

ARPA Advisory Task Force

3/15/2022

7:00 PM

Sumner Hall, Chestertown

Meeting called by:	Tom Herz, Jr.	Type of meeting:	Initial Task Force Meeting
Facilitator:	Tom Herz, Jr.	Note taker:	Tom Herz, Jr. / Andy Goddard

Attendees: David Foster, Jose Medrano, Susie Chase, Sandra Bjork, Ted Gallow, Bob Altieri, Charlie Athey, Jamie Williams, Kate Van Name, Scott Boone and Tom Herz, Jr.

Absent: Owen Baily, Myra Butler, Bob Miller

Please read: Mission / Vision Statement, OMA FAQ (both attached to meeting invitation)

Minutes

Agenda item: Call to Order **Presenter:** Tom Herz, Jr.

Discussion:

The meeting was called to order at 7:04pm by Tom Herz. Attendees noted above.

Tom Herz recognized Mayor David Foster for an opening statement.

Mr. Foster thanked Task Force members for volunteering their time and talents to the effort and talked about the one-time opportunity ARPA provides to Chestertown. He mentioned that caution must be taken to consider all opportunities in the form of additional grants that may be used as matching funds with ARPA. In addition, he mentioned missed opportunities in the form the missing tax differential with the county.

Council member Jose Medrano thanked the members and wished them every success. He is interested to hear of projects we [as a Council] may not have considered.

Council member Tom Herz thanked the members and spoke about the how ARPA can put Chestertown at a competitive advantage from other towns in our area and beyond. He was also interested to know how it can be used to protect our citizens during the pandemic and help protect our businesses in this time of uncertainty. Mr. Herz mentioned that the Final Rule allows Chestertown to take a standard deduction and use the money for government services but worries that without a plan the money may not be used in the best possible way.

Agenda item: Open Meetings Act Introduction and Procedures **Presenter:** Tom Herz

Discussion:

Mr. Herz stated that the ARPA Advisory Task Force is a public body. This means that the Task Force is subject to the Open Meetings Act. Mr. Herz stated that the Task Force must meet certain conditions to comply with the act. First, they must not meet as a group without publicly posting their agenda and meeting location at least 24 hours in advance. In addition, no more than five (5) members can meet as a group at any one time. Meeting minutes must be posted online once approved by the group.

Mr. Foster warned the group that there was a group some years ago that got into serious trouble when they didn't follow these rules.

Ms. Williams stated there is a training course online for OMA.

More information about the OMA is available [here](https://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/default.aspx). (hard link: <https://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/default.aspx>)

Agenda item: Introductions

Presenter: Task Force Members.

Discussion:

Mr. Herz asked that each member introduce themselves.

- **Office of the Mayor Nominees:**
 - Susie Chase: Washington College Graduate; VP Advancement and Alumni Relations for Washington College
 - Charlie Athey: General Counsel for Dixon Valve
- **Ward One Nominees:**
 - Sandra Bjork: Long-time Chestertown resident; Retired nurse attorney.
 - Kate Van Name: President of KVN Partners; Member of Kent County Chamber Commerce Board of Directors.
- **Ward Two Nominees:**
 - Andy Goddard: President of Downtown Chestertown Association; former business owner
 - Bob Altieri: CEO and President of Chesapeake Bank and Trust
- **Ward Three Nominees:**
 - Ted Gallow: Parent and licensed social worker
 - Bob Miller (absent)
- **Ward Four Nominees:**
 - Owen Bailey (absent)
 - Myra Butler (absent)
- **Ex-officio Members:**
 - Jamie Williams: Director of Economic Development and Tourism for Kent County
 - Scott Boone: Head of Kent County Information Technology
- **Council Members Present:**
 - Jose Medrano: Ward 3 Council member; small business owner
 - Tom Herz: Ward 2 Council member
 - David Foster: Mayor; Retired Foreign Service; former Riverkeeper; former engineer and urban planner

Agenda item: Introduction to the American Rescue Plan

Presenter: Tom Herz, Jr.

Discussion:

Chestertown was awarded ~\$4.4mm in Spring of 2021. The first tranche of funds transferred in June '21 and the second is pending for June '22

The money can be used for 4 broad purposes:

- Replace lost public sector revenue, using this funding to provide government services up to the amount of revenue lost due to the pandemic
- Respond to the far-reaching public health and negative economic impacts of the pandemic, by supporting the health of communities, and helping households, small businesses, impacted industries, nonprofits, and the public sector recover from economic impacts
- Provide premium pay for essential workers, offering additional support to those who have and will bear the greatest health risks because of their service in critical sectors
- Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet

Since enactment of the law Treasury has released the *final rule* (hard link: <https://www.govinfo.gov/content/pkg/FR-2022-01-27/pdf/2022-00292.pdf>) detailing how the money can be used as well as rules around compliance and reporting.

Mr. Herz stated that the final rule allows Chestertown to take a standard deduction (i.e., use some or all the funds for government related services) and that there are some functions – like storm water management – that would appear to be a government service, but are not considered so in the eyes of this legislation. Mr. Herz stated that could change (and may have since he last checked).

Mr. Foster mentioned there are prohibited uses: We can't pay pensions, service debt, or establish a 'rainy day' fund. The intent is for the money to be spent.

Mr. Herz stated the Chestertown Council has been very clear to say that this task force is advisory. Members should be engaging the community to determine needs and bring them to the Council for action. We want ideas from the broadest spectrum of folks, but it will be up to the Council to make final determinations.

Ms. Van Name asked if we would talk about process in this meeting and that other towns have already gotten a head start.

Mr. Herz stated that his view it was up to the task force to determine how they proceed once they select a chairperson and secretary.

Agenda item: Nomination of Officers

Presenter: Task Force Members.

Discussion:

Charlie Athey nominated Kate van Name as Chairman. She was elected unanimously.
Andy Goddard was nominated for Secretary. She was elected unanimously.

Agenda item: Determine Quorum, Meeting Schedule, and Location **Presenter:** Task Force Members

Discussion:

Mr. Herz stated the quorum of the task force is six (6). The upstairs of the town hall is available as a meeting location as is Sumner Hall

Ms. Van Name asked a question: What is our timeline?

Mr. Herz stated that the funds must be programmed by December 31, 2024 (and spent by December 31, 2026).

How the task force does their work is up to the members, but he suggested that you could make changes to the frequency of meetings and methodology as a group.

Ms. Chase asked if there is comprehensive list of infrastructure projects.

Mr. Herz stated there isn't a comprehensive list, but the town does have an informal list of important projects. The bulkhead at Wilmer Park, street repairs, and so on are all known to the town.

Ms. Van Name asked if we must determine a meeting schedule at this meeting or could we determine the next meeting only and then build a schedule from there.

Mr. Herz stated that the members could set the next meeting but be sure to work with town staff to ensure compliance with OMA regulations.

Ms. Van Name suggested another meeting in two weeks on March 29th at 7pm. Location to be town Hall. All members agreed.

Action items	Person responsible	Deadline
✓ Determine availability of 2 nd floor of Town Hall	Tom Herz	March 29, 2022

Agenda item: Introduction to Information and Resources About ARPA **Presenter:** Tom Herz

Discussion:

Mr. Herz stated that there are a lot of good resources to understand ARPA. The U.S. Treasury has a detailed web site as does the State of Maryland. In addition, the Maryland Municipal League has done a lot of work on the topic and has some good webinars.

Ms. Williams cautioned members to be careful and diligent when it comes to online resources as some of the content there can often be wrong or outdated.

Ms. Van Name asked about compliance and reporting procedures. She wanted to know if there was a set aside for a resource for compliance and reporting.

Mr. Herz stated there was no set aside and that the Task Force would not be responsible for compliance and reporting except to ensure that their recommendations fit broadly into the authorized uses mentioned earlier.

Mr. Foster stated that the town staff is ready and qualified to handle the compliance and reporting work.

Agenda item: Adoption of Mission and Vision **Presenter:** Tom Herz, Jr.

Discussion:

Mr. Herz stated that he presented a Mission and Vision Statement to the Mayor and Council on November 1, 2021 for review and that there were no significant changes to the statements from new members Tim O'Brien

and Mr. Medrano. He asked if the members had any changes. If so, he would manage that process at that next Council meeting.

There were no suggested changes to the statements.

The proposed mission and vision statements are as follows:

ARPA Advisory Task Force Vision Statement

The ARPA Advisory Task Force will engage the community and advise Chestertown's Town Council on how best to wisely and equitably distribute American Rescue Plan funds.

ARPA Advisory Task Force Mission Statement:

The ARPA Advisory Task Force's mission is to:

- Promote the health and well-being of all Chestertown residents
- Work collaboratively to support our business community and essential workers against pandemic-related turmoil
- Enhance Chestertown's infrastructure to benefit future generations of residents

Ms. Bjork moved to adopt the mission and vision. The motion carried unanimously.

Mr. Herz offered to act as a liaison to the Task Force and to handle matters related to getting information for the members from the town (e.g. balance of funds available, list of high-priority projects).

Mr. Athey stated there is a grant application available that could help members understand the cost of these projects.

Ms. Van Name asked what the Council expects from the Task Force.

Mr. Herz stated that it would be up to the Task Force to determine their best practices, but to work toward helping the Council understand an issue to foster Council and staff discussion and speed adoption. The Task Force didn't need to examine each project in extraordinary detail but should try to present the Council with an understanding of the need and how the funds would address it.

Mr. Herz stated that the State of Maryland hosts 'Office Hours' and that it was a really great resource.

The members asked for a digest of members' contact information. Mr. Herz said he would work with Ms. Van Name to distribute that information.

The meeting adjourned at approximately 8:20 PM.

Action items	Person responsible	Deadline
✓ Send 'Office Hours' schedule to members	Tom Herz	March 29, 2022
✓ Create contact list for members.	Tom Herz and Kate Van Name	March 29, 2022
✓ Get a balance of ARPA funds to date.	Tom Herz	March 29, 2022

Agenda item: Requests from the Public to be Recognized **Presenter:** Tom Herz, Jr.

Discussion:

None

Other Information

Observers:

Also in attendance were Kristen Owen, Nina Fleegle, Carol Niemand and Carolyn Simon Collins.