

**Mayor and Council of Federalsburg
Regular Monthly Meeting
November 2, 2020 @ 6:00 pm**

The Mayor & Council of Federalsburg held their regular monthly meeting on Monday, November 2, 2020 at 6:00 pm. Those in attendance were Mayor Abner and Councilmembers Phillips, Morean, Windsor and Sewell. Also in attendance were Lyndsey Ryan, Town Attorney, staff, citizens and media. This meeting was held via Zoom for the public, due to the nationwide coronavirus. The Mayor and Council, Lyndsey Ryan, Town Attorney and town staff attended in person.

Welcome of Guests and Pledge of Allegiance

Mayor Abner welcomed all guests present and led the group in reciting the Pledge of Allegiance, and called the meeting to order at 6:15 pm.

Public Hearings

On the Agenda this evening, there is one Resolution and two Ordinances that stem from the annexation and development of 211.649 +/- acres of land into the Town of Federalsburg. There are representatives here this evening on behalf of the applicants. Before the public hearing opened, the Mayor asked applicant's representatives to give an overview of the property and the proposed development of the property.

Ryan Showalter, representative's Attorney, provided a handout (which was shown on Zoom so the public could also see it). It gave an overview of the company and a slide show of sea based aquaculture raised in fixed locations. Aquacon (a Norwegian based company) proposes to produce/raise salmon, and operate their facility as green as possible.

This facility would be a recirculating aquaculture system, which has a number of systems in operation at all times. Their operation would be all indoors and have very large bldg (1.2 million square feet). It will include a hatchery of eggs and then move to a series of tanks throughout the growing process. The fish will be slaughtered and gutted as whole fish all in the same building. Each train of tanks in the growing process will have its own WWTP without requiring additional water input.

Aquacon anticipates needing approximately 10,000 gallons of water per day, and their systems initially filled with groundwater. There have been discussions with staff regarding sewer discharge, and if needed conducting incremental discharging of tanks should it ever be needed. At max discharge could result in up to 7 million gallons. However, they would have onsite holding tanks to discharge into and incrementally discharge into the Town's system to an amount agreed upon by staff as appropriate for the Town. Aquacon plans to hire approximately 120 employees. They also plan to provide easy access from the adjoining industrial park.

Resolution No. 2020-02 – A Resolution of the Mayor and Council of Federalsburg to annex certain lands located west of Wright Road and consisting of 211.649 acres of land, more or less, into the Town of Federalsburg and to provide for the terms and conditions of the annexation.

Councilmember Sewell made a motion seconded by Councilmember Morean and unanimously passed by a vote of five to zero to open the Public Hearing for Resolution No. 2020-02.

Mayor Abner called for any comments or questions from the public - there were none.

Councilmember Morean made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to close the public hearing.

Ordinance No. 2020-06 – An Ordinance of the Town of Federalsburg to amend the official Zoning Map of the Town of Federalsburg to apply the General Industrial (ID-2) Zoning District to certain lots or parcels of land annexed to the Town by Resolution No. 2020-02 located west of Wright Road and consisting, collectively, of 211.649 acres of land, more or less.

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to open the public hearing for Ordinance No. 2020-06.

Mayor Abner called for any comments or questions from the public - there were none.

Councilmember Morean made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to close the public hearing.

Ordinance No. 2020-07 – An Ordinance of the Town of Federalsburg to amend Sections 245-6 and 245-81 of the Federalsburg Town Code to establish a definition of land-based Aquaculture, to permit such use in the ID-2 Zoning District and to authorize Fish Curing and Smoking in the ID-2 Zoning District.

Councilmember Morean made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to open the public hearing for Ordinance No. 2020-07

Mayor Abner called for any comments or questions from the public - there were none.

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to close the public hearing.

Ryan Showalter, representative Attorney, requested that the Public Hearing be reopened to read into the record, a letter from the Maryland Department of Planning in support of the project.

Councilmember Sewell made a motion seconded by Councilmember Morean and unanimously passed by a vote of five to zero to reopen the public hearing and the letter from the Maryland Department of Planning was read into the record. A copy of the letter will be attached to the minutes.

Councilmember Phillips made a motion seconded by Councilmember Morean and unanimously passed by a vote of five to zero to close the public hearing at 6:45 pm.

Welcome of Guests and Pledge of Allegiance

Mayor Abner welcomed all guests present and led the group in reciting the Pledge of Allegiance.

Approval of Previous Month's Minutes

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously approved by vote of five to zero approving the previous months minutes as presented.

Annexation Agreement – Lyndsey Ryan, Town Attorney gave an overview of the annexation agreement between the Mayor and Council and the property owners and contract purchaser for the property subject to annexation contemplated by Resolution 2020-02. Ms. Ryan reviewed the proposed discharge and intake gallonage, costs involving construction, maintenance, etc by the petitioner. Ms. Ryan also reviewed easements and rights of way, and a PW Agreement for the Town.

There were no questions or discussion. Councilmember Windsor made a motion seconded by Councilmember Sewell and unanimously approved by vote of five to zero to approve the annexation agreement as presented.

Resolution No. 2020-02 – A Resolution of the Mayor and Council of Federalsburg to annex certain lands located west of Wright Road and consisting of 211.649 acres of land, more or less, into the Town of Federalsburg and to provide for the terms and conditions of the annexation. Resolution 2020-02 was introduced on September 8, 2020. Notice of the public hearing was provided in the Star Democrat once a week for 4 consecutive weeks from September 27th to October 18th. A copy of the annexation documents were sent to the Maryland Department of Planning and Caroline County on September 28th. The Town received a response from the Maryland Department of Planning recommending that the Town seek a waiver from Caroline County to rezone the property ID-2 within the next 5 years. The Town and applicants requested the waiver along with the amendment to the Caroline County Comprehensive Water and Sewerage Plan which is scheduled for a public hearing on November 10th. The Town of Federalsburg Planning Commission considered Resolution No. 2020-02 at their meeting on October 8th, found the annexation consistent with the Comprehensive Plan, and unanimously gave a favorable recommendation to the Mayor and Council.

The Town of Federalsburg has adequate water and sewer capacity to serve the property and the proposed use, as contemplated in the annexation agreement. The property abuts the Industrial Park and the use is appropriate with the surrounding area. Upon reviewing the Town of Federalsburg Comprehensive Plan, the annexation is consistent with the Town's Greater Planning Region, Land Use, and Growth sections in the Comprehensive Plan. The Comprehensive Plan states that agricultural land uses, including potentially more intensive agribusiness uses, are compatible with future growth and expansion of the Town. The annexation property is designated as planning area 5 for growth of industrial use.

Councilmember Phillips made a motion seconded by Councilmember Morean and unanimously approved by vote of five to zero approving Resolution No. 2020-02 to annex certain lands located west of Wright Road and consisting of 211.649 acres of land, more or less, into the Town of Federalsburg and to provide for the terms and conditions of the annexation.

Ordinance No. 2020-06 – An Ordinance of the Town of Federalsburg to amend the official Zoning Map of the Town of Federalsburg to apply the General Industrial (ID-2) Zoning District to certain lots or parcels of land annexed to the Town by Resolution No. 2020-02 located west of Wright Road and

consisting, collectively, of 211.649 acres of land, more or less. Ordinance No. 2020-06 seeks to amend the Federalsburg Zoning Map to include the annexed property in the municipal boundaries and to zone the property ID-2. When the zoning of a property is amended, or the zoning map is amended, the Mayor and Council are required to make findings pursuant to Section 245-141 of the Town Code.

There were no questions or discussion. Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously approved by vote of five to zero approving Ordinance No. 2020-06 to amend the official Zoning Map of the Town of Federalsburg to apply the General Industrial (ID-2) Zoning District to certain lots or parcels of land annexed to the Town by Resolution No. 2020-02 located west of Wright Road and consisting, collectively, of 211.649 acres of land, more or less.

Ordinance No. 2020-07 – An Ordinance of the Town of Federalsburg to amend Sections 245-6 and 245-81 of the Federalsburg Town Code to establish a definition of land-based Aquaculture, to permit such use in the ID-2 Zoning District and to authorize Fish Curing and Smoking in the ID-2 Zoning District. Ordinance 2020-07 seeks to establish a definition of land-based aquaculture, permit such use in the ID-2 zoning district, and authorize fish curing and smoking in the ID-2 zoning district.

There were no questions or discussion. Councilmember Windsor made a motion seconded by Councilmember Phillips and unanimously approved by vote of five to zero approving Ordinance No. 2020-07 to amend Sections 245-6 and 245-81 of the Federalsburg Town Code to establish a definition of land-based Aquaculture, to permit such use in the ID-2 Zoning District and to authorize Fish Curing and Smoking in the ID-2 Zoning District.

Update on Caroline County Strategic Plan – Debbie Bowden

Ms. Debbie Bowden met with the Mayor and Council earlier this year before Covid to discuss planning efforts and to discuss how the county allocates their resources. Ms. Bowden would like direction from the Mayor and Council regarding how they would like to proceed regarding economic development for Federalsburg. She asked if they want to continue to focus on industrial/manufacturing or shift to commercial/professional service based and build up small businesses in the Town. The Mayor and Council agreed to further discuss their ideas and get back to Ms. Bowden with their suggestions.

Ms. Bowden stated that the Mayor and Council could just send their suggestion to her in the form of an email, or she would be happy to meet with them in person to further discuss. Steve Bollinger stated that the Planning and Zoning Commission will begin working on updating the Comprehensive Plan the first of the year.

Appointment of Parks & Recreation Committee Members – Town Manager DiRe reported that he would like to recommend that Chris Parks, June Truitt and Bruce Hancock be reappointed to the Parks & Recreation Committee. Mr. DiRe has spoken with all of them and they would like to be reappointed. Several more members need to be selected, so if anyone has suggestions of someone who may be interested, please contact Town Manager DiRe.

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously approved by vote of five to reappoint Chris Parks, June Truitt and Bruce Hancock to the Parks & Recreation Committee.

USDA Police Car Grant – Chief McDermott gave a brief summary of the USDA grant that he secured several months ago for a new police. The funding has been approved but the contract agreement has not been finalized at this time. The Town's contribution toward this grant is a maximum of \$11,000, which Chief McDermott included in his FY21 Budget. The total cost of the vehicle is expected to be approximately \$36,648, plus equipment installation for a grand total of \$47,769.

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously approved by a vote of five to zero authorizing the Mayor to execute the loan agreement once received to finalize the USDA grant for the police vehicle.

Mayor and Council Action Items

Councilmember Windsor - Councilmember Windsor stated that Chris Parks spoke to him and would like the Mayor and Council's permission to use the Senior League Ballfield again in the spring. All Mayor and Councilmembers agreed to allow them the use of the ballfield.

There was also discussion about the Veterans Day parade. The lineup is at 12 and the parade starts at 1 pm. Mayor Abner and Councilmembers Sewell and Windsor agreed to participate in the parade.

Councilmember Sewell - Councilmember Sewell stated that she would like to thank all involved with their support and efforts to resolve the recent concerns with Pastor Ennals.

Councilmember Morean - Councilmember Morean stated that he spoke with Mr. Brohawn about the parking on his property and he was unaware. Mr. Brohawn will be contacting Town Manager DiRe and Chief McDermott about landowner permissions.

Councilmember Phillips - Nothing at this time.

Mayor Abner - Mayor Abner thanked Town Manager DiRe and the Public Works staff for taking care of the recent flooding issues. She also thanked the Police for the Halloween detail and keeping the residents safe. And thank you to Steve Dyott and Shawn Magee for coming in to take care of the water issues last night, and thanks to everyone to keep social media updated.

Mayor Abner reported that there will be a cleanup in Chambers Park on November 21st. Masks and social distancing will be encouraged. There will also be a ribbon cutting ceremony for the new sidewalk.

Mayor Abner requested that Public Works tidy up Main Street and set up barricades for the Christmas Parade.

There was also question about the status of the Town Hall roof replacement. Town Manager DiRe reported that several contractors have visited the site and the deadline to submit bids is on November 13th.

Adjournment

There being no further business, Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to adjourn the meeting at 7:23 pm.

Respectfully submitted,

Kristy L. Marshall

Clerk-Treasurer