IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ashley Insurance Inc 436 Race Street Cambridge MD 21613		CONTACT NAME: Jay Harrington PHONE (A/C, No, Ext): (410) 228-5000 E-MAIL ADDRESS: jay@ashleyinsurance.com FAX (A/C, No):	
INSURED St Michaels Business Association P O Box 1221 St Michaels MD 21663		INSURER(S) AFFORDING COVERAGE INSURER A: FREDERICK MUT INS CO INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC #	14753

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		BP202102203	12/22/2022	12/22/2023	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$						
	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)							

CERTIFICATE HOLDER Commissioners of St Michaels 300 Mill Street PO Box 206 St Michaels MD 21663		CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 	
--	--	---	--

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THE COMMISSIONERS OF ST. MICHAELS

SETTLED 1670-1680

300 MILL STREET
P.O. Box 206
ST. MICHAELS, MD 21663

TELEPHONE 410.745.9535

INCORPORATED 1804

FACSIMILE 410.745.3463

No Charge
Permit Number: 2023-28
Date Received 10-23-23
Commission Review 11-8-23
Date Issued _____
Certificate of Insurance Received _____

PUBLIC EVENT AND TOWN USE PERMIT APPLICATION

Venue Requested:

Muskrat Park
The Wilson Reading Garden

- _____ Frederick Douglass Park
- _____ Hollis Park
- _____ Clint Bradley Park
- _____ Back Creek Park
- _____ St. Mary's Square

Other: St. Michaels

Dates of Use Requested:

12/2/2023 12/7/23

Time of Event Requested:

4 pm - 7 pm

Purpose of Event:

Shop w/ a Cop

Permits Requested:

- Sign Permit Public Event
- Outdoor Speakers associated with Public Events in CC, MC and HD Zones
- _____ Public/Private Event Held in Public Park
- _____ Exception request to allow Alcoholic Beverages on Town Property
- _____ Farmer's Market
- Parade/ Road Closure

COMPLETED APPLICATION TO BE SUBMITTED A MINIMUM OF **60 DAYS** PRIOR TO THE EVENT.

1. Name of Applicant and/or Responsible Person

St. Michaels Police Department

Address of Applicant

100 S Fremont St.

Phone Number (410) 745-9500

Fax (410) 745-2653

Cell Number ()

Email josewald@stmichaelsmd.gov

On Whose behalf is this event being conducted? (Organization, Corporation, etc.)

S.M.Y.L.E. St. Michaels Youth & Law Enforcement

2. Chairperson and/or responsible party for the event, if other than above:
(Include information how this person may be contacted at any time during the event).

Name

Chief Jeffrey A. Oswald

Address

100 S Fremont St. St. Michaels, MD 21663

Phone Number (410) 745-9500

Fax (410) 745-2653

Cell Number ()

Email josewald@stmichaelsmd.gov

3. To whom is the permit to be issued?

Name

St. Michaels Police Department

Address

100 S. Fremont St. St. Michaels, MD 21663

4. Location(s) of the event

Front Porch and Street in front of SMPD

Provide a map showing the location of all venues, proposed street closing and parade, biking or running routes, sanitary facilities.

6. Estimated number of Attendees 50-100

7. Running/ biking events and parades shall provide an estimated time for road closures if applicable (**Provide approvals from State Highway (SHA) and St. Michaels Police Department with this application**). Please note that the Town has been notified by SHA that they will no longer provide traffic management sign boards at the entrances into Town. It shall be the responsibility of the applicant to obtain traffic management signs and coordinate the placement of said signs with SHA for any closures to MD Rt. 33.

8. Traffic Management Plan which includes street closures, times for such closures, detour routes, public notification signage, the availability of additional personnel as required to assist in safe vehicular and pedestrian movement

9 A description of activities planned during the event including vendors and their locations

Families will bring children to police department to sit with Santa on front porch, pick up gifts, eat snacks in front of PD and listen to music provided by DJ.

10. Is the use of outdoor speakers being proposed Yes No

If yes, provide a map showing the proposed location(s) and hours of use.

*Dates/Hours of Use: Date: 12/8/2023 5pm to 7pm

Date: _____ to _____

*Permitted hours: Sunday 1pm - 6pm, Monday - Friday the use of outdoor speakers shall cease no later than 7pm, with the exception of Midnight Madness- music and announcements after 10 pm shall be restricted and must end by midnight.

11. A communication plan is required outlining the methods of information for distribution to the residents and businesses that may be directly impacted by the public event. (e.g. Town Web Site, notices posted in public locations such as the post office and library, door hangers etc.). The required notification shall be available for review by the public a minimum of 15 days prior to the Commissioners review of the application.

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The Commissioners of St. Michaels recognizes that there are functions conducted in the municipality that contribute to the small-time charm and character of the Town that may require signage not specifically set forth in this chapter applicants for such functions shall supply the following information as set forth in Chapter 340 Zoning, Subsection 40 Signs. Therefore, such applicants for such events shall submit the following application to Codes Enforcement Officer for temporary signage or to the Commissioners of St. Michaels for their consideration and approval as part of a full public event application.

The number, type and location of the proposed signage N/A

Please attach a drawing of the signage proposed and map of sign locations (if other than property location or if multiple signs are proposed).

Type(s) of Signage (circle all that apply based on provisions below):

Community sponsored event sign

Temporary Signage

Festival or community sponsored functions

Charitable fundraising activities or special events for which signage is proposed to be located on utility poles.

14. Request for exemption for alcohol to be served on Town Property?

Yes _____ No

Chapter 80 (Alcoholic Beverages) is attached

(If yes, provide a map showing the proposed pouring locations)

15. Sanitary Facilities Total Number , *Municipal 16t off of Fremont St.*

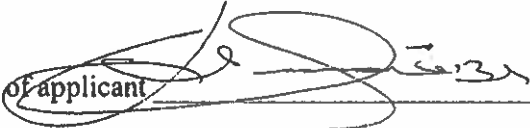
Number of Handicapped Accessible Units N/A

(If yes, provide a map showing all locations)\

16. Recycling Facilities - Applicant must provide one recycle can per trash can.

By signing, I have read and understand the requirements of the St. Michaels Code, Chapters 80, 216, 250 and 224 (copies attached) and accept the responsibility of ensuring that all rules and regulations are complied with.

I further acknowledge that all venues which involve the sale or consumption of alcoholic beverages are in compliance with all State and County Liquor Licensing Requirements.

Signature of applicant  Date 10-23-23

Permit issued by: _____ Date _____
Commissioners of St. Michaels

St. Michaels Police Chief (if needed) Date

St. Michaels Zoning Officer (if needed) Date

Event/ Road Closure

PUBLIC NOTIFICATION OF ROAD CLOSURES

The applicant for a special event, which involves the closure of MD Rt. 33, shall be responsible for obtaining and installing appropriate signage to notify the public of such road closure. The sign shall contain the following information:

Date of the event

Times of road closure

Purpose of the event

I hereby certify that I have read and understood the requirement for public notification as set forth above and will secure and install such signage a minimum of **7 days prior** to the event. Signage to be installed at the southern and northern entrances into the Town.

Signage to be removed with 48 hours after the conclusion of the event.

Signature

Date

*St. Michaels Police Department
100 South Fremont Street
PO Box 986
St. Michaels, MD 21663
410-745-9500*

To: The Commissioners of St. Michaels

From: Sgt. J. Newcomb 0174

Re: Report for October 2023

Total Service Calls: 640

Fuel Used: **414 Gallons**

Total Arrests: **9**

Criminal/other: **3**

Juvenile Arrests: **0**

CDS Arrests: **0**

DUI/DWI Arrests: **1**

Warrant/ Summons: **3**

MA Traffic Arrests / Not DUI: **1**

Emergency Petition: **1**

0 Assaults
0 Domestic Violence / Assaults
0 Burglaries
3 Thefts
0 Malicious Destruction of Properties
0 Trespass/Unwanted Subjects
2 Alarms
4 Noise Complaints
7 Parking Complaints
8 Traffic Collisions
8 Assist Other Agencies
11 Mutual Aid Assists
16 Parking Ticket
84 Hours of Foot/Bike Patrol
8 Hours of Training
15 Hours of Meetings
2 Hours of Court Appearance
338 Patrol Checks
266 Misc. Calls

St. Michaels Police Department's 2022-2023 Monthly and Year-End Totals

	Jan		Feb		Mar		Apr		May		Jun		Jul		Aug		Sept		Oct		Nov		Dec		Year Tot				
	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	
Traffic/Summons/Warrant	2	1	2	0	2	3	8	1	5	2	3	4	1	0	1	4	3	5	1	4	1				4			33	
Juvenile Arrest	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
DWI	0	0	0	0	2	0	0	0	2	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
CDS Arrest	0	1	1	0	0	0	0	0	2	0	0	0	0	0	1	1	0	1	0	1	0	0	0	0	0	0	0	0	8
Assists (Arrests)	0	5	0	1	2	1	0	1	3	0	2	4	4	2	0	1	2	2	2	3	5	0	0	0	0	0	0	0	16
Traffic Citations	2	3	4	7	19	5	9	2	22	51	8	39	8	26	3	4	9	7	1	8	2	2	3	3	3	3	3	90	
Traffic Warnings	51	26	82	22	36	25	68	30	88	25	59	75	46	28	48	20	79	18	60	29	28	28	36	36	36	36	681		
ERO	8	1	8	2	8	9	18	0	0	1	3	6	0	14	1	8	4	11	0	11	1	1	0	0	0	0	0	51	
FIR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Parking Tickets	0	6	5	2	6	7	11	25	18	7	44	6	29	9	8	4	29	2	13	16	18	27	27	27	27	27	208		
Warrants Obtained	0	0	0	0	0	1	0	0	1	0	2	1	0	0	2	0	1	0	0	0	0	0	0	0	0	0	0	6	
Summons Obtained	1	0	0	0	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	
Warrants Served	1	0	0	0	0	1	0	0	1	0	1	1	0	0	1	0	1	0	1	0	0	0	0	0	0	0	0	6	
Summons Served	1	1	1	0	1	0	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	6		
Alcohol/Tobacco	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9
Other Civil Citations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Municipal Infractions	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Service Calls	522	594	556	637	651	834	682	732	729	848	841	571	734	618	755	586	740	612	720	640	743	677	677	677	677	677	8350	6672	
Foot Patrol Hours	80	93	111	84	129	128	196	111	154	115	243	133	219	170	168	150	152	103	162	84	80	101	101	101	101	101	1795	1171	
Patrol Checks	451	477	324	503	437	589	488	497	578	452	467	384	489	431	535	309	540	333	479	338	516	473	473	473	473	473	5777	4313	
Self Initiated Calls	510	553	432	549	619	682	640	573	657	585	640	476	633	490	686	437	678	374	523	464	589	533	533	533	533	533	7140	5183	
Training Hours	28	2	49	9	19	7	98	51	30	18	85	28	31	13	65	14	54	16	64	8	2	14	14	14	14	14	539	166	
Meeting Hours	18	14	24	15	21	13	17	9	27	14	15	14	17	12	13	16	17	9	19	15	13	7	7	7	7	7	208	131	
Court Hours	6	10	14	4	6	10	6	6	28	2	7	2	20	2	2	8	11	0	4	2	6	5	5	5	5	5	115	46	

St. Michaels Police Department's 2022-2023 Call Breakdown

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year Tot												
Monthly Service Calls	522	594	656	637	651	834	682	732	729	848	841	571	734	618	755	586	740	612	720	640	743	677	8350		
Assaults	0	0	0	0	0	1	0	1	2	1	3	1	2	0	0	0	0	0	0	0	0	0	0	7	
Verbal Altercation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	25	
Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Domestic Violence / Assaults	0	3	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	3	
Missing Person	0	1	0	0	0	1	0	0	0	0	0	0	1	0	0	0	1	0	1	0	0	0	0	3	
Thefts	1	1	0	1	4	2	2	5	1	5	0	3	5	3	2	4	1	1	2	5	3	3	1	25	
MDOF	0	4	1	0	1	2	1	0	0	1	1	0	0	1	1	3	1	0	0	0	0	2	1	9	
B & E	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	3	
Trespass/Unwanted Subject	0	1	2	0	3	1	1	1	0	0	1	3	1	2	1	4	0	1	0	1	0	0	2	18	
Disorderly Conduct	0	0	1	0	0	1	1	0	0	0	3	0	1	1	1	1	2	0	0	3	2	0	1	13	
Harassment	0	1	0	0	1	1	0	0	2	0	0	1	1	2	0	0	3	0	0	2	1	0	1	10	
Alarms	4	7	8	11	5	5	9	6	11	10	8	8	6	8	4	13	10	7	7	2	7	2	17	105	
CDS	0	1	1	0	0	0	0	0	2	0	0	1	0	1	0	1	0	1	0	1	0	0	2	9	
Death Report/Investigation	0	0	0	0	0	1	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0	1	3
Warrant/Summons	2	1	1	0	1	1	1	1	1	0	2	1	0	0	0	1	0	0	2	1	3	0	3	12	
Underage Poss. Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Underage Poss. Tobacco	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Noise Complaint	1	2	2	3	5	2	0	3	3	8	10	1	6	4	5	2	9	3	6	4	2	2	2	51	
Animal Complaint	1	2	2	2	6	3	5	5	7	4	6	4	6	2	3	2	6	2	7	1	1	1	2	52	
Boating Complaint	0	0	0	0	0	0	0	0	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	5	
Parking Complaint	2	3	0	3	2	1	1	5	5	7	7	3	9	1	5	3	7	5	3	3	0	5	4	50	
Assist Motorist	2	2	2	3	2	3	1	2	2	5	2	2	6	3	4	0	1	1	2	2	5	2	1	27	
Traffic Complaint	1	2	0	4	3	6	4	2	4	4	6	4	10	1	6	3	4	3	6	5	6	6	3	53	
Traffic Control	0	3	7	2	0	0	0	0	5	0	4	2	3	1	0	2	3	1	2	29	4	4	6	34	
Traffic Collision	1	4	1	3	4	3	3	8	2	6	3	2	2	3	5	7	1	1	9	8	4	5	5	40	
DWI / DUI	0	0	0	0	2	0	0	0	2	0	0	1	1	1	0	0	0	0	0	0	1	0	0	5	
Assist Other Agency	7	11	16	11	16	9	14	15	13	16	13	16	23	14	17	16	19	19	19	19	15	16	16	188	
Misc. Calls	49	95	187	90	158	202	150	104	83	324	319	133	154	139	69	221	122	228	162	266	99	134	1686		

GASOLINE PUMP

October 2023

Month/Year

Sgt. Sawyer #0186
Officer Name

DATE	TIME	VEHICLE	ODOMETER	START READ	END READ	GALLONS
10/17	1455	17377	50849	3513	3529	15.5
10/20	1725	17377	51104	3782.2	3798.5	16.3
10/30	1640	17377	51335	4002.2	4017.1	14.9
TOTAL GALLONS						46.7

GASOLINE PUMP

Month/Year Oct. 23

Officer Name Newcomb

DATE	TIME	VEHICLE	ODOMETER	START READ	END READ	GALLONS
10/9/23	0630	12931		35595	35731	13.6
10/12/23	0735	12931	57556	36138	36272	13.4
10/14/23	0636	12931	57736	36579	36704	12.5
10/19/23	0500	12931	57916	37681	37832	14.1
10/25/23	1400	12931	58105	39035	39182	14.6
10/29/23	2115	12931	58366	39656	39790	13.3
TOTAL GALLONS						81.5

GASOLINE PUMP

October 2023

Month/Year

Brittenham
Officer Name

DATE	TIME	VEHICLE	ODOMETER	START READ	END READ	GALLONS
Oct. 3	0145	08617	52888	3427	3440	13
Oct. 6	1845	08617	53037	3500	3513	13
Oct 8	1409	08617	53229	3542	3559	17 17
Oct 12	1535	08617	53407	3627	3641	14
Oct 15	0230	08617	53573	3670	3685	15
Oct 18	0245	08617	53718	3724	3737	13
Oct 22	0200	08617	53894	3798	3813	15
Oct 26	1740	08617	54076	3918	3932	14
Oct 31	1505	08617	54270	4017	4032	15
TOTAL GALLONS						129

85

GASOLINE PUMP

Oct. 2023

Month/Year

T. Ford

Officer Name

DATE	TIME	VEHICLE	ODOMETER	START READ	END READ	GALLONS
Oct 8, 2023	0146		1412332		13.7	13.7
Oct 11, 2023	2020		244		18.5	18.5
Oct 16, 2023	2010		379		13.7	13.7
Oct 22, 2023	0248		508		14.2	14.2
Oct 26, 2023	1845		756		12.7	12.7
Oct 31, 2023	2320		949		13.5	13.5
TOTAL						84.3
GALLONS						84.3

The Commissioners of St. Michaels
Monthly Disbursements-General Account
October 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
	10/12/2023	Visa	QuickBooks ...	1042 · General Che...	
Remove Credit	08/01/2023	Visa	Credit was ap...	20000 · *Accounts P...	0.00
TOTAL					0.00
ACH	10/28/2023	Maryland Unemplo...	0065870053	1042 · General Che...	
			0065870053	24300 · MD Unempl...	-409.76
TOTAL					-409.76
3174	10/02/2023	At the Scene		1042 · General Che...	
841911	09/29/2023		Police Janitorial Admin. Janito...	64052 · Police Janit... 62092 · Admin Janit...	-100.00 -95.00
TOTAL					-195.00
3175	10/02/2023	Crystal Springs	Customer Ac...	1042 · General Che...	
22652145092823	09/28/2023		Water / 300 M...	62102 · Office Suppl...	-118.34
TOTAL					-118.34
3176	10/02/2023	Lumberyard	Acct.#: 459535	1042 · General Che...	
Statement	09/30/2023		Municipal Bld... Streets Maint... Parks & Rec. ...	62096 · Municipal Bl... 65083 · Streets Mai... 650912 · Parks/Rec ...	-43.37 -20.99 -158.59
TOTAL					-222.95
3177	10/02/2023	Staples	Customer: A...	1042 · General Che...	
8071785291	10/02/2023		PZ Office Exp. PZ Office Exp... Admin. Office ...	63051 · P/Z Office E... 63051 · P/Z Office E... 62102 · Office Suppl...	-170.26 -68.30 -149.82
TOTAL					-388.38
3178	10/02/2023	APG Media of Ches...	Acct.#: 131	1042 · General Che...	
3034399	09/27/2023		Admin Notice ...	62090 · Admin Notic...	-245.00
TOTAL					-245.00
3179	10/02/2023	Suburban Propane	Account #: 1...	1042 · General Che...	
582683	09/20/2023		Boy Scout Lo...	62095 · Municipal Bl...	-22.19
TOTAL					-22.19
3180	10/02/2023	Talbot County Sani...	Maritime Mu...	1042 · General Che...	
234099	10/01/2023		Municipal Bld...	62095 · Municipal Bl...	-243.75
TOTAL					-243.75

The Commissioners of St. Michaels Monthly Disbursements-General Account October 2023

Num	Date	Name	Memo	Account	Paid Amount
3181	10/02/2023	Talbot County Sani...	Acct.#: 02-0...	1042 · General Che...	
234218	10/01/2023		Municipal Bld...	62095 · Municipal Bl...	-243.75
TOTAL					-243.75
3182	10/02/2023	Talbot County Sani...	Glory Ave.	1042 · General Che...	
234247	10/01/2023		Municipal Bld...	62095 · Municipal Bl...	-121.88
TOTAL					-121.88
3183	10/04/2023	Vickie Sharp		1042 · General Che...	
Gift Card - K Eglsted	10/03/2023		Admin. Office ...	62102 · Office Suppl...	-200.00
Cake & Card	10/03/2023		Cake/Acme - ...	62102 · Office Suppl...	-80.31
			Card/Giant - ...	62102 · Office Suppl...	-4.23
K. Eglseder Retire	10/03/2023		Gif Card to Le...	62102 · Office Suppl...	-100.00
TOTAL					-384.54
3184	10/04/2023	Commissioners	Payroll Oct 6,...	1042 · General Che...	
PR 10062023	10/04/2023		Payroll Oct 6, ...	1043 · Payroll Chec...	-58,072.22
TOTAL					-58,072.22
3185	10/04/2023	Mission Square 30...	Acct.# 305226	1042 · General Che...	
			Acct.# 305226	24801 · Mission Squ...	-800.00
TOTAL					-800.00
3186	10/04/2023	Mission Square 10...	pp 9/19/2023 ...	1042 · General Che...	
			Retiree Benefi...	6202 · Retirees Ben...	-475.38
TOTAL					-475.38
3206	10/11/2023	APG Media of Ches...	Acct. No. 131	1042 · General Che...	
3035926	10/04/2023		PZ Notice / Is...	63053 · P/Z Advertis...	-78.75
TOTAL					-78.75
3207	10/11/2023	At the Scene		1042 · General Che...	
841930	10/06/2023		Police Janitorial	64052 · Police Janit...	-100.00
			Admin. Janito...	62092 · Admin Janit...	-30.00
TOTAL					-130.00
3208	10/11/2023	Breezeline	Acct.#: 8335 ...	1042 · General Che...	
410-745-0000	09/26/2023		Water Dept. T...	69048 · Water Telep...	-159.91
TOTAL					-159.91

The Commissioners of St. Michaels Monthly Disbursements-General Account October 2023

Num	Date	Name	Memo	Account	Paid Amount
3209	10/11/2023	Chesapeake Emplo...	Policy #: 219...	1042 · General Che...	
Monthly Paymet	10/04/2023		Admin. Work...	620115 · Admin Wor...	-67.49
			PZ Workmen...	63015 · PZ Workma...	-426.06
			PD Workmen...	64015 · Police Work...	-4,551.03
			PW Workmen...	65015 · PW Workm...	-1,772.42
TOTAL					-6,817.00
3210	10/11/2023	Choptank Electric	Acct.#: 2184...	1042 · General Che...	
Long Foster Bld	10/03/2023		109 S. Talbot ...	65088 · Electric- Str...	-107.00
TOTAL					-107.00
3211	10/11/2023	Environmental Ser...	12034	1042 · General Che...	
335424	10/02/2023		Landfill Fees	65071 · Landfill Fees	-453.15
TOTAL					-453.15
3212	10/11/2023	Fluharty's Electric	Water Tower ...	1042 · General Che...	
A00112863	10/04/2023		Water Tower ...	69051 · Water Mater...	-205.39
TOTAL					-205.39
3213	10/11/2023	Home Paramount	112-86759	1042 · General Che...	
6480420	10/05/2023		Commercial ...	62096 · Municipal Bl...	-75.00
TOTAL					-75.00
3214	10/11/2023	Kelly & Associates	Acct. ID: 82110	1042 · General Che...	
Nov. 2023 coverage	10/05/2023		Admin. Benefi...	620113 · Benefits	-2,680.25
			PZ Benefits / ...	63013 · Benefits	-1,537.50
			Police Dept. B...	64013 · Benefits	-5,158.49
			PW Dept. Be...	65013 · Benefits	-7,064.24
			Admin. / Pape...	620113 · Benefits	-15.75
			PZ / Paper Bil...	63013 · Benefits	-15.75
			Police Dept. / ...	64013 · Benefits	-15.75
			PW / Paper Bi...	65013 · Benefits	-15.75
TOTAL					-16,503.48
3215	10/11/2023	L.N. Curtis and Sons		1042 · General Che...	
INV749693	09/26/2023		Police Unifor...	64043 · Police Unifo...	-34.40
TOTAL					-34.40
3216	10/11/2023	Levan Ruff, LLC		1042 · General Che...	
247	10/04/2023		Legal Expens...	6204 · Legal Expens...	-9,350.00
TOTAL					-9,350.00

The Commissioners of St. Michaels Monthly Disbursements-General Account October 2023

Num	Date	Name	Memo	Account	Paid Amount
3217	10/11/2023	Maryland Small Ar...	Shoulder Pat...	1042 · General Che...	
104-64026	10/06/2023		Police Sholud...	64043 · Police Unifo...	-200.00
TOTAL					-200.00
3218	10/11/2023	MDIA		1042 · General Che...	
849138	10/06/2023		PZ Inspection...	63052 · P/Z Inspecti...	-80.00
TOTAL					-80.00
3219	10/11/2023	Pierson Comfort G...		1042 · General Che...	
QB127662	10/12/2023		Parks & Rec. ...	650912 · Parks/Rec ...	-385.40
TOTAL					-385.40
3220	10/11/2023	PNC Bank	Acct. ending ...	1042 · General Che...	
Statement	10/02/2023		Tourism / Con...	6203 · Tourism/Com...	-145.00
			Tourism / Ado...	6203 · Tourism/Com...	-58.29
			Admin. Dues ...	62089 · Admin Dues...	-21.19
TOTAL					-224.48
3221	10/11/2023	Republic Services	Acct.#: 3-04...	1042 · General Che...	
0426-001047383	09/30/2023		Recycling Ser...	65074 · Recycling S...	-5,060.00
			Trash Pick-Up	65076 · Trash Pick-Up	-11,075.50
TOTAL					-16,135.50
3222	10/11/2023	ShoreScan Solutions	Customer ID:...	1042 · General Che...	
8571	10/03/2023		Document Re...	62097 · Document R...	-150.00
TOTAL					-150.00
3223	10/11/2023	Utility Service Co., ...		1042 · General Che...	
590804	10/01/2023		Water Tower ...	69062 · Water Towe...	-6,916.10
590803	10/01/2023		Water Tower ...	69062 · Water Towe...	-7,478.24
TOTAL					-14,394.34
3224	10/11/2023	Xerox Financial Se...	Contract #: ...	1042 · General Che...	
4887288	10/10/2023		Xerox Copier /...	62099 · Copier / Pos...	-514.77
TOTAL					-514.77
3225	10/11/2023	Breezeline	Acct.#: 8335 ...	1042 · General Che...	
Boy Scout Lodge	10/02/2023		Internet / Boy ...	62100 · Internet	-223.66
TOTAL					-223.66

The Commissioners of St. Michaels
Monthly Disbursements-General Account
October 2023

Num	Date	Name	Memo	Account	Paid Amount
3226	10/12/2023	APG Media of Ches...		1042 · General Che...	
3034909	10/01/2023		Admin Notice ...	62090 · Admin Notic...	-175.00
3034268	10/01/2023		Admin. Notice...	62090 · Admin Notic...	-341.25
TOTAL					-516.25
3227	10/12/2023	Crystal Springs	Customer Ac...	1042 · General Che...	
232633451004	09/20/2023		Water / 300 M...	62102 · Office Suppl...	-118.09
TOTAL					-118.09
3228	10/12/2023	Doggie Walk Bags	Customer #: ...	1042 · General Che...	
0109660-IN	10/11/2023		Nature Trail M...	650916 · Nature Trai...	-500.00
TOTAL					-500.00
3229	10/12/2023	Galls, LLC	Acct.# 5417653	1042 · General Che...	
025763966	09/24/2023		Police Unifor...	64043 · Police Unifo...	-99.22
TOTAL					-99.22
3230	10/12/2023	Intercoastal Tradin...		1042 · General Che...	
233662	09/15/2023		Water Dept. ...	69051 · Water Mater...	-1,408.10
233661	09/15/2023		Water Dept. ...	69051 · Water Mater...	-2,095.60
TOTAL					-3,503.70
3231	10/12/2023	Kelley Investigative...		1042 · General Che...	
Polygraph /Sica	08/30/2023		Police Person...	64042 · Police Pers...	-300.00
TOTAL					-300.00
3232	10/12/2023	LexisNexis		1042 · General Che...	
3852922X	09/23/2023		PZ Office Exp...	62093 · Codification ...	-236.10
38680149	10/04/2023		PZ Office Exp...	62093 · Codification ...	-425.31
TOTAL					-661.41
3233	10/12/2023	MDIA		1042 · General Che...	
848851	09/21/2023		Property Insp...	63052 · P/Z Inspecti...	-80.00
848965	09/28/2023		PZ Inspection...	63052 · P/Z Inspecti...	-80.00
TOTAL					-160.00
3234	10/12/2023	One Call	Acct.#: 0000...	1042 · General Che...	
3096054	09/30/2023		Miss Utility	69053 · Water Misc...	-18.80
TOTAL					-18.80

The Commissioners of St. Michaels Monthly Disbursements-General Account October 2023

Num	Date	Name	Memo	Account	Paid Amount
3235	10/12/2023	Sharp Water Cullig...	AcctID# 125...	1042 · General Che...	
20512389	10/01/2023		Police Dept. ...	64053 · Police Offic...	-18.00
TOTAL					-18.00
3236	10/12/2023	Sue Ann Raring	Fall Decorati...	1042 · General Che...	
Fall 2023	10/12/2023		Reimb. for Fal...	650918 · Park Enha...	-174.00
TOTAL					-174.00
3237	10/12/2023	The Irvin H. Hahn C...		1042 · General Che...	
61392	08/16/2023		Police Unifor...	64043 · Police Unifo...	-262.60
TOTAL					-262.60
3238	10/12/2023	Visa	Acct. #: 4009...	1042 · General Che...	
Statement 10-1-2...	10/01/2023		Codification E...	62093 · Codification ...	-72.33
			Signs/Park & ...	65081 · Signs	-155.38
			Pump for wat...	650913 · Parks/Rec ...	-99.40
			Check Stock	62012 · Less Costs t...	-338.68
			Phone Case/...	65022 · Generator ...	-60.61
			B. Thompson ...	65066 · M/G Miscell...	-87.46
			Signs	64058 · Speed Cam...	-1,193.46
			J Harrod TC ...	610033 · Other meet...	-49.71
TOTAL					-2,057.03
3239	10/12/2023	Visa	Acct.#: 40097...	1042 · General Che...	
SMPD 10-1-2023	10/01/2023		Admin. Office ...	62102 · Office Suppl...	-40.00
			USB Memory ...	64053 · Police Offic...	-25.99
			Office Supplies	64053 · Police Offic...	-30.74
			Tranzport Hoo...	64045 · Police Equip...	-74.23
TOTAL					-170.96
3240	10/13/2023	Breezeline	Acct.#: 8335 ...	1042 · General Che...	
100 Fremont - 10/23	10/13/2023		Police Dept. T...	64049 · Police Telep...	-350.66
TOTAL					-350.66
3241	10/13/2023	El Rancho Contr...	Repairs to Fe...	1042 · General Che...	
626267	10/13/2023		Repairs to Fe...	650912 · Parks/Rec ...	-450.00
TOTAL					-450.00
3242	10/13/2023	Pep-up	145450-1	1042 · General Che...	
6509257	10/09/2023		Police Vehicle...	64046 · Police Vehic...	-908.37
			PW Vehicle E...	65021 · PW Vehicle ...	-90.84
			Parks & Rec. ...	650913 · Parks/Rec ...	-90.84
			Streets/Sidew...	65087 · Streets Vehi...	-363.35
			SW Vehicle E...	65073 · S/W Vehicle...	-363.33
TOTAL					-1,816.73

The Commissioners of St. Michaels
Monthly Disbursements-General Account
October 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
3243	10/13/2023	Petty Cash - St. Mi...		1042 · General Che...	
PC 10-12-2023	10/13/2023		Reimb. of SM...	64053 · Police Offic...	-105.01
TOTAL					-105.01
3244	10/13/2023	Sharp Water Cullig...	AcctID# 1251...	1042 · General Che...	
20521267	10/11/2023		Police Dept. ...	64053 · Police Offic...	-59.47
TOTAL					-59.47
3245	10/13/2023	SOS Plumbing	Leak - on to...	1042 · General Che...	
8316	10/13/2023		Water Leak at...	69051 · Water Mater...	-800.00
TOTAL					-800.00
3252	10/17/2023	Mission Square 30...	Acct.# 305226	1042 · General Che...	
			Acct.# 305226	24801 · Mission Squ...	-800.00
TOTAL					-800.00
3253	10/17/2023	Mission Square 10...	pp 10/3/2023 ...	1042 · General Che...	
			Retiree Benefi...	6202 · Retirees Ben...	-475.38
TOTAL					-475.38
3254	10/19/2023	Commissioners	Payroll Oct 2...	1042 · General Che...	
PR 10202023	10/19/2023		Payroll Oct 20...	1043 · Payroll Chec...	-50,345.97
TOTAL					-50,345.97
3255	10/19/2023	Board of Waterwor...	Brian Thomp...	1042 · General Che...	
Certificate 10056	10/19/2023		Application for...	69046 · Water Trave...	-50.00
TOTAL					-50.00
3256	10/19/2023	At the Scene	Cleaning To...	1042 · General Che...	
841947	10/13/2023		Police Janitorial	64052 · Police Janit...	-100.00
			Admin. Janito...	62092 · Admin Janit...	-95.00
TOTAL					-195.00
3257	10/19/2023	Bartlett Tree Experts	Foliage Treat...	1042 · General Che...	
40670087-0	10/09/2023		Foliage Treat...	6505 · Tree Planting...	-162.00
TOTAL					-162.00
3258	10/19/2023	Board of Waterwor...	Water Treat...	1042 · General Che...	
S. Batson/Cont Ed	10/19/2023		Appl. for Wat...	69046 · Water Trave...	-100.00
TOTAL					-100.00

The Commissioners of St. Michaels
Monthly Disbursements-General Account
October 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
3259	10/19/2023	CJ Weisman Balan...		1042 · General Che...	
Reimb. HI Nov 2023	10/19/2023		Reimb. HI Ex...	6202 · Retirees Ben...	-999.36
TOTAL					-999.36
3260	10/19/2023	Diligent Corporation	Board Paq A...	1042 · General Che...	
407214	08/31/2023		COSM Electr...	610035 · COSM Ele...	-2,804.76
TOTAL					-2,804.76
3261	10/19/2023	L.N. Curtis and Sons		1042 · General Che...	
675335	10/19/2023		Police Unifor...	64043 · Police Unifo...	-23.95
TOTAL					-23.95
3262	10/19/2023	MDIA	Final/Approv...	1042 · General Che...	
849275	10/13/2023		Final/Approve...	63052 · P/Z Inspecti...	-80.00
TOTAL					-80.00
3263	10/19/2023	RAUCH, Inc.		1042 · General Che...	
6071	10/10/2023		Nature Trail E...	650920 · Nature Trai...	-1,750.00
TOTAL					-1,750.00
3264	10/19/2023	Board of Waterwor...	Water Treat...	1042 · General Che...	
T. Lynch/Cont Ed	10/19/2023		Appl. for Wat...	69046 · Water Trave...	-100.00
TOTAL					-100.00
3265	10/19/2023	Board of Waterwor...	Water Treat...	1042 · General Che...	
R. Atkinson/Cont Ed	10/19/2023		Appl. for Wat...	69046 · Water Trave...	-100.00
TOTAL					-100.00
3277	10/25/2023	APG Media of Ches...		1042 · General Che...	
3036308	10/18/2023		Admin Notice ...	62090 · Admin Notic...	-192.50
3037372	10/19/2023		PZ Notice / Is...	63053 · P/Z Advertis...	-52.50
TOTAL					-245.00
3278	10/25/2023	At the Scene		1042 · General Che...	
810708	10/20/2023		Police Janitorial	64052 · Police Janit...	-100.00
			Admin. Janito...	62092 · Admin Janit...	-30.00
TOTAL					-130.00

The Commissioners of St. Michaels
Monthly Disbursements-General Account
October 2023

Num	Date	Name	Memo	Account	Paid Amount
3279	10/25/2023	Bay Hundred Auto...	St. Michaels ...	1042 · General Che...	
63406	10/19/2023		Police Vehicle...	64046 · Police Vehic...	-134.39
TOTAL					-134.39
3280	10/25/2023	Breezeline	Acct.#: 8335 ...	1042 · General Che...	
410-745-9535	10/16/2023		Admin. Internet	62100 · Internet	-270.51
TOTAL					-270.51
3281	10/25/2023	Callahan Signs	Police Vehicl...	1042 · General Che...	
1929	10/10/2023		Police Vehicle...	64058 · Speed Cam...	-625.00
TOTAL					-625.00
3282	10/25/2023	Choptank Electric		1042 · General Che...	
9/9-10/9/2023	10/18/2023		Acct. # 21868...	65088 · Electric- Str...	-19.00
			Acct # 21847...	65088 · Electric- Str...	-29.00
			Acct # 21848...	69044 · Electric-Wel...	-781.00
			Acct.# 99135...	65088 · Electric- Str...	-19.00
TOTAL					-848.00
3283	10/25/2023	East Coast Poly So...		1042 · General Che...	
2310-0610-0043-1	10/20/2023		Form/Pour ba...	65082 · Sidewalk Re...	-2,429.00
2310-1306-4596-1	10/20/2023		Back concrete...	65083 · Streets Mai...	-1,850.00
TOTAL					-4,279.00
3284	10/25/2023	FOVNDRY	Facebook Ad...	1042 · General Che...	
STM_23-07	10/25/2023		Facebook Ad...	6203 · Tourism/Com...	-3,000.00
TOTAL					-3,000.00
3285	10/25/2023	Galls, LLC	Acct.# 5417653	1042 · General Che...	
025947174	10/12/2023		Police Unifor...	64043 · Police Unifo...	-100.33
TOTAL					-100.33
3286	10/25/2023	Hertrich Ford	St. Michaels ...	1042 · General Che...	
6103498/1	10/20/2023		Police Vehicle...	64046 · Police Vehic...	-83.49
TOTAL					-83.49
3287	10/25/2023	Kyle Brittingham	Reimburse f...	1042 · General Che...	
Car Wash #166	10/24/2023		Reimburse for...	64046 · Police Vehic...	-22.00
TOTAL					-22.00

The Commissioners of St. Michaels Monthly Disbursements-General Account October 2023

Num	Date	Name	Memo	Account	Paid Amount
3288	10/25/2023	Pep-up	145450-1	1042 · General Che...	
6509953	10/13/2023		PW Vehicle E... Parks & Rec. ... Streets Vehicl... SW Vehicle E...	65021 · PW Vehicle ... 650913 · Parks/Rec ... 65087 · Streets Vehi... 65073 · S/W Vehicle...	-298.85 -298.85 -298.85 -298.85
TOTAL					-1,195.40
3289	10/25/2023	Pyschedelic Bubble	Pumpkin & F...	1042 · General Che...	
Event 10-21-23	10/24/2023		Fall into St. Mi...	64000 · SMYLE Exp...	-226.00
TOTAL					-226.00
3290	10/25/2023	Talbot County Mar...		1042 · General Che...	
9960	10/24/2023		Real Estate T...	62082 · Real Estate ...	-64.21
10073	10/24/2023		Real Estate T...	62082 · Real Estate ...	-325.25
TOTAL					-389.46
3291	10/25/2023	Verizon	Acct.# 850-38...	1042 · General Che...	
410-745-9500	10/06/2023		Police Dept. T...	64049 · Police Telep...	-629.05
TOTAL					-629.05
3292	10/25/2023	Verizon Wireless	Acct.#: 7422...	1042 · General Che...	
9946428808	10/09/2023		PW Cell Phon... Code Enforce...	65067 · M/G Teleph... 63051 · P/Z Office E...	-47.44 -42.39
TOTAL					-89.83
3293	10/25/2023	Xerox Financial Se...	Contract #: ...	1042 · General Che...	
4884264	10/10/2023		Xerox Copier /...	64053 · Police Offic...	-184.96
TOTAL					-184.96
3294	10/25/2023	Choptank Electric		1042 · General Che...	
9/11-10/11/2023	10/24/2023		Boy Scout Lo... Water St., St ... 109 S. Talbot ... 105 Gloria Av... St. Mary's Sq... Muskrat Park ... Lease Lights ... South Tank 1... Public Restro... SM Police De... 109 Gloria Av... 115 Fremont ...	62095 · Municipal Bl... 65088 · Electric- Str... 65088 · Electric- Str... 69044 · Electric-Wel... 65088 · Electric- Str... 65088 · Electric- Str... 65088 · Electric- Str... 69044 · Electric-Wel... 65088 · Electric- Str... 64041 · Police Utilities 62095 · Municipal Bl... 62095 · Municipal Bl...	-47.00 -39.00 -19.00 -1,304.00 -20.00 -72.00 -3,256.00 -74.00 -22.00 -315.00 -85.00 -67.00
TOTAL					-5,320.00

The Commissioners of St. Michaels
Monthly Disbursements-General Account
October 2023

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
3295	10/25/2023	Choptank Electric		1042 · General Che...	
Sept 2023	10/16/2023		602 Railroad ...	65088 · Electric- Str...	-19.00
			100 Perry Ca...	65088 · Electric- Str...	-141.00
			Hollis Park/30...	62095 · Municipal Bl...	-326.00
			Skate Board ...	65088 · Electric- Str...	-22.00
			Mill St. Parkn...	65088 · Electric- Str...	-75.00
			712 N. Talbot ...	65088 · Electric- Str...	-141.00
			105 Brooks L...	65088 · Electric- Str...	-46.00
TOTAL					-770.00
3296	10/25/2023	Verizon	Acct.#: 650-...	1042 · General Che...	
410-745-5147	10/06/2023		MG Telephone	65067 · M/G Teleph...	-137.90
			Water Dept. T...	69048 · Water Telep...	-137.90
TOTAL					-275.80
3297	10/25/2023	Verizon Wireless	Acct.#: 7422...	1042 · General Che...	
9946428807	10/09/2023		Police Dept. T...	64049 · Police Telep...	-713.76
TOTAL					-713.76
3298	10/31/2023	Commissioners	Payroll PP N...	1042 · General Che...	
PR 11032023	10/31/2023		Payroll PP No...	1043 · Payroll Chec...	-49,624.91
TOTAL					-49,624.91
3299	10/31/2023	Mission Square 10...	pp 10-17-23 -...	1042 · General Che...	
Pay Date 11-03-2...	10/31/2023		pp 10-17-23 - ...	6202 · Retirees Ben...	-475.38
TOTAL					-475.38
3300	10/31/2023	Mission Square 30...	Acct.# 305226	1042 · General Che...	
			Acct.# 305226	24801 · Mission Squ...	-800.00
TOTAL					-800.00
1006202303	10/04/2023	Retirement, State	00008525	1042 · General Che...	
			Penalty for pa...	62087 · Miscellaneous	-253.86
			00008525	24500 · State Retire...	-3,278.72
TOTAL					-3,532.58

The Commissioners of St. Michaels
Actual vs. Budget 2023-2024
July through October 2023

	Jul - Oct 23	Budget	\$ Over Budget	% of Budget
Income				
4960 · Proceeds from Sale of Asset	847,244.01			
4001 · Taxes Receipts				
40011 · Real Estate Taxes	1,627,222.75	1,480,872.00	146,350.75	109.9%
4002 · Taxes- Other				
40021 · Local Income Tax	60,819.59	225,000.00	(164,180.41)	27.0%
40022 · Accomodation Tax	0.00	750,000.00	(750,000.00)	0.0%
40023 · Admissions & Amusements	0.00	150,000.00	(150,000.00)	0.0%
40024 · Highway Use Tax	(13,432.07)	102,000.00	(115,432.07)	(13.2)%
Total 4002 · Taxes- Other	47,387.52	1,227,000.00	(1,179,612.48)	3.9%
40048 · Pymnt in Lieu of Taxes (PILOTS)	19,079.00			
4012 · Property Taxes				
40121 · Personal Property- Utilities	41,651.52	69,000.00	(27,348.48)	60.4%
40123 · Taxes- Int.,Disc.,Allow,net,etc	(3,032.96)	1,000.00	(4,032.96)	(303.3)%
40125 · Financial Corp. Tax	1,123.00	1,123.00	0.00	100.0%
Total 4012 · Property Taxes	39,741.56	71,123.00	(31,381.44)	55.9%
Total 4001 · Taxes Receipts	1,733,430.83	2,778,995.00	(1,045,564.17)	62.4%
4003 · Licenses and Permits				
40039 · Inspection Fees	0.00	44,000.00	(44,000.00)	0.0%
40038 · Special Event Fee	7,000.00	16,000.00	(9,000.00)	43.8%
40031 · Board of Appeals	150.00	1,200.00	(1,050.00)	12.5%
40032 · Other Licenses & Permits	1,200.00	2,000.00	(800.00)	60.0%
40033 · Land Use Management Fees	600.00	1,000.00	(400.00)	60.0%
40034 · HDC Permits	1,050.00	2,000.00	(950.00)	52.5%
40035 · Building Permits	5,750.00	5,700.00	50.00	100.9%
40036 · Animal Licenses	30.00	30.00	0.00	100.0%
40037 · Business/Traders Licenses	264.00	3,000.00	(2,736.00)	8.8%
Total 4003 · Licenses and Permits	16,044.00	74,930.00	(58,886.00)	21.4%
4004 · Grants/Revenue from other Agenc				
400501 · Canton Street Road (Extension of Canton Street)	88,000.00			
400426 · MDOT Grant / Nature Trail Ext.	8,720.00	28,000.00	(19,280.00)	31.1%
400427 · Flood Mitigation Study NH Rd.	36,874.12	60,000.00	(23,125.88)	61.5%
400428 · Flood Mitigation Study /SD Cr.	29,386.50	44,850.00	(15,463.50)	65.5%
40040 · Water Department Overhead	0.00	96,900.00	(96,900.00)	0.0%
40041 · State Fire, Rescue & Amb. Fnd.	0.00	3,000.00	(3,000.00)	0.0%
400413 · SMPD SMYLE Donations	4,713.00	15,000.00	(10,287.00)	31.4%
40044 · Critical Area Grant	0.00	4,500.00	(4,500.00)	0.0%
40046 · Police Protection State	9,789.50	55,256.00	(45,466.50)	17.7%
40047 · Crossing Guard/Talbot County	20,000.00	18,500.00	1,500.00	108.1%
40049 · FEMA Grant/ Stormwater Mitigati	2,019.06	210,000.00	(207,980.94)	1.0%
Total 4004 · Grants/Revenue from other Agenc	199,502.18	536,006.00	(336,503.82)	37.2%
4005 · Franchise and Rental Revenue				
400511 · Boat Slip LIST Fee	300.00	1,850.00	(1,550.00)	16.2%
40051 · Boat Slip Rent	0.00	27,920.00	(27,920.00)	0.0%
40053 · T-Mobile Tower Rent	10,282.59	37,404.00	(27,121.41)	27.5%
40054 · AT&T Tower Rent	13,752.12	55,008.00	(41,255.88)	25.0%
40056 · Verizon- Tower Rent	8,876.88	51,213.00	(42,336.12)	17.3%
40057 · Atlantic Broadband Cable Fee	6,132.00	26,733.00	(20,601.00)	22.9%
Total 4005 · Franchise and Rental Revenue	39,343.59	200,128.00	(160,784.41)	19.7%
4006 · Interest (Revenue from investments in cash, securities, and property)				
400611 · Interest- Repair&Replacement Fd	79,142.71	100,000.00	(20,857.29)	79.1%
400612 · Interest- Capital Projects Fd	3,694.75	15,000.00	(11,305.25)	24.6%
400613 · Interest- General Investment Fd	64,069.95	100,000.00	(35,930.05)	64.1%
400615 · Interest - Contingency Fund	5,825.08	8,000.00	(2,174.92)	72.8%
400616 · Interest - Am. Res. Plan Inv.	1,232.61			
Total 4006 · Interest (Revenue from investments in cash, securities, and property)	153,965.10	223,000.00	(69,034.90)	69.0%
40062 · Other Interest	14.72			
4007 · Fines				
40071 · Parking and Civil Violations	800.00	6,000.00	(5,200.00)	13.3%
40073 · PZ - Fines and Violations	0.00	100.00	(100.00)	0.0%
40074 · Speed Cameras	19,363.44			
Total 4007 · Fines	20,163.44	6,100.00	14,063.44	330.5%
4009 · Other Revenues				
400901 · Kayak Rental Space	35.00	1,400.00	(1,365.00)	2.5%
400911 · Miscellaneous Income	800.00	3,000.00	(2,200.00)	26.7%
400913 · War of 1812 Book Sales	90.00			
40095 · Health Officer Charges	285.00			
40096 · Police Dept. Misc.	(210.00)	1,000.00	(1,210.00)	(21.0)%
Total 4009 · Other Revenues	1,000.00	5,400.00	(4,400.00)	18.5%
40099 · Reimbursed Expenses-Income				
400992 · Reimbursed Advertising	0.00	1,000.00	(1,000.00)	0.0%

The Commissioners of St. Michaels
Actual vs. Budget 2023-2024
 July through October 2023

	Jul - Oct 23	Budget	\$ Over Budget	% of Budget
400995 · Reimbursed Engineering	360.00	3,000.00	(2,640.00)	12.0%
400999 · Reimbursed Expense- Other	4,562.70	8,000.00	(3,437.30)	57.0%
Total 40099 · Reimbursed Expenses-Income	4,922.70	12,000.00	(7,077.30)	41.0%
4400 · Water Funding				
4412 · Transf. from Water Inv. Fund	0.00	25,000.00	(25,000.00)	0.0%
4401 · Water Capital Charges	(1,100.00)	3,300.00	(4,400.00)	(33.3)%
4402 · Water Connections	(2,200.00)	6,600.00	(8,800.00)	(33.3)%
4403 · Water Services	367,019.31	646,000.00	(278,980.69)	56.8%
4404 · Interest- Water Fund	2,732.13	4,400.00	(1,667.87)	62.1%
4407 · Misc Water Reimbursements	1,177.79			
4409 · American RP Funds/Water Meters	0.00	250,548.00	(250,548.00)	0.0%
4410 · Water Lease	26,426.39			
Total 4400 · Water Funding	394,055.62	935,848.00	(541,792.38)	42.1%
4500 · Capital Fund				
4501 · Capital Funding				
45009 · Transf from Capital Inv. Hybrid	0.00	40,000.00	(40,000.00)	0.0%
Total 4501 · Capital Funding	0.00	40,000.00	(40,000.00)	0.0%
4502 · Repair & Replacement Funding				
450291 · N. Fremont St. Mill & Overlay	0.00	30,000.00	(30,000.00)	0.0%
45029 · Mill St. Bathroom Renovation	0.00	10,000.00	(10,000.00)	0.0%
Total 4502 · Repair & Replacement Funding	0.00	40,000.00	(40,000.00)	0.0%
Total 4500 · Capital Fund	0.00	80,000.00	(80,000.00)	0.0%
Total Income	3,409,686.19	4,852,407.00	(1,442,720.81)	70.3%
Gross Profit	3,409,686.19	4,852,407.00	(1,442,720.81)	70.3%
Expense				
6000 · Gen'l Operational Disbursemen				
6100 · COSM Expenses				
610021 · Retirement	0.00	296.00	(296.00)	0.0%
61001 · Regular Salaries- COSM	6,154.00	20,000.00	(13,846.00)	30.8%
61002 · Benefits- COSM	575.01	1,890.00	(1,314.99)	30.4%
61003 · Other Expenses- COSM				
610031 · MML Convention- COSM	(712.86)	5,000.00	(5,712.86)	(14.3)%
610032 · Dues- COSM	0.00	1,000.00	(1,000.00)	0.0%
610033 · Other meetings, expenses- COSM	70.00	2,500.00	(2,430.00)	2.8%
610034 · Other Expenses-ESAM	0.00	500.00	(500.00)	0.0%
610035 · COSM Electronic Allowance	2,804.76	3,500.00	(695.24)	80.1%
Total 61003 · Other Expenses- COSM	2,161.90	12,500.00	(10,338.10)	17.3%
Total 6100 · COSM Expenses	8,890.91	34,686.00	(25,795.09)	25.6%
6200 · Administrative Expenses				
6201 · Net Total Employment				
62011 · Employment				
6201131 · Retirement	0.00	24,464.00	(24,464.00)	0.0%
620110 · Salary Town Administrator	43,030.80	135,700.00	(92,669.20)	31.7%
620111 · Administrative Staff (3)	55,491.92	163,864.00	(108,372.08)	33.9%
620112 · Overtime Salaries- General	690.54	1,000.00	(309.46)	69.1%
620113 · Benefits	11,850.37	49,802.00	(37,951.63)	23.8%
620114 · PR Taxes	7,324.47	23,529.00	(16,204.53)	31.1%
620115 · Admin Workmens Comp	219.42	689.00	(469.58)	31.8%
620116 · Health Reimbursement Expense	8,354.93			
62011 · Employment - Other	(7,560.00)			
Total 62011 · Employment	119,402.45	399,048.00	(279,645.55)	29.9%
62012 · Less Costs to Other Depts.- Gen	340.65	(28,172.00)	28,512.65	(1.2)%
Total 6201 · Net Total Employment	119,743.10	370,876.00	(251,132.90)	32.3%
6202 · Retirees Benefits	13,512.53	31,000.00	(17,487.47)	43.6%
6203 · Tourism/Communications	3,793.16	25,000.00	(21,206.84)	15.2%
6204 · Legal Expense- General	27,906.50	25,000.00	2,906.50	111.6%
6205 · Audit- General	10,000.00	19,500.00	(9,500.00)	51.3%
6206 · Engineering				
62062 · Engineering Climate Ch./Sea Ris	907.42	25,000.00	(24,092.58)	3.6%
6206 · Engineering - Other	4,580.00	7,500.00	(2,920.00)	61.1%
Total 6206 · Engineering	5,487.42	32,500.00	(27,012.58)	16.9%
6207 · Liability & Property Insurance	11,045.00	15,000.00	(3,955.00)	73.6%
6208 · Other Identified Expenses				
62081 · Bank Service Charge	381.50	1,821.00	(1,439.50)	21.0%
62082 · Real Estate Taxes	12,508.47	6,197.00	6,311.47	201.8%
62084 · Website- development & maint.	0.00	25,000.00	(25,000.00)	0.0%
62085 · Volunteer Acknowledgement	0.00	200.00	(200.00)	0.0%
62086 · Election	0.00	1,500.00	(1,500.00)	0.0%
62087 · Miscellaneous	615.11	2,000.00	(1,384.89)	30.8%
62088 · Admin Telephone	1,204.17	3,960.00	(2,755.83)	30.4%

The Commissioners of St. Michaels
Actual vs. Budget 2023-2024
 July through October 2023

	Jul - Oct 23	Budget	\$ Over Budget	% of Budget
62089 · Admin Dues & Subscriptions	4,579.25	7,000.00	(2,420.75)	65.4%
62090 · Admin Notices & Ads	1,811.25	6,500.00	(4,688.75)	27.9%
62091 · Admin Travel / Training	0.00	3,000.00	(3,000.00)	0.0%
62092 · Admin Janitorial	1,095.00	3,500.00	(2,405.00)	31.3%
62093 · Codification Maintenance	879.66	5,000.00	(4,120.34)	17.6%
62094 · Admin Office Expenses	328.64			
62095 · Municipal Bldgs. Utilities	4,207.63	18,000.00	(13,792.37)	23.4%
62096 · Municipal Bldgs- Maint. & Suppl	9,458.58	15,000.00	(5,541.42)	63.1%
62097 · Document Retention	945.00	2,500.00	(1,555.00)	37.8%
62099 · Copier / Postage	2,941.75	8,000.00	(5,058.25)	36.8%
62100 · Internet	1,976.68	3,500.00	(1,523.32)	56.5%
62101 · IT Consultant	11,633.54	25,000.00	(13,366.46)	46.5%
62102 · Office Supplies	7,746.81	3,500.00	4,246.81	221.3%
62103 · HVAC/Electrical/Plumbing Repair	0.00	10,000.00	(10,000.00)	0.0%
62105 · Storage Unit	661.00	1,500.00	(839.00)	44.1%
62106 · Supplies	0.00	4,000.00	(4,000.00)	0.0%
Total 6208 · Other Identified Expenses	62,974.04	156,678.00	(93,703.96)	40.2%
Total 6200 · Administrative Expenses	254,461.75	675,554.00	(421,092.25)	37.7%
6300 · Planning & Zoning				
6301 · Total Employment				
63011 · Regular Salaries	46,892.42	169,133.00	(122,240.58)	27.7%
63012 · Overtime	0.00	1,000.00	(1,000.00)	0.0%
63013 · Benefits	4,781.75	39,070.00	(34,288.25)	12.2%
63014 · PR Taxes	3,422.70	13,398.00	(9,975.30)	25.5%
63015 · PZ Workmans Comp	1,385.19	8,457.00	(7,071.81)	16.4%
Total 6301 · Total Employment	56,482.06	231,058.00	(174,575.94)	24.4%
6302 · PZ Legal				
63021 · Legal, BOZA	27.50	6,000.00	(5,972.50)	0.5%
63022 · Legal, P&Z Issues	0.00	3,000.00	(3,000.00)	0.0%
Total 6302 · PZ Legal	27.50	9,000.00	(8,972.50)	0.3%
6304 · Consulting				
63040 · Consulting / PZ	0.00	5,000.00	(5,000.00)	0.0%
63043 · Consulting New Town Office	(10,000.00)			
63044 · PZ Consulting - Drafting/Survey	0.00	5,000.00	(5,000.00)	0.0%
Total 6304 · Consulting	(10,000.00)	10,000.00	(20,000.00)	(100.0)%
6305 · Other Expenses				
63051 · P/Z Office Expense	1,118.39	8,000.00	(6,881.61)	14.0%
63052 · P/Z Inspections	2,509.20	44,000.00	(41,490.80)	5.7%
63053 · P/Z Advertising	866.25	5,000.00	(4,133.75)	17.3%
63054 · PZ / Travel & Training	0.00	3,800.00	(3,800.00)	0.0%
63055 · Technical / Equipment	2,665.53	2,460.00	205.53	108.4%
Total 6305 · Other Expenses	7,159.37	63,260.00	(56,100.63)	11.3%
6306 · Reimbursable Expenses				
63069 · Misc. Reimbursable Expenses	426.10			
Total 6306 · Reimbursable Expenses	426.10			
Total 6300 · Planning & Zoning	54,095.03	313,318.00	(259,222.97)	17.3%
6400 · Police				
64000 · SMYLE Expenses	3,457.89	15,000.00	(11,542.11)	23.1%
6401 · Employment				
64011 · Sworn Officers				
640108 · Salary - Chief	32,307.68	105,000.00	(72,692.32)	30.8%
640111 · Regular Salaries / PFC & Patrol	122,102.42	484,536.00	(362,433.58)	25.2%
640112 · Overtime Officers	13,900.81	48,223.00	(34,322.19)	28.8%
Total 64011 · Sworn Officers	168,310.91	637,759.00	(469,448.09)	26.4%
64012 · Other Salaries				
640124 · Crossing Guard OT	240.00			
640121 · Administrative Assistant - PD	13,843.20	44,990.00	(31,146.80)	30.8%
640122 · Overtime Other	0.00	500.00	(500.00)	0.0%
640123 · Crossing Guards	4,460.00	18,500.00	(14,040.00)	24.1%
Total 64012 · Other Salaries	18,543.20	63,990.00	(45,446.80)	29.0%
64013 · Benefits	18,882.69	299,978.00	(281,095.31)	6.3%
64014 · PR Taxes	13,576.98	50,553.00	(36,976.02)	26.9%
64015 · Police Workmans Comp	14,797.55	37,493.00	(22,695.45)	39.5%
Total 6401 · Employment	234,111.33	1,089,773.00	(855,661.67)	21.5%
6402 · Consulting- Police				
64022 · Legal- Police	0.00	2,500.00	(2,500.00)	0.0%
Total 6402 · Consulting- Police	0.00	2,500.00	(2,500.00)	0.0%
6403 · Liability & Property Insurance	14,120.00	15,000.00	(880.00)	94.1%

The Commissioners of St. Michaels
Actual vs. Budget 2023-2024
July through October 2023

	Jul - Oct 23	Budget	\$ Over Budget	% of Budget
6404 · Other Identified Expenses				
64061 · "MAX" Retirement Pay	0.00	3,000.00	(3,000.00)	0.0%
64058 · Speed Camera Money/ Usage	1,825.42			
64041 · Police Utilities	1,610.00	5,608.00	(3,998.00)	28.7%
64042 · Police Personnel Testing	902.75	3,000.00	(2,097.25)	30.1%
64043 · Police Uniforms	835.17	8,000.00	(7,164.83)	10.4%
64044 · Communications (radio)	4,477.61	4,500.00	(22.39)	99.5%
64045 · Police Equipment & Supplies	844.22	7,800.00	(6,955.78)	10.8%
64046 · Police Vehicle Expense	9,814.77	40,000.00	(30,185.23)	24.5%
64049 · Police Telephone	6,370.04	22,000.00	(15,629.96)	29.0%
64050 · Police Dues & Subscriptions	5,000.00	5,000.00	0.00	100.0%
64051 · Police Travel/Training	0.00	4,000.00	(4,000.00)	0.0%
64052 · Police Janitorial	1,700.00	6,000.00	(4,300.00)	28.3%
64053 · Police Office Expenses	2,185.15	7,500.00	(5,314.85)	29.1%
64054 · Security Systems (Security Systems)	0.00	1,200.00	(1,200.00)	0.0%
64056 · Generator Maintenance / SMPD	2,423.24	1,500.00	923.24	161.5%
Total 6404 · Other Identified Expenses	37,988.37	119,108.00	(81,119.63)	31.9%
Total 6400 · Police	289,677.59	1,241,381.00	(951,703.41)	23.3%
6500 · Public Works				
65022 · Generator Maint. / Public Works	48.97	2,000.00	(1,951.03)	2.4%
65021 · PW Vehicle Exp.	1,030.99			
65020 · PW Office Exp.	0.00	1,000.00	(1,000.00)	0.0%
6501 · Employment				
65010 · Supervisor / Public Works	0.00	81,440.00	(81,440.00)	0.0%
65011 · Regular Salaries / Crew (5)	71,167.15	218,205.00	(147,037.85)	32.6%
65012 · Overtime	3,338.84	7,000.00	(3,661.16)	47.7%
65013 · Benefits	23,835.01	112,603.00	(88,767.99)	21.2%
65014 · PR Taxes	6,973.04	24,491.00	(17,517.96)	28.5%
65015 · PW Workmans Comp	5,760.84	15,407.00	(9,646.16)	37.4%
65019 · Employee Time Billed to W Dept.	0.00	(93,860.00)	93,860.00	0.0%
Total 6501 · Employment	111,074.88	365,286.00	(254,211.12)	30.4%
6503 · Liability & Property Insurance	8,400.00	7,800.00	600.00	107.7%
6505 · Tree Planting & Maintenance				
65051 · Tree Planting & Main Reim	0.00	2,100.00	(2,100.00)	0.0%
6505 · Tree Planting & Maintenance - Other	6,122.00	20,000.00	(13,878.00)	30.6%
Total 6505 · Tree Planting & Maintenance	6,122.00	22,100.00	(15,978.00)	27.7%
6506 · Maint. & Grounds				
65060 · Honeymoon Bridge Wash & Seal	0.00	5,000.00	(5,000.00)	0.0%
65069 · Small Tools	31.32	4,000.00	(3,968.68)	0.8%
65063 · Mosquito Control	0.00	2,500.00	(2,500.00)	0.0%
65066 · M/G Miscellaneous	87.97			
65067 · M/G Telephone	952.75	1,500.00	(547.25)	63.5%
Total 6506 · Maint. & Grounds	1,072.04	13,000.00	(11,927.96)	8.2%
6507 · Sanitation & Waste				
65076 · Trash Pick-Up	33,226.50	134,000.00	(100,773.50)	24.8%
65071 · Landfill Fees	1,623.40	10,000.00	(8,376.60)	16.2%
65072 · S/W Repairs & Maintenance	41.80	2,000.00	(1,958.20)	2.1%
65073 · S/W Vehicle Expense	5,793.02	8,000.00	(2,206.98)	72.4%
65074 · Recycling Service	15,180.00	68,000.00	(52,820.00)	22.3%
65077 · Brush Disposal	0.00	4,000.00	(4,000.00)	0.0%
Total 6507 · Sanitation & Waste	55,864.72	226,000.00	(170,135.28)	24.7%
6508 · Streets/Sidewalks				
65081 · Signs	682.55	11,280.00	(10,597.45)	6.1%
65082 · Sidewalk Repair	2,429.00	4,000.00	(1,571.00)	60.7%
65083 · Streets Maintenance & Supplies	2,756.33	8,000.00	(5,243.67)	34.5%
65084 · Storm Drain Repair & Maint.	58.20	5,000.00	(4,941.80)	1.2%
65086 · Parking Lots- Repair & Maint.	0.00	4,000.00	(4,000.00)	0.0%
65087 · Streets Vehicle Expense	9,918.03	20,000.00	(10,081.97)	49.6%
65088 · Electric- Street Lights	16,112.00	48,956.00	(32,844.00)	32.9%
65089 · Alley Maintenance	0.00	1,500.00	(1,500.00)	0.0%
Total 6508 · Streets/Sidewalks	31,956.11	102,736.00	(70,779.89)	31.1%
6509 · Parks & Recreation				
650920 · Nature Trail Ext. / MDOT Grant	5,800.00	28,000.00	(22,200.00)	20.7%
650921 · Nature Trail Ext. / Town Match	0.00	7,000.00	(7,000.00)	0.0%
65091 · Other Expenses				
650911 · Harbor Maintenance	188.05	2,500.00	(2,311.95)	7.5%
650912 · Parks/Rec Maint. & Supplies	3,477.69	20,000.00	(16,522.31)	17.4%
650913 · Parks/Rec Vehicle Maintenance	1,267.73	3,000.00	(1,732.27)	42.3%
650916 · Nature Trail Maintenance	1,125.00	5,000.00	(3,875.00)	22.5%
650918 · Park Enhancement Fund	277.95	10,000.00	(9,722.05)	2.8%
650919 · Horticulturist/Contract	4,061.25	30,000.00	(25,938.75)	13.5%
Total 65091 · Other Expenses	10,397.67	70,500.00	(60,102.33)	14.7%
Total 6509 · Parks & Recreation	16,197.67	105,500.00	(89,302.33)	15.4%
Total 6500 · Public Works	231,767.38	845,422.00	(613,654.62)	27.4%

The Commissioners of St. Michaels
Actual vs. Budget 2023-2024
 July through October 2023

	Jul - Oct 23	Budget	\$ Over Budget	% of Budget
6800 · Donations to Outside Agencies				
6815 · SMCC Building Donation	50,000.00	50,000.00	0.00	100.0%
6812 · St. Michaels in Bloom	1,000.00	1,000.00	0.00	100.0%
6802 · Fire Department	30,000.00	83,000.00	(53,000.00)	36.1%
6803 · Talbot County Arts Council	1,000.00	1,000.00	0.00	100.0%
6804 · St. Mary's Square Museum	3,000.00	3,000.00	0.00	100.0%
6806 · Talbot County Library	7,000.00	7,000.00	0.00	100.0%
6807 · St. Michaels Comm. Center	3,000.00	3,000.00	0.00	100.0%
6809 · Bay Hundred Pool Donation	2,000.00	2,000.00	0.00	100.0%
Total 6800 · Donations to Outside Agencies	97,000.00	150,000.00	(53,000.00)	64.7%
Total 6000 · Gen'l Operational Disbursemen	935,892.66	3,260,361.00	(2,324,468.34)	28.7%
66000 · Payroll Expenses (Payroll expenses)	(276.50)			
6900 · Water Department Expenses				
6901 · Employment				
69013 · Benefits	7.50			
Total 6901 · Employment	7.50			
6903 · Liability and Property Ins.	7,600.00	8,000.00	(400.00)	95.0%
6904 · Other Identified Expenses				
690534 · Third Water Well & Pump Study	0.00	25,000.00	(25,000.00)	0.0%
69039 · Staff Time / Water Dept.	27,652.50	122,032.00	(94,379.50)	22.7%
69040 · Water Dept. Overhead	0.00	96,900.00	(96,900.00)	0.0%
69041 · Water Office Expenses	49.48	3,500.00	(3,450.52)	1.4%
69042 · Water Computer/Telem. Software	0.00	2,000.00	(2,000.00)	0.0%
69043 · Water Postage	650.00	1,500.00	(850.00)	43.3%
69044 · Electric-Wells & Towers	9,563.00	30,000.00	(20,437.00)	31.9%
69045 · Water Testing	968.00	4,800.00	(3,832.00)	20.2%
69046 · Water Travel & Training	371.20	2,500.00	(2,128.80)	14.8%
69047 · Water Dues/subscriptions	0.00	500.00	(500.00)	0.0%
69048 · Water Telephone	1,042.12	3,000.00	(1,957.88)	34.7%
69051 · Water Materials/supplies	24,060.26	55,000.00	(30,939.74)	43.7%
69052 · Maint. on Arsenic System	694.20	10,000.00	(9,305.80)	6.9%
69055 · Water Lease Percentage	26,426.39			
69053 · Water Miscellaneous	277.03	1,000.00	(722.97)	27.7%
690531 · Maintenance on Generator #2 & 3	2,765.00	5,500.00	(2,735.00)	50.3%
690532 · Server Time - Mission Units	0.00	2,374.00	(2,374.00)	0.0%
Total 6904 · Other Identified Expenses	94,519.18	365,606.00	(271,086.82)	25.9%
6906 · Water Capital Expenses				
69076 · Boat Slip Waterline	0.00	30,000.00	(30,000.00)	0.0%
69062 · Water Tower Maintenance Contrac	28,047.59	57,000.00	(28,952.41)	49.2%
69074 · Water Meter Replacements	100,241.00	250,548.00	(150,307.00)	40.0%
Total 6906 · Water Capital Expenses	128,288.59	337,548.00	(209,259.41)	38.0%
6907 · Interfund Loan-N Tower 1997 CDA	0.00	20,000.00	(20,000.00)	0.0%
6909 · 2006 Arsenic Debt Service	0.00	43,907.00	(43,907.00)	0.0%
Total 6900 · Water Department Expenses	230,415.27	775,061.00	(544,645.73)	29.7%
7000 · Capital Expenditures				
7003 · Streets & Sidewalks				
700300 · Flood Mitigation / N. Harbor Rd	13,817.50	60,000.00	(46,182.50)	23.0%
70040 · PW Hybrid Vehicle	0.00	40,000.00	(40,000.00)	0.0%
Total 7003 · Streets & Sidewalks	13,817.50	100,000.00	(86,182.50)	13.8%
7004 · Parks and Recreation				
700493 · FEMA Grant SW Mitigation Proj.	0.00	210,000.00	(210,000.00)	0.0%
700492 · Flood Mitigation/San Domingo Cr	7,598.25	44,850.00	(37,251.75)	16.9%
Total 7004 · Parks and Recreation	7,598.25	254,850.00	(247,251.75)	3.0%
7006 · Municipal Bldgs. Capital Exp.				
70074 · Purchase of Env. Concern Prop.	2,635,172.33			
Total 7006 · Municipal Bldgs. Capital Exp.	2,635,172.33			
7008 · Repair & Replacement				
70091 · Mill St. Bathroom Renovation	0.00	10,000.00	(10,000.00)	0.0%
70092 · N. Fremont St. Improvement Proj	0.00	30,000.00	(30,000.00)	0.0%
Total 7008 · Repair & Replacement	0.00	40,000.00	(40,000.00)	0.0%
Total 7000 · Capital Expenditures	2,656,588.08	394,850.00	2,261,738.08	672.8%
Total Expense	3,822,619.51	4,430,272.00	(607,652.49)	86.3%
Net Income	(412,933.32)	422,135.00	(835,068.32)	(97.8%)

The Commissioners of St. Michaels
Profit & Loss Prev Year Comparison
July through October 2023

	Jul - Oct 23	Jul - Oct 22	\$ Change	% Change
Income				
4960 · Proceeds from Sale of Asset	847,244.01	0.00	847,244.01	100.0%
4001 · Taxes Receipts				
40011 · Real Estate Taxes	1,627,222.75	1,581,920.61	45,302.14	2.9%
4002 · Taxes- Other				
40027 · Deferred Highway User Tax	0.00	19,407.73	(19,407.73)	(100.0)%
40026 · Deferred Accomodation Tax	0.00	263,829.16	(263,829.16)	(100.0)%
40021 · Local Income Tax	60,819.59	47,877.30	12,942.29	27.0%
40023 · Admissions & Amusements	0.00	91,086.07	(91,086.07)	(100.0)%
40024 · Highway Use Tax	(13,432.07)	0.00	(13,432.07)	(100.0)%
Total 4002 · Taxes- Other	47,387.52	422,200.26	(374,812.74)	(88.8)%
40048 · Pymnt in Lieu of Taxes (PILOTS)	19,079.00	0.00	19,079.00	100.0%
4012 · Property Taxes				
40121 · Personal Property- Utilities	41,651.52	0.00	41,651.52	100.0%
40123 · Taxes- Int.,Disc.,Allow,net,etc	(3,032.96)	674.06	(3,707.02)	(550.0)%
40125 · Financial Corp. Tax	1,123.00	1,123.00	0.00	0.0%
Total 4012 · Property Taxes	39,741.56	1,797.06	37,944.50	2,111.5%
Total 4001 · Taxes Receipts	1,733,430.83	2,005,917.93	(272,487.10)	(13.6)%
4003 · Licenses and Permits				
40038 · Special Event Fee	7,000.00	300.00	6,700.00	2,233.3%
40031 · Board of Appeals	150.00	150.00	0.00	0.0%
40032 · Other Licenses & Permits	1,200.00	1,700.00	(500.00)	(29.4)%
40033 · Land Use Management Fees	600.00	0.00	600.00	100.0%
40034 · HDC Permits	1,050.00	900.00	150.00	16.7%
40035 · Building Permits	5,750.00	12,021.41	(6,271.41)	(52.2)%
40036 · Animal Licenses	30.00	35.00	(5.00)	(14.3)%
40037 · Business/Traders Licenses	264.00	408.83	(144.83)	(35.4)%
Total 4003 · Licenses and Permits	16,044.00	15,515.24	528.76	3.4%
4004 · Grants/Revenue from other Agenc				
400501 · Canton Street Road (Extension of Canton Street)	88,000.00	0.00	88,000.00	100.0%
400425 · SMPD Donation / Eugenio	0.00	13,266.00	(13,266.00)	(100.0)%
400426 · MDOT Grant / Nature Trail Ext.	8,720.00	0.00	8,720.00	100.0%
400427 · Flood Mitigation Study NH Rd.	36,874.12	0.00	36,874.12	100.0%
400428 · Flood Mitigation Study /SD Cr.	29,386.50	0.00	29,386.50	100.0%
400413 · SMPD SMYLE Donations	4,713.00	5,515.00	(802.00)	(14.5)%
40046 · Police Protection State	9,789.50	12,669.00	(2,879.50)	(22.7)%
40047 · Crossing Guard/Talbot County	20,000.00	18,500.00	1,500.00	8.1%
40049 · FEMA Grant/ Stormwater Mitigati	2,019.06	0.00	2,019.06	100.0%
Total 4004 · Grants/Revenue from other Agenc	199,502.18	49,950.00	149,552.18	299.4%
4005 · Franchise and Rental Revenue				
40064 · Deferred Lease Rent	0.00	4,267.74	(4,267.74)	(100.0)%
400511 · Boat Slip LIST Fee	300.00	640.00	(340.00)	(53.1)%
40051 · Boat Slip Rent	0.00	0.00	0.00	0.0%
40052 · Building Rent (Long & Foster)	0.00	15,264.04	(15,264.04)	(100.0)%
40053 · T-Mobile Tower Rent	10,282.59	9,983.10	299.49	3.0%
40054 · AT&T Tower Rent	13,752.12	4,584.04	9,168.08	200.0%
40056 · Verizon- Tower Rent	8,876.88	8,535.48	341.40	4.0%
40057 · Atlantic Broadband Cable Fee	6,132.00	600.00	5,532.00	922.0%
Total 4005 · Franchise and Rental Revenue	39,343.59	43,874.40	(4,530.81)	(10.3)%
4006 · Interest (Revenue from investments in cash, securities, and prope...				
400611 · Interest- Repair&Replacement Fd	79,142.71	45,837.05	33,305.66	72.7%
400612 · Interest- Capital Projects Fd	3,694.75	5,386.92	(1,692.17)	(31.4)%
400613 · Interest- General Investment Fd	64,069.95	30,568.39	33,501.56	109.6%
400615 · Interest - Contingency Fund	5,825.08	3,363.74	2,461.34	73.2%
400616 · Interest - Am. Res. Plan Inv.	1,232.61	4,173.52	(2,940.91)	(70.5)%
Total 4006 · Interest (Revenue from investments in cash, securities, and ...	153,965.10	89,329.62	64,635.48	72.4%
40062 · Other Interest	14.72	11.38	3.34	29.4%
4007 · Fines				
40071 · Parking and Civil Violations	800.00	2,720.00	(1,920.00)	(70.6)%
40074 · Speed Cameras	19,363.44	54,590.07	(35,226.63)	(64.5)%
Total 4007 · Fines	20,163.44	57,310.07	(37,146.63)	(64.8)%
4009 · Other Revenues				
400901 · Kayak Rental Space	35.00	0.00	35.00	100.0%
400911 · Miscellaneous Income	800.00	446.57	353.43	79.1%
400913 · War of 1812 Book Sales	90.00	0.00	90.00	100.0%
40095 · Health Officer Charges	285.00	0.00	285.00	100.0%
40096 · Police Dept. Misc.	(210.00)	10.00	(220.00)	(2,200.0)%
Total 4009 · Other Revenues	1,000.00	456.57	543.43	119.0%
40099 · Reimbursed Expenses-Income				
400992 · Reimbursed Advertising				
400993 · Reimb. Exp. Inn at Perry Cabin	0.00	75.00	(75.00)	(100.0)%
400992 · Reimbursed Advertising - Other	0.00	0.00	0.00	0.0%
Total 400992 · Reimbursed Advertising	0.00	75.00	(75.00)	(100.0)%

The Commissioners of St. Michaels
Profit & Loss Prev Year Comparison
July through October 2023

	Jul - Oct 23	Jul - Oct 22	\$ Change	% Change
400995 · Reimbursed Engineering	360.00	4,042.50	(3,682.50)	(91.1)%
400999 · Reimbursed Expense- Other	4,562.70	8,775.13	(4,212.43)	(48.0)%
40099 · Reimbursed Expenses-Income - Other	0.00	295.00	(295.00)	(100.0)%
Total 40099 · Reimbursed Expenses-Income	4,922.70	13,187.63	(8,264.93)	(62.7)%
4400 · Water Funding				
4401 · Water Capital Charges	(1,100.00)	7,700.00	(8,800.00)	(114.3)%
4402 · Water Connections	(2,200.00)	6,600.00	(8,800.00)	(133.3)%
4403 · Water Services	367,019.31	184,328.64	182,690.67	99.1%
4404 · Interest- Water Fund	2,732.13	1,613.18	1,118.95	69.4%
4407 · Misc Water Reimbursements	1,177.79	2,837.04	(1,659.25)	(58.5)%
4409 · American RP Funds/Water Meters	0.00	514,081.77	(514,081.77)	(100.0)%
4410 · Water Lease	26,426.39	27,626.05	(1,199.66)	(4.3)%
4400 · Water Funding - Other	0.00	790.00	(790.00)	(100.0)%
Total 4400 · Water Funding	394,055.62	745,576.68	(351,521.06)	(47.2)%
Total Income	3,409,686.19	3,021,129.52	388,556.67	12.9%
Gross Profit	3,409,686.19	3,021,129.52	388,556.67	12.9%
Expense				
6000 · Gen'l Operational Disbursemen				
6001 · Payroll Tax Expense	0.00	(136.02)	136.02	100.0%
6100 · COSM Expenses				
61001 · Regular Salaries- COSM	6,154.00	4,518.57	1,635.43	36.2%
61002 · Benefits- COSM	575.01	520.54	54.47	10.5%
61003 · Other Expenses- COSM				
610031 · MML Convention- COSM	(712.86)	0.00	(712.86)	(100.0)%
610033 · Other meetings, expenses- COSM	70.00	194.81	(124.81)	(64.1)%
610034 · Other Expenses-ESAM	0.00	(240.00)	240.00	100.0%
610035 · COSM Electronic Allowance	2,804.76	2,545.20	259.56	10.2%
61003 · Other Expenses- COSM - Other	0.00	57.65	(57.65)	(100.0)%
Total 61003 · Other Expenses- COSM	2,161.90	2,557.66	(395.76)	(15.5)%
Total 6100 · COSM Expenses	8,890.91	7,596.77	1,294.14	17.0%
6200 · Administrative Expenses				
6201 · Net Total Employment				
62011 · Employment				
620110 · Salary Town Administrator	43,030.80	37,953.81	5,076.99	13.4%
620111 · Administrative Staff (3)	55,491.92	48,319.01	7,172.91	14.8%
620112 · Overtime Salaries- General	690.54	1,852.33	(1,161.79)	(62.7)%
620113 · Benefits	11,850.37	19,285.06	(7,434.69)	(38.6)%
620114 · PR Taxes	7,324.47	7,768.52	(444.05)	(5.7)%
620115 · Admin Workmens Comp	219.42	159.99	59.43	37.2%
620116 · Health Reimbursement Expense	8,354.93	5,877.58	2,477.35	42.2%
62011 · Employment - Other	(7,560.00)	(5,439.00)	(2,121.00)	(39.0)%
Total 62011 · Employment	119,402.45	115,777.30	3,625.15	3.1%
62012 · Less Costs to Other Depts.- Gen	340.65	0.00	340.65	100.0%
Total 6201 · Net Total Employment	119,743.10	115,777.30	3,965.80	3.4%
6202 · Retirees Benefits	13,512.53	6,451.08	7,061.45	109.5%
6203 · Tourism/Communications	3,793.16	27,309.64	(23,516.48)	(86.1)%
6204 · Legal Expense- General	27,906.50	6,125.00	21,781.50	355.6%
6205 · Audit- General	10,000.00	18,000.00	(8,000.00)	(44.4)%
6206 · Engineering				
62062 · Engineering Climate Ch./Sea Ris	907.42	1,680.00	(772.58)	(46.0)%
62061 · Reimbursable Engineering Expens	0.00	4,347.50	(4,347.50)	(100.0)%
6206 · Engineering - Other	4,580.00	940.00	3,640.00	387.2%
Total 6206 · Engineering	5,487.42	6,967.50	(1,480.08)	(21.2)%
6207 · Liability & Property Insurance	11,045.00	9,386.00	1,659.00	17.7%
6208 · Other Identified Expenses				
62081 · Bank Service Charge	381.50	697.37	(315.87)	(45.3)%
62082 · Real Estate Taxes	12,508.47	11,966.75	541.72	4.5%
62087 · Miscellaneous	615.11	111.78	503.33	450.3%
62088 · Admin Telephone	1,204.17	1,167.67	36.50	3.1%
62089 · Admin Dues & Subscriptions	4,579.25	4,845.56	(266.31)	(5.5)%
62090 · Admin Notices & Ads	1,811.25	700.00	1,111.25	158.8%
62092 · Admin Janitorial	1,095.00	1,125.00	(30.00)	(2.7)%
62093 · Codification Maintenance	879.66	811.71	67.95	8.4%
62094 · Admin Office Expenses	328.64	536.89	(208.25)	(38.8)%
62095 · Municipal Bldgs. Utilities	4,207.63	7,610.34	(3,402.71)	(44.7)%
62096 · Municipal Bldgs- Maint. & Suppl	9,458.58	6,088.48	3,370.10	55.4%
62097 · Document Retention	945.00	1,095.00	(150.00)	(13.7)%
62099 · Copier / Postage	2,941.75	2,841.67	100.08	3.5%
62100 · Internet	1,976.68	1,083.18	893.50	82.5%
62101 · IT Consultant	11,633.54	17,649.23	(6,015.69)	(34.1)%
62102 · Office Supplies	7,746.81	6,706.12	1,040.69	15.5%
62105 · Storage Unit	661.00	536.00	125.00	23.3%
Total 6208 · Other Identified Expenses	62,974.04	65,572.75	(2,598.71)	(4.0)%

The Commissioners of St. Michaels
Profit & Loss Prev Year Comparison
July through October 2023

	Jul - Oct 23	Jul - Oct 22	\$ Change	% Change
6210 · Engineering Cl.Change/SL Rise	0.00	362.50	(362.50)	(100.0)%
Total 6200 · Administrative Expenses	254,461.75	255,951.77	(1,490.02)	(0.6)%
6300 · Planning & Zoning				
6301 · Total Employment				
63011 · Regular Salaries	46,892.42	41,060.14	5,832.28	14.2%
63012 · Overtime	0.00	0.00	0.00	0.0%
63013 · Benefits	4,781.75	7,759.55	(2,977.80)	(38.4)%
63014 · PR Taxes	3,422.70	3,464.11	(41.41)	(1.2)%
63015 · PZ Workmans Comp	1,385.19	1,010.07	375.12	37.1%
Total 6301 · Total Employment	56,482.06	53,293.87	3,188.19	6.0%
6302 · PZ Legal				
63021 · Legal, BOZA	27.50	0.00	27.50	100.0%
6302 · PZ Legal - Other	0.00	1,100.00	(1,100.00)	(100.0)%
Total 6302 · PZ Legal	27.50	1,100.00	(1,072.50)	(97.5)%
6303 · Legal- Reimbursable	0.00	375.00	(375.00)	(100.0)%
6304 · Consulting				
63043 · Consulting New Town Office	(10,000.00)	10,000.00	(20,000.00)	(200.0)%
Total 6304 · Consulting	(10,000.00)	10,000.00	(20,000.00)	(200.0)%
6305 · Other Expenses				
63051 · P/Z Office Expense	1,118.39	493.50	624.89	126.6%
63052 · P/Z Inspections	2,509.20	2,889.60	(380.40)	(13.2)%
63053 · P/Z Advertising	866.25	1,058.75	(192.50)	(18.2)%
63055 · Technical / Equipment	2,665.53	0.00	2,665.53	100.0%
Total 6305 · Other Expenses	7,159.37	4,441.85	2,717.52	61.2%
6306 · Reimbursable Expenses				
63069 · Misc. Reimbursable Expenses	426.10	4,086.24	(3,660.14)	(89.6)%
Total 6306 · Reimbursable Expenses	426.10	4,086.24	(3,660.14)	(89.6)%
Total 6300 · Planning & Zoning	54,095.03	73,296.96	(19,201.93)	(26.2)%
6400 · Police				
64000 · SMYLE Expenses	3,457.89	4,614.53	(1,156.64)	(25.1)%
6401 · Employment				
64011 · Sworn Officers				
640108 · Salary - Chief	32,307.68	32,090.97	216.71	0.7%
640111 · Regular Salaries / PFC & Patrol	122,102.42	157,737.31	(35,634.89)	(22.6)%
640112 · Overtime Officers	13,900.81	16,982.74	(3,081.93)	(18.2)%
Total 64011 · Sworn Officers	168,310.91	206,811.02	(38,500.11)	(18.6)%
64012 · Other Salaries				
640124 · Crossing Guard OT	240.00	1,190.25	(950.25)	(79.8)%
640121 · Administrative Assistant - PD	13,843.20	13,087.20	756.00	5.8%
640122 · Overtime Other	0.00	0.00	0.00	0.0%
640123 · Crossing Guards	4,460.00	5,744.40	(1,284.40)	(22.4)%
Total 64012 · Other Salaries	18,543.20	20,021.85	(1,478.65)	(7.4)%
64013 · Benefits	18,882.69	18,441.80	440.89	2.4%
64014 · PR Taxes	13,576.98	19,251.15	(5,674.17)	(29.5)%
64015 · Police Workmans Comp	14,797.55	10,790.20	4,007.35	37.1%
Total 6401 · Employment	234,111.33	275,316.02	(41,204.69)	(15.0)%
6403 · Liability & Property Insurance	14,120.00	13,358.00	762.00	5.7%
6404 · Other Identified Expenses				
64061 · "MAX" Retirement Pay	0.00	1,728.38	(1,728.38)	(100.0)%
64059 · Donation/Eugenio	0.00	3,250.00	(3,250.00)	(100.0)%
64058 · Speed Camera Money/ Usage	1,825.42	0.00	1,825.42	100.0%
64057 · Body Camera Maint.	0.00	0.00	0.00	0.0%
64041 · Police Utilities	1,610.00	1,796.00	(186.00)	(10.4)%
64042 · Police Personnel Testing	902.75	0.00	902.75	100.0%
64043 · Police Uniforms	835.17	845.26	(10.09)	(1.2)%
64044 · Communications (radio)	4,477.61	3,873.89	603.72	15.6%
64045 · Police Equipment & Supplies	844.22	773.85	70.37	9.1%
64046 · Police Vehicle Expense	9,814.77	11,847.25	(2,032.48)	(17.2)%
64048 · Police Miscellaneous	0.00	67.00	(67.00)	(100.0)%
64049 · Police Telephone	6,370.04	6,310.13	59.91	1.0%
64050 · Police Dues & Subscriptions	5,000.00	9,879.67	(4,879.67)	(49.4)%
64051 · Police Travel/Training	0.00	185.67	(185.67)	(100.0)%
64052 · Police Janitorial	1,700.00	1,800.00	(100.00)	(5.6)%
64053 · Police Office Expenses	2,185.15	2,179.60	5.55	0.3%
64056 · Generator Maintenance / SMPD	2,423.24	455.75	1,967.49	431.7%
Total 6404 · Other Identified Expenses	37,988.37	44,992.45	(7,004.08)	(15.6)%
Total 6400 · Police	289,677.59	338,281.00	(48,603.41)	(14.4)%

The Commissioners of St. Michaels
Profit & Loss Prev Year Comparison
July through October 2023

	Jul - Oct 23	Jul - Oct 22	\$ Change	% Change
6500 · Public Works				
65022 · Generator Maint. / Public Works	48.97	2,138.00	(2,089.03)	(97.7)%
65021 · PW Vehicle Exp.	1,030.99	628.49	402.50	64.0%
65020 · PW Office Exp.	0.00	66.89	(66.89)	(100.0)%
6501 · Employment				
65010 · Supervisor / Public Works	0.00	500.00	(500.00)	(100.0)%
65011 · Regular Salaries / Crew (5)	71,167.15	54,415.30	16,751.85	30.8%
65012 · Overtime	3,338.84	2,430.28	908.56	37.4%
65013 · Benefits	23,835.01	22,192.10	1,642.91	7.4%
65014 · PR Taxes	6,973.04	6,512.17	460.87	7.1%
65015 · PW Workmans Comp	5,760.84	4,200.74	1,560.10	37.1%
Total 6501 · Employment	111,074.88	90,250.59	20,824.29	23.1%
6503 · Liability & Property Insurance	8,400.00	7,800.00	600.00	7.7%
6505 · Tree Planting & Maintenance	6,122.00	5,955.00	167.00	2.8%
6506 · Maint. & Grounds				
65069 · Small Tools	31.32	3,682.54	(3,651.22)	(99.2)%
65061 · M/G Maint. & supplies	0.00	5.37	(5.37)	(100.0)%
65066 · M/G Miscellaneous	87.97	14.48	73.49	507.5%
65067 · M/G Telephone	952.75	578.73	374.02	64.6%
Total 6506 · Maint. & Grounds	1,072.04	4,281.12	(3,209.08)	(75.0)%
6507 · Sanitation & Waste				
65076 · Trash Pick-Up	33,226.50	42,550.00	(9,323.50)	(21.9)%
65071 · Landfill Fees	1,623.40	2,863.89	(1,240.49)	(43.3)%
65072 · S/W Repairs & Maintenance	41.80	0.00	41.80	100.0%
65073 · S/W Vehicle Expense	5,793.02	4,024.43	1,768.59	44.0%
65074 · Recycling Service	15,180.00	20,263.00	(5,083.00)	(25.1)%
Total 6507 · Sanitation & Waste	55,864.72	69,701.32	(13,836.60)	(19.9)%
6508 · Streets/Sidewalks				
65081 · Signs	682.55	1,098.47	(415.92)	(37.9)%
65082 · Sidewalk Repair	2,429.00	0.00	2,429.00	100.0%
65083 · Streets Maintenance & Supplies	2,756.33	2,381.46	374.87	15.7%
65084 · Storm Drain Repair & Maint.	58.20	400.00	(341.80)	(85.5)%
65087 · Streets Vehicle Expense	9,918.03	7,320.81	2,597.22	35.5%
65088 · Electric- Street Lights	16,112.00	15,408.78	703.22	4.6%
Total 6508 · Streets/Sidewalks	31,956.11	26,609.52	5,346.59	20.1%
6509 · Parks & Recreation				
650920 · Nature Trail Ext. / MDOT Grant	5,800.00	0.00	5,800.00	100.0%
65091 · Other Expenses				
650911 · Harbor Maintenance	188.05	940.80	(752.75)	(80.0)%
650912 · Parks/Rec Maint. & Supplies	3,477.69	10,285.85	(6,808.16)	(66.2)%
650913 · Parks/Rec Vehicle Maintenance	1,267.73	1,465.60	(197.87)	(13.5)%
650916 · Nature Trail Maintenance	1,125.00	807.97	317.03	39.2%
650918 · Park Enhancement Fund	277.95	516.28	(238.33)	(46.2)%
650919 · Horticulturist/Contract	4,061.25	12,003.75	(7,942.50)	(66.2)%
Total 65091 · Other Expenses	10,397.67	26,020.25	(15,622.58)	(60.0)%
Total 6509 · Parks & Recreation	16,197.67	26,020.25	(9,822.58)	(37.8)%
Total 6500 · Public Works	231,767.38	233,451.18	(1,683.80)	(0.7)%
6800 · Donations to Outside Agencies				
6815 · SMCC Building Donation	50,000.00	0.00	50,000.00	100.0%
6812 · St. Michaels in Bloom	1,000.00	0.00	1,000.00	100.0%
6802 · Fire Department	30,000.00	35,476.00	(5,476.00)	(15.4)%
6803 · Talbot County Arts Council	1,000.00	1,000.00	0.00	0.0%
6804 · St. Mary's Square Museum	3,000.00	3,000.00	0.00	0.0%
6806 · Talbot County Library	7,000.00	5,000.00	2,000.00	40.0%
6807 · St. Michaels Comm. Center	3,000.00	3,000.00	0.00	0.0%
6809 · Bay Hundred Pool Donation	2,000.00	2,000.00	0.00	0.0%
Total 6800 · Donations to Outside Agencies	97,000.00	49,476.00	47,524.00	96.1%
Total 6000 · Gen'l Operational Disbursemen	935,892.66	957,917.66	(22,025.00)	(2.3)%
66000 · Payroll Expenses (Payroll expenses)	(276.50)	(5,570.51)	5,294.01	95.0%
6900 · Water Department Expenses				
6901 · Employment				
69011 · Regular Salaries	0.00	0.00	0.00	0.0%
69012 · Overtime	0.00	0.00	0.00	0.0%
69013 · Benefits	7.50	22.50	(15.00)	(66.7)%
Total 6901 · Employment	7.50	22.50	(15.00)	(66.7)%
6903 · Liability and Property Ins.	7,600.00	7,000.00	600.00	8.6%

The Commissioners of St. Michaels
Profit & Loss Prev Year Comparison
July through October 2023

	Jul - Oct 23	Jul - Oct 22	\$ Change	% Change
6904 · Other Identified Expenses				
69039 · Staff Time / Water Dept.	27,652.50	27,184.50	468.00	1.7%
69041 · Water Office Expenses	49.48	365.04	(315.56)	(86.5)%
69042 · Water Computer/Telem. Software	0.00	1,715.95	(1,715.95)	(100.0)%
69043 · Water Postage	650.00	1,120.00	(470.00)	(42.0)%
69044 · Electric-Wells & Towers	9,563.00	9,860.00	(297.00)	(3.0)%
69045 · Water Testing	968.00	2,701.00	(1,733.00)	(64.2)%
69046 · Water Travel & Training	371.20	50.00	321.20	642.4%
69047 · Water Dues/subscriptions	0.00	37.00	(37.00)	(100.0)%
69048 · Water Telephone	1,042.12	1,345.48	(303.36)	(22.6)%
69051 · Water Materials/supplies	24,060.26	22,230.73	1,829.53	8.2%
69052 · Maint. on Arsenic System	694.20	104,933.12	(104,238.92)	(99.3)%
69055 · Water Lease Percentage	26,426.39	27,626.05	(1,199.66)	(4.3)%
69053 · Water Miscellaneous	277.03	144.32	132.71	92.0%
690531 · Maintenance on Generator #2 & 3	2,765.00	2,496.00	269.00	10.8%
Total 6904 · Other Identified Expenses	94,519.18	201,809.19	(107,290.01)	(53.2)%
6906 · Water Capital Expenses				
69062 · Water Tower Maintenance Contrac	28,047.59	26,404.40	1,643.19	6.2%
69074 · Water Meter Replacements	100,241.00	31,389.47	68,851.53	219.4%
Total 6906 · Water Capital Expenses	128,288.59	57,793.87	70,494.72	122.0%
6910 · 2016 MDE Arsenic Removal FSyste	0.00	107,497.62	(107,497.62)	(100.0)%
Total 6900 · Water Department Expenses	230,415.27	374,123.18	(143,707.91)	(38.4)%
7000 · Capital Expenditures				
7001 · Police				
700204 · Police Dept. HVAC Replacement	0.00	26,380.03	(26,380.03)	(100.0)%
Total 7001 · Police	0.00	26,380.03	(26,380.03)	(100.0)%
7003 · Streets & Sidewalks				
700300 · Flood Mitigation / N. Harbor Rd	13,817.50	0.00	13,817.50	100.0%
70032 · Brick Sidewalks	0.00	16,923.23	(16,923.23)	(100.0)%
Total 7003 · Streets & Sidewalks	13,817.50	16,923.23	(3,105.73)	(18.4)%
7004 · Parks and Recreation				
700492 · Flood Mitigation/San Domingo Cr	7,598.25	0.00	7,598.25	100.0%
70041 · Public Restrooms				
700415 · - New Comfort Station	0.00	53.96	(53.96)	(100.0)%
Total 70041 · Public Restrooms	0.00	53.96	(53.96)	(100.0)%
Total 7004 · Parks and Recreation	7,598.25	53.96	7,544.29	13,981.3%
7006 · Municipal Bldgs. Capital Exp.				
70074 · Purchase of Env. Concern Prop.	2,635,172.33	0.00	2,635,172.33	100.0%
70070 · Comfort Station	0.00	166.11	(166.11)	(100.0)%
Total 7006 · Municipal Bldgs. Capital Exp.	2,635,172.33	166.11	2,635,006.22	1,586,302.0%
7008 · Repair & Replacement				
70089 · Retaining Walls - Mill St.	0.00	3,190.00	(3,190.00)	(100.0)%
70090 · Plumber Drive	0.00	16,500.00	(16,500.00)	(100.0)%
Total 7008 · Repair & Replacement	0.00	19,690.00	(19,690.00)	(100.0)%
Total 7000 · Capital Expenditures	2,656,588.08	63,213.33	2,593,374.75	4,102.6%
Total Expense	3,822,619.51	1,389,683.66	2,432,935.85	175.1%
Net Income	(412,933.32)	1,631,445.86	(2,044,379.18)	(125.3)%



THE COMMISSIONERS OF ST. MICHAELS
OFFICE OF CODE ENFORCEMENT, PLANNING AND ZONING

SETTLED 1670-1680
INCORPORATED 1804

300 MILL STREET
P.O. BOX 206
ST. MICHAELS, MD 21663

TELEPHONE: 410.745.9535
FACSIMILE: 410.745.3463

Planning/Zoning Projects & Activities – October, 2023

Sustainable Communities – Staff presented the updated application and a slide presentation to the Town Commissioners.

A new Request for Proposal (RFP) for the Nature Trail extension final construction plans was completed and advertised for submittal by consultants.

Environmental Concerns Master Plan: Three public outreach meetings were held at the Christ Church meeting hall with staff and the design consultants. The attendance was excellent with approximately 50 people attending the third meeting. A community survey was completed with 157 participants. Additional public meetings are scheduled for November 15th and December 5th.

The Town selected a consultant (Rauch Engineering) for work related to sea level rise mitigation along the Mill St. corridor area. The commissioners approved the request and a contract is being drafted by the Town Attorney.

Staff met with the Climate Change – Sea Level Rise Commission and Bayland Consultants to review possible flood mitigation work and priorities for the San Domingo Creek watershed.

A Cannabis Zoning Text Amendment draft was reviewed by the Planning Commissioners. They had several comments and postponed further review until November.

Reviewed various grant compliance measures for seven different grant projects.

Staff met with attorneys for Perry Cabin to review potential design changes to hotel units.

Board Meetings Held

- Planning Commission – October 5th
- Board of Zoning Appeals – No Meeting
- Historic District Commission Meeting – October 5th
- Climate Change Sea Level Rise Commission Meeting – October 12th



THE COMMISSIONERS OF ST. MICHAELS

300 MILL STREET
P.O. BOX 206
ST. MICHAELS, MD 21663

SETTLED 1670-1680
INCORPORATED 1804

TELEPHONE 410.745.9535
FACSIMILE 410.745.3463

TO: THE COMMISSIONERS OF ST. MICHAELS
FROM: KATHY THOMAS, CODE COMPLIANCE OFFICER
DATE: NOVEMBER 1, 2023
RE: BUILDING AND CODES MONTHLY REPORT OCTOBER 2023

BUILDING PERMITS:

- PERMITS ISSUED (8)

COMMERCIAL OCCUPANCY PERMITS:

- PERMITS ISSUED (0)

CODE ENFORCEMENT:

- CODE VIOLATIONS
 - HIGH GRASS/WEEDS (2)
 - TRASH/RECYCLING (2)
 - PROPERTY MAINTENANCE (3)
 - TREE (3)
- REMOVED (1) PROPERTY FROM BLIGHT PROPERTY
- YEARS OF NON-COMPLIANCE PROPERTY OF JUNK AND DEBRIS IN COMPLIANCE (1)

SPECIAL PROJECTS:

- BED AND BREAKFAST LICENSE RENEWAL (2)
- HDC LIGHTING (11)
- HDC SIGNS (4)
- OUTDOOR BURNING CODE ADOPTED
- BLIGHT PROPERTY GRANTED EXTENSION OF TIME TO COMPLIANCE (2)

Public Works Report

October 2023

Water consumption for October 2023 was 8.380 million gallons, this is an increase of 900,000 thousand gallons from October 2022's consumption of 7.480 million gallons.

Water System Jobs:

1. Complete water system rereads
2. Repaired water leak at 407 Bently Ave
3. Rebuilt chlorine and muriatic pump at well #3
4. Mark water lines for State Highway project along Perry Cabin
5. Turn water off at 231b North Street
6. Turned water off at 234 Dodson Ave
7. Turned water back on 234 Dodson Ave
8. Turn water off at Perry Cabin Dock and Tennis courts for winterization
9. Search for possible water line on Lee Street

Maintenance Jobs:

1. Removed old carriages from cannons at Muskrat Park
2. Installed new carriages for cannons at Muskrat Park
3. Removed Talbot goes purple signs through town
4. Replaced bad lights throughout Muskrat Park
5. Replaced light fixtures and bulbs along East Chestnut
6. Painting of several yellow curbs throughout town
7. Removal of heaved sidewalk and tree roots at 507 South Talbot
8. Installation of new compliant concrete sidewalk at 507 South Talbot
9. Replaced all light bulbs around St. Mary's Square
10. Installed 4 new crosswalk signs and poles on Seymour Ave
11. Trimmed brush back on the ally between West Chew and West Chestnut
12. Replaced brick sidewalk on Freemont Street
13. Worked on snowplows for upcoming season
14. Several Asphalt repair jobs through town
15. Disassembled more old water meters
16. Started trimming trees along Talbot street
17. Hauled bulk items to landfill in dump truck

Weekly Jobs:

1. Daily cleaning and restocking of all three public restrooms
2. Trail Maintenance
3. Daily water testing of Wells 2 and 3
4. Trash pick-up Tuesdays (bulk items) Fridays and Sundays for public cans
5. Brush pick-up Tuesdays
6. Street sweeping Thursdays
7. Grass Cutting and trimming
8. Weekly miss utilities
9. Administrative duties
10. Various meetings
11. Watering of Town Planters, Mondays, Wednsdays, and Fridays

October 2023 Gasoline Pump

DRIVER	DATE	TIME	VEHICLE	ODOMETER	START READ	END READ	GALLONS
Ryan	10/2/2023	7:00 AM	Gas Can	N/A	34129	34131	2
Brian	10/5/2023	7:00 AM	2018 Ram	81,376	3440.1	3465.5	25.4
Ryan	10/5/2023	8:00 AM	2010 F-150	92,835	34655	34965	31
Shawn	10/6/2023	9:40 AM	Gator	N/A	34965	35004	39
Brian	10/11/2023	1:30 PM	2018 Ram	81,646	3573.1	3595.3	22.2
Brian	10/17/2023	1:30 PM	2018 Ram	81,968	3699.1	3723.5	24.4
Ryan	10/19/2023	10:30 AM	2014 F-150	103,660	3737.2	3768.1	31
Craig	10/24/2023	3:30 PM	2018 RAM	82,280	3844.5	3867.6	23.1
Kevin	10/25/2023	8:00 AM	2010 F-150	93,010	3867.6	3884.1	16.5
Kathy	10/25/2023	11:00 AM	2008 Explorer	130,821	3894.1	3903.5	9.4
Brian	10/30/2023	8:30 AM	2018 RAM	82,592	3979	4002.2	23.2

October 2023 Diesel Pump

DRIVER	DATE	TIME	VEHICLE	ODOMETER	START READ	END READ	GALLONS
Ryan	10/5/2023	8:00 AM	Sweeper	N/A	80271	80288	17
Shawn	10/5/2023	1:52 PM	Mower	N/A	80288	80300	12
Ryan	10/6/2023	9:45 AM	Sweeper	N/A	80300	80312	12
Shawn	10/12/2023	9:20 AM	Backhoe	N/A	80312	80329	17
Ryan	10/12/2023	1:30 PM	Sweeper	N/A	80328	80350	22
Kevin	10/18/2023	9:30 AM	Mower	N/A	80350	80360	10
Kevin	10/20/2023	9:30 AM	Sweeper	N/A	80360	80383	23
Kevin	10/27/2023	10:31 AM	Sweeper	N/A	80383	80405	22
Ryan	10/30/2023	10:30 AM	RAM 5500	3465	80407	80453	46



TALBOT COUNTY MARYLAND

COURT HOUSE

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County Manager

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October 26, 2023

Commissioners of the Town of St. Michaels
P.O. Box 206
St. Michaels, MD 21663

Re.: Talbot County Economic Development Commission

Dear Commissioners:

On or about May 25, 2023, my office forwarded you a letter indicating that the term of the Town of St. Michaels' representative on the Talbot County Economic Development Commission would expire on June 30, 2023 (*copy attached*). We asked that the Town submit the name of the individual who will represent your municipality on the Talbot County Economic Development Commission.

As of the date of this letter, we have not received the name of your representative. Kindly give this matter prompt attention at your earliest convenience.

Sincerely,

Clay B. Stamp
County Manager

CBS:swm

Enclosure

cc: Ken Kozel, Chairman, Economic Development Commission
Cassandra Vanhooser, Director, Department of Economic Development and Tourism
Rob Straebel, Town Administrator



Board: Town Commission

Meeting Date: November 8, 2023

Agenda Subject: Second Discussion Regarding Marketing in St. Michaels

Recommendation: Discussion

Background Information:

In August of this year, Commissioners met with representatives from the St. Michaels Business Association regarding marketing for the community. See attached August 9, 2023 meeting minutes.

At this point, no written correspondence was received by the St. Michaels Business Association but representatives will be present for a quick presentation.

The following was included in the August 9, 2023 agenda item:

On July 18, 2023 Commissioner Whittington and the Town Administrator met with representatives from the restaurant association regarding the Town's marketing efforts. After much discussion, there was interest from the businesses to re-establish the St. Michaels Tourism Board that was dissolved in May of 2014 based upon the Town hiring a full-time Communications Director. A few years ago, the Communication Director position was eliminated that led to the hiring of Fovndry, a marketing firm located in Rockville and Baltimore. Fovndry's contract has expired as of the end of this fiscal year, June 30, 2023. The Town has budgeted \$25,000 in the Tourism and Communications line item for FY 2024.

Attached are two ordinances: 1) Ordinance 352 98-4 establishing the St. Michaels Tourism Board; and 2) Ordinance 451-dissolving the Tourism Board while retaining the right for Commissioners to appoint a new Tourism Advisory Board.

Action:

Discussion

MINUTES



**Commissioners of
St Michaels
Meeting Minutes Working Legislative and Closed Session
Wednesday, August 9, 2023, 6:00 pm - 8:00 pm
St. Michaels Branch of the Talbot Co. Library
106 S. Fremont Street
St. Michaels, MD 21663**

1. 6:00 pm - Call to Order for Working and Legislative Session - Pledge of Allegiance

Commissioner Breimhurst, President, called to order a live and remote Working and Legislative Session of the Commissioners of St. Michaels at 6:00 pm in St. Michaels, Maryland and the Pledge of Allegiance was recited. Also present at the meeting were Commissioners Joyce Harrod, Tad duPont, Katrina Whittington, and Al Mercier. Other representatives include Town Administrator Rob Straebel, Town Planner Steve Ball, Town Clerk Vickie Sharp, Code Enforcement Officer Kathy Thomas and Chief Oswald. Approximately 19 members of the public were present as well as remote attendees on Zoom.

2. Announcement of Closed Session

The Commissioners will meet in a closed session after adjournment of Open Session pursuant to Maryland Code, under the Open Meetings Act, General Provisions Article Section §3-305(b) to discuss the following: (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

3. Announcements from COSM and Staff

Commissioner duPont announced an upcoming meeting on Tuesday @ 6:15, August 15 at the Steamboat Building the Talbot County Chamber of Commerce has someone with the Federal Reserve there speaking and it would be appropriate that some show up for this event. Should RSVP for the event.

Commissioner Whittington stated that she took a tour of the new St. Michaels Community Center building and stated the layout was nice.

Rob Straebel introduced Kathy Thomas as a new staff member working as the Code Compliance Officer. From the last meeting wanted to give an update on the Crosby invoice, there was a \$10,000 over payment to Crosby & Associates. Once Mr. Crosby found the error he hand delivered a check the next day for \$10,000. This was due to not crediting his invoice for the \$10,000 retainer payment. Over all payments to his company was \$43,600 and \$746.54 in reimbursements expenses for a total of \$44,346.54 exactly \$10,000 less than what was showed in the budget amendment. This issue has been reconciled. Working with Talbot County on a fencing project at Perry Cabin Park. There is a DNR Grant for new baseball fencing, to replace and extend the fencing, the park is located within the Town of St. Michaels, so the Town has to be the applicant. Talbot County will be managing, bidding and supervising the project and the Town will be the fascial agent for this project. Expenses will be paid through the town. A letter from the County has been received stating the new fencing will not be the maintenance responsibility of the town, The County will continue to maintain any amenity at the park. Have handed out an example of a wood bollard light that was approved at the HDC meeting for the walkway lighting at the Boy Scout cabin. This design will replace the current 6 lights along the walkway, cost is about \$1,100 each plus the cost of

an electrician. There is no money budgeted for this in the current budget and would become a budget amendment at the end of the year. Take down the old lights and give them back to the Boy Scouts. Phyllis Kennedy stated that she helped pick out the proposed light and that the HDC only approved 3 lights. Was agreed to try 3 lights first and get the input from the neighborhood. Mr. Bibb stated that he could get an electrician to help with taking down the current lights and install the new lights and also help sell the existing lights for the Boy Scouts. There are 13 applications for the soon to be Town Clerk Position. Have been working on Cannabis legislation and would like to bring forward for discussion with the Commissioners at the first meeting in September. Will need to go before the planning Commission as it is a zoning change and would need their recommendation in order to bring before the Commissioners for approval. There is a moratorium on cannabis that will expire in January 2024. Working with Ray Clark, Talbot County Engineer, regarding a sewer line extension on Canton Street, between Gloria and Miles Avenue. There are USDA grant funding for these extensions. Sewer extension would serve vacant lots in this area, would also pay for a new road. This would increase the tax base and open up this area for development. Hopefully this would get installed in September. The annual audit for FY23 will start on Monday. Rob will be on vacation August 28 - September 4.

Steve Ball, alot of the planning work is focused on grants right now, had an annual grant that needed to be closed out and restarted this is about \$4,500 annually that is for staff assistance. Several other grants are flowing through Climate Change/Sea Level Rise Commission that require quarterly reporting. An RFP is out for a new grant that Mr. Meyers drafted and received from Emergency Management, FEMA, that is on our website and will be soliciting for consultants. Have been working on the bids from consultant for the Environmental Concern master plan.

Kathy Thomas, since arrival have been working on complaints regarding recycled trash and how it is to be placed out. Trying to help resolves issues among constituents. High grass and weeds on vacant lots are an ongoing issue. Working with the Chief, Staff and the Fire Department regarding the Town Code that was enacted in 1930 regarding open burning, having issues with burning of debris that is not regulated and fire pits. Will be having a meeting with the Chief in an effort to update the Code.

Chief Oswald, there will be a back-to-school supply for the Children on Friday at noon. Had a complaint that individuals were burning brush, there is nothing in the Code that states they can't.

4. Comments from the Public

Doug Rollow stated that the Fire Company was able to get through on Water Street for the fire at 401 Water Street.

Mark Berman asked the Commissioner's to consider putting the new police department at the property known as Dirty Dan's. There are 5 good reasons; 1. Direct access to Route 33; 2. Directly across from the school, so if they are performing crossing guard duty they can walk right out; 3. Woods behind the property, with a public path is very inviting area to smoke cannabis, with the police department in front of the woods it would then curtail this activity; 4. If the Town does not purchase then someone else will and we just went through the process of someone wanting to purchase and build something that had public opposition; 5. If you build a police station, all the trees would not have to be cut down and this would preserve the wildlife on the nature trail. Property is on the market and if the town does not buy someone else will.

Richard Loomis, wanted to know if the Police Chief has had an opinion on where the police station should be located. Commissioner Briemhurst stated that he would be consulted on

the process. Mr. Loomis stated that the town should keep it on the Mill Street property so not to take another property off the tax roll.

Karen Wald would like to police station at Dirty Dan's, right in front of the town and yes it would take a property off the tax roll but the town has sold 2 properties that will go back on the tax roll.

5. Consent Agenda for Minutes, and Events

Commissioner duPont had comments on the finance reports, he mentioned that the water meter reads for the quarter are up by about 40,000 gallons then last year. This season has had alot of rain and there has been less watering, but the gallon usage is up meaning that the new meters are having an accurate read. Water is selling, meaning a greater income. Should start a contingency account that will help with the start of a new well. He also questioned the \$3,224 in debt service, wanted to know if that was the interest the town pays on the current plan still owed.

Commissioner Harrod motioned to approve meeting minutes from July 12, 2023, and department reports for July 2020 as submitted. Commissioner Whittington seconded and was passed on roll call vote 5-0 in favor.

There were 4 event permits submitted; Permit #2023-17 SMCC Block Party, Permit #2023-19 CBMM Watermen's Appreciate Day, Permit #2023-20 CBMM Boat Auction and Permit #2023-25 Thrive Running, Commissioner duPont motioned to approve the event permits as submitted. Commissioner Mercier seconded and was passed on a roll call vote 5-0 in favor.

6. Ordinances for Public Hearing

Chief Oswald presented Ordinance No. 547- Noise for public hearing, Town Attorney commented that the ordinance was not the one she had last saw for review and that there is potential new language that needs to be added. She had not had a chance to review the ordinance and needed more time to review. Commissioner Briemhurst commented that we have been working on this noise ordinance issue for the past 5 years.

George Galgano agrees with the Commissioner, has been going on to long, all have agreed on something, this is a workable document and should put this to an end.

Town Attorney is going to do some rearranging, not saying we can't accomplish what is intended to be accomplished but don't think it is well worded.

Walda du Priest Brandt questioned that decimal level will be used? Chief Oswald stated that they always try to obtain the decimal level. Ms. du Priest Brandt asked where will you use this decimal level reading? Will it be measured at the source or at the source of the complaint? Chief Oswald stated it would be measured to the nearest point of the source on the complainant's property.

Ordinance No. 547 - Nosit has been tabled until September 13, 2023.

7. New Business

Chief Oswald asked for consideration to approve a change to the police department organizational structure and job description. Commissioner duPont motioned to approve the job description and pay raises as presented for the police department. Commissioner Whittington seconded and was passed on roll call vote 5-0 in favor.

Rob Straebel requested an RFP for development/maintenance of a new town website. Commissioners gave an approval to move forward with this process.

There has been interest from the businesses to re-establish the St. Michaels Tourism Board that was dissolved in May 2014. Commissioner Whittington stated for the business community to come in to tell their needs so that we can work together to try and make things happen. Joan McNamara stated there is not a proposal tonight to resurrect the Tourism Board and that they are not satisfied with the marketing information they are not receiving. Commissioner Mercier commented that the previous marketing company was not providing the necessary information and that is why their contract was not renewed. The business association is closer to the marketing and would like to have their input. Ms. McNamara stated that the marketing budget of \$25,000 is low as a lot of businesses pay more. Commissioner Briemhurst asked Ms. McNamara if she could provide data on what all the individual businesses are spending on marketing before asking the Town to supplement the advertising. Tourism marketing lays with the County. Would like to see the business community become more unified. St. Michaels would be the only Town in Maryland doing tourism marketing. It is the function of the County's, Tourism and Economic Development Board, function of the Visit Maryland and 501(c)(6) organizations such as Chambers of Commerce. Don't believe the Town of St. Michaels should be in the marketing business. Should go to the county first and ask County to start advertising St. Michaels. Would be beneficial for the business community to give advice on how to spend the \$25,000. Richard Loomis has a writer with the Chesapeake Family Life magazine who would come and meet with anyone and publish an article. Susan Wojciechowski would like to see a healthier relationship between the businesses and the Town.

Consideration to approve a Consultant for the Environmental Concern Master Plan where 9 proposals were received. The Selection Review Committee chose the firm of Mahan Rykiel Associates, LLC from Baltimore. They were the most inexpensive proposal, but they were impressed by the team they put together. There are add-on's that would be beneficial and that would bring the contract total to \$55,060. Upon the direction of the Commissioners a contract will be drafted. Once drafted the contract would need to be approved by the Commissioners. There may need to be a Special Session to approve the contract as the next meeting is September 13th, which is about 4 weeks out. Commissioner Mercier motioned to approve the proposal with add-ons from Mahan Rykiel Associates, LLC. Commissioner Harrod seconded and was passed on roll call vote 5-0 in favor.

8. Comments from the Public

None

9. Comments from the Commissioners

None

10. Commissioners Proposed Calendar 2023

Consider banning gas leaf blowers within the Town. Cannabis discussion and a code regarding over hangs.

11. Announcement of Future Meetings - to be held at Library.

September 13, 2023 - Working Session
September 27, 2023 - Legislative Session
October 11, 2023 - Working Session
October 25, 2023 - Legislative Session
November 8, 2023 - Working Session
November 22, 2023 - Legislative Session

12. Closed Session Statement

The Commissioners will meet in a closed session after adjournment of Open Session pursuant to Maryland Code, under the Open Meetings Act, General Provisions Article Section §3-305(b) to discuss the following: (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

13. Adjournment of Open Session

At close of Open Session, COSM will convene into Closed Session

Commissioner Whittington motioned to go into Closed Session. Commissioner Harrod seconded and was passed on a roll call vote of 5-0.

14. Adjournment of Closed Session

Respectfully Submitted,

Vickie Sharp, Town Clerk

Public Participation: All comments from the public will be taken during the period set aside for "Comments from the Public." The "Comments from the Public" portion of the Commission agenda shall have a limited time period as determined by the Commissioners, and shall be at the beginning and at the end of each agenda. To be recognized, a member of the public should raise his or her hand and wait to be recognized by the President. Comments and questions should be kept brief and to the point, and be directed to the President.

- (c) no permission for use may be granted;
- (d) no programs or events may be scheduled; and
- (e) no other authorization may be given.

H. The Parks and Recreation Advisory Board shall exercise its assigned duties and functions in relation to those parks and recreation facilities explicitly designated by the Commissioners as within the Boards purview.

I. The duties and functions of the Parks and Recreation Advisory Board are:

- (1) to observe conditions, uses, activities, and programs;
- (2) to report to the Commissioners any needs for maintenance and to recommend to the Commissioners policies and practices and the means of their implementation;
- (3) to interact with community agencies, citizen groups, donors, and other parties in making recommendations to the Commissioners on the planning, design, development, and enhancement of facilities and programs;
- (4) to coordinate approved activities by citizen volunteers;
- (5) by February 1 of each year, to prepare for the Commissioners budget recommendations for capital improvement to be considered in the overall Town budget process;
- (6) to report to the Commissioners as appropriate but not less than once every three (3) months and to submit an annual written report of their activities and recommendations, said report to be submitted to the Commissioners by February 1 of each year;
- (7) to coordinate with and assist the Town staff and Public Works Department on projects that the Commissioners have approved.

§98-4. St. Michaels Tourism Board

- A. There is a St. Michaels Tourism Board.
- B. (1) The St. Michaels Tourism Board consists of seven (7) members appointed by the Commissioners of St. Michaels:

(a) Five (5) members shall be from the tourist industry and to the extent possible in the sole discretion of the Commissioners, there will be one member from each of the following sectors:

- [1] retail;
- [2] food and beverage;
- [3] hotel/motel;
- [4] bed and breakfast-inns; and
- [5] not-for-profit;

(b) One (1) member shall represent the St. Michaels Business Association; and

(c) One (1) member shall be at large.

(2) Nominations for the five tourist industry positions and the at-large position may be made by:

- (a) members of the Tourism Board whose terms are not expiring;
- (b) interested persons who nominate themselves;
- (c) groups of persons belonging to one of the represented tourist industries; and
- (d) the Commissioners of St. Michaels.

(3) Nominations for the position held by the St. Michaels Business Association will be made by the St. Michaels Business Association.

(4) Nominations must be:

- (a) signed;
- (b) specify the seat for which the nominee is proposed; and
- (c) include the nominee's credentials.

(5) The following persons are eligible to serve on the Tourism Board:

- (a) citizens of the Town;
- (b) owners or employees of tourist-focused businesses or organizations, either profit or not-for-profit, located in the Town of St. Michaels;
- (c) owners or employees of tourist-focused businesses that are not located in the Town of St. Michaels, but whose Accommodation Tax receipts are paid to the Town.

C. The term of a member of the St. Michaels Tourism Board is three (3) years.

D. (1) The Commissioners of St. Michaels shall annually appoint the chair of the St. Michaels Tourism Board.

- (2) The appointment of the chair shall take effect July 1 of each year.
- E. All members of the St. Michaels Tourism Board shall serve without compensation.
- F. The St. Michaels Tourism Board shall meet as often as necessary, but not less than once per quarter.
- G. (1) The duties of the St. Michaels Tourism Board are:
- (a) to develop, in cooperation with the Talbot County Office of Tourism (TCOT), a marketing and advertising campaign to promote tourism in St. Michaels;
 - (b) to work with the TCOT and any other agents to ensure the campaign is implemented as intended by the Board;
 - (c) to submit annually to the Commissioners for their approval a budget for the upcoming fiscal year, accompanied by an explanation of goals and strategies for the upcoming fiscal year;
 - (d) to submit at the end of each fiscal year a report to the Commissioners evaluation the success of the closing year's marketing campaign;
 - (e) to oversee the disbursement of funds allocated to its budget and to the extent possible, sufficient funds should be disbursed in cooperation with the TCOT to permit the TCOT to take full advantage of any many funds that may be available to it through the State of Maryland or other source that may be available; and
 - (f) to act as an advisory and consultative body to the Commissioners on policy, planning and funding issues.
- (2) The budget required to be submitted under paragraph (c) of this subsection shall:
- (a) be developed subject to the guidelines set forth in the Memorandum of Understanding designated in subsection I. of this section; and
 - (b) show the distribution of the formula allocation among the various activities by the Board.
- H. (1) All disbursements by the Board from public funds shall be paid through a government agency, the Town Office or the Talbot County Office of Finance, pursuant to procedures and controls established with the respective government agency.

Introduction – May 14, 2014
Vote – May 28, 2014
Effective – June 18, 2014

ORDINANCE NO. 451

THE PURPOSE OF THIS ORDINANCE IS TO AMEND CHAPTER 98 (BOARDS, COMMISSIONS, COMMITTEES AND PANELS), § 98-5 OF THE CODE OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF DISSOLVING THE ST. MICHAELS TOURISM BOARD; AND ALLOWING FOR THE CREATION OF A TOURISM ADVISORY BOARD AND PROVIDING THAT THIS TITLE OF THIS ORDINANCE SHALL BE A FAIR SUMMARY HEREOF.

WHEREAS, pursuant to Ordinance No. 352, adopted August, 22, 2007, The Commissioners of St. Michaels (the “Commissioners”) created the St. Michaels Tourism Board (the “Tourism Board”), which consists of seven members appointed by the Commissioners; and

WHEREAS, the duties of the Tourism Board are to: (1) develop, in cooperation with the Talbot County Office of Tourism (the “TCOT”), a marketing and advertising campaign to promote tourism in the Town of St. Michaels (the “Town”); (2) work with the TCOT and any other agents to ensure the campaign is implemented as intended by the Tourism Board; (3) submit annually to the Commissioners for their approval a budget for the upcoming fiscal year, accompanied by an explanation of goals and strategies for the upcoming fiscal year; (4) submit at the end of each fiscal year a report to the Commissioners evaluating the success of the closing year’s marketing campaign; (5) oversee the disbursement of funds allocated to its budget, and to the extent possible, sufficient funds should be disbursed in cooperation with the TCOT to permit the TCOT to take full advantage of any funds that may be available to it through the State of Maryland or other source that may be available; and (6) act as an advisory and consultative body to the Commissioners on policy, planning, and funding issues; and

WHEREAS, the Commissioners have budgeted for a full-time Communications Director for the Town, who is expected to begin working for the Town in such capacity on or about June 1, 2014; and

WHEREAS, the Communication Director’s job duties include those duties that are currently performed by the Tourism Board, thereby obviating the need for a tourism board in the Town as currently constituted per § 98-5 of the Code of the Town of St. Michaels (the “Code”); and

WHEREAS, in their SWOT (Strengths, Weakness, Opportunities and Threats) analysis dated March 2014, the St. Michaels Tourism Board (SMTB) encouraged the Commissioners to hire a professional to work for the Town, with input from the SMTB as an advisory board; and

WHEREAS, it is the desire of the Commissioners to amend Chapter 98 (Boards, Commissions, Committees and Panels) of the Code to dissolve the Tourism Board while retaining the ability to appoint a new tourism advisory board in the future if the Commissioners so desire; and

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

WHEREAS, it is the intention of the Commissioners and it is hereby ordained that the provisions of this Ordinance shall be included in the Code; that the sections and subsections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word “Ordinance” shall be changed to “section” or other appropriate word, as required for codification; and

WHEREAS, for the reasons stated above, the Commissioners deem it in the interest of the public health, welfare, and safety of the citizens of the Town, and for the good government of the Town, to enact the following Ordinance.

SECTION I.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 98 (Boards, Commissions, Committees and Panels) is hereby amended as follows, with new language shown in underlined italics and deleted language shown in ~~((double parentheses))~~ and a strikethrough as follows:

§ 98-5 St. Michaels Tourism Advisory Board.

~~((A.— There is a))~~ The Commissioners may appoint a St. Michaels Tourism Advisory Board and establish by ordinance the duties, procedures and qualifications therefor.

~~((B.— Membership.~~

~~(1) The St. Michaels Tourism Board consists of seven members appointed by the Commissioners of St. Michaels:~~

~~(a) Five members shall be from the tourist industry, and to the extent possible in the sole discretion of the Commissioners, there will be one member from each of the following sectors:~~

~~{1} Retail;~~

~~{2} Food and beverage;~~

~~{3} Hotel/Motel;~~

~~{4} Bed and breakfast inns; and~~

~~{5} Not for profit.~~

~~(b) One member shall represent the St. Michaels Business Association; and~~

~~(c) One member shall be at large.~~

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

~~(2) Nominations for the five tourist industry positions and the at-large position may be made by:~~

~~(a) Members of the Tourism Board whose terms are not expiring;~~

~~(b) Interested persons who nominate themselves;~~

~~(c) Groups of persons belonging to one of the represented tourist industries; and~~

~~(d) The Commissioners of St. Michaels.~~

~~(3) Nominations for the position held by the St. Michaels Business Association will be made by the St. Michaels Business Association.~~

~~(4) Nominations must be:~~

~~(a) Signed;~~

~~(b) Specify the seat for which the nominee is proposed; and~~

~~(c) Include the nominee's credentials.~~

~~(5) The following persons are eligible to serve on the Tourism Board:~~

~~(a) Citizens of the Town;~~

~~(b) Owners or employees of tourist focused businesses or organizations, either profit or not for profit, located in the Town of St. Michaels;~~

~~(c) Owners or employees of tourist focused businesses that are not located in the Town of St. Michaels, but whose accommodation tax receipts are paid to the Town.~~

~~C. The term of a member of the St. Michaels Tourism Board is three years.~~

~~D. Chair of Board.~~

~~(1) The Commissioners of St. Michaels shall annually appoint the chair of the St. Michaels Tourism Board.~~

~~(2) The appointment of the chair shall take effect July 1 of each year.~~

~~E. All members of the St. Michaels Tourism Board shall serve without compensation.~~

~~F. The St. Michaels Tourism Board shall meet as often as necessary, but not less than once per quarter.~~

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

~~G. Duties; budget.~~

~~(1) The duties of the St. Michaels Tourism Board are:~~

- ~~(a) To develop, in cooperation with the Talbot County Office of Tourism (TCOT), a marketing and advertising campaign to promote tourism in St. Michaels;~~
- ~~(b) To work with the TCOT and any other agents to ensure the campaign is implemented as intended by the Board;~~
- ~~(c) To submit annually to the Commissioners for their approval a budget for the upcoming fiscal year, accompanied by an explanation of goals and strategies for the upcoming fiscal year;~~
- ~~(d) To submit at the end of each fiscal year a report to the Commissioners evaluating the success of the closing year's marketing campaign;~~
- ~~(e) To oversee the disbursement of funds allocated to its budget, and to the extent possible, sufficient funds should be disbursed in cooperation with the TCOT to permit the TCOT to take full advantage of any funds that may be available to it through the State of Maryland or other source that may be available; and~~
- ~~(f) To act as an advisory and consultative body to the Commissioners on policy, planning and funding issues.~~

~~(2) The budget required to be submitted under Subsection G(1)(c) of this subsection shall:~~

- ~~(a) Be developed subject to the guidelines set forth in the memorandum of understanding designated in Subsection I of this section; and~~
- ~~(b) Show the distribution of the formula allocation among the various activities by the Board.~~

~~H. Disbursements; contracts.~~

- ~~(1) All disbursements by the Board from public funds shall be paid through a government agency, the Town office or the Talbot County Office of Finance, pursuant to procedures and controls established with the respective government agency.~~
- ~~(2) Disbursements may also be regulated by the memorandum of understanding designated in Subsection I of this section.~~

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

~~(3) The Commissioners shall have the power to review, approve, disapprove, modify, amend or substitute any contract entered into or proposed by the Board.~~

~~(4) Contracts entered into by the TCOT for its own purposes, through which the TCOT may choose to implement the Board's plans, shall not be subject to further review, approval, disapproval, modification, amendment or substitution by the Commissioners.~~

~~I. Memorandum of understanding.~~

~~(1) The St. Michaels Tourism Board shall be further governed by the terms of a memorandum of understanding (MOU) between Talbot County and the Commissioners.~~

~~(2) The terms of this MOU may be amended from time to time as deemed necessary by both parties.))~~

SECTION II.

The Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION III.

The provisions of this Ordinance are declared to be severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, the same shall be deemed separate, distinct, and independent from, and such holding shall not affect the validity of, the remaining portions of this Ordinance, it being the intent of the Commissioners that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION IV.

All ordinances or parts of ordinances of the Town inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION VI.


This Ordinance shall take effect twenty (20) days from the date of its enactment, having been read at two (2) meetings of The Commissioners of St. Michaels and having been passed by a yea and nay vote of The Commissioners of St. Michaels.

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

HAVING BEEN INTRODUCED, read for the first time and ordered posted on the Town bulletin board at the Public Meeting of The Commissioners of St. Michaels held on this 14th day of May, 2014, at 5:00 'clock p.m., in the meeting room at the Edgar M. Bosley, Jr. (Town Office), 300 Mill Street, St. Michaels, Maryland.

 (SEAL)
Jean R. Weisman
Town Clerk\Manager


HAVING BEEN READ for the second time and passed by a yea and nay vote of The Commissioners of St. Michaels at a Public Meeting of The Commissioners of St. Michaels held on this 28th day of May, 2014 at 5:00 o'clock p.m., in the meeting room of the Town Office, St. Michaels, Maryland.

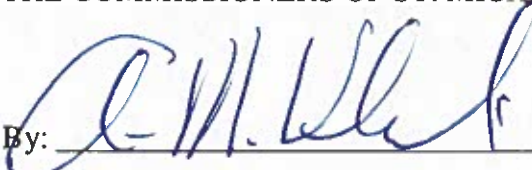
Vlahovich	-	___yea___
Clark	-	___yea___
Borders	-	___yea___
Myers	-	___yea___
Harrod	-	___yea___

I HEREBY CERTIFY that the above Ordinance No. 451 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 28th day of May, 2014.

ATTEST:

THE COMMISSIONERS OF ST. MICHAELS


Jean R. Weisman, Town Clerk\Manager

By:  (Seal)
A. Michael Vlahovich, President

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 29th day of May, 2014, at 8:30 o'clock a.m. to the 17th day of June, 2014, at 4:30 o'clock p.m., on the bulletin board at the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 451, the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read on the bulletin board of the Town Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said Ordinance in a newspaper having general circulation in the Town of St. Michaels.

Date: 6/18/14, 2014

Jean R. Weisman (Seal)
Jean R. Weisman, Town Clerk\Manager



Board: Town Commission
Meeting Date: November 8, 2023
Agenda Subject: Discussion Regarding Future Location of a Police Department Building
Recommendation: Discussion with motion to approve.

Background Information:

Commissioner Whittington has requested a discussion item to *“evaluate/review moving forward with the Police Station being relocated to 301 Mill St. vs construction/remodeling of 100 Fremont St.”*

On September 27, 2023 Commissioners discussed the overall financial condition of the Town. At this point, the estimated cost of building a new police station is \$4.5 million. Costs to renovate the current police station on Fremont Street will be relatively small and a fraction of the cost for new construction. At the September 27 meeting, Commissioners were generally supportive of making building improvements to the current police station facility.

Action:

Discussion.



Board: Town Commission
Meeting Date: November 8, 2023
Agenda Subject: Mediation Agreement
Recommendation: Discuss MOU between Mid-Shore Mediation and St. Michaels Police

Background Information:

In an effort to comply with the standards set forth in COMAR 12.4.11, the St. Michaels Police Department (along with all law enforcement agencies in the State) needs to establish an alternative method to address minor, non-violent, misconduct complaints outside of the complaint process. To address this, The Maryland Police and Correctional Training Commission recommends the adoption of a Police Complaint Mediation Program. Mediation is one of several alternate dispute resolution techniques used to settle disagreements or conflicts.

I (Chief Oswald) have had several discussions on this topic with the local agency heads of Easton Police Department, Oxford Police Department, and Talbot County Sheriff's Office. These meetings found a mutual consensus to use Mid-Shore Mediation. Mid-shore Mediation is a not-for-profit organization located in Easton, MD, who have agreed to address the mediation needs of our agency at no cost.

Along with this MOU, a COMAR reference, a St. Michaels Police Department Policy/Procedure, and a Mid-Shore Mediation pamphlet/referral form has been attached for your review. Your go-ahead is requested to obtain compliance with the State's mandate.

It should be noted that on 10-17-23, the MOU was reviewed by our town attorney. No issues were found.

Action:

Discuss/Approve Memorandum of Understanding

Enclosed:

MOU between Mid-Shore Mediation and the St. Michaels Police Department
COMAR Title 12 Subtitle 04 Department of Public Safety and Correctional Services
St. Michaels Police Department Mediation Policy
Mid-Shore Mediation pamphlet and referral form

Memorandum of Understanding

Providing Police Complaint Mediation Services Between Mid Shore Community Mediation Center and the St. Michaels Police Department

PURPOSE

Mediation is one of the several alternate dispute resolution techniques that are used to settle disagreements or conflicts. It is based on the voluntary participation of the disputing parties who agree to discuss their differences in the presence of a third party, an independent, trained mediator. Mediation calls for a “good faith” conversation between the disputing parties in a safe environment where they can meet and air their views about the events or issues that created the dispute. The mediation process is intended to develop mutual understanding between the conflicting parties with the goal of resolving the dispute.

Mid Shore Community Mediation Center will work in conjunction with the St. Michaels Police Department to provide mediation services for certain minor complaints involving law enforcement officer(s) and members of the community.

This Memorandum of Understanding (MOU) formalizes an agreement between parties to establish a police complaint mediation program consistent with COMAR 12.04.11, which provides an alternative method to address minor, nonviolent police misconduct complaints outside of the standard complaint process.

OBJECTIVE

The St. Michaels Police Department recognizes that the traditional standard investigation and adjudication process used to investigate complaints does not provide opportunities for complainants and police officers to interact in a controlled setting in a way that is calculated to increase mutual understanding and bring closure to minor problem incidents. Some complainants simply want to understand why an officer took a particular action, or want an opportunity to explain their own actions to the officer. Other complainants want to retain some control over how their complaint is handled rather than turning the complaint entirely over to the law enforcement agency or civilian administrative charging committees for decisions and resolution.

The St. Michaels Police Department believes that mediation can bridge the communication gap and create greater understanding and appreciation between community members and officers. Thus, the St. Michaels Police Department proposes to offer a Police Complaint Mediation Program as an alternative to its traditional standard complaint resolution process.

DEFINITIONS

I. The following words will have the meanings indicated according to COMAR 12.04.11.03 B.

A. “Confidential material” means any communication occurring during a mediation session that may not be disclosed outside the mediation except as allowed pursuant to Courts and Judicial Proceedings Article, §3-1804, Annotated Code of Maryland.

B. “Impasse” means an outcome of a mediation session in which the parties are unable to resolve the dispute.

C. "Independent mediation provider" means an organization, separate and apart from a law enforcement agency, that can provide mediators to conduct mediation sessions between complainants and law enforcement personnel.

D. "Letter of conclusion" means a document signed by staff of the independent mediation provider that is delivered to a law enforcement agency indicating that a mediation session was held between a complainant and police officer.

E. "Letter of consent to mediate" means a document signed by the parties in mediation indicating each party's voluntary participation in mediation, and witnessed by the mediator.

F. "Mediation" means a process in which parties in a dispute work with one or more impartial mediators who assist the parties in reaching a voluntary agreement for the resolution of a nonviolent dispute or conflict (COMAR 12.04.10.03B).

G. "Mediator" means a trained, impartial third party, affiliated with an independent mediation provider, who will facilitate a mediation session between parties to assist them in reaching a voluntary resolution to their dispute.

H. "Police misconduct" has the meaning stated in Public Safety Article, §3-101, Annotated Code of Maryland.

I. "Resolution" means a mutual agreement resolving a conflict between two or more disputing parties.

II. Mid Shore Community Mediation Center will serve as the independent mediation provider.

ELIGIBLE COMPLAINTS

I. Pursuant to COMAR 12.04.11.06, the St. Michaels Police Department will carefully review and evaluate each complaint and the circumstances reported in that complaint prior to determining if mediation should/should not be offered to the parties involved in the incident.

II. The St. Michaels Police Department has determined that, in general, depending on the particular circumstances surrounding the complaint, mediation may be offered to resolve a complaint that appears to be based on:

A. A lack of communication or miscommunication between a community member and police officer involved in an incident;

B. A misunderstanding about an officer's authority to act;

C. A misunderstanding about an officer's application of an agency standard operating procedure or other professionally accepted practice.

III. When deciding whether to consider any complaint for mediation as an alternative to a traditional investigation, the St. Michaels Police Department will consider, at a minimum, the following:

A. The type and severity of the alleged violation and the particular circumstances involved in the complaint;

B. The work history and disciplinary record of the officer involved including previous mediation history;

C. Whether mediation will potentially:

- (1) result in greater complainant satisfaction;
- (2) improve citizen understanding of police procedures and actions;
- (3) result in improved officer conduct; and
- (4) contribute to improved citizen-police relations.

D. Even if a complaint is eligible for mediation, any participant may decline to participate in the mediation process. Additionally, if a complaint is eligible for mediation, the agency head or designee has the authority to decide, for any reason, that a case may not be assigned for mediation.

COMPLAINT REFERRAL PROCESS

I. Pursuant to COMAR 12.04.11.07A, once a complaint has been initially reviewed by the agency to determine its mediation eligibility, the parties involved in the complaint will be notified of the option to mediate.

II. Notification to Involved Parties.

A. Police Officer

- (1) If the complaint is eligible and conforms to COMAR 12.04.11.06, the law enforcement agency shall notify the police officer who is the subject of the complaint of the mediation option.
- (2) The law enforcement agency shall provide the independent mediation provider with contact information for the police officer. If the police officer does not contact the independent mediation provider within 3 business days, the independent mediation provider shall contact the police officer to conduct a private intake to determine if he/she chooses to voluntarily participate in mediation with the complainant.
- (3) If the police officer voluntarily agrees to the mediation of the complaint, see "B Complainant" below.
- (4) The law enforcement agency will not consider an officer's decision to mediate or not mediate a complaint during any later disciplinary proceedings.

B. Complainant

- (1) If the police officer voluntarily agrees to mediation, the law enforcement agency shall notify the complainant of the mediation option.
- (2) The law enforcement agency will request permission to share their contact information with intake staff at the independent mediation provider. If the complainant does not contact the independent mediation provider within 3 business days, the independent mediation provider shall contact the complainant (when possible) to conduct a private intake to determine if he/she chooses to voluntarily participate in mediation with the police officer.

III. If the police officer or complainant decline to participate in mediation, the matter shall be referred back to the administrative complaint process set forth in COMAR 12.04.09.

IV. When a case has been referred to the mediation service, the independent mediation provider will manage the case through mediation, and where applicable, resolution.

SCHEDULING A MEDIATION SESSION

I. Mediation sessions should be scheduled within 30 days of the referral to the independent mediation provider.

II. The mediation session shall be scheduled when the officer is on-duty.

III. Once Mid Shore Community Mediation Session has scheduled a mediation session and contacted the officer, the officer is required to appear at the mediation session as scheduled. Mid Shore Community Mediation Center will contact the St. Michaels Police Department as soon as practical if an officer fails to appear at a scheduled mediation session.

IV. An officer's failure to appear for a scheduled mediation session without a justifiable reason and/or without contacting Mid Shore Community Mediation Session prior to the session, will constitute the officer's declination to participate, nullify the agreement to mediate, and result in the complaint being investigated and resolved pursuant to procedures set forth in COMAR 12.04.09 and 12.04.10.

CONFIDENTIALITY OF MEDIATION SESSION

I. Confidentiality is an essential element of mediation both for the complainant and for the officer involved. Therefore, the St. Michaels Police Department along with Mid Shore Community Mediation Center, will adhere to confidentiality requirements set forth in the Courts and Judicial Proceedings Article §3-1803.

II. Statements made during mediation cannot be used against a police officer, the complainant, or any other party in mediation in a criminal, civil or administrative matter.

III. The mediator shall keep mediation communication confidential, including intake conversations.

IV. The participants may share mediation communication as they wish (outside of judicial or administrative proceedings) unless they make a separate agreement indicating that they will keep it confidential.

V. Exceptions to confidentiality exist in certain circumstances, including but not limited to:

A. Prevent bodily harm or death – can be reported to law enforcement or the potential victim;

B. Assert or defend against allegations of mediator misconduct;

C. Assert or defend against allegations of another professional's misconduct, such as an attorney who was in a mediation. A mediator cannot be compelled to testify on this, but participants can break confidentiality as necessary for this reason;

D. Make the case that a mediation contract should be rescinded because of fraud, duress, or misrepresentation; or

E. As otherwise required by law – currently child abuse and vulnerable adult abuse.

RESOLUTION

I. When the mediation process has concluded, the outcome shall be determined by Mid Shore Community Mediation Center to be:

- A. A successful resolution if all parties agree with the resolution; or
- B. An impasse if one or more parties to the complaint cannot agree to a satisfactory resolution.

II. An impasse shall be referred back to the law enforcement agency of the involved police officer for investigation and handled through the administrative complaint process set forth in COMAR 12.04.09.

III. A successful resolution shall be documented by Mid Shore Community Mediation Center in a written statement, signed by both parties and a representative of the mediation center.

IV. The mediator shall send a letter of conclusion to the referring law enforcement agency indicating the results of mediation.

V. Results of the mediation shall be tracked by the St. Michaels Police Department and forwarded to the local police accountability board.

VI. Complaint mediation statistics shall be included in the St. Michaels Police Department annual reporting of complaints involving the public, and the statistics shall include the:

- A. Total number of complaints handled through mediation;
- B. Number of successful resolutions; and
- C. Number of mediation impasses.

VII. If the police officer fails to comply with the actions and deadlines identified in the mediation agreement, a new complaint of police misconduct shall be initiated and the actions of the original complaint of police misconduct shall be considered as a potential aggravating factor.

COMAR

12.04.11.00

Title 12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Subtitle 04 POLICE TRAINING AND STANDARDS COMMISSION

Chapter 11 Police Complaint Mediation Program

Authority: Public Safety Article, §§3-207 and 3-208, Annotated Code of Maryland

12.04.11.01

.01 Purpose.

A. This chapter establishes a police complaint mediation program which provides an alternative method to address minor, nonviolent police misconduct complaints outside of the standard complaint process.

B. A law enforcement agency may refer a nonviolent complaint made against a police officer, subject to the agreement of the complainant and the involved police officer, to an independent mediation provider.

12.04.11.02

.02 General Provisions.

A. Mediation is a process for settling minor police misconduct disputes based on the voluntary participation of the disputing parties.

B. If eligible, voluntary mediation between community members and police officers may be used in place of the traditional administrative complaint process and administrative charging committees (ACC).

C. The mediation process can bridge the communication gap and create a greater understanding and appreciation between community members, police officers, and employing law enforcement agencies.

12.04.11.03

.03 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Confidential material" means any communication occurring during a mediation session that may not be disclosed outside the mediation except as allowed pursuant to Courts and Judicial Proceedings Article, §3-1804, Annotated Code of Maryland.

(2) "Impasse" means an outcome of a mediation session in which the parties are unable to resolve the dispute.

(3) "Independent mediation provider" means an organization, separate and apart from a law enforcement agency, that can provide mediators to conduct mediation sessions between complainants and law enforcement personnel.

(4) "Letter of conclusion" means a document signed by staff of the independent mediation provider that is delivered to a law enforcement agency indicating that a mediation session was held between a complainant and police officer.

(5) "Letter of consent to mediate" means a document signed by the parties in mediation indicating each party's voluntarily participation in mediation, and witnessed by the mediator.

(6) "Mediation" has the meaning stated in COMAR 12.04.10.03B.

(7) "Mediator" means a trained, impartial third party, affiliated with an independent mediation provider, who will facilitate a mediation session between parties to assist them in reaching a voluntary resolution to their dispute.

(8) "Police misconduct" has the meaning stated in Public Safety Article, §3-101, Annotated Code of Maryland.

(9) "Resolution" means a mutual agreement resolving a conflict between two or more disputing parties.

12.04.11.04

.04 Establishing a Police Complaint Mediation Program.

A. The Maryland Police Training and Standards Commission (MPTSC) in collaboration with community-based mediation resources shall establish and maintain a listing of qualified mediation providers located within the State.

B. A law enforcement agency interested in establishing a mediation program shall contact MPTSC for referral to an appropriate mediation provider.

C. Prior to establishing a mediation process, a law enforcement agency shall enter into a memorandum of understanding (MOU) with a local independent mediation provider approved by MPTSC.

D. A local law enforcement agency shall establish guidelines for mediation consistent with this regulation and any policy guidelines provided by MPTSC.

E. A law enforcement agency that enters into an MOU with a qualified mediation provider shall report the establishment of a program to MPTSC and forward a copy to ensure the program meets the requirements of the regulation.

12.04.11.05

.05 Mediation Participation.

A. Participant Requirements.

(1) Participation in a mediation program is voluntary and shall be agreed upon by the complainant, law enforcement agency, and police officer identified in the complaint.

(2) A complainant or police officer who is the subject of a complaint of police misconduct has the right to decline mediation.

(3) If a police officer who is the subject of a complaint declines the offer to mediate the complaint, the decision to not participate may not be considered during any disciplinary proceeding.

(4) A party to mediation shall sign a letter of consent to mediate as an alternative to the formal police misconduct complaint process, outlined in COMAR 12.04.09 and the uniform citizen complaint process.

B. Confidentiality.

(1) All parties involved in a potential mediation process shall agree to the confidentiality requirements as set forth in Courts and Judicial Proceedings Article, §3-1803, Annotated Code of Maryland.

(2) Except as provided in Courts and Judicial Proceedings Article, §3-1804, Annotated Code of Maryland, statements shared during a mediation are considered confidential material and may not be disclosed in any judicial, administrative, or other proceeding.

C. Costs associated with participating in a mediation program are the responsibility of the law enforcement agency employing the involved police officer.

12.04.11.06

.06 Complaints Eligible for Mediation.

A. Complaint Eligibility.

(1) A nonviolent complaint of a minor nature is eligible for mediation if it falls into one of the following categories:

- (a) Violation category A, as stated in COMAR 12.04.10.04D(2); or
- (b) Violation category B, as stated in COMAR 12.04.10.04D(3).

(2) A law enforcement agency shall review the nature of the complaint and determine if mediation is appropriate, based on the following factors:

- (a) Type and severity of the alleged violation;
- (b) Circumstances of the alleged police misconduct; and
- (c) Work history and past disciplinary record of the involved police officer.

(3) Even if a complaint is eligible for mediation, the agency head or designee has the authority to decide, for any reason, that a case may not be assigned for mediation.

B. Complaints Not Eligible.

(1) A complaint of police misconduct that involves any level of force is not eligible for mediation.

(2) A complaint is not eligible for mediation if it falls into one of the following categories:

- (a) Violation category C, as stated in COMAR 12.04.10.04D(4);
- (b) Violation category D, as stated in COMAR 12.04.10.04D(5);
- (c) Violation category E, as stated in COMAR 12.04.10.04E(6); or
- (d) Violation category F, as stated in COMAR 12.04.10.04D(7).

C. A complaint of police misconduct not eligible for mediation shall be handled through the process set forth in COMAR 12.04.09.

12.04.11.07

.07 Complaint Procedures.

A. When a minor complaint from a member of the public has been made to a law enforcement agency or police accountability board, a law enforcement agency shall review the nature of the complaint and determine if it is eligible for the mediation program.

B. Notification to Involved Parties.

(1) If the complaint is eligible and conforms to Regulation .06 of this chapter, the law enforcement agency shall notify the police officer who is the subject of the complaint of the mediation option.

(2) If the police officer agrees to mediation, the law enforcement agency shall notify the complainant of the mediation option.

C. If the police officer or a complainant decline to participate in mediation, the matter shall be referred back to the administrative complaint process set forth in COMAR 12.04.09.

D. If all parties to the complaint agree to the mediation process, the law enforcement agency shall contact the independent mediation provider in which there is a current memorandum of understanding (MOU) and proceed with the process pursuant to the MOU.

E. When a case has been referred to the mediation service, the independent mediation provider will manage the case through mediation and resolution.

12.04.11.08

.08 Resolution.

A. When the mediation process has concluded, the outcome shall be determined by the independent mediation provider to be:

(1) A successful resolution if all parties agree with the resolution; or

(2) An impasse if one or more parties to the complaint cannot agree to a satisfactory resolution.

B. An impasse shall be referred back to the law enforcement agency of the involved police officer for investigation and handled through the administrative complaint process set forth in COMAR 12.04.09.

C. A successful resolution shall be documented by the independent mediation provider in a written statement, signed by both parties and the mediator.

D. The mediator shall send a letter of conclusion to the referring law enforcement agency indicating the results of mediation.

E. Results of the mediation shall be tracked by the law enforcement agency and forwarded to the local police accountability board.

F. Complaint mediation statistics shall be included in the law enforcement agency's annual reporting of complaints involving the public, and the statistics shall include the:

- (1) Total number of complaints handled through mediation;
- (2) Number of successful resolutions; and
- (3) Number of mediation impasses.

G. If the police officer fails to comply with the actions and deadlines identified in the mediation agreement, a new complaint shall be initiated and the actions of the original complaint of misconduct shall be considered as a potential aggravating factor.

COMAR

12.04.09.06

.06 Law Enforcement Agency Investigation.

A. Complaints Eligible for Mediation.

(1) Complaints from the public that meet the eligibility requirements for the mediation process established by regulation pursuant to Public Safety Article, §3-207(d), Annotated Code of Maryland, may, subject to the agreement of the complainant, be handled outside of the formal PAB and ACC complaint process.

(2) Complaints from the public handled through mediation shall be:

- (a) Tracked with other citizen complaints; and
- (b) Reported to the PAB.

B. Complaints Not Eligible for Mediation. A law enforcement agency shall complete a thorough investigation upon receipt of a complaint of alleged police officer misconduct, which is not eligible for mediation, as prescribed pursuant to Public Safety Article, §§3-102 and 3-103, Annotated Code of Maryland.

C. Upon completion of an investigation involving a member of the public, the law enforcement agency shall forward to the ACC the investigative files for the matter and any agency head recommendations within 3 business days of the date the:

- (1) Law enforcement agency completed its investigation and agency review; or
- (2) Agency head of the law enforcement agency completes the agency review and issues a written recommendation regarding the imposition of discipline consideration by the ACC.

D. Recommendation by Agency Head of the Law Enforcement Agency.

(1) An agency head may include a written recommendation for the ACC to consider regarding the matter under investigation.

- (2) The written recommendation may include an agency head's:
- (a) Opinion regarding whether the police officer should be disciplined;
 - (b) Explanation of aggravating or mitigating factors or circumstances; and
 - (c) Recommendation for a remedial measure, if the ACC determines not to impose administrative charges against the police officer.

(3) If an agency head believes that discipline is warranted, based on the facts presented in the investigation, an agency head may make a specific recommendation for discipline in accordance with the Uniform State Disciplinary Matrix, as approved by the Police Training and Standards Commission under Public Safety Article, §3-105, Annotated Code of Maryland.

COMAR

12.04.10.05

.05 Process for Determining Discipline and Imposing Administrative Charges.

A. Following a complaint of police officer misconduct the law enforcement agency conducting the investigation shall:

(1) Investigate the police officer's actions to determine if the action was a violation of law, regulation, the law enforcement agency's policy, or other form of police misconduct; and

(2) Include the information in the investigative file.

B. An ACC shall review the investigative file and, if applicable, an agency head's recommendation regarding the imposition of administrative charges in accordance with COMAR 12.04.09.

C. Following an ACC's review and deliberation, the ACC shall review the violation category definitions for the most appropriate violation category.

D. When determining the appropriate violation category, level, and disciplinary range, an ACC, agency head, or trial board may use the Uniform State Disciplinary Matrix violation examples posted on the Police Training and Standards Commission's website as a guide.

E. Factors Influencing the Determination to Recommend Administrative Charges and Impose Discipline.

(1) Mitigating and aggravating factors surrounding a sustained violation may increase or decrease the discipline.

(2) Factors considered within a disciplinary range shall stay with the specific violation category.

F. Multiple Count Adjustments. When multiple violations arise from the same incident:

(1) The violations may be consolidated into one form of discipline by:

(a) Selecting the most serious violation as a starting point within a violation category; and

(b) Weighing the other violations to determine whether and how much to increase the discipline with the selected violation category; or

(2) Each sustained misconduct violation may be considered separately for the purpose of determining discipline.

G. Prior Disciplinary Record.

(1) An ACC, agency head, or trial board shall consider a police officer's prior sustained disciplinary record when determining discipline for a new violation.

(2) When applicable, three or more sustained violations in the same category within a specified time period shall progress to the next violation category.

H. Deviation from the Uniform State Disciplinary Matrix.

(1) An ACC, agency head, or trial board may deviate from the use of the Uniform State Disciplinary Matrix only when required by court order, consent decree, or other superseding legal authority.

(2) The Uniform State Disciplinary Matrix does not impact a law enforcement agency's rights to maintain order and manage the affairs of a law enforcement agency in all aspects including, but not limited to:

(a) Establishing standards of service;

(b) Transfer or assignment of a police officer;

(c) Establishing standards for performance and conduct; and

(d) Maintaining control and regulation of the use of government equipment and property.

I. Mediation Programs. Complaints from the public that meet the eligibility requirements for the mediation process established by regulation pursuant to Public Safety Article, §3-207(d), Annotated Code of Maryland, may, subject to the agreement of the complainant, be handled outside of the formal PAB and ACC complaint process.

J. The Uniform State Disciplinary Matrix and Special Circumstance Violations tables shall be maintained and published by the Maryland Police Training and Standards Commission on its public website.

The Steps of Mediation

1. If a complaint is suitable for mediation, the mediation center will call the Officer and the others involved in the complaint to see if they are interested. Mediation is voluntary, both parties must agree to participate.
2. Mid Shore Mediation staff schedule the mediation for a time, date, and location that works for all participants.
3. Two trained mediators from Mid Shore Community Mediation Center will mediate the session.
4. The mediators will ask each participant to address the conflict, explain the complaint and discuss how it affected them. Mediation can end in an agreement however, it is not required.
5. The Mediation session does not last more than two hours; however it may take less time or additional sessions may be scheduled.

Frequently Asked

Questions:

Does a mediation take place when I am off duty?

No, mediations will take place during work hours.

What happens to the complaint after a mediation?

Complaints which have completed mediations are closed and unsustained. The mediated complaint will be placed into IAPRO and the case will be eligible for expungement.

What qualifies as a completed mediation?

To complete mediation, you must attend the full mediation session. You do not need to come to any sort of agreement.

Will my supervisors or co-workers know what took place in mediation?

No, mediation is private.



MID SHORE MEDIATION

Police Complaint Mediation Program

8626 Brooks Drive

#204

Easton, MD 21601

(410)820-5553

www.midshoremmediation.org

Police Complaint Mediation

The Police Complaint Mediation Program is designed to help resolve conflict and build a better understanding and relationship between Police Officers and Community Members. The Mediation process offers a safe space for both parties to discuss and resolve the complaint and aims to rebuild police and community relations.



What Complaints can be Mediated?

Certain complaints of abusive language, false arrest, false imprisonment, harassment and excessive force may be eligible.

Benefits of Police Complaint Mediation

- To speak with the Resident face to face with a neutral third-party.
- To provide clarity and understanding about your protocols and procedures to the Resident.
- To stop issues from reoccurring.
- Improve community-police relations.
- Complaints will be closed/unsustained upon the completion of a mediation session.

Testimonial

“Most of all, being able to show that we are just as human as the people we serve and protect. I truly believe that this is a step closer in the right direction, toward building a strong relationship with the citizens of Baltimore.”

-Sgt. Jonathan Amey

Mediation Is:

*Voluntary
Confidential
Nonjudgmental*

Mediation Is Not:

- Not a process where participants are forced to come to an agreement.
- Not a process to determine who is right or wrong.
- Not a punishment process. The Community Member and the Officer are in charge of their own process and outcome.
- Not a legal proceeding.

Mid Shore Community Mediation Center

Mid Shore Community Mediation Center provides the mediation services for the program. Mid Shore Mediation is a private not-for-profit organization that is not affiliated with area law enforcement.



Mid Shore Community Mediation Center
8626 Brooks Drive, Unit 204
Easton, Maryland 21601
www.midshoremiation.org

Mediation Referral Form

Please complete this form and e-mail it to us: info@midshoremiation.org

Referrer's Name: _____ Phone Number: _____

Organization/Agency: _____ Email: _____

Today's Date: _____

Request for follow-up on status of mediation case? Yes No

May we use your name as the Referral Source when contacting the mediation participants?

Yes No

Participant #1

Name: _____ Phone Number: _____

Address: _____

Does this person know that you are referring them to mediation? Yes No

Participant #2

Name: _____ Phone Number: _____

Address: _____

Does this person know that you are referring them to mediation? Yes No

Participant #3

Name: _____ Phone Number: _____

Address: _____

Does this person know that you are referring them to mediation? Yes No

For any questions, please give us a call: 410-820-5553

Print

Email

Complaint Mediation Program

341.1 BACKGROUND

Mediation is one of several alternate dispute-resolution techniques that are used to settle disagreements or conflicts. It is based on the voluntary participation of the disputing parties who agree to discuss their differences in the presence of a third party, an independent, trained mediator. Mediation calls for a "good faith" conversation between the disputing parties in a safe environment where they can meet and air their views about the events or issues that created the dispute. The mediation process is intended to develop mutual understanding between the conflicting parties with the goal of resolving the dispute.

The use of mediation to resolve complaints against sworn personnel differs from the ST. MICHAELS POLICE DEPARTMENT standard, formal procedures that have traditionally been used to investigate and resolve complaints filed by members of the community. The traditional complaint resolution process focuses on fact-finding, pinpointing responsibility, determining guilt or innocence, and punishing those found guilty of violating agency policies and procedures, rules and regulations, or other directives.

During mediation, a trained, neutral/independent third party, referred to as a mediator, will facilitate the mediation process. The mediator shall not influence, pressure, or otherwise impose on either party an agreement or settlement in order to resolve the dispute in any particular way. The disputing parties will the process, i.e., they will set the ground rules for how the mediation session will go and what results they hope to achieve during mediation. Hopefully, they will see mediation as their opportunity to resolve their differences in a way that is satisfactory to both parties. In essence, mediation gives both participants control over the final resolution of the complaint.

The ST. MICHAELS POLICE DEPARTMENT has contacted the MID SHORE COMMUNITY MEDIATION CENTER and has requested that it provide mediation services in this effort. Together with the MID SHORE COMMUNITY MEDIATION CENTER, various members of the agency, including members of the command staff, rank and file and labor organization, and members of the community, the ST. MICHAELS POLICE DEPARTMENT has developed the Police Complaint Mediation Program presented in this policy and procedure, pursuant to COMAR 12.04.11.

341.2 POLICY

The ST. MICHAELS POLICE DEPARTMENT understands that not everyone who has a complaint against a police officer wants to see the officer punished. Some complainants simply want to understand why an officer took a particular action, or want an opportunity to explain their own actions to the officer. Some complainants want to retain some control over how their complaint is handled rather than turning the complaint entirely over to the law enforcement agency or civilian administrative committees for decisions and resolution. When it comes to how to resolve complaints against law enforcement officers, one size does not fit all, and that is why the ST. MICHAELS POLICE DEPARTMENT offers its Police Complaint Mediation Program as an

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alternative to its traditional standard complaint resolution process using the Police Accountability Board and Administrative Charging Committee.

It is the policy of the ST. MICHAELS POLICE DEPARTMENT to offer voluntarily mediation both to a community member who has filed a complaint involving certain types of conduct against a member of the agency and to the member about whose behavior the complaint has been filed. The mediation session will be conducted by a trained, neutral mediator affiliated with a recognized Independent Mediation Provider [IMP], at a neutral location at a time convenient to both parties.

The ST. MICHAELS POLICE DEPARTMENT will identify certain behaviors/conduct in this policy and procedure as being normally "mediation eligible."

The ST. MICHAELS POLICE DEPARTMENT will, whenever possible at the time of the initial complaint, explain the mediation process to the complainant and provide the complainant a summary of the voluntary complaint mediation program as well as an explanation of the traditional investigative complaint process used by the ST. MICHAELS POLICE DEPARTMENT.

The ST. MICHAELS POLICE DEPARTMENT will also publish and maintain a copy of this policy and procedure on its website.

The ST. MICHAELS POLICE DEPARTMENT will treat all mediation sessions as confidential as defined in CP § 1804 of the Code of Maryland. As such, the ST. MICHAELS POLICE DEPARTMENT will require the mediators affiliated with the Independent Mediation PROVIDER to obtain a signed Agreement/ Consent to Mediate Letter from each of the involved parties and any other attendees at the session. The Agreement /Consent to Mediate Letter will be witnessed by the mediator, prior to the mediation session taking place.

It is the policy of the ST. MICHAELS POLICE DEPARTMENT not to consider an officer's acceptance of or declination of mediation in any subsequent disciplinary matters. However, the ST. MICHAELS POLICE DEPARTMENT will limit the number of times any officer can participate in mediation during a one-year period to no more than 3.

Because mediation is a confidential process, statements made by any of the parties may not be subsequently used in a formal legal proceeding including administrative hearings. Thus, each side can freely discuss the issue at hand.

341.3 DEFINITIONS

For purposes of this policy and procedure, the following terms have the following meanings:

COMPLAINT: an allegation made by a community member that a sworn officer of this agency was engaged in police misconduct or behavior that was perceived by the complainant as inappropriate under the circumstances. Police misconduct is defined by Public Safety Article, §3-101, Annotated Code of Maryland as a pattern, a practice, or conduct by a police officer or law enforcement agency that includes

1. depriving persons of rights protected by the constitution or laws of the State or the United States;

Complaint Mediation Program

2. a violation of a criminal statute; and
3. a violation of law enforcement agency standards and policies.

NOTE: a disagreement over the validity of any citation, e.g., a traffic/vehicle code citation, parking violation, criminal citation, etc., is not grounds for the initiation of a complaint; that is a matter for adjudication by the court of jurisdiction; however, a complaint can be filed about the conduct of the officer issuing the citation.

CONFIDENTIAL MATERIAL: refers to any communication occurring during a mediation session that could be/has the potential to be used in a judicial, administrative, or other proceeding involving a party to the mediation, as set forth in CP § 3 – 1803.

IMPASSE: an outcome of a mediation session in which neither party is willing to compromise any further on an issue.

INDEPENDENT MEDIATION PROVIDER [IMP]/LOCAL MEDIATION PROVIDER: an organization, separate and apart from a law enforcement agency that can provide mediators to conduct mediation sessions between complainants and law enforcement personnel. The Maryland Police Training and Standards Commission (MPTSC) in collaboration with community-based mediation resources shall establish and maintain a listing of qualified mediation providers located within the State.

LETTER CONSENT TO MEDIATE: means a document signed by the parties in mediation indicating each party's voluntary participation in mediation and witnessed by the mediator.

LETTER OF CONCLUSION: means a document signed by staff of the independent mediation provider that is delivered to a law enforcement agency indicating that a mediation session was held between a complainant and police officer.

MEDIATION: means a process in which parties in a dispute work with one or more impartial mediators who assist the parties in reaching a voluntary agreement for the resolution of a nonviolent dispute or conflict.

- (a) A nonviolent complaint of a minor nature is eligible for mediation if it falls into one of the following categories:
 - (a) Violation category A, as stated in COMAR 12.0410.04 D (2); or
 - (b) Violation category B, as stated in COMAR 12.04.10.04 D (3).
- (b) A law enforcement agency shall review the nature of the complaint and determine if mediation is appropriate, based on the following factors:
 - (a) Type and severity of the alleged violation;
 - (b) Circumstances of the alleged police misconduct; and
 - (c) Work history and past disciplinary record of the involved police officer.
- (c) Even if a complaint is eligible for mediation, the agency head or designee has the authority to decide, for any reason, that a case may not be assigned for mediation.

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(a) A complaint of police misconduct that involves any level of force is not eligible for mediation.

(b) A complaint is not eligible for mediation if it falls into one of the following categories:

(a) Violation category C, as stated in COMAR 12.04.10.04D(4);

(b) Violation category D, as stated in COMAR 12.04.10.04D(5);

(c) Violation category E, as stated in COMAR 12.04.10.04E(6); or

(d) Violation category F, as stated in COMAR 12.04.10

MEDIATION SESSION: the discussion between a complainant and officer that takes place in the presence of a mediator in a private, neutral setting.

MEDIATOR: is a trained, impartial third party, affiliated with an independent mediation provider, who will facilitate a mediation session between parties to assist them in reach a voluntary resolution to their dispute.

POLICE MISCONDUCT: is defined by Public Safety Article, §3-101, Annotated Code of Maryland as a pattern, a practice, or conduct by a police officer or law enforcement agency that includes:

(a) depriving persons of rights protected by the constitution or laws of the State or the United States;

(b) a violation of a criminal statute; and

(c) a violation of law enforcement agency standards and policies.

341.4 LEGAL REFERENCES

Public Safety Article § 3 – 207 (D) (1-3)

1. The Commission SHALL:

(a) establish a Police Complaint Mediation Program to which a law enforcement agency MAY refer, subject to the agreement of the complainant, a NONVIOLENT complaint made against a police officer out of the standard complaint process;

(b) refer a complaint referred to the program to VOLUNTARY mediation conducted by an INDEPENDENT mediation service; and

(c) adopt regulations to implement the program, including criteria concerning eligibility for referral of complaints.

COMAR (Code of Maryland Annotated Regulations) 12.04.11 Police Complaint Mediation Program Authority: Public

Safety Article, §§3-207 and 3-208, Annotated Code of Maryland

(a) Purpose.

Complaint Mediation Program

(a) This chapter establishes a police complaint mediation program that provides an alternative method to address minor, nonviolent police misconduct complaints outside of the standard complaint process.

(b) A law enforcement agency may refer a nonviolent complaint made against a police officer, subject to the agreement of the complainant and the involved police officer, to an independent mediation provider.

(b) General Provisions.

(a) Mediation is a process for settling minor police misconduct disputes based on the voluntary participation of the disputing parties.

(b) If eligible, voluntary mediation between community members and police officers may be used in place of the traditional administrative complaint process and administrative charging committees (ACC).

(c) The mediation process can bridge the communication gap and create a greater understanding and appreciation between community members, police officers, and employing law enforcement agencies.

Courts and Judicial Proceedings Article § 3-1803 et al.:

§ 3-1803. Duties of mediator and participants:

(b) Mediator and participants requested by mediator. -- Except as provided in § 3-1804 of this subtitle, a mediator or any person present or otherwise participating in a mediation at the request of a mediator:

(a) Shall maintain the confidentiality of all mediation communications; and

(b) May not disclose or be compelled to disclose mediation communications in any judicial, administrative or other proceeding

(c) Parties or participants requested by parties. -- Except as provided in § 3-1804 of this subtitle

1. A party to a mediation and any person present or otherwise participating in the mediation at the request of a party may not disclose or be compelled to disclose mediation communications in any judicial, administrative, or other proceeding;

and

2. The parties may enter into a written agreement to maintain the confidentiality of all mediation communications and may require any person present or otherwise participating in the mediation at the request of a party to maintain the confidentiality of all mediation communications.

§ 3-1804. Requirements and exceptions

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- (a) Written agreement of confidentiality required. -- A document signed by the parties that records points of agreement expressed by the parties or that constitutes an agreement reached by the parties as a result of mediation is not confidential unless the parties agree otherwise in writing
- (b) Disclosures allowed. -- In addition to any other disclosure required by law, a mediator, a party, or a person who was present or who otherwise participated in a mediation at the request of the mediator may disclose mediation communications:

(a) To a potential victim or to the appropriate law enforcement authority to the extent that the mediator, party, or person reasonably believes the disclosure is necessary to prevent bodily harm or death to the potential victim;

(b) To the extent necessary to assert or defend against allegations of mediator misconduct or negligence;

1) To the extent necessary to assert or defend against allegations of professional misconduct or malpractice by a party or any person who was present or who otherwise participated in the mediation at the request of a party, except that a mediator may not be compelled to participate in a proceeding arising out of the disclosure; or

2) To the extent necessary to assert or defend against a claim or defense that, because of fraud, duress, or misrepresentation, a contract arising out of a mediation should be rescinded or damages should be awarded.

3) Disclosure by court order; limitations. -- A court may order mediation communications to be disclosed only to the extent that the court determines that the disclosure is necessary to prevent an injustice or harm to the public interest that is of sufficient magnitude in the particular case to outweigh the integrity of mediation proceedings.

§ 3-1805. When communications subject to discovery:

1. Mediation communications that are confidential under this subtitle are not subject to discovery, but information that is otherwise admissible or subject to discovery does not become inadmissible or protected from disclosure solely by reason of its use in mediation.

Maryland Rule 17-104, Basic Mediation Training Programs:

To qualify under Rule 17-205 (above) or 17-304, a basic mediation-training program shall include the following:

- (a) conflict resolution and mediation theory, including causes of conflict, interest-based versus positional bargaining and models of conflict resolution;
- (b) mediation skills and techniques, including information gathering skills; communication skills; problem-solving skills; interaction skills; conflict management skills; negotiation techniques; caucusing; cultural, ethnic, and gender issues; and strategies to:
- (c) identify and respond to power imbalances, intimidation, and the presence and effects of domestic violence, and
- (d) safely terminate a mediation when such action is warranted;

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- (e) mediator conduct, including conflicts of interest, confidentiality, neutrality, ethics and standards of practice; and
- (f) simulations and role-playing monitored and critiqued by experienced mediator trainers.

341.5 POLICE COMPLAINT AND MEDIATION PROGRAM

The ST. MICHAELS POLICE DEPARTMENT Police Complaint Mediation Program conforms to the standards and regulations established and provided by the Maryland Police Training and Standards Commission and the recommendations of the MID SHORE COMMUNITY MEDIATION CENTER.

341.6 COMPLAINT MEDIATION PROGRAM ADMINISTRATION

The ST. MICHAELS POLICE DEPARTMENT Chief of Police is designated as the administrator for the agency's Police Complaint Mediation Program and has the authority and responsibility to:

- provide administrative oversight for the agency's Police Complaint Mediation Program as required;
- develop and implement any internal procedures for record keeping and other administrative duties, etc., as relates to the mediation of complaints;
- act as agency liaison with the MID SHORE COMMUNITY MEDIATION CENTER regarding Police Complaint Mediation Program;
- review and evaluate community member complaints and select those that are mediation-eligible as described in this policy and procedure;
- contact the officer involved in the mediation-eligible complaint to determine if he/she wishes to mediate the complaint;
- ensure that mediation – eligible complaints and complainant contact information are forwarded to the MID SHORE COMMUNITY MEDIATION CENTER as soon as practical after an officer has agreed to mediation so the MID SHORE COMMUNITY MEDIATION CENTER can contact the complainant with an offer to mediate his/her complaint;
- maintain Closure Letters of all mediation sessions conducted by mediators affiliated with MID SHORE COMMUNITY MEDIATION CENTER;
- with the assistance of the MID SHORE COMMUNITY MEDIATION CENTER compile an annual report of /about the use of and citizen-agency personnel satisfaction with the agency's complaint mediation program for the agency head;
- periodically review and update as necessary this policy and procedure;
- post a current copy of this policy and procedure as well as the OXFORD POLICE DEPARTMENT Complaint Resolution Brochure on its website.

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341.7 SELECTION OF COMPLAINT FOR MEDIATION

Pursuant to COMAR 12.04.11.06, the Mediation Program Administrator will carefully review and evaluate each complaint and the circumstances reported in that complaint prior to determining if mediation should/should not be offered to the parties involved in the incident.

In addition, prior to making a decision as to whether a particular complaint is eligible/not eligible for mediation, the Mediation Program Administrator shall also weigh the potential benefits of an offer of mediation as they apply to the complainant, the community at large and the agency against the potential exposure to harm, i.e. potential civil liability and potential damage to the ability of the agency to protect the community.

To provide guidance to all agency personnel, the ST. MICHAELS POLICE DEPARTMENT has determined that, in general, depending on the particular circumstances surrounding the complaint, mediation may be offered to resolve a complaint that appears to be based on:

- (a) a lack of communication or miscommunication between a community member and officer involved in an incident;
- (b) a misunderstanding about an officer's authority to act;
- (c) a misunderstanding about an officer's application of an agency standard operation procedure or other professionally accepted practice.

When deciding whether to consider any complaint for mediation as an alternative to a traditional investigation, the Mediation Program Administrator will consider, at a minimum, the following:

- (a) the type and severity of the alleged violation and the particular circumstances involved in the complaint;
- (b) the work history and disciplinary record of the officer involved including previous mediation history;
- (c) whether mediation will potentially:
 - (a) result in greater complainant satisfaction;
 - (b) improve citizen understanding of police procedures and actions;
 - (c) result in improved officer conduct; and
 - (d) contribute to improved citizen-police relations.

While the ST. MICHAELS POLICE DEPARTMENT recognizes that there are several potential benefits for the community member, officer, agency and community at large that can accrue through a successful mediation, the ST. MICHAELS POLICE DEPARTMENT understands that there is no right to mediation, either expressed or implied in this policy, for any party involved in a complaint. The ST. MICHAELS POLICE DEPARTMENT reserves the right to decline to offer mediation for any complaint filed by a community member.

Additionally, circumstances may prompt the ST. MICHAELS POLICE DEPARTMENT to withdraw/rescind the mediation option from either the community member or the officer before a mediation session takes place.

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MEDIATION ELIGIBLE COMPLAINTS :

As part of its established complaint resolution process, the ST. MICHAELS POLICE DEPARTMENT has determined that community member complaints that fall within the following categories are "ELIGIBLE" to be considered for mediation. As described above, the circumstances outlined in the initial complaint will be reviewed by the Mediation Program Administrator and the several objective eligibility factors listed in this policy and procedure will be factored into the decision as to whether to offer mediation:

(a) Conduct that has or may have a minimal negative impact on the operations or professional image of the agency (COMAR 12.04.10.04 (D)(2) – Category A:

- (a) Plainclothes Officer – Failure to Identify Self as Officer;
- (b) Failure to Provide Name and Badge Number on request;
- (c) Traffic Violation by Officer/Emergency Vehicle Operation complaint;
- (d) Discourtesy/Rudeness.

(b) Conduct that has or may have a negative impact on the operations or professional image of a law enforcement agency; or that negatively impacts relationships with other officers, agencies, or the public (COMAR 12.04.10.04 (D)(3) – Category B:

- (a) Responsibilities to Serve Public;
- (b) Displaying an Impartial Attitude;
- (c) Discourtesy – Language or Behavior;
- (d) Department Vehicle Operation;
- (e) Failure to Make, File or Complete Official Report.

The ST. MICHAELS POLICE DEPARTMENT recognizes that all complaints that appear, at first glance, to be potentially eligible for mediation by type of behavior may not be, in reality, good candidates for mediation. In addition to the severity of or the minimal nature of the consequences caused by the behavior alleged in the complaint, the agency will also use the following additional objective factors to determine if a complaint should be offered to the officer and complainant for mediation. Those objective factors include an officer's:

1. Complimentary history:

- (a) awards/commendations/positive public recognition or acknowledgment;

2. Prior work history:

- (a) positive performance evaluations and/or voluntary, advanced, job -related training; or
- (b) recommendation of supervisor(s)/command officers within chain of command;

3. Disciplinary history:

- (a) minimal or lack of prior disciplinary history relative to the officer's years of service:

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- (b) nature and seriousness of any prior sustained violation(s);
- (c) number of prior sustained violation(s);
- (d) length of time between prior sustained violation(s) and current case;
- (e) number of prior complaints TBD by agency] of any type in past 12 months;
- (f) prior complaint mediation experience;
- (g) relationship between any prior violation(s) and the present alleged misconduct;
- (h) whether the officer's prior history demonstrates a continuation or pattern of the same or similar misconduct; and
- (i) whether the prior history demonstrates continuous misconduct evidencing a failure to conform to rules or to correct inappropriate behavior.

Whenever a question arises as to the mediation–eligibility of a complaint, the Mediation Program Administrator will consult with senior command staff within the chain of command before making a determination as whether or not to offer mediation. The local Police Accountability Board should also be consulted.

INELIGIBLE COMPLAINTS:

While the ST. MICHAELS POLICE DEPARTMENT has concluded that there is a significant benefit in mediating certain complaints against its personnel, it also realizes that complaints alleging certain types of misconduct normally require a thorough administrative investigation in order to resolve a complaint from a community member. Such administrative investigations are intended to protect the interests of the public as well as the agency. Administrative investigations occur when complaints involve actions or behavior that, if true, would have a significant adverse effect on either a community member, the public at large and/or the ability of the ST. MICHAELS POLICE DEPARTMENT to provide lawful, fair/equitable, and professional law enforcement services to the community.

Conduct that falls into one of the following violation categories shall not be considered for mediation:

1. COMAR 12.04.10.04(D)(4)- Category C. Conduct that involves a risk to safety or that has or may have a pronounced negative impact on the operations or professional image on the law enforcement agency or a member, or on relationships with other officers, agencies, or the public.
2. COMAR 12.04.10.04(D)(5)- Category D. Conduct substantially contrary to the values of the law enforcement agency or that substantially interferes with its mission, operations, or professional image, or that involves a serious risk to officer or public safety, or intentionally violates law enforcement agency policy.
3. COMAR 12.04.10.04(D)(6)- Category E. Conduct that involves misuse of authority, unethical behavior (not involving false reporting or false statements), or an act that could

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result in an adverse impact on an officer or public safety or to the professionalism of the law enforcement agency or a violation of any misdemeanor.

4. COMAR 12.04.10.04(D)(7)- Category F. Any violation of law, policy, rule or regulation which: foreseeable results in death or serious bodily injury; or constitutes a willful and wanton disregard of the law enforcement agency's mission, vision, and values; or involves any act or omission which demonstrates a serious lack of the integrity, ethics,

or

5. character related to an employee's fitness to hold their position; or involves egregious misconduct substantially contrary to the standards of conduct reasonably expected, to include those whose sworn duty is to uphold the law; or involves conduct which constitutes the failure to adhere to any condition of employment required or mandated by law, including and 18 U.S.C. §922(g) (Lautenberg) violations. (These cases will result in termination). Whenever a question arises as to the mediation–eligibility/ineligibility of a complaint, the Mediation Program Administrator will consult with senior command staff within the chain of command before making a determination as to whether or not the complaint is mediation-eligible. If a clear determination cannot be made at this point, then the complaint will be forwarded to the agency head or his/her designee for a final decision as to whether to offer mediation or not to the complainant and the officer involved.

341.8 NOTIFICATION OF PARTIES - OPTION TO MEDIATE

Pursuant to COMAR 12.04.11.07 (A), once a complaint has been initially reviewed by the agency to determine its mediation eligibility, the parties involved in the complaint will be notified of the option to mediate in the order and manner described below:

- The officer against whom the complaint has been lodged will be contacted by Chief of Police to determine if he/she chooses to participate in mediation with the complainant. The officer will have 3 days to make a decision and to notify the Chief of Police.
- If the officer agrees to mediation, the Chief of Police will contact the complainant and notify them of the mediation option (see complainant instructions below).
- If both parties agree to mediation, the officer will be instructed to contact MID SHORE MEDIATION intake within 3 business days.
- The Chief of Police will provide MID SHORE MEDIATION with the officer's contact information.
- If the police officer does not contact MID SHORE MEDIATION intake within 3 business days, MID SHORE MEDIATION will contact the officer to conduct a private intake to determine if he/she chooses to voluntarily participate in the mediation process with the complainant.
- Failure of the officer to engage with the mediation provider within 3 business days of notification to mediate will be viewed as a withdrawal from the mediation process and the complaint will be investigated and resolved pursuant to existing policy and procedure.

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- If the officer declines to participate in mediation, the complaint will be investigated and resolved pursuant to COMAR 12.04.09 and 12.04.10.
- The ST. MICHAELS POLICE DEPARTMENT will not consider an officer's decision to mediate or not mediate a complaint during any later disciplinary proceedings.
- If the officer voluntarily agrees to mediation of the complaint, the Chief of Police will contact the complainant to determine if the complainant will participate in the mediation process.
- The ST. MICHAELS POLICE DEPARTMENT will request permission to share the complainant's contact information with MID SHORE MEDIATION'S intake staff
 - The complainant will be provided the contact information for MID SHORE MEDIATION intake and request the complainant make contact within 3 business days.
 - If the complainant does not contact MID SHORE MEDIATION within 3 business days, MID SHORE MEDIATION will contact the complainant (when possible) to conduct a private intake to determine if he/she chooses to voluntarily participate in the mediation process with the officer
 - If the complainant declines to participate in mediation, the matter shall be referred back to the administrative complaint process set forth in COMAR 12.04.09.

341.9 SCHEDULING MEDIATION SESSION

Meditation sessions should be scheduled within 30 days of the referral to the independent mediation provider.

The mediation session shall be scheduled when the officer is on-duty.

341.10 APPEARANCE AT THE MEDIATION SESSION

Once the MID SHORE COMMUNITY MEDIATION CENTER has scheduled a mediation session and contacted the officer, the officer is required to appear at the mediation session as scheduled. The MID SHORE COMMUNITY MEDIATION CENTER will contact the Mediation Program Administrator as soon as practical if an officer fails to appear at a scheduled mediation session.

An officer's failure to appear for a scheduled mediation session without a justifiable reason and/or without contacting the MID SHORE COMMUNITY MEDIATION CENTER prior to the session, will constitute the officer's declination to participate and nullify the agreement to mediate and result in the complaint being investigated and resolved as per established procedures set forth in COMAR **12.04.09** and **12.04.10**.

341.11 VOLUNTARY PARTICIPATION IN MEDIATION

While the decision to allow mediation is made after careful consideration of the circumstances and characteristics of each case, the ST. MICHAELS POLICE DEPARTMENT makes the option

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of mediation available in order to allow the involved parties to decide for themselves whether mediation is an appropriate or desirable way to resolve their concerns and/or differences.

Participation in the agency's Police Mediation Program by the complainant and the officer is VOLUNTARY.

Each party to the mediation will be required to agree to and sign a "Consent to Mediate Agreement Letter" provided by the MID SHORE COMMUNITY MEDIATION CENTER prior to the commencement of the mediation session

There is no right to mediation. Even if a complaint is eligible for mediation, any stakeholder/party to the process [the complainant, the officer, and/or the agency] may decline to agree that a complaint should be resolved through the mediation process.

No stakeholder/party to the process shall be required to state the reason for declining to participate in mediation or for agreeing to assign a case for mediation.

If a complainant or officer declines to mediate the complaint or withdraws from the mediation process prior to the beginning of the mediation session the complaint will be investigated according to COMAR 12.04.09.

341.12 CONFIDENTIALITY OF MEDIATION SESSION

The ST. MICHAELS POLICE DEPARTMENT recognizes that CONFIDENTIALITY is an essential element of mediation both for the complainant and for the officer involved. For mediation to succeed, both parties must feel free to speak candidly/openly. The ST. MICHAELS POLICE DEPARTMENT understands that the confidentiality of the proceedings has special relevance for its personnel because they must be assured that any apology or acknowledgment of wrongdoing will not be used against them, either by this agency or by a private attorney in a legal proceeding including a criminal, civil or administrative hearing.

Therefore, the ST. MICHAELS POLICE DEPARTMENT, along with the MID SHORE COMMUNITY MEDIATION CENTER will adhere to confidentiality requirements set forth in the Courts and Judicial Proceedings Article § 3-1803, et al.:

§ 3-1803. Duties of mediator and participants:

(a) Mediator and participants requested by mediator. -- Except as provided in § 3-1804 of this subtitle, a mediator, any person present, or otherwise participating in a mediation at the request of a mediator:

(a) Shall maintain the confidentiality of all mediation communications; and

(b) May not disclose or be compelled to disclose mediation communications in any judicial, administrative, or other proceeding.

(b) Parties or participants requested by parties. -- Except as provided in § 3-1804 of this subtitle:

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(a) A party to a mediation and any person present or otherwise participating in the mediation at the request of a party may not disclose or be compelled to disclose mediation communications in any judicial, administrative, or other proceeding; and

(b) The parties may enter into a written agreement to maintain the confidentiality of all mediation communications and may require any person present or otherwise participating in the mediation at the request of a party to maintain the confidentiality of all mediation communications.

§ 3-1804. Requirements and exceptions.

(a) Written agreement of confidentiality is required. -- A document signed by the parties that records points of agreement expressed by the parties or that constitutes an agreement reached by the parties as a result of mediation is not confidential unless the parties agree otherwise in writing.

(b) Disclosures allowed. -- In addition to any other disclosure required by law, a mediator, a party, or a person who was present or who otherwise participated in a mediation at the request of the mediator or a party may disclose mediation communications:

(a) To a potential victim or to the appropriate law enforcement authority to the extent that the mediator, party, or person reasonably believes the disclosure is necessary to prevent bodily harm or death to the potential victim;

(b) To the extent necessary to assert or defend against allegations of mediator misconduct or negligence;

(c) To the extent necessary to assert or defend against allegations of professional misconduct or malpractice by a party or any person who was present or who otherwise participated in the mediation at the request of a party, except that a mediator may not be compelled to participate in a proceeding arising out of the disclosure; or

(d) To the extent necessary to assert or defend against a claim or defense that, because of fraud, duress, or misrepresentation, a contract arising out of a mediation should be rescinded or damages should be awarded.

(e) As otherwise required by law (example - child abuse or vulnerable adult abuse)

Disclosure by court order; limitations. -- A court may order mediation communications to be disclosed only to the extent that the court determines that the disclosure is necessary to prevent an injustice or harm to the public interest that is of sufficient magnitude in the particular case to outweigh the integrity of mediation proceedings.

§ 3-1805. When communications are subject to discovery:

1. Mediation communications that are confidential under this subtitle are not subject to discovery, but information that is otherwise admissible or subject to discovery does not become inadmissible or protected from disclosure solely by reason of its use in mediation.

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2. Mediation confidentiality includes ALL mediation communications, which include speech, writing, or conduct made as part of a mediation session.
3. The parties to a mediation session may mutually agree to document in writing an agreement signed by the parties because of mediation. This document is not confidential unless the parties agree in writing otherwise.
4. Confidentiality should not be construed to prohibit the effective monitoring, research, or evaluation of a mediation program by responsible persons approved by the ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER Under appropriate circumstances, researchers and mediation evaluators may be permitted to obtain access to statistical data and, with the permission of the parties, to individual case files, mediation sessions, observations, and interviews with participants.

341.13 THE MEDIATION PROCESS

To ensure neutrality, mediation will be provided by the MID SHORE COMMUNITY MEDIATION CENTER staff.

The mediation process will be one that focuses on dialogue, relationships, and building understanding. There are a number of examples of mediation approaches that fit this criterion including inclusive mediation, transformative mediation, narrative mediation, and some types of facilitative mediation. The MID SHORE COMMUNITY MEDIATION CENTER will determine the type of mediation protocol to use for each mediation session.

At the discretion of the MID SHORE COMMUNITY MEDIATION CENTER one (1) or two (2) affiliated mediators will be referred to each scheduled mediation session.

The mediation session will take place in a neutral location, with all participants in a room together. A private session will only occur when there is a concern for safety or fear of retaliation and the mediators need to explore whether to end the session.

The MID SHORE COMMUNITY MEDIATION CENTER relying on its experience in facilitating community member-police complaint resolution sessions, has informed the agency that it normally uses either the Inclusive Mediation Framework or the Transformative Mediation Framework to conduct police complaint mediation sessions. Both of these two mediation frameworks are described below:

341.14 SELECTION OF THE MEDIATOR

The MID SHORE COMMUNITY MEDIATION CENTER is responsible for selecting and referring all mediators who will participate in the ST. MICHAELS POLICE DEPARTMENT Police Complaint Mediation Program. Mediators are affiliated with the MID SHORE COMMUNITY MEDIATION CENTER and are individuals who are:

- Impartial [no conflict of interest];
- Trained in the Art of Mediation;

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- Experienced and Competent;
- Able to Maintain Procedural Fairness during Mediation Sessions;
- Able to Maintain Confidentiality;
- Culturally Neutral.

They will meet the basic qualifications for a court appointed mediator as outlined in Maryland Rule § 17-205 [Chapter 2],

(a) be at least 21 years old, unless waived by both parties;

(b) have completed at least 40 hours of basic mediation training in a program meeting the requirements of Rule 17-104 (outlined below), or for individuals trained prior to January 1, 2013, former rule 17-106;

(c) be familiar with the rules, statutes and practices governing mediation in circuit courts; In addition to the basic qualifications outlined above, each mediator must successfully complete a basic mediation training program as outlined in Maryland Rule § 17-104 [Chapter 1], that includes NOTE: In addition to the above listed qualifications, mediators affiliated with the MID SHORE COMMUNITY MEDIATION CENTER have also participated in an advanced twenty-four (24) hour police complaint mediation skills training program.

(d) have mediated or co-mediated at least two civil cases;

(e) complete in each calendar year four (4) hours of continuing mediation-related education in one or more of the topics set forth in Rule 17-104; and

(f) abide by the mediation standards adopted by the Court of Appeals.

(a) conflict resolution and mediation theory, including causes of conflict, interest-based versus positional bargaining and models of conflict resolution;

(b) mediation skills and techniques, including information gathering skills; communication skills; problem-solving skills; interaction skills; conflict management skills; negotiation techniques; caucusing; cultural, ethnic and gender issues; and strategies to:

(a) identify and respond to power imbalances, intimidation, and the presence and effects of domestic violence, and

(b) safely terminate a mediation when such action is warranted;

(c) mediator conduct, including conflicts of interest, confidentiality, neutrality, ethics and standards of practice; and

(d) simulations and role-playing monitored and critiqued by experienced mediator trainers.

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NOTE: In addition to the above-listed qualifications, mediators affiliated with the MID SHORE COMMUNITY MEDIATION CENTER have also participated in an advanced twenty-four (24) hour police complaint mediation skills training program.

341.15 ROLE OF THE MEDIATOR

Mediators affiliated with the MID SHORE COMMUNITY MEDIATION CENTER

- typically use either INCLUSIVE mediation or TRANSFORMATIVE mediation;
- do not set ground rules for the mediation session;
- focus on listening for values, feelings, and topics and reflect these back to the participants, checking to make sure that the participants feel the reflection is accurate;
- while not providing information, making suggestions, or persuading strategies;
- attempt to understand each participant, thus making it more possible for them to understand each other;
- follow a defined process that includes:
 - time for participants to share the situation;
 - build clarity as to what is important;
 - identify topics participants want to resolve;
 - identify the goals each participant has for each topic;
 - brainstorm options
- consider each of the generated options in terms of which would meet all participants' goals; and
- determine areas of agreement, if any;
- rarely use caucuses:
 - usually in situations where mediators need to check if mediation is a good fit for the conflict;
 - if agreement is reached, write down the agreement based on the direction of the participants;
- review and confirm the agreement with the participants;

341.16 RESOLUTION

(a)When the mediation process has concluded, the outcome shall be determined by the independent mediation provider to be:

(a)A successful resolution if all parties agree with the resolution; or

(b)An impasse if one or more parties to the complaint cannot agree to a satisfactory resolution.

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- (b) An impasse shall be referred back to the law enforcement agency of the involved police officer for investigation and handled through the administrative complaint process set forth in COMAR 12.04.09.
- (c) A successful resolution shall be documented by the independent mediation provider in a written statement, signed by both parties and the mediator.
- (d) The mediator shall send a letter of conclusion to the referring law enforcement agency indicating the results of mediation.
- (e) Results of the mediation shall be tracked by the law enforcement agency and forwarded to the local police accountability board.
- (f) Complaint mediation statistics shall be included in the law enforcement agency's annual reporting of complaints involving the public, and the statistics shall include the:
 - (a) Total number of complaints handled through mediation;
 - (b) Number of successful resolutions; and
 - (c) Number of mediation impasses.
- (g) If the police officer fails to comply with the actions and deadlines identified in the mediation agreement, a new complaint shall be initiated and the actions of the original complaint of misconduct shall be considered as a potential aggravating factor.

341.17 ATTENDANCE OF OTHERS AT MEDIATION SESSION

While confidentiality seems to suggest that individuals other than the two parties and the independent mediator should be excluded from a mediation session, the ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER have agreed that occasionally a third party may need to be included in a mediation session, such as when the complainant is a juvenile or an individual with intellectual/mental health special needs. Those individuals may need to be accompanied in the mediation session by a parent/guardian.

In other instances, one or both parties to mediation may request that another individual accompany them as "support" during the mediation session.

In case a party requests to have another individual accompany them in the mediation session, the ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER have agreed that:

- (a) a request for the presence of an individual to accompany one of the parties to a mediation should be communicated to the MID SHORE COMMUNITY MEDIATION CENTER at the time that mediation is offered to the party; in any case, the request for a "third" party appearance must be communicated to the MID SHORE COMMUNITY MEDIATION CENTER prior to the beginning of the scheduled mediation session;

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(b) the non-requesting party shall have the opportunity to withdraw from the mediation, without prejudice, when informed of the presence of a "third" party; the complaint will then be referred back to the agency for investigation; and

(c) the "third" party shall agree to and sign a Consent to Mediate Letter that includes the confidentiality requirements for attending a mediation session prior to the beginning of the mediation session.

341.18 PRESENCE OF INTERPRETERS

If needed, the MID SHORE COMMUNITY MEDIATION CENTER will supply/arrange for a professional sign language or language interpreter for a mediation session for the complainant. If necessary, the ST. MICHAELS POLICE DEPARTMENT will defray the costs associated with providing a professional interpreter as per its working agreement with the MID SHORE COMMUNITY MEDIATION CENTER. The interpreter shall agree to and sign a "Consent to Mediate Letter" that includes the Confidentiality requirements for attending a mediation session [Appendix A] prior to the beginning of the mediation session.

341.19 LETTER OF CONCLUSION

The **MID SHORE COMMUNITY MEDIATION CENTER** will notify, in writing, the Chief of Police when a mediation session has been completed.

In keeping with the confidential nature of mediation, the Letter of Conclusion will contain only the names of the parties involved in the session, the mediator, the agency control/identification number for the complaint, the date and the time of the mediation session, results of the mediation session as either successful or impasse; and the Letter of Conclusion will be accompanied by copies of the signed Consent to Mediate Letter.

341.20 WEARING THE UNIFORM

The ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER have agreed that agency personnel shall normally wear the uniform of the day when participating in a mediation session. Appearance in uniform is intended to ensure that the interaction between the two parties to the mediation is an authentic one, based on the reality of how the officer and citizen experienced each other in the past and may experience each other in the future.

An exception is extended to those agency personnel who are in plain clothes/undercover assignments and who's personal appearance is such that wearing the uniform of the day would not be professionally acceptable, i.e. full beard, long hair, body piercings, etc. or who are injured and cannot appear in uniform. Individuals who intend to appear at a mediation session out-of-uniform shall first consult with their immediate supervisor to determine if an appearance in uniform is appropriate or not prior to attending the mediation session.

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Attendance at a mediation session by those excluded from wearing the uniform of the day shall be in appropriate court appearance business attire.

341.21 USE OF VIDEO RECORDINGS DURING MEDIATION

Video recordings of community member-law enforcement officer interactions are increasingly more available for review either because an event has been recorded by a complainant, a witness, an officer, a nearby security camera or other means. The ST. MICHAELS POLICE DEPARTMENT recognizes that the recording may enable a community member and an officer to have a more enlightened discussion about an event if the recording is played during a mediation session. Therefore, based on the input of the MID SHORE COMMUNITY MEDIATION CENTER it is an acceptable practice to play video recordings of the interaction in question during a mediation session with the concurrence of the mediator. Mediators will ensure that both parties understand that the use of a video recording is not intended to assign blame to any party but to facilitate discussion between the parties.

Any video/audio recording from an agency body-worn camera or in-car video system shall be obtained as per established policy and redacted as appropriate prior to use during a mediation session. Because each camera video/audio recording is the property of the ST. MICHAELS POLICE DEPARTMENT it is to be returned to the administrator of the agency's BWC or in-car video program as soon as practical after the mediation session is concluded by the officer who requested the recording.

341.22 SESSION LENGTH

Given the fact that a mediation session is dialogue-driven, it is typically scheduled to last for two (2) hours by the MID SHORE COMMUNITY MEDIATION CENTER although a session can be concluded before the end of the 2 hours. Likewise, if additional time is needed as determined by the independent mediator, it can continue upon agreement of the parties or another mediation session can be scheduled.

341.23 COMPLAINT CLOSURE

Complaints will be closed pursuant to COMAR 12.04.11.08:

(a) When the mediation process has concluded, the outcome shall be determined by the independent mediation provider to be:

(a) A successful resolution if all parties agree with the resolution; or

(b) An impasse if one or more parties to the complaint cannot agree to a satisfactory resolution.

(b) An impasse shall be referred back to the law enforcement agency of the involved police officer for investigation and handled through the administrative complaint process set forth in COMAR 12.04.09.

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(c) A successful resolution shall be documented by the independent mediation provider in a written statement, signed by both parties and the mediator.

(d) The mediator shall send a letter of conclusion to the referring law enforcement agency indicating the results of mediation.

(e) Results of the mediation shall be tracked by the law enforcement agency and forwarded to the local police accountability board.

(f) Complaint mediation statistics shall be included in the law enforcement agency's annual reporting of complaints involving the public, and the statistics shall include the:

(a) Total number of complaints handled through mediation;

(b) Number of successful resolutions; and

(c) Number of mediation impasses.

(g) If the police officer fails to comply with the actions and deadlines identified in the mediation agreement, a new complaint shall be initiated and the actions of the original complaint of misconduct shall be considered as a potential aggravating factor.

341.24 TRAINING

The Mediation Program Administrator, with the input and assistance of the MID SHORE COMMUNITY MEDIATION CENTER will develop agency orientation/training into the mediation process for all agency personnel prior to implementation of the Police Complaint Mediation Program.

Additionally, the Mediation Program Administrator will provide training on the program to new agency personnel as warranted and follow-up training as needed.

The MID SHORE COMMUNITY MEDIATION CENTER will produce an information brochure on the Police Complaint Mediation Program available for distribution to the public. A copy of the brochure will be posted on each entity's website.

341.25 EVALUATION - MEDIATION SESSION

Before the mediation session begins the mediator may ask the complainant and law enforcement officer to complete the Pre-mediation Survey that appears in Appendix B. This survey is intended to determine:

(a) the attitude of the complainant towards the agency and law enforcement officers

(b) the attitude of the law enforcement towards the complainant and community:

- prior to the mediation session beginning

(c) if either party experiences a change in attitude after the mediation session is completed.

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The survey is for the use of the MID SHORE COMMUNITY MEDIATION CENTER to gauge the effectiveness of the mediation process. The statistical results developed from these surveys will be shared with the agency as part of the MID SHORE COMMUNITY MEDIATION CENTER annual report.

At the conclusion of a mediation session, the mediator, on behalf of the MID SHORE COMMUNITY MEDIATION CENTER will request that each party, including the mediator, complete a brief evaluation of the mediation process. Those evaluations will be collected by the mediator and returned to the MID SHORE COMMUNITY MEDIATION CENTER for review. The results will be shared with the Mediation Program Administrator with the intent of improving the complaint mediation program as part of its annual report.

The MID SHORE COMMUNITY MEDIATION CENTER will not share the results of any individual surveys or evaluations with the

ST. MICHAELS POLICE DEPARTMENT but will report their findings in an aggregate manner in its annual report about the program.

The MID SHORE COMMUNITY MEDIATION CENTER will also conduct an evaluation survey using a modified version of the same form one month after the mediation session has concluded and share those results with the Mediation Program Administrator as part of its annual report.

The Mediation Program Administrator with the assistance of the MID SHORE COMMUNITY MEDIATION CENTER will compile an annual report of mediated complaints with a summary of the type of complaint mediated. This report will be made part of the agency's annual report and distributed as appropriate and will be published on the agency's website.

341.26 POLICY AND PROCEDURE REVIEW

The Mediation Program Administrator, in concert with the MID SHORE COMMUNITY MEDIATION CENTER will periodically review and have the Police Complaint Mediation Program policy and procedure revised, as necessary. Review and revision will take place according to the established timetable for policy review used by the ST. MICHAELS POLICE DEPARTMENT.

The revised policy will be posted on the agency's website and provided to the MID SHORE COMMUNITY MEDIATION CENTER

Complaint mediation statistics shall be included in the St. Michaels Police Department annual reporting of complaints involving the public, and the statistics shall include the:

- (a) Total number of complaints handled through mediation;
- (b) Number of successful resolutions; and
- (c) Number of mediation impasses.

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341.1 BACKGROUND

Mediation is one of several alternate dispute-resolution techniques that are used to settle disagreements or conflicts. It is based on the voluntary participation of the disputing parties who agree to discuss their differences in the presence of a third party, an independent, trained mediator. Mediation calls for a "good faith" conversation between the disputing parties in a safe environment where they can meet and air their views about the events or issues that created the dispute. The mediation process is intended to develop mutual understanding between the conflicting parties with the goal of resolving the dispute.

The use of mediation to resolve complaints against sworn personnel differs from the ST. MICHAELS POLICE DEPARTMENT standard, formal procedures that have traditionally been used to investigate and resolve complaints filed by members of the community. The traditional complaint resolution process focuses on fact-finding, pinpointing responsibility, determining guilt or innocence, and punishing those found guilty of violating agency policies and procedures, rules and regulations, or other directives.

During mediation, a trained, neutral/independent third party, referred to as a mediator, will facilitate the mediation process. The mediator shall not influence, pressure, or otherwise impose on either party an agreement or settlement in order to resolve the dispute in any particular way. The disputing parties will the process, i.e., they will set the ground rules for how the mediation session will go and what results they hope to achieve during mediation. Hopefully, they will see mediation as their opportunity to resolve their differences in a way that is satisfactory to both parties. In essence, mediation gives both participants control over the final resolution of the complaint.

The ST. MICHAELS POLICE DEPARTMENT has contacted the MID SHORE COMMUNITY MEDIATION CENTER and has requested that it provide mediation services in this effort. Together with the MID SHORE COMMUNITY MEDIATION CENTER, various members of the agency, including members of the command staff, rank and file and labor organization, and members of the community, and the ST. MICHAELS POLICE DEPARTMENT have developed the Police Complaint Mediation Program presented in this policy and procedure, pursuant to COMAR 12.04.11.

341.2 POLICY

The ST. MICHAELS POLICE DEPARTMENT understands that not everyone who has a complaint against a police officer wants to see the officer punished. Some complainants simply want to understand why an officer took a particular action, or want an opportunity to explain their own actions to the officer. Some complainants want to retain some control over how their complaint is handled rather than turning the complaint entirely over to the law enforcement agency or civilian administrative committees for decisions and resolution. When it comes to how to resolve complaints against law enforcement officers, one size does not fit all, and that is why the ST. MICHAELS POLICE DEPARTMENT offers its Police Complaint Mediation Program as an

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alternative to its traditional standard complaint resolution process using the Police Accountability Board and Administrative Charging Committee.

It is the policy of the ST. MICHAELS POLICE DEPARTMENT to offer voluntarily mediation both to a community member who has filed a complaint involving certain types of conduct against a member of the agency and to the member about whose behavior the complaint has been filed. The mediation session will be conducted by a trained, neutral mediator affiliated with a recognized Independent Mediation Provider [IMP], at a neutral location at a time convenient to both parties.

The ST. MICHAELS POLICE DEPARTMENT will identify certain behaviors/conduct in this policy and procedure as being normally "mediation eligible."

The ST. MICHAELS POLICE DEPARTMENT will, whenever possible at the time of the initial complaint, explain the mediation process to the complainant and provide the complainant a summary of the voluntary complaint mediation program as well as an explanation of the traditional investigative complaint process used by the ST. MICHAELS POLICE DEPARTMENT.

The ST. MICHAELS POLICE DEPARTMENT will also publish and maintain a copy of this policy and procedure on its website.

The ST. MICHAELS POLICE DEPARTMENT will treat all mediation sessions as confidential as defined in CP § 1804 of the Code of Maryland. As such, the ST. MICHAELS POLICE DEPARTMENT will require the mediators affiliated with the Independent Mediation PROVIDER to obtain a signed Agreement/ Consent to Mediate Letter from each of the involved parties and any other attendees at the session. The Agreement /Consent to Mediate Letter will be witnessed by the mediator, prior to the mediation session taking place.

It is the policy of the ST. MICHAELS POLICE DEPARTMENT not to consider an officer's acceptance of or declination of mediation in any subsequent disciplinary matters. However, the ST. MICHAELS POLICE DEPARTMENT will limit the number of times any officer can participate in mediation during a one-year period to no more than 3.

Because mediation is a confidential process, statements made by any of the parties may not be subsequently used in a formal legal proceeding including administrative hearings. Thus, each side can freely discuss the issue at hand.

341.3 DEFINITIONS

For purposes of this policy and procedure, the following terms have the following meanings:

COMPLAINT: an allegation made by a community member that a sworn officer of this agency was engaged in police misconduct or behavior that was perceived by the complainant as inappropriate under the circumstances. Police misconduct is defined by Public Safety Article, §3-101, Annotated Code of Maryland as a pattern, a practice, or conduct by a police officer or law enforcement agency that includes

1. depriving persons of rights protected by the constitution or laws of the State or the United States;

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2. a violation of a criminal statute; and
3. a violation of law enforcement agency standards and policies.

NOTE: a disagreement over the validity of any citation, e.g., a traffic/vehicle code citation, parking violation, criminal citation, etc., is not grounds for the initiation of a complaint; that is a matter for adjudication by the court of jurisdiction; however, a complaint can be filed about the conduct of the officer issuing the citation.

CONFIDENTIAL MATERIAL: refers to any communication occurring during a mediation session that could be/has the potential to be used in a judicial, administrative, or other proceeding involving a party to the mediation, as set forth in CP § 3 – 1803.

IMPASSE: an outcome of a mediation session in which neither party is willing to compromise any further on an issue.

INDEPENDENT MEDIATION PROVIDER [IMP]/LOCAL MEDIATION PROVIDER: an organization, separate and apart from a law enforcement agency that can provide mediators to conduct mediation sessions between complainants and law enforcement personnel. The Maryland Police Training and Standards Commission (MPTSC) in collaboration with community-based mediation resources shall establish and maintain a listing of qualified mediation providers located within the State.

LETTER CONSENT TO MEDIATE: means a document signed by the parties in mediation indicating each party's voluntary participation in mediation and witnessed by the mediator.

LETTER OF CONCLUSION: means a document signed by staff of the independent mediation provider that is delivered to a law enforcement agency indicating that a mediation session was held between a complainant and police officer.

MEDIATION: means a process in which parties in a dispute work with one or more impartial mediators who assist the parties in reaching a voluntary agreement for the resolution of a nonviolent dispute or conflict.

- (a) A nonviolent complaint of a minor nature is eligible for mediation if it falls into one of the following categories:
 - (a) Violation category A, as stated in COMAR 12.0410.04 D (2); or
 - (b) Violation category B, as stated in COMAR 12.04.10.04 D (3).
- (b) A law enforcement agency shall review the nature of the complaint and determine if mediation is appropriate, based on the following factors:
 - (a) Type and severity of the alleged violation;
 - (b) Circumstances of the alleged police misconduct; and
 - (c) Work history and past disciplinary record of the involved police officer.
- (c) Even if a complaint is eligible for mediation, the agency head or designee has the authority to decide, for any reason, that a case may not be assigned for mediation.

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(a) A complaint of police misconduct that involves any level of force is not eligible for mediation.

(b) A complaint is not eligible for mediation if it falls into one of the following categories:

- (a) Violation category C, as stated in COMAR 12.04.10.04D(4);
- (b) Violation category D, as stated in COMAR 12.04.10.04D(5);
- (c) Violation category E, as stated in COMAR 12.04.10.04E(6); or
- (d) Violation category F, as stated in COMAR 12.04.10

MEDIATION SESSION: the discussion between a complainant and officer that takes place in the presence of a mediator in a private, neutral setting.

MEDIATOR: is a trained, impartial third party, affiliated with an independent mediation provider, who will facilitate a mediation session between parties to assist them in reach a voluntary resolution to their dispute.

POLICE MISCONDUCT: is defined by Public Safety Article, §3-101, Annotated Code of Maryland as a pattern, a practice, or conduct by a police officer or law enforcement agency that includes:

- (a) depriving persons of rights protected by the constitution or laws of the State or the United States;
- (b) a violation of a criminal statute; and
- (c) a violation of law enforcement agency standards and policies.

341.4 LEGAL REFERENCES

Public Safety Article § 3 – 207 (D) (1-3)

1. The Commission SHALL:

- (a) establish a Police Complaint Mediation Program to which a law enforcement agency MAY refer, subject to the agreement of the complainant, a NONVIOLENT complaint made against a police officer out of the standard complaint process;
- (b) refer a complaint referred to the program to VOLUNTARY mediation conducted by an INDEPENDENT mediation service; and
- (c) adopt regulations to implement the program, including criteria concerning eligibility for referral of complaints.

COMAR (Code of Maryland Annotated Regulations) 12.04.11 Police Complaint Mediation Program Authority: Public

Safety Article, §§3-207 and 3-208, Annotated Code of Maryland

(a) Purpose.

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(a) This chapter establishes a police complaint mediation program that provides an alternative method to address minor, nonviolent police misconduct complaints outside of the standard complaint process.

(b) A law enforcement agency may refer a nonviolent complaint made against a police officer, subject to the agreement of the complainant and the involved police officer, to an independent mediation provider.

(b) General Provisions.

(a) Mediation is a process for settling minor police misconduct disputes based on the voluntary participation of the disputing parties.

(b) If eligible, voluntary mediation between community members and police officers may be used in place of the traditional administrative complaint process and administrative charging committees (ACC).

(c) The mediation process can bridge the communication gap and create a greater understanding and appreciation between community members, police officers, and employing law enforcement agencies.

Courts and Judicial Proceedings Article § 3-1803 et al.:

§ 3-1803. Duties of mediator and participants:

(b) Mediator and participants requested by mediator. -- Except as provided in § 3-1804 of this subtitle, a mediator or any person present or otherwise participating in a mediation at the request of a mediator:

(a) Shall maintain the confidentiality of all mediation communications; and

(b) May not disclose or be compelled to disclose mediation communications in any judicial, administrative or other proceeding

(c) Parties or participants requested by parties. -- Except as provided in § 3-1804 of this subtitle

1. A party to a mediation and any person present or otherwise participating in the mediation at the request of a party may not disclose or be compelled to disclose mediation communications in any judicial, administrative, or other proceeding;

and

2. The parties may enter into a written agreement to maintain the confidentiality of all mediation communications and may require any person present or otherwise participating in the mediation at the request of a party to maintain the confidentiality of all mediation communications.

§ 3-1804. Requirements and exceptions

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- (a) Written agreement of confidentiality required. -- A document signed by the parties that records points of agreement expressed by the parties or that constitutes an agreement reached by the parties as a result of mediation is not confidential unless the parties agree otherwise in writing
- (b) Disclosures allowed. -- In addition to any other disclosure required by law, a mediator, a party, or a person who was present or who otherwise participated in a mediation at the request of the mediator may disclose mediation communications:

(a) To a potential victim or to the appropriate law enforcement authority to the extent that the mediator, party, or person reasonably believes the disclosure is necessary to prevent bodily harm or death to the potential victim;

(b) To the extent necessary to assert or defend against allegations of mediator misconduct or negligence;

1) To the extent necessary to assert or defend against allegations of professional misconduct or malpractice by a party or any person who was present or who otherwise participated in the mediation at the request of a party, except that a mediator may not be compelled to participate in a proceeding arising out of the disclosure; or

2) To the extent necessary to assert or defend against a claim or defense that, because of fraud, duress, or misrepresentation, a contract arising out of a mediation should be rescinded or damages should be awarded.

3) Disclosure by court order; limitations. -- A court may order mediation communications to be disclosed only to the extent that the court determines that the disclosure is necessary to prevent an injustice or harm to the public interest that is of sufficient magnitude in the particular case to outweigh the integrity of mediation proceedings.

§ 3-1805. When communications subject to discovery:

1. Mediation communications that are confidential under this subtitle are not subject to discovery, but information that is otherwise admissible or subject to discovery does not become inadmissible or protected from disclosure solely by reason of its use in mediation.

Maryland Rule 17-104, Basic Mediation Training Programs:

To qualify under Rule 17-205 (above) or 17-304, a basic mediation-training program shall include the following:

- (a) conflict resolution and mediation theory, including causes of conflict, interest-based versus positional bargaining and models of conflict resolution;
- (b) mediation skills and techniques, including information gathering skills; communication skills; problem-solving skills; interaction skills; conflict management skills; negotiation techniques; caucusing; cultural, ethnic, and gender issues; and strategies to:
- (c) identify and respond to power imbalances, intimidation, and the presence and effects of domestic violence, and
- (d) safely terminate a mediation when such action is warranted;

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- (e) mediator conduct, including conflicts of interest, confidentiality, neutrality, ethics and standards of practice; and
- (f) simulations and role-playing monitored and critiqued by experienced mediator trainers.

341.5 POLICE COMPLAINT AND MEDIATION PROGRAM

The ST. MICHAELS POLICE DEPARTMENT Police Complaint Mediation Program conforms to the standards and regulations established and provided by the Maryland Police Training and Standards Commission and the recommendations of the MID SHORE COMMUNITY MEDIATION CENTER.

341.6 COMPLAINT MEDIATION PROGRAM ADMINISTRATION

The ST. MICHAELS POLICE DEPARTMENT Chief of Police or designee is designated as the administrator for the agency's Police Complaint Mediation Program and has the authority and responsibility to:

- provide administrative oversight for the agency's Police Complaint Mediation Program as required;
- develop and implement any internal procedures for record keeping and other administrative duties, etc., as relates to the mediation of complaints;
- act as agency liaison with the MID SHORE COMMUNITY MEDIATION CENTER regarding Police Complaint Mediation Program;
- review and evaluate community member complaints and select those that are mediation-eligible as described in this policy and procedure;
- contact the officer involved in the mediation-eligible complaint to determine if he/she wishes to mediate the complaint;
- ensure that mediation – eligible complaints and complainant contact information are forwarded to the MID SHORE COMMUNITY MEDIATION CENTER as soon as practical after an officer has agreed to mediation so the MID SHORE COMMUNITY MEDIATION CENTER can contact the complainant with an offer to mediate his/her complaint;
- maintain Closure Letters of all mediation sessions conducted by mediators affiliated with MID SHORE COMMUNITY MEDIATION CENTER;
- with the assistance of the MID SHORE COMMUNITY MEDIATION CENTER compile an annual report of /about the use of and citizen-agency personnel satisfaction with the agency's complaint mediation program for the agency head;
- periodically review and update as necessary this policy and procedure;
- post a current copy of this policy and procedure as well as the ST. MICHAELS POLICE DEPARTMENT Complaint Resolution Brochure on its website.

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341.7 SELECTION OF COMPLAINT FOR MEDIATION

Pursuant to COMAR 12.04.11.06, the Mediation Program Administrator will carefully review and evaluate each complaint and the circumstances reported in that complaint prior to determining if mediation should/should not be offered to the parties involved in the incident.

In addition, prior to making a decision as to whether a particular complaint is eligible/not eligible for mediation, the Mediation Program Administrator shall also weigh the potential benefits of an offer of mediation as they apply to the complainant, the community at large and the agency against the potential exposure to harm, i.e. potential civil liability and potential damage to the ability of the agency to protect the community.

To provide guidance to all agency personnel, the ST. MICHAELS POLICE DEPARTMENT has determined that, in general, depending on the particular circumstances surrounding the complaint, mediation may be offered to resolve a complaint that appears to be based on:

- (a) a lack of communication or miscommunication between a community member and officer involved in an incident;
- (b) a misunderstanding about an officer's authority to act;
- (c) a misunderstanding about an officer's application of an agency standard operation procedure or other professionally accepted practice.

When deciding whether to consider any complaint for mediation as an alternative to a traditional investigation, the Mediation Program Administrator will consider, at a minimum, the following:

- (a) the type and severity of the alleged violation and the particular circumstances involved in the complaint;
- (b) the work history and disciplinary record of the officer involved including previous mediation history;
- (c) whether mediation will potentially:
 - (a) result in greater complainant satisfaction;
 - (b) improve citizen understanding of police procedures and actions;
 - (c) result in improved officer conduct; and
 - (d) contribute to improved citizen-police relations.

While the ST. MICHAELS POLICE DEPARTMENT recognizes that there are several potential benefits for the community member, officer, agency and community at large that can accrue through a successful mediation, the ST. MICHAELS POLICE DEPARTMENT understands that there is no right to mediation, either expressed or implied in this policy, for any party involved in a complaint. The ST. MICHAELS POLICE DEPARTMENT reserves the right to decline to offer mediation for any complaint filed by a community member.

Additionally, circumstances may prompt the ST. MICHAELS POLICE DEPARTMENT to withdraw/rescind the mediation option from either the community member or the officer before a mediation session takes place.

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MEDIATION ELIGIBLE COMPLAINTS :

As part of its established complaint resolution process, the ST. MICHAELS POLICE DEPARTMENT has determined that community member complaints that fall within the following categories are "ELIGIBLE" to be considered for mediation. As described above, the circumstances outlined in the initial complaint will be reviewed by the Mediation Program Administrator and the several objective eligibility factors listed in this policy and procedure will be factored into the decision as to whether to offer mediation:

(a) Conduct that has or may have a minimal negative impact on the operations or professional image of the agency (COMAR 12.04.10.04 (D)(2) – Category A:

- (a) Plainclothes Officer – Failure to Identify Self as Officer;
- (b) Failure to Provide Name and Badge Number on request;
- (c) Traffic Violation by Officer/Emergency Vehicle Operation complaint;
- (d) Discourtesy/Rudeness.

(b) Conduct that has or may have a negative impact on the operations or professional image of a law enforcement agency; or that negatively impacts relationships with other officers, agencies, or the public (COMAR 12.04.10.04 (D)(3) – Category B:

- (a) Responsibilities to Serve Public;
- (b) Displaying an Impartial Attitude;
- (c) Discourtesy – Language or Behavior;
- (d) Department Vehicle Operation;
- (e) Failure to Make, File or Complete Official Report.

The ST. MICHAELS POLICE DEPARTMENT recognizes that all complaints that appear, at first glance, to be potentially eligible for mediation by type of behavior may not be, in reality, good candidates for mediation. In addition to the severity of or the minimal nature of the consequences caused by the behavior alleged in the complaint, the agency will also use the following additional objective factors to determine if a complaint should be offered to the officer and complainant for mediation. Those objective factors include an officer's:

1. Complimentary history:

- (a) awards/commendations/positive public recognition or acknowledgment;

2. Prior work history:

- (a) positive performance evaluations and/or voluntary, advanced, job -related training; or
- (b) recommendation of supervisor(s)/command officers within chain of command;

3. Disciplinary history:

- (a) minimal or lack of prior disciplinary history relative to the officer's years of service:

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- (b) nature and seriousness of any prior sustained violation(s);
- (c) number of prior sustained violation(s);
- (d) length of time between prior sustained violation(s) and current case;
- (e) number of prior complaints [TBD by agency] of any type in past 12 months;
- (f) prior complaint mediation experience;
- (g) relationship between any prior violation(s) and the present alleged misconduct;
- (h) whether the officer's prior history demonstrates a continuation or pattern of the same or similar misconduct; and
- (i) whether the prior history demonstrates continuous misconduct evidencing a failure to conform to rules or to correct inappropriate behavior.

Whenever a question arises as to the mediation–eligibility of a complaint, the Mediation Program Administrator will consult with senior command staff within the chain of command before making a determination as to whether or not to offer mediation. The local Police Accountability Board should also be consulted.

INELIGIBLE COMPLAINTS:

While the ST. MICHAELS POLICE DEPARTMENT has concluded that there is a significant benefit in mediating certain complaints against its personnel, it also realizes that complaints alleging certain types of misconduct normally require a thorough administrative investigation in order to resolve a complaint from a community member. Such administrative investigations are intended to protect the interests of the public as well as the agency. Administrative investigations occur when complaints involve actions or behavior that, if true, would have a significant adverse effect on either a community member, the public at large and/or the ability of the ST. MICHAELS POLICE DEPARTMENT to provide lawful, fair/equitable, and professional law enforcement services to the community.

Conduct that falls into one of the following violation categories shall not be considered for mediation:

1. COMAR 12.04.10.04(D)(4)- Category C. Conduct that involves a risk to safety or that has or may have a pronounced negative impact on the operations or professional image on the law enforcement agency or a member, or on relationships with other officers, agencies, or the public.
2. COMAR 12.04.10.04(D)(5)- Category D. Conduct substantially contrary to the values of the law enforcement agency or that substantially interferes with its mission, operations, or professional image, or that involves a serious risk to officer or public safety, or intentionally violates law enforcement agency policy.
3. COMAR 12.04.10.04(D)(6)- Category E. Conduct that involves misuse of authority, unethical behavior (not involving false reporting or false statements), or an act that could

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result in an adverse impact on an officer or public safety or to the professionalism of the law enforcement agency or a violation of any misdemeanor.

4. COMAR 12.04.10.04(D)(7)- Category F. Any violation of law, policy, rule or regulation which: foreseeable results in death or serious bodily injury; or constitutes a willful and wanton disregard of the law enforcement agency's mission, vision, and values; or involves any act or omission which demonstrates a serious lack of the integrity, ethics,

or

5. character related to an employee's fitness to hold their position; or involves egregious misconduct substantially contrary to the standards of conduct reasonably expected, to include those whose sworn duty is to uphold the law; or involves conduct which constitutes the failure to adhere to any condition of employment required or mandated by law, including and 18 U.S.C. §922(g) (Lautenberg) violations. (These cases will result in termination). Whenever a question arises as to the mediation–eligibility/ineligibility of a complaint, the Mediation Program Administrator will consult with senior command staff within the chain of command before making a determination as to whether or not the complaint is mediation-eligible. If a clear determination cannot be made at this point, then the complaint will be forwarded to the agency head or his/her designee for a final decision as to whether to offer mediation or not to the complainant and the officer involved.

341.8 NOTIFICATION OF PARTIES - OPTION TO MEDIATE

Pursuant to COMAR 12.04.11.07 (A), once a complaint has been initially reviewed by the agency to determine its mediation eligibility, the parties involved in the complaint will be notified of the option to mediate in the order and manner described below:

- The officer against whom the complaint has been lodged will be contacted by Chief of Police to determine if he/she chooses to participate in mediation with the complainant. The officer will have 3 days to make a decision and to notify the Chief of Police.
- If the officer agrees to mediation, the Chief of Police will contact the complainant and notify them of the mediation option (see complainant instructions below).
- If both parties agree to mediation, the officer will be instructed to contact MID SHORE MEDIATION intake within 3 business days.
- The Chief of Police will provide MID SHORE MEDIATION with the officer's contact information.
- If the police officer does not contact MID SHORE MEDIATION intake within 3 business days, MID SHORE MEDIATION will contact the officer to conduct a private intake to determine if he/she chooses to voluntarily participate in the mediation process with the complainant.
- Failure of the officer to engage with the mediation provider within 3 business days of notification to mediate will be viewed as a withdrawal from the mediation process and the complaint will be investigated and resolved pursuant to existing policy and procedure.

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- If the officer declines to participate in mediation, the complaint will be investigated and resolved pursuant to COMAR 12.04.09 and 12.04.10.
- The ST. MICHAELS POLICE DEPARTMENT will not consider an officer's decision to mediate or not mediate a complaint during any later disciplinary proceedings.
- If the officer voluntarily agrees to mediation of the complaint, the Chief of Police will contact the complainant to determine if the complainant will participate in the mediation process.
- The ST. MICHAELS POLICE DEPARTMENT will request permission to share the complainant's contact information with MID SHORE MEDIATION'S intake staff
 - The complainant will be provided the contact information for MID SHORE MEDIATION intake and request the complainant make contact within 3 business days.
 - If the complainant does not contact MID SHORE MEDIATION within 3 business days, MID SHORE MEDIATION will contact the complainant (when possible) to conduct a private intake to determine if he/she chooses to voluntarily participate in the mediation process with the officer
 - If the complainant declines to participate in mediation, the matter shall be referred back to the administrative complaint process set forth in COMAR 12.04.09.

341.9 SCHEDULING MEDIATION SESSION

Mediation sessions should be scheduled within 30 days of the referral to the independent mediation provider.

The mediation session shall be scheduled when the officer is on-duty.

341.10 APPEARANCE AT THE MEDIATION SESSION

Once the MID SHORE COMMUNITY MEDIATION CENTER has scheduled a mediation session and contacted the officer, the officer is required to appear at the mediation session as scheduled. The MID SHORE COMMUNITY MEDIATION CENTER will contact the Mediation Program Administrator as soon as practical if an officer fails to appear at a scheduled mediation session.

An officer's failure to appear for a scheduled mediation session without a justifiable reason and/or without contacting the MID SHORE COMMUNITY MEDIATION CENTER prior to the session, will constitute the officer's declination to participate and nullify the agreement to mediate and result in the complaint being investigated and resolved as per established procedures set forth in COMAR **12.04.09 and 12.04.10.**

341.11 VOLUNTARY PARTICIPATION IN MEDIATION

While the decision to allow mediation is made after careful consideration of the circumstances and characteristics of each case, the ST. MICHAELS POLICE DEPARTMENT makes the option

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of mediation available in order to allow the involved parties to decide for themselves whether mediation is an appropriate or desirable way to resolve their concerns and/or differences.

Participation in the agency's Police Mediation Program by the complainant and the officer is VOLUNTARY.

Each party to the mediation will be required to agree to and sign a "Consent to Mediate Agreement Letter" provided by the MID SHORE COMMUNITY MEDIATION CENTER prior to the commencement of the mediation session

There is no right to mediation. Even if a complaint is eligible for mediation, any stakeholder/party to the process [the complainant, the officer, and/or the agency] may decline to agree that a complaint should be resolved through the mediation process.

No stakeholder/party to the process shall be required to state the reason for declining to participate in mediation or for agreeing to assign a case for mediation.

If a complainant or officer declines to mediate the complaint or withdraws from the mediation process prior to the beginning of the mediation session the complaint will be investigated according to COMAR 12.04.09.

341.12 CONFIDENTIALITY OF MEDIATION SESSION

The ST. MICHAELS POLICE DEPARTMENT recognizes that CONFIDENTIALITY is an essential element of mediation both for the complainant and for the officer involved. For mediation to succeed, both parties must feel free to speak candidly/openly. The ST. MICHAELS POLICE DEPARTMENT understands that the confidentiality of the proceedings has special relevance for its personnel because they must be assured that any apology or acknowledgment of wrongdoing will not be used against them, either by this agency or by a private attorney in a legal proceeding including a criminal, civil or administrative hearing.

Therefore, the ST. MICHAELS POLICE DEPARTMENT, along with the MID SHORE COMMUNITY MEDIATION CENTER will adhere to confidentiality requirements set forth in the Courts and Judicial Proceedings Article § 3-1803, et al.:

§ 3-1803. Duties of mediator and participants:

(a) Mediator and participants requested by mediator. -- Except as provided in § 3-1804 of this subtitle, a mediator, any person present, or otherwise participating in a mediation at the request of a mediator:

(a) Shall maintain the confidentiality of all mediation communications; and

(b) May not disclose or be compelled to disclose mediation communications in any judicial, administrative, or other proceeding.

(b) Parties or participants requested by parties. -- Except as provided in § 3-1804 of this subtitle:

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(a) A party to a mediation and any person present or otherwise participating in the mediation at the request of a party may not disclose or be compelled to disclose mediation communications in any judicial, administrative, or other proceeding; and

(b) The parties may enter into a written agreement to maintain the confidentiality of all mediation communications and may require any person present or otherwise participating in the mediation at the request of a party to maintain the confidentiality of all mediation communications.

§ 3-1804. Requirements and exceptions.

(a) Written agreement of confidentiality is required. -- A document signed by the parties that records points of agreement expressed by the parties or that constitutes an agreement reached by the parties as a result of mediation is not confidential unless the parties agree otherwise in writing.

(b) Disclosures allowed. -- In addition to any other disclosure required by law, a mediator, a party, or a person who was present or who otherwise participated in a mediation at the request of the mediator or a party may disclose mediation communications:

(a) To a potential victim or to the appropriate law enforcement authority to the extent that the mediator, party, or person reasonably believes the disclosure is necessary to prevent bodily harm or death to the potential victim;

(b) To the extent necessary to assert or defend against allegations of mediator misconduct or negligence;

(c) To the extent necessary to assert or defend against allegations of professional misconduct or malpractice by a party or any person who was present or who otherwise participated in the mediation at the request of a party, except that a mediator may not be compelled to participate in a proceeding arising out of the disclosure; or

(d) To the extent necessary to assert or defend against a claim or defense that, because of fraud, duress, or misrepresentation, a contract arising out of a mediation should be rescinded or damages should be awarded.

(e) As otherwise required by law (example - child abuse or vulnerable adult abuse)

Disclosure by court order; limitations. -- A court may order mediation communications to be disclosed only to the extent that the court determines that the disclosure is necessary to prevent an injustice or harm to the public interest that is of sufficient magnitude in the particular case to outweigh the integrity of mediation proceedings.

§ 3-1805. When communications are subject to discovery:

1. Mediation communications that are confidential under this subtitle are not subject to discovery, but information that is otherwise admissible or subject to discovery does not become inadmissible or protected from disclosure solely by reason of its use in mediation.

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2. Mediation confidentiality includes ALL mediation communications, which include speech, writing, or conduct made as part of a mediation session.
3. The parties to a mediation session may mutually agree to document in writing an agreement signed by the parties because of mediation. This document is not confidential unless the parties agree in writing otherwise.
4. Confidentiality should not be construed to prohibit the effective monitoring, research, or evaluation of a mediation program by responsible persons approved by the ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER Under appropriate circumstances, researchers and mediation evaluators may be permitted to obtain access to statistical data and, with the permission of the parties, to individual case files, mediation sessions, observations, and interviews with participants.

341.13 THE MEDIATION PROCESS

To ensure neutrality, mediation will be provided by the MID SHORE COMMUNITY MEDIATION CENTER staff.

The mediation process will be one that focuses on dialogue, relationships, and building understanding. There are a number of examples of mediation approaches that fit this criterion including inclusive mediation, transformative mediation, narrative mediation, and some types of facilitative mediation. The MID SHORE COMMUNITY MEDIATION CENTER will determine the type of mediation protocol to use for each mediation session.

At the discretion of the MID SHORE COMMUNITY MEDIATION CENTER one (1) or two (2) affiliated mediators will be referred to each scheduled mediation session.

The mediation session will take place in a neutral location, with all participants in a room together. A private session will only occur when there is a concern for safety or fear of retaliation and the mediators need to explore whether to end the session.

The MID SHORE COMMUNITY MEDIATION CENTER relying on its experience in facilitating community member-police complaint resolution sessions, has informed the agency that it normally uses either the Inclusive Mediation Framework or the Transformative Mediation Framework to conduct police complaint mediation sessions. Both of these two mediation frameworks are described below:

341.14 SELECTION OF THE MEDIATOR

The MID SHORE COMMUNITY MEDIATION CENTER is responsible for selecting and referring all mediators who will participate in the ST. MICHAELS POLICE DEPARTMENT Police Complaint Mediation Program. Mediators are affiliated with the MID SHORE COMMUNITY MEDIATION CENTER and are individuals who are:

- Impartial [no conflict of interest];
- Trained in the Art of Mediation;

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- Experienced and Competent;
- Able to Maintain Procedural Fairness during Mediation Sessions;
- Able to Maintain Confidentiality;
- Culturally Neutral.

They will meet the basic qualifications for a court appointed mediator as outlined in Maryland Rule § 17-205 [Chapter 2],

(a) be at least 21 years old, unless waived by both parties;

(b) have completed at least 40 hours of basic mediation training in a program meeting the requirements of Rule 17-104 (outlined below), or for individuals trained prior to January 1, 2013, former rule 17-106;

(c) be familiar with the rules, statutes and practices governing mediation in circuit courts; In addition to the basic qualifications outlined above, each mediator must successfully complete a basic mediation training program as outlined in Maryland Rule § 17-104 [Chapter 1], that includes NOTE: In addition to the above listed qualifications, mediators affiliated with the MID SHORE COMMUNITY MEDIATION CENTER have also participated in an advanced twenty-four (24) hour police complaint mediation skills training program.

(d) have mediated or co-mediated at least two civil cases;

(e) complete in each calendar year four (4) hours of continuing mediation-related education in one or more of the topics set forth in Rule 17-104; and

(f) abide by the mediation standards adopted by the Court of Appeals.

(a) conflict resolution and mediation theory, including causes of conflict, interest-based versus positional bargaining and models of conflict resolution;

(b) mediation skills and techniques, including information gathering skills; communication skills; problem-solving skills; interaction skills; conflict management skills; negotiation techniques; caucusing; cultural, ethnic and gender issues; and strategies to:

(a) identify and respond to power imbalances, intimidation, and the presence and effects of domestic violence, and

(b) safely terminate a mediation when such action is warranted;

(c) mediator conduct, including conflicts of interest, confidentiality, neutrality, ethics and standards of practice; and

(d) simulations and role-playing monitored and critiqued by experienced mediator trainers.

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NOTE: In addition to the above-listed qualifications, mediators affiliated with the MID SHORE COMMUNITY MEDIATION CENTER have also participated in an advanced twenty-four (24) hour police complaint mediation skills training program.

341.15 ROLE OF THE MEDIATOR

Mediators affiliated with the MID SHORE COMMUNITY MEDIATION CENTER

- typically use either INCLUSIVE mediation or TRANSFORMATIVE mediation;
- do not set ground rules for the mediation session;
- focus on listening for values, feelings, and topics and reflect these back to the participants, checking to make sure that the participants feel the reflection is accurate;
- while not providing information, making suggestions, or persuading strategies;
- attempt to understand each participant, thus making it more possible for them to understand each other;
- follow a defined process that includes:
 - time for participants to share the situation;
 - build clarity as to what is important;
 - identify topics participants want to resolve;
 - identify the goals each participant has for each topic;
 - brainstorm options
- consider each of the generated options in terms of which would meet all participants' goals; and
- determine areas of agreement, if any;
- rarely use caucuses:
 - usually in situations where mediators need to check if mediation is a good fit for the conflict;
 - if agreement is reached, write down the agreement based on the direction of the participants;
- review and confirm the agreement with the participants;

341.16 RESOLUTION

(a)When the mediation process has concluded, the outcome shall be determined by the independent mediation provider to be:

(a)A successful resolution if all parties agree with the resolution; or

(b)An impasse if one or more parties to the complaint cannot agree to a satisfactory resolution.

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(b)An impasse shall be referred back to the law enforcement agency of the involved police officer for investigation and handled through the administrative complaint process set forth in COMAR 12.04.09.

(c)A successful resolution shall be documented by the independent mediation provider in a written statement, signed by both parties and the mediator.

(d)The mediator shall send a letter of conclusion to the referring law enforcement agency indicating the results of mediation.

(e)Results of the mediation shall be tracked by the law enforcement agency and forwarded to the local police accountability board.

(f)Complaint mediation statistics shall be included in the law enforcement agency's annual reporting of complaints involving the public, and the statistics shall include the:

(a)Total number of complaints handled through mediation;

(b)Number of successful resolutions; and

(c)Number of mediation impasses.

(g)If the police officer fails to comply with the actions and deadlines identified in the mediation agreement, a new complaint shall be initiated and the actions of the original complaint of misconduct shall be considered as a potential aggravating factor.

341.17 ATTENDANCE OF OTHERS AT MEDIATION SESSION

While confidentiality seems to suggest that individuals other than the two parties and the independent mediator should be excluded from a mediation session, the ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER have agreed that occasionally a third party may need to be included in a mediation session, such as when the complainant is a juvenile or an individual with intellectual/mental health special needs. Those individuals may need to be accompanied in the mediation session by a parent/guardian.

In other instances, one or both parties to mediation may request that another individual accompany them as "support" during the mediation session.

In case a party requests to have another individual accompany them in the mediation session, the ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER have agreed that:

(a)a request for the presence of an individual to accompany one of the parties to a mediation should be communicated to the MID SHORE COMMUNITY MEDIATION CENTER at the time that mediation is offered to the party; in any case, the request for a "third" party appearance must be communicated to the MID SHORE COMMUNITY MEDIATION CENTER prior to the beginning of the scheduled mediation session;

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(b)the non-requesting party shall have the opportunity to withdraw from the mediation, without prejudice, when informed of the presence of a "third" party; the complaint will then be referred back to the agency for investigation; and

(c)the "third" party shall agree to and sign a Consent to Mediate Letter that includes the confidentiality requirements for attending a mediation session prior to the beginning of the mediation session.

341.18 PRESENCE OF INTERPRETERS

If needed, the MID SHORE COMMUNITY MEDIATION CENTER will supply/arrange for a professional sign language or language interpreter for a mediation session for the complainant. If necessary, the ST. MICHAELS POLICE DEPARTMENT will defray the costs associated with providing a professional interpreter as per its working agreement with the MID SHORE COMMUNITY MEDIATION CENTER. The interpreter shall agree to and sign a "Consent to Mediate Letter" that includes the Confidentiality requirements for attending a mediation session [Appendix A] prior to the beginning of the mediation session.

341.19 LETTER OF CONCLUSION

The **MID SHORE COMMUNITY MEDIATION CENTER** will notify, in writing, the Chief of Police when a mediation session has been completed.

In keeping with the confidential nature of mediation, the Letter of Conclusion will contain only the names of the parties involved in the session, the mediator, the agency control/identification number for the complaint, the date and the time of the mediation session, results of the mediation session as either successful or impasse; and the Letter of Conclusion will be accompanied by copies of the signed Consent to Mediate Letter.

341.20 WEARING THE UNIFORM

The ST. MICHAELS POLICE DEPARTMENT and MID SHORE COMMUNITY MEDIATION CENTER have agreed that agency personnel shall normally wear the uniform of the day when participating in a mediation session. Appearance in uniform is intended to ensure that the interaction between the two parties to the mediation is an authentic one, based on the reality of how the officer and citizen experienced each other in the past and may experience each other in the future.

An exception is extended to those agency personnel who are in plain clothes/undercover assignments and who's personal appearance is such that wearing the uniform of the day would not be professionally acceptable, i.e. full beard, long hair, body piercings, etc. or who are injured and cannot appear in uniform. Individuals who intend to appear at a mediation session out-of-uniform shall first consult with their immediate supervisor to determine if an appearance in uniform is appropriate or not prior to attending the mediation session.

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Attendance at a mediation session by those excluded from wearing the uniform of the day shall be in appropriate court appearance business attire.

341.21 USE OF VIDEO RECORDINGS DURING MEDIATION

Video recordings of community member-law enforcement officer interactions are increasingly more available for review either because an event has been recorded by a complainant, a witness, an officer, a nearby security camera or other means. The ST. MICHAELS POLICE DEPARTMENT recognizes that the recording may enable a community member and an officer to have a more enlightened discussion about an event if the recording is played during a mediation session. Therefore, based on the input of the MID SHORE COMMUNITY MEDIATION CENTER it is an acceptable practice to play video recordings of the interaction in question during a mediation session with the concurrence of the mediator. Mediators will ensure that both parties understand that the use of a video recording is not intended to assign blame to any party but to facilitate discussion between the parties.

Any video/audio recording from an agency body-worn camera or in-car video system shall be obtained as per established policy and redacted as appropriate prior to use during a mediation session. Because each camera video/audio recording is the property of the ST. MICHAELS POLICE DEPARTMENT it is to be returned to the administrator of the agency's BWC or in-car video program as soon as practical after the mediation session is concluded by the officer who requested the recording.

341.22 SESSION LENGTH

Given the fact that a mediation session is dialogue-driven, it is typically scheduled to last for two (2) hours by the MID SHORE COMMUNITY MEDIATION CENTER although a session can be concluded before the end of the 2 hours. Likewise, if additional time is needed as determined by the independent mediator, it can continue upon agreement of the parties or another mediation session can be scheduled.

341.23 COMPLAINT CLOSURE

Complaints will be closed pursuant to COMAR 12.04.11.08:

(a)When the mediation process has concluded, the outcome shall be determined by the independent mediation provider to be:

(a)A successful resolution if all parties agree with the resolution; or

(b)An impasse if one or more parties to the complaint cannot agree to a satisfactory resolution.

(b)An impasse shall be referred back to the law enforcement agency of the involved police officer for investigation and handled through the administrative complaint process set forth in COMAR 12.04.09.

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(c) A successful resolution shall be documented by the independent mediation provider in a written statement, signed by both parties and the mediator.

(d) The mediator shall send a letter of conclusion to the referring law enforcement agency indicating the results of mediation.

(e) Results of the mediation shall be tracked by the law enforcement agency and forwarded to the local police accountability board.

(f) Complaint mediation statistics shall be included in the law enforcement agency's annual reporting of complaints involving the public, and the statistics shall include the:

(a) Total number of complaints handled through mediation;

(b) Number of successful resolutions; and

(c) Number of mediation impasses.

(g) If the police officer fails to comply with the actions and deadlines identified in the mediation agreement, a new complaint shall be initiated and the actions of the original complaint of misconduct shall be considered as a potential aggravating factor.

341.24 TRAINING

The Mediation Program Administrator, with the input and assistance of the MID SHORE COMMUNITY MEDIATION CENTER will develop agency orientation/training into the mediation process for all agency personnel prior to implementation of the Police Complaint Mediation Program.

Additionally, the Mediation Program Administrator will provide training on the program to new agency personnel as warranted and follow-up training as needed.

The MID SHORE COMMUNITY MEDIATION CENTER will produce an information brochure on the Police Complaint Mediation Program available for distribution to the public. A copy of the brochure will be posted on each entity's website.

341.25 EVALUATION - MEDIATION SESSION

Before the mediation session begins the mediator may ask the complainant and law enforcement officer to complete the Pre-mediation Survey that appears in Appendix B. This survey is intended to determine:

(a) the attitude of the complainant towards the agency and law enforcement officers

(b) the attitude of the law enforcement towards the complainant and community:

- prior to the mediation session beginning

(c) if either party experiences a change in attitude after the mediation session is completed.

Complaint Mediation Program

The survey is for the use of the MID SHORE COMMUNITY MEDIATION CENTER to gauge the effectiveness of the mediation process. The statistical results developed from these surveys will be shared with the agency as part of the MID SHORE COMMUNITY MEDIATION CENTER annual report.

At the conclusion of a mediation session, the mediator, on behalf of the MID SHORE COMMUNITY MEDIATION CENTER will request that each party, including the mediator, complete a brief evaluation of the mediation process. Those evaluations will be collected by the mediator and returned to the MID SHORE COMMUNITY MEDIATION CENTER for review. The results will be shared with the Mediation Program Administrator with the intent of improving the complaint mediation program as part of its annual report.

The MID SHORE COMMUNITY MEDIATION CENTER will not share the results of any individual surveys or evaluations with the

ST. MICHAELS POLICE DEPARTMENT but will report their findings in an aggregate manner in its annual report about the program.

The MID SHORE COMMUNITY MEDIATION CENTER will also conduct an evaluation survey using a modified version of the same form one month after the mediation session has concluded and share those results with the Mediation Program Administrator as part of its annual report.

The Mediation Program Administrator with the assistance of the MID SHORE COMMUNITY MEDIATION CENTER will compile an annual report of mediated complaints with a summary of the type of complaint mediated. This report will be made part of the agency's annual report and distributed as appropriate and will be published on the agency's website.

341.26 POLICY AND PROCEDURE REVIEW

The Mediation Program Administrator, in concert with the MID SHORE COMMUNITY MEDIATION CENTER will periodically review and have the Police Complaint Mediation Program policy and procedure revised, as necessary. Review and revision will take place according to the established timetable for policy review used by the ST. MICHAELS POLICE DEPARTMENT.

The revised policy will be posted on the agency's website and provided to the MID SHORE COMMUNITY MEDIATION CENTER

Complaint mediation statistics shall be included in the St. Michaels Police Department annual reporting of complaints involving the public, and the statistics shall include the:

- (a) Total number of complaints handled through mediation;
- (b) Number of successful resolutions; and
- (c) Number of mediation impasses.



Board: Town Commission

Meeting Date: November 8, 2023

Agenda Subject: Consideration to Approve a RFP for Exterior and Interior Painting of Environmental Concern Buildings

Recommendation: Discussion with motion to approve.

Background Information:

The two buildings at the Environmental Concern property are in need of exterior painting and the interior of the administration building needs to be painted. Staff has developed the attached RFP to solicit bids from qualified commercial painting companies.

Action:

Discussion with input to Staff.

REQUEST FOR PROPOSALS



INTERIOR/EXTERIOR PAINTING- TOWN-OWNED BUILDINGS

November 8, 2023

**Commissioners of St. Michaels
P.O. Box 206
300 Mill Street
St. Michaels, MD 21663
410-745-9535
410-745-3463 fax
www.stmichaelsmd.gov**

I. General Information

A. Introduction/Project Summary

The Town of St. Michaels is requesting sealed proposals from an individual or company to prep and paint the entire exterior of two Town-owned buildings at 201 Boundary Lane (formerly Environmental Concern property) and the interior of one of the two buildings.

B. Anticipated Selection Schedule

The Town anticipates the following general timeline for its selection process. The Town reserves the right to change this schedule.

- | | |
|---|------------------------------|
| • RFP Advertised | Week of November 6, 2023 |
| • Proposal Due Date at the Town Office | November 28, 2023 by 2:00 pm |
| • Opening of Proposals | November 28, 2023 at 2:00 pm |
| • Contract Approval | December 13, 2023 |
| • Commencement of Contract | December 14, 2023 |
| • Earliest Date to Commence Exterior Work | April 1, 2024 |
| • Earliest Date to Commence Interior Painting | December 15, 2023 |

C. Scope of Work/Deliverables

1. Responsibilities

Exterior-Two Buildings (Garage and Administration Buildings)

- a. Pressure wash the entirety of the two buildings to remove as much dirt and debris as possible
- b. Fascia board- Scrape all loose paint, machine sand all fascia, spot prime all base wood, caulk all seams and gaps, apply two coats of semi-gloss enamel to all fascia board.
- c. Eaves-Scrape all loose paint, sand areas if needed, caulk where needed, spot prime all bare wood with oil base primer, apply one coat of flat finish to all eaves.
- d. Siding- Scrape all loose paint, machine sand siding with orbital sander paying special attention to areas where paint was scraped, feathering in those areas as best as possible. Caulk all gaps and seams, except at the bottom of each siding board which should be left open to allow siding to breath. All damaged areas will be either bondo or wood filler. Spot prime all bare wood and areas that were patched with oil base primer. Apply one coat of low luster to all siding.
- e. Windows/Doors- Hand sand all window and door frames and sash areas. Window sills will be sanded with orbital sander to smooth out areas as best as possible. Remove all loose glazing and old paint from glass. Reglaze where needed. All bare wood will be spot primed with a slow-drying oil base primer. All gaps and seams will be caulked. Apply one finish of semi-gloss enamel to all windows.
- f. Exterior painting shall not commence until April 1, 2024.

Interior-One Building (Administration Building)

- a. Existing surfaces and/or other items near areas where painting is occurring shall be protected from sanding dust, paint splatter, spills, overspray and/or other damage that could result from vendor operations.
- b. Surfaces shall be cleaned of all moisture, dirt, oil, grease, rust and other foreign matter prior to painting. Necessary site preparation such as caulking, scraping, hole repair, priming shall be performed to ensure the utmost quality and integrity of the end product. Switch plates, outlet covers, cable plates and phone jack covers are to be removed before work is performed. All hardware fixtures, light/switch covers shall be reinstalled. All wallpaper shall be fully removed and surface prepped smooth before painting.
- c. Materials/paint is to be applied evenly by brush or roller without runs, drips, air bubbles, or other defects. Surface shall be brushed out smooth leaving no minimum brush marks/roller stipple. Paint shall be applied in two coats.
- d. All interior painting shall be completed by February 15, 2024.

D. Qualifications Proposal Information

The Proposer is to provide adequate information that will render it qualified and capable of cost effectively accomplishing the program services. Since there is no assurance of the Proposer having any other opportunity to communicate its ability, the proposals must negate any ambiguity with respect to the proposer's ability and approach.

1. **Proposers Qualifications:** A qualified individual or firm shall have at least five (5) five years of experience providing professional, commercial painting services. Proposers must provide their firms' number of continuous years in operation.
2. **Company Experience:** This part will contain the proposer's particular experience history with other clients providing contact name, address, phone number, fax number, email address, scope of services, and other relevant data as outline in the proposer's qualification section. Provide, in this section, a list of projects where the proposer has been terminated, or replaced, on similar projects.
3. **Subcontractors:** The Proposer shall provide a list of subcontractors, by name and address, who they intend to use during the life of the contract. If names are not available, then the proposer must list the services to be subcontracted.

II. Proposal Instructions

A. Proposal Submittal and Due Date

Proposers shall four hard copies and one electronic copy of the proposals in a sealed envelope clearly marked: "Confidential: Town of St. Michaels Exterior/Interior Painting Town-Owned Buildings." Proposals shall be submitted by 2:00 p.m. on November 28, 2023 to:

Rob Straebel
Town Administrator
Commissioners of St. Michaels
P.O. Box 206

300 Mill Street
St. Michaels, MD 21663

The Town of St. Michaels assumes no responsibility for delayed or undelivered mail or express packages. Proposals which are not received by the Town by the above specified time and date will not be considered. Faxed or electronically transmitted proposals will be rejected as nonresponsive.

Proposals will be opened on November 28, 2023 at 2:00 p.m. at St. Michaels Town Office. Copies of this RFP are available for review at St. Michaels Town Office.

B. Inquires

Questions concerning this RFP should be submitted to:

Rob Straebel
Town Administrator
Commissioners of St. Michaels
P.O. Box 206
300 Mill Street
St. Michaels, MD 21663

Email: <mailto:rstraebel@stmichaelsmd.gov>

C. Reservation of Rights

The Town reserves the right to: 1) seek clarifications of each proposal; 2) negotiate a final contract that is in the best interest of the Town and the public; 3) reject any or all proposals; 4) cancel this RFP at any time if doing so would be in the public interest, as determined by the Town in its sole discretion; 5) award the contract to any proposer as set forth in this RFP; 6) waive minor informalities contained in any proposal, when, in the Town's sole judgment, it is in the Town's best interest to do so; and 7) request any additional information the Town deems reasonably necessary to allow the Town to evaluate, rank, and select the most qualified Proposer to perform the services described in this RFP.

D. Information Release

Proposers are hereby advised that the Town may solicit background information based upon all information, including references, provided in response to this RFP. By submission of a proposal, Proposer agrees to such activity and releases the Town from all claims arising from such activity.

E. Public Records

All proposals submitted are the property of the Town of St. Michaels and are thus subject to disclosure pursuant to the public records law.

Accordingly, proposals received and opened shall not be available for public inspection until after the Town has scheduled a public discussion at a Commissioners of St. Michaels Town meeting.

F. Costs

Proposers responding to this RFP do so solely at their own expense.

III. Proposal Evaluation

A. Selection

B. Contract

The selected Proposer will be expected to sign a written agreement, which will incorporate this RFP and the awardee's proposal. Negotiations shall be limited to terms the Town chooses to negotiate, in Town's sole discretion.

The agreement requires that the awardee comply with all applicable federal and state laws, rules, and regulations.

The Town of St. Michaels is an Equal Opportunity/Affirmative Action Employer. Women, Minorities, and Disabled Persons are encouraged to apply.

THIS SOLICITATION IS NOT AN IMPLIED CONTRACT AND MAY BE MODIFIED OR REVOKED WITHOUT NOTICE.



Board: Town Commission

Meeting Date: November 8, 2023

Agenda Subject: Consideration to Approve Design Fees for Police Department Jail and Bathroom Improvements and Bathroom Improvements at the Environmental Concern Administration Office

Recommendation: Discussion with motion to approve

Background Information:

Staff have worked with Crosby and Associates in determining architectural and engineering design and construction document services for both the police station bathroom and jail cells and the Environmental Concern bathroom renovations. The architectural services include mechanical/electrical/plumbing engineering.

1) Incorporate Drainage in Two Jail Cells/Renovate Bathroom to be ADA Compliant

There is currently no safe and hygienic method for officers to remove blood, urine and fecal matter from the jail cells. The Chief is recommending a floor drainage system be installed in both cells that would greatly assist officers in the unsavory task of cleaning up after inmates. There is also a bathroom that is not ADA compliant that will need to be renovated to accommodate wheelchair maneuverability. The bathroom improvements require relocating framed walls and existing door. Costs for field surveys and base plan preparation, schematic design, construction document and construction administration are \$9,940.

2) ADA Compliant Bathrooms in the Environmental Concern Administration Office

The Town is required to have at least one ADA compliant bathroom before Staff transitions to the new public building. One bathroom would need to be renovated to allow adequate doorway space and a turnaround area for wheelchairs. Costs for field surveys and base plan preparation, schematic design, construction document and construction administration are \$8,760.

Pet the Town's Charter, Purchasing and Contracts C "*All contracts involving professional services, such as accounting, architecture, auditing, consulting, computer maintenance and support services, engineering, law, planning, and surveying, may not be subject to*

competitive bidding, but may be negotiated by the Town Clerk/Manager with the approval of the Commission or by the Commission itself.” See attached. To solicit competitive bids for the two projects, architectural drawings will be needed for vendors to bid on the projects.

Action:

Discussion with a motion to approve design fees for jail cells and ADA compliant bathroom.

November 1, 2023

Mr. Rob Straebel
Town Administrator
Town of St. Michaels
300 Mill Street
St. Michaels, MD 21663

Re: Architectural & Engineering Services for Restroom Renovations
St. Michaels – Police Station & Town Offices

Dear Rob:

Please accept this document as our Services Proposal to provide Architectural and Engineering Design and Construction Documents Services for renovations to existing restrooms at the St. Michaels Police Station on Fremont Street and the proposed town offices at the old Environmental Concern, Inc. (ECI) building on Boundary Lane. In addition, floor drains are to be installed in two holding cells in the detention area of the Police Station. The construction documents will be used for construction costing, building permitting and construction of the project.

In addition to architectural services our services include mechanical/electrical/plumbing engineering. The engineering services will address modifications to existing plumbing systems as required, and any additional work related to HVAC and/or electric lighting and power as may be required.

If drawings of the facilities are available from you we will use them to gain an understanding of the facilities and the existing plumbing and electric systems. We will also field measure the rooms and identify existing utilities. We will not perform any destructive investigations (i.e., cutting holes to see behind walls, etc.).

SCOPE SUMMARY

There are two buildings involved. The existing Police Station on Fremont Street has a restroom and two holding cells in the detention area. The former Environmental Concern, Inc., building on Boundary Lane is proposed to house the town offices and has one restroom that will be upgraded.

- The restroom in the Police Station has a stainless steel toilet and a stainless steel sink. One wall of the toilet is concrete masonry and the other walls are of framed construction (wood or metal studs) with gypsum board finish. The fixtures appear to be installed at the ADA-required distance from adjacent walls and at the correct mounting heights, and thus should not require relocating

513 Court Lane
The Highcourt Center
Cambridge, MD 21613
Tel. 410.221.6508
Cell 410.476.1133

(this will be verified). The width of the space is too narrow to allow required floor clearances and wheelchair maneuverability. Our design intent will be to enlarge the toilet room by relocating the framed walls and existing door, without having to modify the fixtures or connections to plumbing. Our design will include ADA-compliant accessories such as grab bars and other items as needed.

- On the opposite side of the detention area from the toilet are two holding cells. These have concrete floors and no floor drains. Washing down these cells is impractical and costly, and the design will add floor drains to the cells. The drains will connect to the nearest existing sanitary drain pipe, most likely at the toilet room described in the first bullet above. We will also investigate sloping the existing floors to the new drain in each cell, but this may prove impractical and costly.
- In the former Environmental Concern building, the existing bathroom located to the left of the entry foyer is the likeliest candidate for renovations, based on our recent site visit with you. Our design intent will be to take adjacent closet space to enlarge the restroom and replace the existing vanity sink with a wall mounted sink. The toilet would be replaced with a new low water usage fixture. These modifications, we believe, will create sufficient floor space and wheelchair maneuverability to meet ADA requirements.

SCOPE OF SERVICES

A. FIELD SURVEY & BASE PLAN PREPARATION SERVICES

We will visit each location and take measurements of the restrooms and holding cells to prepare a base CAD drawing of each space. We will also inspect the existing plumbing and electrical services, to the extent they are accessible. This portion of the work will be completed within one week of your acceptance of this proposal.

FEE BASIS: FIXED FEE	Police Station	\$1,025.00
	Town Offices (ECI)	\$850.00

B. SCHEMATIC DESIGN SERVICES

We will research current ADA standards and guidelines and develop floor plan layouts for your review. We will make preliminary room finish, plumbing fixture, and accessories selections. The floor plans and data sheets for the fixtures and accessories selections will be submitted for owner review and approval. This portion of the work will be completed within two weeks of completion of the field survey and base plan work.

FEE BASIS: FIXED FEE	Police Station	\$3,120.00
	Town Offices (ECI)	\$2,770.00

C. CONSTRUCTION DOCUMENTS SERVICES

Based on the approved floor plan layout and preliminary fixture and finish selections, our Team will prepare detailed construction drawings for the architectural design and the M/E/P design. The construction documents will be used to establish the cost of construction, obtain a building permit, and construct the project. This portion of the work will be completed within four weeks of your approval of the schematic design.

FEE BASIS: FIXED FEE	Police Station	\$5,795.00
	Town Offices (ECI)	\$5,140.00

D. CONSTRUCTION ADMINISTRATION SERVICES

During construction of the project, if required by you, we will attend progress meetings, perform periodic site visits to observe the work, review submittals and shop drawings, perform punch list inspections and assist with project closeout. We can also provide support services during the bidding phase. These services will be provided on an hourly basis in accordance with our Hourly Cost and Expense Schedule attached to this proposal.

FEE BASIS:

HOURLY

COST OF SERVICES

Crosby and Associates, AIA, LLC will provide the services listed in Paragraphs A – C above for the total **FIXED FEE COST of EIGHTEEN THOUSAND SEVEN-HUNDRED DOLLARS AND ZERO CENTS (\$18,700.00)**. In addition to the Fixed Fee costs, you will be responsible for paying for expenses related to the completion of this work. Expenses to be reimbursed are as detailed on the Hourly Cost and Expense Schedule attached to this proposal.

The Cost of Services may be allocated to the Police Station and Town Offices separately, as follows:

- Police Station Fixed Fee: **\$9,940.00**
- Town Offices Fixed Fee: **\$8,760.00**

PAYMENT FOR SERVICES

Our work shall be paid for in three payments. Upon signing of this agreement and prior to the start of our work, a payment of **FOUR THOUSAND SIX-HUNDRED SEVENTY-FIVE DOLLARS AND ZERO CENTS (\$4,675.00)** will be due and payable. A second payment of **FOUR THOUSAND NINE-HUNDRED DOLLARS AND ZERO CENTS (\$4,900.00)** will be due and payable upon the completion of schematic design. A final payment of **NINE THOUSAND ONE-HUNDRED TWENTY-FIVE DOLLARS AND ZERO CENTS (\$9,125.00)** will be due and payable at the completion of our work and prior to the submission of our work to the local jurisdiction for building permit.

SERVICES NOT INCLUDED IN THIS SCOPE OF WORK

The following services are not included in the Crosby & Associates Scope of Services for this project:

- Civil Design Services
- Structural Engineering Services
- Security System Design Services
- Fire Suppression Design Services
- Any other services not listed in this proposal

GENERAL CONTRACT PROVISIONS

The following General Contract Provisions are in-force for this contract:

1. Laws

This agreement shall be governed by the laws of the State of Maryland.

2. Entire Work Scope

The work description above is the entire work to be completed under this contract. If the Client desires the firm to perform additional work, the additional work will be completed on an Hourly Rate basis. Hourly rates are as shown on the Hourly Rates and Expense Sheet attached to this

proposal. No additional work will be performed without the prior written authorization of the Client.

3. Right to Terminate

Either party to this contract has the right to terminate this agreement at any time for cause or convenience. Party seeking to terminate shall give, in writing, Seven (7) business days' notice to the other party. If the Client elects to terminate this agreement, they will be responsible to pay for all work performed by the Architects and Engineers up to the day of termination.

4. Project Abandonment

If the project is abandoned, terminated, or deferred for a period of Sixty (60) Calendar days or more, this agreement may be terminated upon Fifteen (15) days' notice. Consultant shall be paid for their services as described in Paragraph 3 above.

5. Ownership of the Documents

All documents produced by Crosby & Associates under this contract shall remain the property of Crosby & Associates. The Client is granted a **SINGLE USE** license to use this information as defined under the Copyright statutes of the United States of America for the sole purpose to submit for the State of Alabama Cannabis Licensing application process. If the Client or Architect terminates this contract, in accordance with Paragraph 3 above, prior to the completion of all services listed and agreed to by the parties in this contract, the Client will be granted a **PARTIAL SINGLE USE** license to use this information for the sole use as detailed above, if and only if, the Client executes Crosby & Associates, AIA, LLC's standard, written Release of Professional Liability Responsibility prior to the use of any documents produced under this contract agreement and pays all outstanding invoices for work completed. Use of these documents for any other purpose is expressly prohibited without the prior written consent of Crosby & Associates.

6. Professional Liability Insurance

Crosby & Associates and its Consultants have professional liability insurance covering claims arising out of the performance of professional services for this project and caused by errors, omissions, and negligent acts for which Crosby & Associates and/or its Consultants are liable. This insurance will be maintained in force by the Consultant through the duration of this project. Professional Liability insurance limits are in the amount of \$1,000,000.00 per occurrence with a total limit of \$2,000,000.00 for the project.

7. Workers' Compensation Insurance

At statutory limits (Maryland).

8. Waiver of Jury Trial

Each of the undersigned hereby knowingly, irrevocably, voluntarily and intentionally waives any right it may have to a trial by jury in respect of any litigation based on this contract and/or the other contract documents or arising out of, under or in connection with this contract or any agreement contemplated to be executed in connection with this contract and/or the other contract documents, whether directly or indirectly in any respect whatsoever, or any course of conduct, course of dealing, statements (whether verbal or written) or actions of any party hereto.

APPROVAL OF THIS PROPOSAL

The Parties agree to the terms and conditions of this proposal and evidence of this agreement is shown by their signatures below on the day and date indicated.

AGREED TO:

Town of St. Michaels, MD

Printed Name & Title

Date: _____

Crosby & Associates, AIA, LLC



Timothy F. Crosby, Principal, CEO

Crosby & Associates, AIA, LLC
513 Court Lane
Cambridge, MD 21613

SCHEDULE OF HOURLY RATES & EXPENSES

HOURLY RATES

Effective January 1, 2023

CLASSIFICATION HOURLY RATE

Principal, CEO, President	\$ 300.00
Senior Project Director/Architect	\$ 175.00 - \$ 225.00
Senior Structural Engineer	\$ 165.00 - \$ 225.00
Project Director	\$ 135.00 - \$ 165.00
Senior Project Manager	\$ 125.00 - \$ 135.00
Project Manager	\$ 105.00 - \$ 125.00
Project Architect/Engineer	\$ 95.00 - \$ 115.00
Graduate Architect/Engineer	\$ 85.00 - \$ 100.00
Senior Designer	\$ 75.00 - \$ 115.00
Designer	\$ 65.00 - \$ 90.00
CADD Operator	\$ 60.00 - \$ 75.00
Construction Representative	\$ 70.00 - \$ 100.00
Resident Project Representative	\$ 55.00 - \$ 100.00
Project Coordinator	\$ 65.00 - \$ 75.00
Administrative/IT Support	\$ 40.00 - \$ 60.00
Senior Technician	\$ 50.00 - \$ 85.00
Technician	\$ 30.00 - \$ 50.00

EXPENSES

All items per each, unless noted.

Fax	\$ 0.50
Photocopies:	
Black & White	\$ 0.20
Color	\$ 0.50
Prints/Plots:	
Black & White/Color	\$ 2.50 /s.f.
Mylar	\$ 2.00 /s.f.
Travel:	
Mileage	\$ 0.655/mile*
Subsistence	At Actual Cost
Overnight/Immediate Delivery	At Actual Cost
Per Diem: Personnel Charges	
Principal/Director of Architecture	\$2,000.00/Day
All other Personnel	\$1,650.00/day
Other:	
Electronic Media Copies/Transfers	To be negotiated
Website Project File Sharing	\$ 50.00/month

* To be adjusted annually on January 1, in accordance with the Internal Revenue Service Directives.

*Town of St. Michaels, MD
Tuesday, March 15, 2022*

Chapter C. Charter

Article V. Finance

§ C-62. Purchasing and contracts.

[Amended 9-8-1998 by Res. No. 1998-6, effective 10-28-1998; 9-27-2006 by Res. No. 2006-27, effective 11-17-2006]

All purchases and contracts for the Town government shall be made by the Commission. The Commission may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts.

- A. Except as provided in § C-62B, C and D below, all expenditures for supplies, materials, equipment, construction of public improvements, or contractual service involving \$5,000 or more shall be made on written contract. The Commission shall obtain sealed bids, in such manner as may be prescribed by ordinance, for all such written contracts. The written contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion, and responsibility of bidders being considered. All such written contracts shall be approved by the Commission before becoming effective. The Commission may reject all bids. The Town at any time in its discretion may employ its own forces for the construction or reconstruction of public improvements without receiving bids. All written contracts may be protected by such bonds, penalties, and conditions as the Town may require.
- B. Purchases and contracts under \$5,000 may be made by the Commissioners and/or the Town Clerk/Manager, provided the funds have been appropriated in the budget for the use intended.
- C. All contracts involving professional services, such as accounting, architecture, auditing, consulting, computer maintenance and support services, engineering, law, planning, and surveying, may not be subject to competitive bidding, but may be negotiated by the Town Clerk/Manager with the approval of the Commission or by the Commission itself.
- D. The Town may contract with any contractor who offers goods, services, insurance, or construction on the same terms as provided to (i) the State of Maryland; (ii) any other state of the United States of America; (iii) any county or local governments or agencies of the State of Maryland or any other state of the United States of America [the entities listed in (i), (ii) and (iii) shall collectively be referred to as "governmental entities"], which governmental entities have arrived at those terms through a competitive procurement procedure requiring bids, proposals from bidders, and analysis of responsive bids in accordance with the applicable laws of such governmental entities.

October 25, 2023

To: Commissioners of St. Michaels

From: St. Michaels Parks and Recreation Advisory Board Members

We are requesting the Commissioners consider expanding our Advisory Board from five to seven members. The recent acquisition of Environmental Concern's parkland, the future trail expansion and our current 19 town flower planters, seasonally updated, are our reasons for this request. Additional "hands on" energy and new ideas will be an asset to this committee, as well. Thank you for your consideration.

Sincerely,

*Karen Douglass
Marise Galgano
Aue Ann Spring
Marie Martin*

Proposed COSM Calendar for 2023 as of:			November 8, 2023	.1=6mn
November 8, 2023 Work Session		Reports / Minutes / Events / Consent Agenda Calendar discussion/Department Reports Verizon Presentation Discussion Regarding Marketing in St. Michaels Event Permit 2023-27 - Midnight Madness Event Permit 2023-28 - Shop With A Cop Mediation Agreement - Police Department Future Location of Future Police Department Re-appoint of Rob Straebel to Talbot County Economic Dev. Comm. Historic District Residence Assoc. RFP Int/Ext Painting of Environmental Concern Approve Design Fees for Bathroom Improvements		#REF!
November 10, 2023		Town Office Closed - Veterans Day		
November 22, 2023		No Meeting - Thanksgiving Holiday		
November 23, 2023		Town Office Closed - Thanksgiving Day		
November 24, 2023		Town Office Closed - American Indian Heritage Day		
December 13, 2023 Work Session		Reports / Minutes / Events / Consent Agenda Calendar discussion/Department Reports Ordinance No 550 - Public Hearing - Cannabis Zoning		
December 25, 2023		Town Office Closed - Christmas Day		
December 27, 2023 Legislative Session		No Meeting - Christmas Holiday		
Misc. Followup				
Town Water Lease				