Town Council
AGENDA

Tuesday, September 3, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

4:30 PM Artificial Intelligence Workshop.

5:30 PM: Call to Order by President Gunsallus.

Opening remarks and Pledge of Allegiance by Councilmember Abbatiello .

Approval of Minutes.

Meeting minutes of August 19, 2024 meeting.

Municipal Official Items.

Items by Mayor Cook.

Recognition of Service for Lee Gordon's Appointment to the Easton Utilities Commission.

Oath of Office Administered to Cheryl R. Palumbo for Easton Utilities Commission Appointment.

Attainable TaskForce staff and co-chair update

Items by Interim Town Manager

Easton High School Parking Recommendation.

Public Assembly Event, Fall Kickoff

Public Assembly Event, 53rd Annual Waterfowl Festival

Items by Town Attorney.

Presentation

Cassandra Vanhooser; Accommodation Tax Request

Legislation.

Ord. No. 828, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE CARRY FORWARD CAPITAL FUND EXPENDITURES FOR FISCAL YEAR 2025."

Res. 6196, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH TALBOT COUNTY, MARYLAND REGARDING THE TRANSFER OF 925 PORT STREET."

Ord. No. 829, "AN ORDINANCE OF THE TOWN OF EASTON REMOVING THE REQUIRED FEE CHARGED BY RETAIL ESTABLISHMENTS FOR PAPER BAGS

Public Participation/Comments.

Items by Members of the Council:

Adjournment.

The public can access the meeting as follows:
https://www.eastonmd.gov/129/Agendas-Minutes

If you are an Easton Cable subscriber, you can view the meeting through TV-Channel 98.

Please note: There is a possibility of all or part of the meeting may be held in Closed Session.

Town Council
MEETING MINUTES
Monday, August 19, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

5:30 PM: Call to Order by President Gunsallus.

Mayor Megan JM Cook
Council President Frank Gunsallus
Ms. Maureen Curry
Mr. Don Abbatiello
Mr. David Montgomery
Rev. Elmer Davis

Also present was the Town Attorney, Mrs. Sharon VanEmburgh, and Town Clerk Mrs. Kathy M. Ruf.

The interim Town Manager, Mr. Alan Lowrey was excused.

At 5:30 p.m., President Gunsallus called the meeting to order. He announced that the upcoming meeting will be held on Tuesday, September 3rd. He read a Closed Session Summary from the previous meeting.

Opening remarks by Councilmember Curry and Pledge of Allegiance.

Ms. Curry gave opening remarks and led those present in the Pledge of Allegiance.

Approval of Minutes.

Meeting minutes of 8/5/24.

Upon motion by Mr. Abbatiello, seconded by Mr. Montgomery and carried unanimously, minutes of the August 5, 2024 meetings were approved as written.

Meeting minutes of Closed Executive Session 8/5/24.

Upon motion by Mr. Abbatiello, seconded by Ms. Curry and carried unanimously, minutes of the August 5, 2024 Closed Session meeting were approved as written.

Meeting minutes of Special Meeting 8/12/24.

Upon motion by Ms. Curry seconded by President Gunsallus and carried unanimously, minutes of the August 12, 2024 Special Meeting were approved as written.

Gunsallus, Montgomery

Municipal Official Items.

Items by Mayor Cook.

Mayor Cook stated that we have great news as the Town sold 123 S Locust Street, the fourth of the six houses on Housing on the Hill.
Mayor Cook reminded those present that part of the rail-to-trail will be closed for the annual repaving.
Mayor Cook stated that Ms. Gould reminded everyone that there are bricks for the Memorial Walk for sale. She stated you can purchase them online for $50.
Mayor Cook reminded everyone to be mindful as Talbot County Public Schools go back to school in a week. She asked that everyone be patient and give yourself a little extra time.

Appointment Confirmation for Easton Utilities Commissioner.

Upon motion by Mr. Abbatiello seconded by Rev. Davis and carried unanimously, the appointment confirmation for Cheryl Palumbo for the Easton Utilities Commission was approved.

Items by Interim Town Manager

Public Assembly Event, Ceremony to Commemorate the Events of September 11, 2001
9/11/24 - 8:30a.m. Gas Plant
Mayor Cook asked for approval for the public assembly event for the September 11 Commemorate event.

Upon motion by Mr. Abbatiello seconded by Rev. Davis and carried unanimously, the Public Assembly Event Ceremony to Commemorate the events of September 11, 2001 was approved.

Items by Town Attorney.

The Town Attorney Ms. VanEmburgh stated she has nothing at this point.

Ms. Holly DeKarske, Executive Director to update Mayor and Council on EEDC.
Ms. DeKarske was present and gave Easton EDC updates. She discussed the retail market study that contains information regarding retail needs for not only Easton but also Talbot County. She stated that the report also contains information on the housing market for Easton and surrounding counties. Ms. DeKarske stated that Project Restore application has been approved for $300,000, the maximum award which has to be spent within 18 months. She discussed staff changes as well as Easton Crossing and Silo Square which will be a mixed-use development at the former Perdue property. She stated that the MHAA grant or the Visitor's Center has been extended. Ms. DeKarske gave downtown marketing updates. She stated that they are working with EPD on making improvements to the current Special Event permits as well as working on the parking kiosks. She discussed the distribution of brochures and stated they are expanding the reach to Spanish speaking residents. Ms. DeKarske stated they are working on the Easton Visitor Center as well as the Housing Taskforce. Ms. DeKarske discussed grants and funding sources. She discussed upcoming events.
Mr. Montgomery asked if Ms. DeKarske has plans for Dover Station, the former Roofing Center building. She responded that the Planning Department has those plans.

Ms. Joan Brooks with members of American Legion Post 77 to discuss Hometown Heroes.
Ms. Joan Brooks, with members of American Legion Post 77 was present and discussed the Hometown Heroes Banner Program. She stated the program gives awareness in the community and honors past and present members of the Armed Forces, First Responders and their family members. Ms. Banks stated Post 77 was established in 1920. She stated her father served the United States in World War II.
Ms. Banks stated they are asking for approval, and no funding except for the use of a bucket truck. She stated that each individual that sponsors the flag will be responsible for their flag. She stated that they intend to install them throughout Ward 4, but they could eventually broaden the locations. She stated The Hometown Heroes Banner Program honors veterans, both living and deceased, and active-duty members of the Armed Forces from Talbot County. Each banner features the individual's photo, name, branch of service and/or credentials.
Rev. Davis stated he thinks this is a great endeavor. He stated he will vote in support of Ms. Banks' endeavor.
Pres. Gunsallus stated he supports and may purchase two.
Mr. Montgomery would like to see more throughout town. Ms. Brooks stated they will extend and take charge of this project. Mr. Montgomery discussed fundraising for those families that may not be able to afford their banners.
Ms. Brooks has the support of Post 77. She stated that once they are done, there will be a major celebration. She stated that Post 70 will join forces.
Ms. Curry stated she would like to see this town wide.
Upon motion by Mr. Abbatiello, seconded by Ms. Curry and carried unanimously, approval was granted for Ms. Brooks to implement the Hometown Heroes program.
Rev. Davis asked for an update in the near future.

Legislation.

Ord. 827, "AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE APPLICATION OF NAI SATURN EASTERN, LLC AND MILLER DEVELOPMENT CORP. FOR A PLANNED UNIT DEVELOPMENT UNDER THE PROVISIONS OF THE EASTON ZONING CODE"
President Gunsallus brought Ordinance No. 827 to the floor
Mrs. VanEmburgh discussed the conditions that are part of the ordinance. She stated the ordinance could be acted on because there was a public hearing.

Mr. Abbatiello discussed his reasoning for voting for the application. His comments were as follows:

1. Safeway has been empty since 2017. This is an infill project that would add to the downtown not detract as an empty storefront might.
2. Parking was raised as a concern and the loss of the parking lot. I followed up on a number that was mentioned several meetings ago during the public comment phase of this PUD. There are over 550 parking spots in the downtown area. That does not include on-street parking.
3. Another grocery store was raised as an option, and I understand that there is a real need for a grocery store that residents can walk to. The issue is the current owners are not willing to sell to a developer if the plan is to bring a rival grocery store to that location.
4. Traffic was a third concern raised by constituents. While the 33 units will add to some traffic in the area, it will be significantly less than what was there when Safeway was open with customers going in and out of the parking lot during store hours and probably similar to the number of cars now using the parking lot.
5. Finally, we get to affordable housing and this was the toughest issue for me to contend with. None of these units will be affordable. We need housing for seniors, we need apartments that don't charge $16t00 for one bedroom. But when you look at the sale price of the property, there is no way for a developer to purchase the land and keep the units affordable.

Mr. Abbatiello thanked Mr. Miller, the developer to listening to the council's concerns and supporting an infrastructure project to provide necessary workforce housing to town employees at another location.

Upon motion by Ms. Curry, seconded by Rev. Davis and carried unanimously, Ordinance No. 827 was approved.

Res. 6195, "A RESOLUTION OF THE TOWN OF EASTON AMENDING THE TOWN OF EASTON, MD DEFINED CONTRIBUTION 401(a) RETIREMENT PLAN."
Upon motion by Ms. Curry, seconded by Rev. Davis and carried unanimously, Res. 6195 was approved.

Public Participation/Comments.

Mr. Feehley addressed the council regarding growth and the council's responsibility to protect his health, safety, comfort and convenience, welfare and happiness.
Mr. Ira Lednum, Elizabeth Street asked where the police patrol was. He discussed the Blue Moon Sale at Bountiful's and stated that he couldn't even get out of his neighborhood. He stated he can't even get out of his neighborhood. He asked the council to think about the elderly residents.
Ms. Erin Saunter, 29568 Brant Court, discussed having people in single family housing versus apartments and condominiums. She stated there needs to be a way to get around town. She asked the council to be intelligent in our designs.

Items by Members of the Council.

Ms. Curry thanked Mr. Lednum for coming out this evening. She stated she did visit Elizabeth Street this weekend. She stated she has a meeting set up to discuss parking with the owner of Bountiful.
Mr. Abbatiello stated the concert series on Saturday was great. He reminded everyone that there are students going back to school next Tuesday as well as walkers and those students waiting for buses.
Rev. Davis thanked Post 77 for their presentation. He thanked all those that came with their comments.
Pres. Gunsallus thanked Chief Lowrey for stepping in for Interim Town Manager.

Adjournment.

At 6:40 p.m., upon motion by Pres. Gunsallus seconded by Rev. Davis and carried unanimously, President Gunsallus adjourned the regularly scheduled meeting.

Respectfully submitted,

____
Kathy M. Ruf, Town Clerk

TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: **August 23, 2024**

TO: **Alan Lowrey - Town Manager**

cc: **Megan Cook - Mayor**
Don Abbatiello - Town Council

FROM: **Rick Van Emburgh, P.E. – Town Engineer**

SUBJECT: **Easton High School - Mecklenburg Avenue Residential Parking Recommendation**

On July 22, 2024, Don Abbatiello, you, and I met with members of Easton High School and the Easton Police Department to discuss parking issues on Mecklenburg Avenue and the side streets. The perceived issue from the nearby residents is that students park in front of residential properties instead of the school parking lot or on the school side of Mecklenburg Avenue. Existing signs indicate a 2 Hour Parking Limit - Resident Exception By Permit in front of the residential properties, but this is difficult to enforce.

At the conclusion of our meeting, everyone in attendance felt the best solution was to modify the signage to indicate parking by Residential Parking Permit only Monday-Friday 7am-4pm on the west side of Mecklenburg and on the side streets. This would eliminate the 2 hour parking without a permit, but would allow parking without a permit after 4pm during the week and all day on weekends for events at the High School. I believe this is the best option.

In conclusion, I recommend modifying the signage to indicate parking by Residential Parking Permit only Monday-Friday 7am-4pm on the west side of Mecklenburg and on the side streets.

END OF RECOMMENDATION

P.O. Box 520, Easton, Maryland 21601
410-820-8822
Engineering@EastonMD.gov - www.EastonMD.gov


MECKLENBURG AVE
OAK AVE
PINE LN
DECATUR PL
PREBLE LN
BAINBRIDGE PL
WINDMILL LN
BRIDGE ST
Windmill Branch

EASTON POLICE DEPARTMENT

"With Pride We Serve"

UPCOMING PUBLIC ASSEMBLY EVENT

TO:	Mayor Cook and Chief Lowrey
DATE:	August 29, 2024
PREPRARED BY:	1st Sgt. P. Sally 0135
PAP #:	24-034
RECEIVED:	August 28, 2024

EVENT: Fall Kickoff

APPLICANT: Lance Morris – Easton Economic Development Corporation

LOCATION: 10/04/24 - South Street – between Harrison Street & Talbot Lane
10/05/24 – Lot # 1 next to Visitor's Center

DATE/TIME: Oct. 04, 2024 5pm – 10pm
Oct. 05, 2024 11am – 5pm

ATTENDANCE: This is unknown at this time

PURPOSE: Fall Celebration

DETAILS: Wired speakers for a movie

SPECIAL REQUESTS:

- Applicant is requesting street blockage on Friday and a parking lot closure on Saturday.

EPD CONCERNS:

- None

APPROXIMATE COST:

- None - Posting of No Parking signs and staging of barricades and blocking vehicles will be handled by on-duty personnel

RECOMMENDATIONS: Approve

EASTON POLICE DEPARTMENT

"With Pride We Serve"

UPCOMING PUBLIC ASSEMBLY EVENT

TO:	Mayor Cook and Chief Lowrey
DATE:	08/29/24
PREPRARED BY:	1st Sgt. P. Sally 0135
PERMIT #:	24-035
APP. RECEIVED:	08/28/24

EVENT: 53rd Annual Waterfowl Festival

APPLICANT: Deena Kilmon – WFF Events Director

LOCATION: Town of Easton (see Transportation Plan, submitted by WFF)

DATE/TIME: 11/07/24 – 11/10/24 10am – 5pm daily

ATTENDANCE: 12,000 +

PURPOSE: Fundraiser for waterfowl habitat and conservation projects

DETAILS: Details to be presented by Waterfowl Festival Staff at Council Meeting

SPECIAL REQUESTS: Police assistance throughout the festival with posting no parking, street closures, traffic direction and security. (See Transportation Plan).

CONCERNS: We are opposed to any open-containers of alcohol being permitted on property owned by the Town of Easton – i.e.: parking lots, streets, sidewalks.

ADDITIONAL NOTES: Increase of uniformed security hours requested at several venues (factored in to approx. cost). Also, there is an increase in number of bus routes and buses. They are attached. All of lot 3 will be closed with No Parking and used solely for the buses. The 5 spaces used for handicapped parking will be moved to the north side of Lot 6

APPROXIMATE COST: Easton Police Department overtime hours for officers as well as civilian personnel will be approx. $30,000

RECOMMENDATION: Recommend Approval

The Elks
High School

WATERFOWL FESTIVAL – YELLOW LINE

START AT THE PARKING LOT AT THE HISTORICAL SOCIETY (OFF OF N WEST ST)
STOP FOR DOWN TOWN AND FOR TRANSFER TO ALL ROUTES
R- S WASHINGTON ST
L- DUTCHMAN'S LANE
R- MECKLENBURG AVE
STOP AT BUS STOP FOR ELKS
L- INTO HIGH SCHOOL PARKING LOT
STOP AT BUS STOP AT HIGH SCHOOL
R- OUT OF SCHOOL ONTO MECKLENBURG AVE
L- DUTCHMAN'S LANE
R- S WASHINGTON ST
L- PORT ST
R- N WEST ST
R- 1ST PARKING LOT AT THE HISTORICAL SOCIETY (START ROUTE OVER)

At end of the Day Buses Park in the County Lot on Route 322 @ Port St

(Friday and Saturday)

Middle School - Parking

WATERFOWL FESTIVAL – PINK LINE

START AT THE PARKING LOT AT THE HISTORICAL SOCIETY (OFF OF N WEST ST)
STOP FOR DOWN TOWN AND FOR TRANSFER TO ALL ROUTES
R- S WASHINGTON ST
R- PEACH BLOSSOM RD
R-INTO MIDDLE SCHOOL BUS LOOP
STOP AT BUS STOP
R- OUT OF SCHOOL ONTO PEACH BLOSSOM RD
R- EASTON PARKWAY RT 322
R-GLENWOOD AVE
L- N WEST ST
R- 1ST PARKING LOT AT THE HISTORICAL SOCIETY (START ROUTE OVER)

At end of the Day Buses Park in the County Lot on Route 322 @ Port St

(Friday and Saturday)

Bay St. Ponds
Elementary School Parking

WATERFOWL FESTIVAL – ORANGE LINE

START AT THE PARKING LOT AT THE HISTORICAL SOCIETY (OFF OF N WEST ST)
STOP FOR DOWN TOWN AND FOR TRANSFER TO ALL ROUTES
R- S WASHINGTON ST
R- PORT ST
R-N WESTST
L- BAY ST
STOP AT BAY ST PONDS
L- EASTON PARKWAY RT 322
L-GLENWOOD AVE
L-ELEMENTARY SCHOOL BUS LOOP
STOP AT THE FENCE AT THE BEGINNING OF THE OVER HANG
L- GLENWOOD AVE
L-N WEST ST
R- 1ST PARKING LOT AT THE HISTORICAL SOCIETY (START ROUTE OVER)

At end of the Day Buses Park in the County Lot on Route 322 @ Port St

(Friday and Saturday)

County Schore
Day Street Ponds
VFW

WATERFOWL FESTIVAL – BLUE LINE

START AT THE PARKING LOT AT THE HISTORICAL SOCIETY (OFF OF N WEST ST)
STOP FOR DOWN TOWN AND FOR TRANSFER TO ALL ROUTES
R- S WASHINGTON ST
R- PORT ST
R-N WESTST
R- BAY ST
L- S WASHINGTON ST (GET IN RIGHT LANE)
R- N HARRISON ST
L-GOLDSBOROUGH ST
R-INTO COUNTRY SCHOOL STAY IN BUS LOOP
STOP AT BUS STOP
L- OUT OF THE SCHOOL (EXIT SAMEWAY YOU ENTERED) ONTO GOLDSBOROUGH ST
R- N HARRISON ST
L- S WASHINGTON ST
R-BAY ST
STOP AT BAY ST PONDS
R- EASTON PARKWAY RT 322
R- GLEBE RD
STOP AT VFW (ON THE ROAD STOP)
R-BAY ST
L-N WEST ST
L- PARKING LOT AT THE HISTORICAL SOCIETY (START ROUTE OVER)

At end of the Day Buses Park in the County Lot on Route 322 @ Port St

(Friday and Saturday)

TALBOT COUNTY, MARYLAND
DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM
215 Bay Street, Suite #5 | Easton, MD 21601 | (P) 410-770-8058 (F) 410-770-8059

August 20, 2024

Talbot County Council
Chuck Callahan, President
Talbot County Courthouse, South Wing
11 N. Washington Street
Easton, MD 21601

Dear Mr. Callahan, Mr. Lesher, Ms. Haythe, Ms. Mielke, and Mr. Stepp:

The Tourism Board has voted via email to support a county-wide accommodations tax rate increase of 2%, to be introduced in the upcoming Maryland legislative session and to become effective January 1, 2026.

The accommodations tax rate for Talbot County currently stands at 4%. When a guest stays in a Talbot County hotel, B&B, or short-term rental, they pay a 6% state sales tax in addition to the 4% local accommodations tax for a total of 10%.

You'll find the following documents attached for your review.

1) Chapter 172, Article II of the Talbot County Code detailing the current regulations for the collection of public accommodations taxes.
2) Accommodations tax rates for each county in Maryland, plus several jurisdictions in our competitive set.
3) Talbot County's public accommodations tax collections from Fiscal Year 2009 through 2024.
4) Schedule showing Talbot County's public accommodations tax collections for Calendar Year 2023, plus the additional revenue that would be generated by both 1% and 2% increases.
5) Schedule showing Talbot County's public accommodations tax collections for Fiscal Year 2024, plus the additional revenue that would be generated by both 1% and 2% increases.

The Tourism Board looks forward to working with you to find a solution that works for everyone. Please let me know if you have questions or concerns.

Sincerely,

Cassandra M. Vanhooser

Cassandra M. Vanhooser
Director, Economic Development and Tourism
Talbot County, Maryland

Chapter 172. Taxation and Economic Incentives

Article II. Public Accommodations Tax

[Adopted 2-25-1986 by Bill No. 232]

§ 172-4. Definitions.

In this article, the following words have the meanings indicated:

COUNTY
Talbot County.

COUNTY COUNCIL
The County Council of Talbot County.

HOTEL, MOTEL OR OTHER SIMILAR PLACE
Any public or private hotel, inn, hostelry, tourist home or house, motel, rooming house or other similar lodging place, offering sleeping accommodations or space for one or more persons at any time, and the owner and operator thereof, which, for compensation, holds out to furnish or furnishes sleeping accommodations or space to any transient.

PERSON
Any individual, corporation, company, association, firm, copartnership or any group of individuals acting as a unit, and which includes any trustee, receiver, assignee or personal representative thereof.

ROOM OR BUILDING RENTAL
The total charge made by any hotel, motel or other similar place for sleeping accommodations or space furnished to the transient. If the charge includes any amount for services or accommodations in addition to that of the use of sleeping space, the portion of the total charge which represents only room or building rental shall be distinctly set out and billed to the transient as a separate item.

TRANSIENT
Any person who, for any period of not more than four consecutive months, obtains sleeping accommodations or space, either at his own expense or at the expense of another, in any hotel, motel or other similar place for which there is a room or building rental.

§ 172-5. Imposition of tax.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]
The County Council of Talbot County hereby imposes a tax up to the amount allowed under Md. Code Ann., Local Government Art., § 20-405, Subsection B(3), and set by the annual Budget and Appropriation Ordinance, for room or building rental by or for any transient at any hotel, motel or similar place providing sleeping accommodations within Talbot County.

§ 172-6. Collection required.

Every person receiving any payment for room or building rental upon which this tax is levied pursuant to this article shall collect the amount of tax imposed from the transient or person on whom it is levied or from the person paying for the room or building rental at the time payment is made. The taxes required to be collected hereunder shall be deemed held in trust by the person required to collect them until remitted as hereinafter required.

§ 172-7. Reports and remittances.

The person collecting the tax shall make out a report upon forms setting forth information that the County Council prescribes and requires, showing the amount of room or building rental charges that have been collected and the tax required to be collected. The person collecting the tax shall sign and deliver the report to the County Council, with a remittance of the tax required hereunder. The reports and remittances shall be made monthly, on or before the 20th day of each month, covering the sales and the amount of tax collected during the preceding calendar month.

§ 172-8. Failure to comply.

If any person fails or refuses to remit to the County Council the tax required to be collected and paid under this article, within the time and in the amount specified in this article, there shall be added to such person's tax, by the County Council, interest at the rate of 1% per month on the amount of the tax for each month or portion thereof from the date upon which the tax is due, as provided in this article; and if the tax remains delinquent and unpaid for a period of 120 days from the date it is due and payable, there shall be added thereto by the County Council a penalty of 10% of the amount of the tax. The County Council may proceed to collect delinquent and unpaid taxes by suit or distraint, and until such taxes are collected, they shall become a lien upon the real and personal property of the person, firm or corporation from whom they are due and shall be collectible in the same manner as real estate taxes assessed against any such property.

§ 172-9. Deduction for administrative costs.

From the total proceeds collected from the tax by the County Council, the County Council shall deduct a reasonable sum or percentage for the cost of imposing, collecting and disbursing the tax and credit their deduction to the general funds of the County, which percentage for administrative costs shall not exceed 5% of the total proceeds collected.

§ 172-10. Payment to municipal governing bodies.

That portion of the remainder of the total proceeds which came from payments made by a hotel, motel or similar place located in whole or in part within the corporation limits of a municipal corporation in the County or located within a one-mile radius of the corporate limits of a municipal corporation in the County shall be paid over to the governing body of the municipal corporation to be used to alleviate costs associated with tourism.[1]

[1] *Editor's Note: See Ch. **24**, Boards, Committees and Commissions, Art. **II**, Board of Tourism.*

§ 172-11. Appropriation in budget.

The net proceeds of the tax available to the County government, after payment of the portion due a municipality under the preceding section, shall be appropriated in the annual budget so as to promote or support the travel and tourism industry and/or economic development (activities) in Talbot County.

§ 172-12. Verification of liability for tax.

The County Council shall obtain, from the Sales Tax Division of the Comptroller's office, information in aid of verification of liability for the tax. Expenses incurred in connection with the obtaining of this information shall be paid by the County Council and treated as a part of the costs of collecting the tax.

§ 172-13. Amendments.

This article may be amended from time to time when deemed necessary to provide for an orderly, systematic and thorough collection and distribution of the tax imposed herein and in order to comply with the laws and the rules and regulations in effect as to the retail sales tax and the state use tax in Maryland.[1]

[1] *Editor's Note: Former Section 10A-11, Increase in surety bond of Finance Officer, which immediately followed this section, was repealed 7-24-2001 by Bill No. 837.*

§ 172-14. Deduction to compensate for collection.

The person collecting the tax may apply and credit against the amount of tax payable by him an amount equal to 1 1/2% of the gross tax to be remitted by the person to the County Council, to cover his expense in the collection and remittance of the tax. However, nothing in this section applies to any person who fails or refuses to file his return with the County Council within the time prescribed within this article.

§ 172-15. Filing of surety bond.

The County Council, in order to protect the revenues to be obtained under this article, may require any person collecting the tax, who has previously been in default, to file with the Council a surety bond issued by a surety company authorized to do business in the State of Maryland and approved by the State Insurance Commissioner as to solvency and responsibility, in such amount or amounts from time to time as the County Council may fix to secure the payment of the tax due or which may become due from the person collecting the tax. If the Council determines that the person is to file such a bond, the Council shall cause notice to be given to the person to that effect, specifying the amount of bond required. The person collecting the tax shall file the bond within five days after receiving the notice, unless within that period he requests, in writing, a hearing before the Council, at which hearing the necessity, propriety and amount of the bond shall be determined by the County Council. This determination is final and shall be complied with within 15 days after the person collecting the tax receives notice hereof.

§ 172-16. Deposit of securities in lieu of bond.

In lieu of the bond required by § **172-15** of this article, securities approved by the County Council or cash in such amounts as the Council prescribes may be deposited and shall be kept in the custody of the Council. The Council, at any time, without notice to the depositor of the securities or cash, may apply them to any tax due, and, for that purpose, the securities may be sold by the County Council at public or private sale without notice to the depositor of the securities.

County Hotel Tax Rates

County	Tax Rate	Notes
Allegany County	8%	
Anne Arundel County	8%	
Baltimore City	9.5%	Plus 2% assessment within Tourism Improvement District.
Baltimore County	9.5%	
Calvert County	5%	
Caroline County	5%	
Carroll County	5%	
Cecil County	6%	
Charles County	5%	
Dorchester County	5%	
Frederick County	5%	
Garrett County	8%	
Harford County	6%	
Howard County	7%	
Kent County	5%	
Montgomery County	7%	Gaithersburg & Rockville-pay7% county lodging tax & 2% local lodging tax.
Ocean City	5%	
Prince George's County	7%	
Queen Anne's County	5%	
Somerset County	5%	
St. Mary's County	5%	
Talbot County	4%	
Washington County	6%	
Wicomico County	6%	
Worcester County	5%	

Competitive Set	State	
Alexandria, VA	3.00%	Plus $1.25/night
Charleston, SC	10.00%	State includes 2% Lodging + 8% Sales
Newport, RI	12.00%	Plus $1/night. State includes 5% Lodging + 7% Sales
Savannah, GA	7.00%	Plus $1.00-$2.50. State is $5/night.

Updated July 2024

Talbot County Public Accommodations Taxes for Fiscal Years 2009-2024

Year	Easton	Oxford	St. Michaels	Talbot County	Talbot Coun ty (STRs)	Yearly Totals
2009	301,374.56	27,068.98	420,902.04	182,074.90	71,554.21	**1,002,974.69**
2010	278,665.13	30,213.02	393,778.17	157,655.91	74,490.88	**934,803.11**
2011	291,445.90	36,106.69	425,600.51	165,133.78	81,951.90	**1,000,238.78**
2012	324,185.44	46,545.00	444,646.01	179,142.10	112,052.26	**1,106,570.81**
2013	325,884.21	45,526.79	452,675.13	156,343.96	118,803.71	**1,099,233.80**
2014	327,888.90	48,363.55	472,658.81	150,454.79	124,506.22	**1,123,872.27**
2015	343,700.04	52,767.34	502,655.60	172,611.08	141,450.54	**1,213,184.60**
2016	386,825.26	51,677.40	529,445.93	188,580.95	142,165.45	**1,298,694.99**
2017	404,720.76	50,486.74	533,658.97	157,071.91	146,538.68	**1,292,477.06**
2018	415,723.47	48,946.19	581,374.51	105,303.16	165,019.44	**1,316,366.77**
2019	484,136.17	52,231.88	610,648.71	117,101.84	169,147.75	**1,433,266.35**
2020	377,692.88	41,983.21	472,199.04	91,908.84	158,215.48	**1,141,999.45**
2021	398,829.13	56,832.76	691,608.19	156,286.08	287,299.70	**1,590,855.86**
2022	616,531.77	65,748.70	916,028.29	184,044.43	263,096.96	**2,045,450.15**
2023	571,197.52	60,903.76	898,027.08	176,710.81	225,995.82	**1,932,834.99**
2024	581,451.83	61,065.85	924,818.09	193,262.80	257,821.72	**2,018,420.29**

Talbot County Public Accommodations Taxes for Calendar Year 2023

Year	4% Tax Rate	5% Tax Rate	1% Increase	6% Tax Rate	2% Increase
Easton	564,054.87	705,068.59	141,013.72	846,082.32	282,027.44
Oxford	62,255.74	77,819.68	15,563.94	93,383.64	31,127.88
St. Michaels	894,441.50	1,118,051.88	223,610.38	1,341,662.26	447,220.76
B&B/Inn	186,167.19	232,708.99	46,541.80	279,250.79	93,083.60
STRs	228,213.10	285,266.38	57,053.28	342,319.66	114,106.56
Totals	**1,935,132.40**	**$ 2,418,915.52**	**$ 483,783.12**	**$ 2,902,698.67**	**$ 967,566.24**

Talbot County Public Accommodations Taxes for Fiscal Year 2024

Year	4% Tax Rate	5% Tax Rate	1% Increase	6% Tax Rate	2% Increase
Easton	581,451.83	726,814.79	145,362.96	872,177.75	290,725.92
Oxford	61,065.85	76,332.31	15,266.46	91,598.76	30,532.92
St. Michaels	924,818.09	1,156,022.61	231,204.52	1,387,227.14	462,409.04
B&B/Inn	193,262.80	241,578.50	48,315.70	289,894.20	96,631.40
STRs	257,821.72	322,277.15	64,455.43	386,732.58	128,910.86
Totals	**$ 2,018,420.29**	**$ 2,523,025.36**	**$ 504,605.07**	**$ 3,027,630.43**	**1,009,210.14**

TALBOT COUNTY, MARYLAND
COURT HOUSE
11 N. WASHINGTON STREET, SUITE 9
EASTON, MARYLAND 21601

FINANCE OFFICE
PHONE: 410-770-8020

FAX: 410-770-8006
TTY: 410-822-8735

MEMORANDUM

TO: County Council
Clay B. Stamp, County Manager

FROM: Martha Darling Sparks, Finance Director Martha Darling Sparks

DATE: August 7, 2024

RE: Accommodations Tax – Change in the Timing of Penalty for Late Payment

---

In §172-8 of the Talbot County Public Accommodations Tax Code (attached), when there is a failure to comply with payment of the accommodations tax for a period of 120 days from the date due, the County may impose a penalty of 10% of the amount of the unpaid tax. This is in alignment with §20-426 of the Maryland Local Government Code (attached). Only Talbot County and Wicomico County have this extended grace period. All other counties impose this penalty within 1 month after the payment is due. For Talbot County, this significantly impacts the collection, reporting, compliance monitoring and distribution of the accommodations tax to the County and its municipalities.

I am requesting that Council support a change to §20-426 of the Maryland Local Government Code and our §172-8 of the Talbot County Public Accommodations Tax Code to reflect that a penalty of 10% on the unpaid tax shall be imposed within 1 month after the payment is due. This will put Talbot County in alignment with the timing of other counties for the imposition of penalties for nonpayment. More importantly, it will improve the collection, reporting, compliance monitoring and distribution of the accommodations tax to the County and its municipalities.

Chapter 172. Taxation and Economic Incentives

Article II. Public Accommodations Tax

[Adopted 2-25-1986 by Bill No. 232]

§ 172-4. Definitions.

In this article, the following words have the meanings indicated:

COUNTY
Talbot County.

COUNTY COUNCIL
The County Council of Talbot County.

HOTEL, MOTEL OR OTHER SIMILAR PLACE
Any public or private hotel, inn, hostelry, tourist home or house, motel, rooming house or other similar lodging place, offering sleeping accommodations or space for one or more persons at any time, and the owner and operator thereof, which, for compensation, holds out to furnish or furnishes sleeping accommodations or space to any transient.

PERSON
Any individual, corporation, company, association, firm, copartnership or any group of individuals acting as a unit, and which includes any trustee, receiver, assignee or personal representative thereof.

ROOM OR BUILDING RENTAL
The total charge made by any hotel, motel or other similar place for sleeping accommodations or space furnished to the transient. If the charge includes any amount for services or accommodations in addition to that of the use of sleeping space, the portion of the total charge which represents only room or building rental shall be distinctly set out and billed to the transient as a separate item.

TRANSIENT
Any person who, for any period of not more than four consecutive months, obtains sleeping accommodations or space, either at his own expense or at the expense of another, in any hotel, motel or other similar place for which there is a room or building rental.

§ 172-5. Imposition of tax.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]
The County Council of Talbot County hereby imposes a tax up to the amount allowed under Md. Code Ann., Local Government Art., § 20-405, Subsection B(3), and set by the annual Budget and Appropriation Ordinance, for room or building rental by or for any transient at any hotel, motel or similar place providing sleeping accommodations within Talbot County.

§ 172-6. Collection required.

Every person receiving any payment for room or building rental upon which this tax is levied pursuant to this article shall collect the amount of tax imposed from the transient or person on whom it is levied or from the person paying for the room or building rental at the time payment is made. The taxes required to be collected hereunder shall be deemed held in trust by the person required to collect them until remitted as hereinafter required.

§ 172-7. Reports and remittances.

The person collecting the tax shall make out a report upon forms setting forth information that the County Council prescribes and requires, showing the amount of room or building rental charges that have been collected and the tax required to be collected. The person collecting the tax shall sign and deliver the report to the County Council, with a remittance of the tax required hereunder. The reports and remittances shall be made monthly, on or before the 20th day of each month, covering the sales and the amount of tax collected during the preceding calendar month.

§ 172-8. Failure to comply.

If any person fails or refuses to remit to the County Council the tax required to be collected and paid under this article, within the time and in the amount specified in this article, there shall be added to such person's tax, by the County Council, interest at the rate of 1% per month on the amount of the tax for each month or portion thereof from the date upon which the tax is due, as provided in this article; and if the tax remains delinquent and unpaid for a period of 120 days from the date it is due and payable, there shall be added thereto by the County Council a penalty of 10% of the amount of the tax. The County Council may proceed to collect delinquent and unpaid taxes by suit or distraint, and until such taxes are collected, they shall become a lien upon the real and personal property of the person, firm or corporation from whom they are due and shall be collectible in the same manner as real estate taxes assessed against any such property.

§ 172-9. Deduction for administrative costs.

From the total proceeds collected from the tax by the County Council, the County Council shall deduct a reasonable sum or percentage for the cost of imposing, collecting and disbursing the tax and credit their deduction to the general funds of the County, which percentage for administrative costs shall not exceed 5% of the total proceeds collected.

§ 172-10. Payment to municipal governing bodies.

That portion of the remainder of the total proceeds which came from payments made by a hotel, motel or similar place located in whole or in part within the corporation limits of a municipal corporation in the County or located within a one-mile radius of the corporate limits of a municipal corporation in the County shall be paid over to the governing body of the municipal corporation to be used to alleviate costs associated with tourism.[1]

[1] *Editor's Note: See Ch. 24, Boards, Committees and Commissions, Art. II, Board of Tourism.*

§ 172-11. Appropriation in budget.

The net proceeds of the tax available to the County government, after payment of the portion due a municipality under the preceding section, shall be appropriated in the annual budget so as to promote or support the travel and tourism industry and/or economic development (activities) in Talbot County.

§ 172-12. Verification of liability for tax.

The County Council shall obtain, from the Sales Tax Division of the Comptroller's office, information in aid of verification of liability for the tax. Expenses incurred in connection with the obtaining of this information shall be paid by the County Council and treated as a part of the costs of collecting the tax.

§ 172-13. Amendments.

This article may be amended from time to time when deemed necessary to provide for an orderly, systematic and thorough collection and distribution of the tax imposed herein and in order to comply with the laws and the rules and regulations in effect as to the retail sales tax and the state use tax in Maryland.[1]

[1] *Editor's Note: Former Section 10A-11, Increase in surety bond of Finance Officer, which immediately followed this section, was repealed 7-24-2001 by Bill No. 837.*

§ 172-14. Deduction to compensate for collection.

The person collecting the tax may apply and credit against the amount of tax payable by him an amount equal to 1 1/2% of the gross tax to be remitted by the person to the County Council, to cover his expense in the collection and remittance of the tax. However, nothing in this section applies to any person who fails or refuses to file his return with the County Council within the time prescribed within this article.

§ 172-15. Filing of surety bond.

The County Council, in order to protect the revenues to be obtained under this article, may require any person collecting the tax, who has previously been in default, to file with the Council a surety bond issued by a surety company authorized to do business in the State of Maryland and approved by the State Insurance Commissioner as to solvency and responsibility, in such amount or amounts from time to time as the County Council may fix to secure the payment of the tax due or which may become due from the person collecting the tax. If the Council determines that the person is to file such a bond, the Council shall cause notice to be given to the person to that effect, specifying the amount of bond required. The person collecting the tax shall file the bond within five days after receiving the notice, unless within that period he requests, in writing, a hearing before the Council, at which hearing the necessity, propriety and amount of the bond shall be determined by the County Council. This determination is final and shall be complied with within 15 days after the person collecting the tax receives notice hereof.

§ 172-16. Deposit of securities in lieu of bond.

In lieu of the bond required by § **172-15** of this article, securities approved by the County Council or cash in such amounts as the Council prescribes may be deposited and shall be kept in the custody of the Council. The Council, at any time, without notice to the depositor of the securities or cash, may apply them to any tax due, and, for that purpose, the securities may be sold by the County Council at public or private sale without notice to the depositor of the securities.

Md. Code, Local Gov't § 20-426

Section 20-426 - Tax penalties

(a) Except in Talbot County or Wicomico County, if a hotel fails to pay the hotel rental tax to a county within 1 month after the payment is due under § 20-410 of this subtitle, the hotel shall pay a tax penalty of 10% of the unpaid tax.
(b) If a hotel fails to pay the hotel rental tax to Talbot County or Wicomico County within 120 days after the payment is due under § 20-410 of this subtitle, the hotel shall pay a tax penalty of 10% of the unpaid tax.

Md. Code, LG § 20-426

Revised and recodified by 2013 Md. Laws, Ch. 119,Sec. 2, eff. 10/1/2013.

TALBOT COUNTY, MARYLAND

A Look at Public Accommodations Taxes

A Brief Overview

August 2024

PUBLIC ACCOMMODATIONS TAX

CHAPTER 172, ARTICLE II OF THE TALBOT COUNTY CODE

Currently set at 4%

Who must collect and remit accommodations taxes?

Any public or private hotel, inn, hostelry, tourist home or house, motel, rooming house or other similar lodging place, offering sleeping accommodations or space for one or more persons at any time, and the owner and operator thereof, which, for compensation, holds out to furnish or furnishes sleeping accommodations or space to any transient.

How is the tax collected?

The collection of a public accommodations tax requires legislation at the state level.

Bill 225 that passed on Feb. 25, 1986, set Talbot County's public accommodations tax rate at 3%. It was raised to 4% in 2004.

Our proposal would increase the tax to 6%, which would go into effect January 1, 2026.

Collected by Lodging Establishments

The 4% accommodation tax is collected by each lodging establishment.

Remitted to the County

The licensed lodging establishment must pay the accommodations tax monthly to the County Finance Office.

Distributed to the Jurisdiction Where The Tax is Collected

The Finance Office keeps a 5% administration fee and then pays the amount collected to the municipality where it is collected.

Talbot County Public Accommodations Taxes for Fiscal Years 2009-2024

Year	Easton	Oxford	St. Michaels	Talbot County	Talbot Coun ty (STRs)	Yearly Totals
2009	301,374.56	27,068.98	420,902.04	182,074.90	71,554.21	**1,002,974.69**
2010	278,665.13	30,213.02	393,778.17	157,655.91	74,490.88	**934,803.11**
2011	291,445.90	36,106.69	425,600.51	165,133.78	81,951.90	**1,000,238.78**
2012	324,185.44	46,545.00	444,646.01	179,142.10	112,052.26	**1,106,570.81**
2013	325,884.21	45,526.79	452,675.13	156,343.96	118,803.71	**1,099,233.80**
2014	327,888.90	48,363.55	472,658.81	150,454.79	124,506.22	**1,123,872.27**
2015	343,700.04	52,767.34	502,655.60	172,611.08	141,450.54	**1,213,184.60**
2016	386,825.26	51,677.40	529,445.93	188,580.95	142,165.45	**1,298,694.99**
2017	404,720.76	50,486.74	533,658.97	157,071.91	146,538.68	**1,292,477.06**
2018	415,723.47	48,946.19	581,374.51	105,303.16	165,019.44	**1,316,366.77**
2019	484,136.17	52,231.88	610,648.71	117,101.84	169,147.75	**1,433,266.35**
2020	377,692.88	41,983.21	472,199.04	91,908.84	158,215.48	**1,141,999.45**
2021	398,829.13	56,832.76	691,608.19	156,286.08	287,299.70	**1,590,855.86**
2022	616,531.77	65,748.70	916,028.29	184,044.43	263,096.96	**2,045,450.15**
2023	571,197.52	60,903.76	898,027.08	176,710.81	225,995.82	**1,932,834.99**
2024	581,451.83	61,065.85	924,818.09	193,262.80	257,821.72	**2,018,420.29**

Talbot County Public Accommodations Taxes for Fiscal Year 2024					
Year	**4% Tax Rate**	**5% Tax Rate**	**1% Increase**	**6% Tax Rate**	**2% Increase**
Easton	581,451.83	726,814.79	145,362.96	872,177.75	290,725.92
Oxford	61,065.85	76,332.31	15,266.46	91,598.76	30,532.92
St. Michaels	924,818.09	1,156,022.61	231,204.52	1,387,227.14	462,409.04
B&B/Inn	193,262.80	241,578.50	48,315.70	289,894.20	96,631.40
STRs	257,821.72	322,277.15	64,455.43	386,732.58	128,910.86
Totals	**$ 2,018,420.29**	**$ 2,523,025.36**	**$ 504,605.07**	**$ 3,027,630.43**	**1,009,210.14**

Benefits of an Increase

BENEFIT

Requires visitors to help pay for the services they use. Includes policing, roads, sidewalks, and trash collection.

BENEFIT

An increase in the accommodations tax increases revenue without increaseing taxes on local residents.

Helps fund community events including parades, outdoor concerts, and festivals enjoyed by both residents and visitors.

BENEFIT

Most important, accommodations taxes help offset the growing cost of tourism marketing and support for local businesses.

BENEFIT

Questions?

Cassandra M. Vanhooser
Talbot County Economic Development and Tourism
cvanhooser@talbotcountymd.gov

ORDINANCE NO. 828

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE CARRY FORWARD CAPITAL FUND EXPENDITURES FOR FISCAL YEAR 2025

INTRODUCED BY: ________________________

WHEREAS, by Ordinance 824, the Town carried forward certain capital fund expenditures into fiscal year 2025; and

WHEREAS, the Town wishes to reallocate and amend several of the Carry Forward Capital Fund Expenditures.

NOW, THEREFORE, be it ordained by the Town of Easton that:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. The following carry forward items shall be amended and reallocated:

FY21-22 Fund 390-2310-523.60-63 Parking Lot 2 Reconstruction (92,000 less 3,370) $88,630
Change to Parking Lot Reconstruction $88,630

FY22-23 Fund 390-2310-523.60-63 Port Street Infrastructure (2,241,169 less 1,328,388) $912,781
Change to $50,000 Welcome Center ADA Upgrade and $862,781 Easton Woodlands Park Improvements

FY23-24 Fund 390-2310-523.60-63 Rails to Trails Conduit $60,000
Change to Trail Markers and Emergency Phones $60,000

ARP323 Fund 390-2310-523.60-63 Port Street Infrastructure $225,000
Change to Rails to Trails Phase 3 Construction

Section 3. In accordance with Article II Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor's veto.

Curry -
Abbatiello -
Montgomery -
Davis -
Gunsallus -

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this ____________ day of _________________, 2024.

____
Frank Gunsallus, Town Council President

Delivered to the Mayor by me this ________ day of _____________, 2024.

____
Kathy M. Ruf, Town Clerk

APPROVED:

Date: _______________________ __________________________________
Megan JM Cook, Mayor

EFFECTIVE DATE: ___________________________, 2024.

RESOLUTION NO. 6196

A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH TALBOT COUNTY, MARYLAND REGARDING THE TRANSFER OF 925 PORT STREET

INTRODUCED BY: ________________________________

WHEREAS, Talbot County owns 925 Port Street (the "Property");

WHEREAS, Talbot County wants to convey the Property to the Town, and the Town wants to accept the Property; and

WHEREAS, the Town and County want to enter into a Memorandum of Understanding ("MOU") to set forth the parties intentions, which MOU is attached hereto as Exhibit A.

NOW, THEREFORE, the Town of Easton hereby resolves as follows:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Resolution.

Section 2. The Mayor is hereby authorized to execute and deliver the MOU, a true and correct copy of which (save for executing and dating) is attached to this Resolution as Exhibit "A";

Section 3. The Mayor may make any non-substantive changes to the attached documents necessary to effectuate the purpose of this Resolution;

Section 4. The Mayor is hereby authorized to take whatever additional actions are reasonably necessary to effectuate the terms of this Resolution;

Section 5. Any prior execution and delivery of documents related to the MOU Agreement that are consistent with the purpose of this Resolution, are hereby ratified and approved; and

Section 6. This Resolution shall become effective upon approval by the Mayor after adoption by the Town Council.

Curry	-
Abbatiello	-
Montgomery	-
Davis	-
Gunsallus	-

I hereby certify that the above Resolution was passed by a yea and nay vote of the Council this ____________ day of _________________, 2024.

____
Frank Gunsallus, Town Council President

Delivered to the Mayor by me this ________ day of _____________, 2024.

____
Kathy M. Ruf, Town Clerk

APPROVED:

Date: ____________________ ___________________________________
Megan J. M. Cook, Mayor

EFFECTIVE DATE: ___________________________, 2024

MEMORANDUM OF UNDERSTANDING
REGARDING 925 PORT STREET PROPERTY

THIS MEMORANDUM OF UNDERSTANDING (this "MOU") is made this ____ day of ________________________ 2024, by and among Talbot County, Maryland, a political subdivision of the State of Maryland (the "County"), and the Town of Easton, a Maryland municipal corporation (the "Town")(collectively, the "Parties").

RECITALS

WHEREAS, the County owns property located 925 Port Street, Easton, Maryland (Map 34, Parcel 245) which is improved with a structure (the "Property"); and

WHEREAS, the Property is encumbered by State of Maryland, Program Open Space ("POS") restrictions; and

WHEREAS, the County wants to convey the Property to the Town, and the Town wants to accept the Property; and

WHEREAS, the Town understands that any conveyance of the Property will be subject to the POS restrictions and that approval of the transfer by the State is required; and

WHEREAS, the Town intends to restore the Property and use the Property for park uses as approved by the State.

NOW, THEREFORE, in consideration of the foregoing recitals, which are not merely prefatory but are a substantive part of this MOU, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto covenant and agree as follows:

1. <u>State of Maryland Program Open Space Approval.</u> The Town agrees to submit an application to the State of Maryland Program Open Space for approval of the transfer. The County agrees to cooperate and assist the Town with any requested information to support the application.

2. Legislative Approval. The Town and County agree to promptly advertise, introduce, schedule, and hold all requisite meetings, public hearings, or proceedings to introduce and act upon whatever motions, resolutions, legislation or other approvals that are or may be required by law to transfer and convey the Property from the County to the Town pursuant to this MOU.

3. Town Maintenance. After the conveyance, the Town agrees to restore and maintain the Property for the use and benefit of the general public.

4. Notices. All reports, notices, consents, or approvals required under this MOU shall be in writing and shall be deemed to have been given properly if and when mailed by first class certified mail, return receipt requested, postage prepaid, as follows:

If to the County:	Clay Stamp, County Manager Courthouse, South Wing 11 N. Washington Street Easton, Maryland 21601
With copy to:	Patrick W. Thomas, Esq., County Attorney Talbot County Office of Law Courthouse, South Wing 11 N. Washington Street Easton, Maryland 21601
If to the Town:	Alan Lowrey, Interim Town Manager Town of Easton 14 South Harrison Street P.O. Box 520 Easton, Maryland 21601
With copy to:	Sharon M. VanEmburgh, Esq., Town Attorney Ewing, Dietz, Fountain and Kaludis 16 South Washington Street Easton, Maryland 21601

or to such other address as the Parties shall have furnished to the other in writing.

5. Modification/Assignment. No portion of this MOU may be changed, waived, assigned, or modified except by a written agreement executed by the Parties.

6. Further Assurances and Corrective Instruments. The Parties agree that they will, from time to time, execute and deliver, or cause to be executed and delivered, such amendments hereto and such other instruments to further the general purposes of this MOU.

7. Good Faith. The parties acknowledge that other issues may arise in the future regarding the conveyance of the Property that are not currently contemplated. The parties agree to address those issues in good faith in order to facilitate the transfer of the Property from the County to the Town. The parties acknowledge that this MOU is a statement of the parties' intentions. It does not create binding or enforceable commitments and is in no manner intended to limit or abridge the exercise of legislative judgment by either the Talbot County Council or the Easton Town Council or the discretion by any party.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto as of the date first above written.

ATTEST:	TALBOT COUNTY, MARYLAND
______________________________	______________________________(SEAL)
Clay B. Stamp, County Manager	By: Chuck F. Callahan President, Talbot County Council
ATTEST:	TOWN OF EASTON
______________________________	______________________________(SEAL)
Alan Lowrey, Interim Town Manager	By: Megan J. M. Cook Mayor, Town of Easton
Approved for Legal Sufficiency:	Approved for Legal Sufficiency:
______________________________	______________________________
Patrick W. Thomas, County Attorney	Sharon M. VanEmburgh, Town Attorney

ORDINANCE NO. 829

AN ORDINANCE OF THE TOWN OF EASTON REMOVING THE REQUIRED FEE CHARGED BY RETAIL ESTABLISHMENTS FOR PAPER BAGS

INTRODUCED BY: ______________________

WHEREAS, by Ordinance 784, the Town adopted provisions prohibiting retail establishments within the Town of Easton from providing single use plastic bags and requiring retail establishments to charge a fee of $0.10 per paper bag; and

WHEREAS, the Town wishes to remove the required paper bag fee.

NOW, THEREFORE, be it ordained by the Town of Easton that:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. Section 18-17(d) of the Code of the Town of Easton is hereby amended as follows:

(d) Retail establishments may offer customers paper bags, ~~for a fee of not less than ten cents ($0.10) per bag,~~ for the purpose of carrying goods or other materials away from the point of sale. ~~The fee charged shall be paid by the customer. The sales receipt shall reflect both the number of paper bags provided to the customer and the fee collected for the paper bags. The fee charged shall be retained by the retail establishment. Retail establishments shall not provide any rebate, exemption or reimbursement to customers for the paper bag fee provided for in this section.~~

Language to be deleted is shown in ~~strikethrough~~ text
Language to be added is shown in ***bold italics***

Section 3. In accordance with Article II Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor's veto.

Curry -
Abbatiello -
Montgomery -
Davis -
Gunsallus -

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this ____________ day of _________________, 2024.

____
Frank Gunsallus, Town Council President

Delivered to the Mayor by me this ________ day of _____________, 2024.

____
Kathy M. Ruf, Town Clerk

APPROVED:

Date: _______________________ ___________________________________
Megan JM Cook, Mayor

EFFECTIVE DATE: ___________________________, 2024.