

TOWN COUNCIL MEETING
JUNE 1, 2022

Public hearing: Vice-President Schmidt opened the public hearing at 5:50 pm for Ordinance 2-2022 – An Ordinance of the Town of Trappe adopting a General Budget for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023, and establishing a tax rate of \$.33 per \$100 of assessed real property value and a tax rate of \$.54 per \$100 on all commercial or business property and public utilities; and establishing an annual fee of \$182.00 per residential household for trash collection services, and also adopting an Enterprise Budget for the Town’s Water and Sewer operations. With no public comment, Commissioner Pritchett made a motion to close the public hearing at 5:52 pm. Commissioner Chase seconded the motion and it was unanimously approved.

Council of Trappe Meeting: Vice-President Schmidt called the meeting to order at 6:00 pm. Council members Tonya Pritchett and Walter Chase were present. Attendees for the Town: Town Administrator Erin Braband and Town Attorney Lyndsey Ryan.

Agenda: Commissioner Pritchett made a motion to approve the June 1, 2022 agenda with the addition of Council questions in Communications. Commissioner Chase seconded the motion and it was unanimously approved.

Minutes: Commissioner Chase made a motion to approve the May 4, 2022 minutes as presented. Commissioner Pritchett seconded the motion and it was unanimously approved.

Clerk’s report: Administrator Braband stated that the Clerk’s Report, the General Fund and the Enterprise Fund budgets are in the Council’s binders and filed with the records.

Public Works: Vice-President Schmidt stated that the public works report is in the Council’s binders and filed with the records.

Planning & Zoning: Vice-President Schmidt stated that at the May 17th Planning meeting, the Planning Commission reviewed the existing Chicken Ordinance and made some changes. The Planning Commission will review the revised Ordinance at their June meeting and make a recommendation to the Town Council for the Council’s July meeting. The Planning Commission also continued their work on revising the Zoning Ordinance.

Communications: Commissioner Pritchett asked if there was a way to revise the Town’s disconnection policy to allow residents to take full advantage of the new utility payment program thru the State. The State will only make a 1 time payment and because we bill monthly, the residents are not able to get a lot of money for help. Attorney Ryan stated that she and Administrator Braband will look into the policy, talk with other Towns and see if anything can be done without having to rewrite the entire disconnection policy.

Vice-President Schmidt stated that the Election Board has an opening and Don English has applied for the position. Commissioner Pritchett made a motion to appoint Don English to the Election Board. Vice-President Schmidt seconded the motion and it was unanimously approved.

Vice-President Schmidt stated that he was approached by a resident in LaTrappe Heights regarding the sign at the beginning of the subdivision. The resident would like the Town to maintain this sign. The sign is located on private property and the Town does not have an easement or access to it. The sign was originally maintained by the property owner but the property has been sold and the new owner does not maintain it. After discussion the Council decided to ask the LaTrappe Heights community to take over the sign maintenance as it is not Town property.

Vice-President Schmidt read a thank you card from Critchlow Adkins for the money the Town gave them as part of the Non-Profit grant from the American Rescue Funds.

Attorney Updates: Attorney Ryan stated that she received an email from MDE asking for guidance on the Town's PER for the ENR upgrade. MDE stated that because Lakeside's final determination hasn't been completed yet it is difficult for them to complete their review of our PER. MDE wants to know if the Town wants to proceed with the review of the original PER (wave oxidation with sludge removal and mechanical dewatering) which will allow them to make a preliminary eligibility on that PER. The problem is that if they do that and then the Town goes to design, the Town cannot go back and change their minds and look to connect to Lakeside's plant, should that option become available. The Town is getting to the point where we need MDE to make an eligibility determination so we can proceed with the upgrade. After discussion, Commissioner Pritchett made a motion to ask MDE to proceed with the original PER review so the Town can get an eligibility determination. Commissioner Chase seconded the motion and it was unanimously approved.

Attorney Ryan stated that the Talbot Integrity Project has filed a complaint in the Circuit Court for Talbot County against MDE regarding Lakeside and their 120 sewer connections to Trappe.

Executive Session: No executive session was held on May 4, 2022.

ORDER OF BUSINESS BEFORE THE COUNCIL

Eastern Shore Environmental fuel surcharge: A fuel surcharge was added to the bill for the month of May in the amount of \$178.50. Commissioner Chase made a motion to approve the fuel surcharge payment. Commissioner Pritchett seconded the motion and it was unanimously approved.

Annexation – Sandy Thomson (8342 Investments, LLC) 4234 Lovers Lane and adjacent property owned by Morrison, LLC: Attorney Ryan read Resolution 1-2022 – A Resolution of the Council of Trappe to annex certain lands owned by 8342 Investments, LLC and land owned by Morrison, LLC consisting of 16.54 acres of land, more or less, located on the Northwest side of Lovers Lane and to provide for the terms and conditions of Annexation. There is also an Annexation and Public Facilities Agreement. These two properties are contiguous to the Town and both properties are designated in the Town's growth area in the Comprehensive Plan. Both properties are zoned Light Industrial in the County and would come into

the Town as C-1 which is the most comparable zoning classification. The agreement also provides that Town of Trappe taxes will be waived for the Morrison, LLC property only as long as the property remains in Ag use. A public hearing needs to be held in August for this after notifying all the necessary agencies. Commissioner Chase made a motion to introduce Resolution 1-2022. Vice-President Schmidt seconded the motion and it was unanimously approved. A public hearing will be held on August 3rd.

Atlantic Broadband/Breezeline Franchise Agreement Renewal: Attorney Ryan stated that the Town's franchise agreement is up for renewal and needs to be set for a public hearing at the Town's July 6th meeting. The agreement renewal is the same 2% as Easton Utilities agreement.

Lakeside DRRRA Good Faith Review: Attorney Ryan Showalter stated that the DRRRA for Lakeside has a provision that requires the parties to meet on a bi-annual basis to review the status of the project and confirm that both parties are operating in good faith and in compliance with the agreement. Attorney Showalter reviewed the April 2022 Petitioner's Report with the Council and Resolution 2-2022 that is eligible for adoption. Resolution 2-2022 finds that the developer has performed in good faith and is in compliance with the agreement and authorizes the Town Council President to sign an Estoppel Certificate that confirms the compliance. After review Commissioner Chase made a motion to adopt Resolution 2-2022. Commissioner Pritchett seconded the motion and it was unanimously approved.

Ordinance 2-2022: An Ordinance of the Town of Trappe adopting a General Budget for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023, and establishing a tax rate of \$.33 per \$100 of assessed real property value and a tax rate of \$.54 per \$100 on all commercial or business property and public utilities; and establishing an annual fee of \$182.00 per residential household for trash collection services, and also adopting an Enterprise Budget for the Town's Water and Sewer operations was read by Vice-President Schmidt. A public hearing was held this evening and no public comment was offered. Vice-President Schmidt stated that he was not in favor of the budget and felt that the Town needed to raise water and sewer rates to keep up with the cost of living and the Town's expenses. Commissioner Pritchett stated that the decision was made to not increase the rates because of Covid and to help the residents that are struggling. Commissioner Chase made a motion to adopt Ordinance 2-2022. Commissioner Pritchett seconded the motion.

VOTE:

Schmidt – N Pritchett – Y Chase – Y
Motion approved, 2-1

Other Business: None

Public Comments: None

Executive Session: Vice-President Schmidt stated that an executive session to obtain legal advice was requested. Commissioner Pritchett made a motion at 7:08 pm to enter into executive session. Commissioner Chase seconded the motion and it was unanimously approved.

Commissioner Pritchett made a motion at 7:30 pm to reopen the regular meeting. Commissioner Chase seconded the motion and it was unanimously approved.

Commissioner Pritchett made a motion to authorize Attorney Ryan to draft a document to intervene the lawsuit between MDE and the Talbot Integrity Project regarding Lakeside. Commissioner Chase seconded the motion and it was unanimously approved.

There being no further business to discuss, Commissioner Pritchett made a motion at 7:31 pm to adjourn the meeting. Commissioner Chase seconded the motion and it was unanimously approved.

Respectfully submitted,

Erin Braband, Administrator/Clerk