



Deposition of:  
**STR Review Board Work Session**

*August 22, 2019*

In the Matter of:  
**Talbot County Council Work Session**

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TALBOT COUNTY, MARYLAND

SHORT TERM RENTAL REVIEW BOARD WORK SESSION

August 22, 2019, 1:00 p.m.

Talbot County Community Center, Easton, Maryland

BOARD MEMBERS:

Scott Kane, Chairman

John Hall

Martha Witte Suss

Tammy Broll

David McQuay

REPORTED BY: David Corbin, RPR

<p style="text-align: right;">Page 2</p> <p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2 MR. KANE: Okay. If I might, I would like</p> <p>3 to call the meeting of the Short Term Rental</p> <p>4 Review Board to order and note that we have a</p> <p>5 quorum present. The sole agenda for today is a</p> <p>6 working session in response to a request from</p> <p>7 the Talbot County Council. And first of all, I</p> <p>8 would like to recognize if I might, I saw at</p> <p>9 least two of the Council members come and we</p> <p>10 certainly thank you for your interest and</p> <p>11 participation. So thank you very much for your</p> <p>12 attendance. I guess a couple of opening</p> <p>13 remarks are in order. Many of you are faces</p> <p>14 that I've seen at these hearings before, many</p> <p>15 of you are new. So the first question is why</p> <p>16 are we here today. And the answer is that we</p> <p>17 received a request from the Talbot County</p> <p>18 Council on July 9th, and then received more</p> <p>19 specific direction on August 13th, to</p> <p>20 conduct -- to provide them input. So the</p> <p>21 background on the Short Term Rental Review</p>	<p style="text-align: right;">Page 4</p> <p>1 6:00 o'clock session. So that will be the</p> <p>2 second session that we have. So as we proceed</p> <p>3 forward, we do so at the request of the Talbot</p> <p>4 County Council. And the background is that the</p> <p>5 Council considered a Bill 1413 in late spring</p> <p>6 to codify some language, change some rules and</p> <p>7 that sort of thing. And then discussed it at</p> <p>8 several public hearings, many of you were</p> <p>9 present at that. But then on July 9th they</p> <p>10 decided, Talbot County Council, decided to let</p> <p>11 Bill 1413 expire and directed this board to</p> <p>12 provide them with a recommendation going</p> <p>13 forward as to what's required. Seeking</p> <p>14 additional clarification, the Board sent a</p> <p>15 letter to the County Council on July 22nd and</p> <p>16 asked -- stating how we intended to proceed and</p> <p>17 asking for their direction. On August 13th, at</p> <p>18 a duly noted Town and County Council meeting,</p> <p>19 we received that advice from each of the five</p> <p>20 Councilmen. Council members. If anyone wants</p> <p>21 to review that documentation, that</p>
<p style="text-align: right;">Page 3</p> <p>1 Board is that we're enabled in legislation</p> <p>2 passed in September of last year. We held our</p> <p>3 first organizational meeting in January and we</p> <p>4 adopted formal rules and procedure that were</p> <p>5 reviewed by the Planning Commission and then</p> <p>6 passed by the Talbot County Council in</p> <p>7 February. We've held, in the intervening six</p> <p>8 months or so, approximately 20 hearings on</p> <p>9 applications for short term rentals. And we</p> <p>10 have approved most. We've deferred two or</p> <p>11 three based on technicalities, I think, but</p> <p>12 none have been denied. We have an additional</p> <p>13 backlog that will carry us through the balance</p> <p>14 of the year. So today's work session is our</p> <p>15 first meeting to consider rules and potential</p> <p>16 legislation. I might say that there's a second</p> <p>17 work session scheduled for next week, Thursday</p> <p>18 the 29th, and we'll be holding that session at</p> <p>19 6:00 p.m. so that people that can't attend</p> <p>20 today can come to that session. People that</p> <p>21 are working may find it easier to come to a</p>	<p style="text-align: right;">Page 5</p> <p>1 documentation is available on video through the</p> <p>2 web site. It's also available from the record</p> <p>3 that was maintained by the court reporter. So</p> <p>4 to very briefly summarize, at that point</p> <p>5 Council President Pack advised as follows.</p> <p>6 "We're here to discuss it and give the STRB our</p> <p>7 direction as to what we're looking to for them.</p> <p>8 If there were any other items we saw", speaking</p> <p>9 to us, "repeatedly in your deliberations and</p> <p>10 you also want us to be aware of, we will be</p> <p>11 glad to also look at these as well." Vice</p> <p>12 President Callahan further advised, "that's why</p> <p>13 we sort of need this work session, to see</p> <p>14 what's working and to see what's not working.</p> <p>15 We need instructions from you", speaking to the</p> <p>16 Board, "what's working and what's not working.</p> <p>17 If we need another work session or we need</p> <p>18 another ten work sessions, we're going to get</p> <p>19 this right. We're going to listen to the</p> <p>20 public and we're going to make it right." We</p> <p>21 hope he was speaking metaphorically. I don't</p>

<p style="text-align: right;">Page 6</p> <p>1 want to be here for ten work sessions, but  2 we're going to do our best short of that. And  3 the other three Council members spoke up  4 accordingly. So we're here to follow the  5 Council's direction and that's our purpose  6 here. I would like to thank people who have  7 written in. We have received some 37 written  8 comments and we certainly appreciate the time  9 you've taken to provide that input. I also  10 would like to thank all of those here present  11 today who have taken the time to attend, and  12 we'll try to get as much time in for your  13 public comments as allowed in our session  14 today. I would like to wrap as near  15 4:00 o'clock as possible. I think that's  16 probably as much as anybody can endure in all  17 of this. But we'll be flexible in that regard.  18 And I would like also to thank the staff that's  19 here today. The staff has been untiring on  20 their work on our behalf and more importantly  21 on behalf of the citizens of Talbot County.</p>	<p style="text-align: right;">Page 8</p> <p>1 cross-examination of any type, so the chair  2 will firmly limit that type of discussion. The  3 other thing is to move the agenda along, I  4 would say that I intend to fuel the candle as I  5 see fit to move the dialogue and discussion  6 forward and limit any repetitive and hopefully  7 not receive any argumentative comments, which  8 will be hammered down as well. That's our  9 procedure today. Hearing no dissension from  10 the board, I will proceed accordingly.  11 So the first, if I can get there,  12 submission was indicated as item number one in  13 our package, and it's a letter from VIP  14 Vacation Rentals, Kathy Bogan. Is Kathy Bogan  15 here to make any clarifying remarks.  16 AUDIENCE: She is not here.  17 MR. KANE: Okay. Anybody to speak for  18 her. I can briefly summarize her comments.  19 Number one, she made the point that licenses  20 and renewal applications should be accepted  21 during any time of the year. I'm not sure</p>
<p style="text-align: right;">Page 7</p> <p>1 And also the County Attorney's work for their  2 tireless work and expert advice to the board.  3 Without them we couldn't do the job we're  4 tasked to do. Without further adieu, I would  5 like to propose a method for proceeding. First  6 of all I would like to consider each of the  7 written submissions in turn. There's 37 of  8 them. And I would like to hear from or the  9 board would like to hear from any one of those  10 correspondents who would like to embellish or  11 clarify their remarks. That would be the first  12 order of business. And then after that, if  13 there's time, we can hear from others in the  14 audience who may wish to speak. The board  15 members certainly will have questions based on  16 the written record and questions based on each  17 of you on the testimony you provide, and so  18 there will be discussions and questions from  19 the board to seek clarification. So it is not  20 anticipated that we'll have time for or  21 opportunity for any rebuttal or</p>	<p style="text-align: right;">Page 9</p> <p>1 personally what that history was, but the  2 legislation that was passed by the County  3 indicates that applications were received in  4 January and February and we as the board will  5 hear those applications after that period of  6 time. There is a second application period,  7 July and August, which we're in right now and  8 then we'll hear applications made during that  9 period in the balance of the year. So what is  10 requested here is that we return to a system  11 where applications can be made at any point  12 during the year. And the second point I don't  13 quite understand, which is what I wanted to ask  14 about. She says the zoning board, I'm not sure  15 who that is, should meet only two times a year  16 to determine licensing requirements. I think  17 her point is that we shouldn't be changing the  18 rules willy nilly or mid -- mid journey. And  19 to address that, I would just like to say if  20 it's addressed to the board, we are not about  21 changing the rules mid direction. We will</p>

Page 10	Page 12
<p>1 make -- we established our rules and procedure  2 in February, as I indicated. Those were passed  3 by the Planning Board and passed by the County  4 Council. And those are the rules and  5 regulations s under which we operate. There  6 has been a couple of motions to clarify our  7 procedure, to make things run more smoothly,  8 particularly I think back to February by  9 Ms. Bogan that recommended that we receive  10 applications that are complete so that we don't  11 have to deal with incomplete applications. And  12 that's been I think a fairly straight forward  13 notion and we operate that way. So that's the  14 summary, as I understand it, of item number  15 one. Are there any questions or clarifications  16 from the board.</p> <p>17 MS. SUSS: On item number one.</p> <p>18 MR. KANE: On item number one. If not,  19 moving on to item number two from Tidewater  20 Vacations. Angela Eade.</p> <p>21 ANGELA EADE: Yes, sir. Yes, sir.</p>	<p>1 and trying to resolve issues and please the  2 public at the same time. I just feel that it  3 would be fair on people who are running  4 vacation rental homes and adhere to the law  5 that you respect and give them adequate notice,  6 especially older homes which should be  7 grandfathered in for a certain -- a certain  8 time period. Waiting for a year to get a  9 rental license means that these home owners and  10 businesses are going without income. That's  11 all I've got to say.</p> <p>12 MR. KANE: Okay. Thank you for that. Any  13 board member have a question, comment.</p> <p>14 JOHN HALL: I can comment. We didn't  15 change anything. You don't know what you're  16 talking about. The rule was in effect by the  17 law it shall pass the 2003 --</p> <p>18 MS. SUSS: Egress code.</p> <p>19 JOHN HALL: Yeah, that was set in the law  20 when it was passed. There is nothing new about  21 that.</p>
Page 11	Page 13
<p>1 MR. KANE: Do you have any comments on  2 this?</p> <p>3 ANGELA EADE: No.</p> <p>4 MR. KANE: Could you --</p> <p>5 ANGELA EADE: Sure.</p> <p>6 MR. KANE: And sign in if you might,  7 please.</p> <p>8 ANGELA EADE: I attended one of your  9 sessions where you were going over an  10 application and I heard gestures of changing a  11 couple of the regulations like signage. And  12 this happened halfway through the season. Also  13 halfway through the season you changed  14 recommendations on size of windows, et cetera,  15 et cetera. So you were in fact changing  16 regulations during the last six months. I know  17 that one of my vacation rental owners got a  18 notice halfway through the six months saying  19 that she now had to redo windows and after  20 applying for a license last year. So I  21 understand that you're going through meetings</p>	<p>1 ANGELA EADE: But nobody has enforced that  2 law. People were -- nobody has endorsed that  3 law and the home owners didn't know about it.</p> <p>4 JOHN HALL: Well, we have been. We have  5 been.</p> <p>6 ANGELA EADE: You have been for the last  7 six months, yes, sir.</p> <p>8 JOHN HALL: Well, the law was, I think,  9 before they accepted your word they passed it  10 in 2003, and then they started doing  11 inspections and they find out that everybody  12 who was swearing they passed in 2003 didn't  13 know what they were talking about. I won't say  14 they are deliberately lying. I don't know  15 what's in the 2003 residential code either, so  16 I probably would have thought it was okay. But  17 the fact of it was that once the inspections  18 began, and that's a new requirement, not by us  19 but by the law that was passed last October,  20 all of a sudden these inspections began to  21 occur. And they found these problems. We</p>

Page 14	Page 16
<p>1 didn't have anything to do with it. That's 2 what I'm saying, you're accusing us of making 3 changes since we've been in existence. 4 ANGELA EADE: No, I'm not accusing 5 anybody. 6 MR. KANE: If I might, could I ask the 7 County Attorney for their view on this point. 8 MARY O'DONNELL: I agree with what 9 Mr. Hall said. 10 MS. SUSS: We haven't -- 11 MR. KANE: If I could. 12 ANTHONY KUPERSMITH: I don't have anything 13 to add. That's my understanding, that the 14 requirement was there in the prior code. And 15 that as Mr. Hall stated, there are now 16 inspections that are occurring. So that's why 17 we're seeing suddenly some of these egress 18 issues. 19 ANGELA EADE: I can't remember seeing any 20 size of window in the code that was issued to 21 us in an application. I can look over the last</p>	<p>1 notice posted on the property prior -- 15 days 2 prior to hearing. Is that what you're 3 referring to? 4 ANGELA EADE: Yes, that was new. 5 MR. KANE: That's always been in the 6 practice and always been in the code. So could 7 the staff address that point. 8 MIGUEL SALINAS: This is -- with the new 9 regulations for short term rentals, as part of 10 our zoning ordinance update, we now have public 11 hearings with this board. And so under those 12 regulations it requires certain notification 13 requirements. Prior to that we didn't have 14 public hearings but we did have notification 15 for posting the signage on the property. 16 MR. KANE: You did post the signage on the 17 property. 18 CAROLE SELLMAN: No, there was no 19 hearings. 20 MIGUEL SALINAS: Right. 21 MR. KANE: All right. So that is a new</p>
Page 15	Page 17
<p>1 14 years to see if it is written up and come 2 back to you on it, but I cannot remember any 3 size of window being mentioned. 4 MR. KANE: If you could kindly address the 5 board as opposed to other members. I 6 understand concern. My understanding, as 7 expressed by Mr. Hall and as expressed by the 8 County attorneys, there is a standard on 9 windows and egress and safety that may not have 10 been enforced before but it is with this 11 current board, this heightened focus on making 12 sure that all of those things -- 13 ANGELA EADE: I think it's very important 14 these safety precautions. But I think to give 15 the older homes some time to correct it would 16 have been really nice. Anyway, then we were 17 told we have to have signage on the roads now. 18 That was new and enforced recently, was it not. 19 Or was it also always been in the code? 20 MR. KANE: I guess the question is what 21 type of signage are you referring to. There is</p>	<p>1 requirement. Okay. So... 2 ANGELA EADE: That's all I've got to say, 3 sir. Thank you very much for hearing me. 4 MR. KANE: Thank you very much for your 5 time. 6 MS. SUSS: One thing that was noted on 7 this note and also Kathy Bogan's, and I think a 8 few others brought it up, and it's about I 9 recommend that the Department of Planning and 10 Zoning be able to accept new license 11 applications and renewals any time during the 12 year. The backlog created by only accepting 13 these applications during two months period 14 greatly increases the time it takes, and so on 15 and so forth. I just want to let you know, it 16 was duly noted. 17 ANGELA EADE: Okay. 18 MS. SUSS: I think that's an idea that we 19 should talk about during this work session. 20 ANGELA EADE: That will be great. Thank 21 you very much.</p>

Page 18	Page 20
<p>1 MS. SUSS: That we as a board can address.  2 There is certain things we don't have any power  3 over.  4 ANGELA EADE: You're accepting these  5 applications during the two months but it's  6 taking you six months to process them.  7 MS. SUSS: Yes. Thank you.  8 MR. KANE: Six months to process  9 applications?  10 ANGELA EADE: I beg your pardon.  11 MR. KANE: Six months to process  12 applications.  13 ANGELA EADE: Well, you said you're  14 accepting the -- I think you said earlier in  15 your presentation when you opened this meeting  16 that the applications that you have now will be  17 dealt with over the course of the rest of the  18 year. Or did I hear incorrectly.  19 MR. KANE: That's correct. The way these  20 come up, just to further clarify, is not at our  21 discretion so much as the discretion of the</p>	<p>1 The staff was glad to accommodate them and we  2 heard that case very, very quickly. So we try  3 to be as accommodating to the public as we can.  4 And this board is scheduled to meet every  5 Thursday at this time. So if there are  6 applications that come forward, we are here,  7 except when there is vacations or not a quorum  8 or something like that. But the meetings are  9 scheduled actually 52 weeks of the year. We  10 don't want to be a speed bump to anybody.  11 ANGELA EADE: Fifty-two weeks of your time  12 is a lot. Another situation came up. Is it  13 true that the owners of the properties have to  14 attend these meetings with you rather than a  15 representative.  16 JOHN HALL: Yes.  17 MR. KANE: That's not in your written  18 comments, but I'm sure that's something that  19 will come up. So it's a request that the board  20 feels is important. Because what we found,  21 just to give you the background on this, is</p>
Page 19	Page 21
<p>1 applicant. Because the applicant has to go  2 through and get all the paperwork right, make  3 the notices right, do all the safety  4 inspections, the health inspections. That  5 takes time. So some applicants are very  6 anxious to get started quickly, other  7 applicants, you know, not so. So it's up to  8 the applicant and their interaction with the  9 staff to determine how quickly they want to go  10 or how slowly they want to go. So it's really  11 in the hands of the applicant.  12 ANGELA EADE: I'm sorry, I thought that  13 once you hand in your application you have to  14 have all these approvals done anyway.  15 MR. KANE: Yes, you do. And some people  16 have done the approvals, inspections, prior to  17 their application. So when they come with an  18 application, the last one we heard was exactly  19 like this, they had done all their inspections  20 prior to the application, they brought the  21 application and requested expedited treatment.</p>	<p>1 that when we have an owners representative  2 here, that owners representative is unable to  3 answer all of the board's questions about the  4 property and the history and those kind of  5 things. So we're faced with sort of a Catch  6 22, do we approve that application in light of  7 the fact we haven't been able to get all of our  8 questions answered, or do we go about it the  9 other way. So our preference, our strong  10 preference, and I think one of the things we're  11 going to be discussing, is whether the  12 owners -- to require the owners be present,  13 either physically or by telephone. It doesn't  14 seem to be an overly burdensome requirement if  15 we would make the request by telephone. But  16 I'm just seeking for myself.  17 ANGELA EADE: Would it be easier to come  18 up with a list of questions that's given to  19 every applicant so they may answer them. And,  20 you know, then it would be dealt with like  21 that. Or are these different questions to</p>

Page 22	Page 24
<p>1 different situations.</p> <p>2 JOHN HALL: If I may answer. One of the</p> <p>3 things that this board hopes to do is to give</p> <p>4 the neighbors an opportunity to meet the</p> <p>5 applicant and for the applicant to realize that</p> <p>6 this isn't the Outer Banks. People live here</p> <p>7 full-time. And if they take the attitude, and</p> <p>8 obviously some of them have, that this is like</p> <p>9 an owning a stock or a bond, "I don't care what</p> <p>10 goes on, I just collect my dividends." That's</p> <p>11 not what we're hoping to enforce. We want them</p> <p>12 here to hear their neighbors say, you people</p> <p>13 are setting off fireworks or your renters</p> <p>14 setting off fireworks, you're doing other</p> <p>15 things, you're speeding on a private road. All</p> <p>16 of the things that we hear over and over again,</p> <p>17 we want the owner to know we're going to hold</p> <p>18 them responsible for it. If they just mail it</p> <p>19 in, the opportunity for the neighbors to</p> <p>20 communicate with the applicant, for us to try</p> <p>21 to make it clear to the applicant that this is</p>	<p>1 think that's pretty much what we have seen</p> <p>2 here.</p> <p>3 ANGELA EADE: Martha, I was at one meeting</p> <p>4 where a home owner sat at this table and a</p> <p>5 resident of the County sat in this row here and</p> <p>6 made a comment asking the home owner to up</p> <p>7 their damages security deposit. And I heard</p> <p>8 the reasoning to attract a better person. I</p> <p>9 don't think the neighbors have the right to</p> <p>10 determine what a home owner asks for as a</p> <p>11 damages security deposit. I think that's going</p> <p>12 too far.</p> <p>13 MR. KANE: Well, in point of fact, we run</p> <p>14 an open hearing so the applicant is allowed to</p> <p>15 present their case and then we ask for any</p> <p>16 rebuttal or counter. And we can't control</p> <p>17 that. So whatever those people come and speak</p> <p>18 to us as a board about, we hear those comments.</p> <p>19 If they are out of order, I'll hammer them</p> <p>20 down. And then after that there's a means of</p> <p>21 procedure and protocol, what we do is ask the</p>
<p>Page 23</p> <p>1 our home, that's lost by this mail-in process.</p> <p>2 ANGELA EADE: I understand, Mr. Hall. So</p> <p>3 it is a prerequisite that the owner of the</p> <p>4 property applying for the license must be here</p> <p>5 to speak to the neighbors and hear their</p> <p>6 thoughts on the homeowner's application.</p> <p>7 JOHN HALL: That is why I favor insisting</p> <p>8 that they be here.</p> <p>9 ANGELA EADE: Okay. Thank you very much.</p> <p>10 MS. SUSS: We found, and just so I can</p> <p>11 say, more than a few times where owners have</p> <p>12 come in here and neighbors have been in the --</p> <p>13 in here also, and they have come in with two</p> <p>14 different mindsets and have left in one. And I</p> <p>15 just think that is really telling is that when</p> <p>16 they do come in, at the end they are like -- I</p> <p>17 think they are happy that they have met each</p> <p>18 other finally. And even if they lived on a</p> <p>19 private road ten, 12 years, sometimes they</p> <p>20 haven't really even talked to each other. And</p> <p>21 now they are all seeing each other's side. I</p>	<p>Page 25</p> <p>1 applicant to come back and address that</p> <p>2 comment. So the applicant has the first</p> <p>3 opportunity to speak and the last opportunity</p> <p>4 to speak.</p> <p>5 ANGELA EADE: Thank you very much.</p> <p>6 MR. KANE: If I might make one other point</p> <p>7 too, and that is that we've had a number of</p> <p>8 situations where we've had the applicant and a</p> <p>9 rebuttal and two different points of</p> <p>10 perspective. And what happens generally is</p> <p>11 people want to try and work this out. So what</p> <p>12 happened in four or five of the hearings that</p> <p>13 we have where differences of opinion, either in</p> <p>14 the hearing there was an agreement worked out</p> <p>15 or after the hearing, the hearing was deferred</p> <p>16 and held over for 30 days. I can think of a</p> <p>17 couple instances where all the differences were</p> <p>18 ironed out so that everybody was going forward.</p> <p>19 That to me seems to be far preferable than</p> <p>20 having adversarial positions.</p> <p>21 ANGELA EADE: Thank you very much.</p>



<p style="text-align: right;">Page 26</p> <p>1       MIGUEL SALINAS: For clarification, there  2 was an application recently where they had  3 their inspections done prior. Actually the way  4 that the ordinance reads, the scheduling of  5 applications -- sorry, inspections occur upon  6 receipt of the application into the department.  7 So we're now adhering to that.  8       MR. KANE: So you're now --  9       MIGUEL SALINAS: We're not allowing the  10 scheduling of applications prior to the receipt  11 of the application.  12       MR. KANE: Okay. Why is that,  13 Mr. Salinas.  14       MIGUEL SALINAS: It's in the code under  15 section 190-63.2 D, inspection of property,  16 which states "upon receipt of an application  17 for a short term rental license, the applicant  18 shall schedule an onsite inspection of the  19 property with the planning director, code  20 enforcement officer, in order to verify that  21 the property complies with the International</p>	<p style="text-align: right;">Page 28</p> <p>1 plans. That's -- we require that they do that.  2 There has been some instances where there has  3 been handwritten plans and they are difficult  4 to interpret. So the better the plans that are  5 submitted the easier the applicant will have of  6 getting those applications approved. Should be  7 no waiver of any STR license requirements. And  8 he speaks of waivers for fire egress and for  9 smaller than standard windows. I think it's  10 been fairly clear that the board is in favor of  11 following all safety code requirements and not  12 grant waivers in that situation. No granting  13 of a license on a conditional basis. That goes  14 back to having everything complete when we get  15 it so that we don't have to leave the record  16 open. Scheduling hearings to be posted on the  17 STR board web site. And I believe that we do  18 that already. Is that not correct. Question  19 to staff.  20       MIGUEL SALINAS: That is correct.  21       MR. KANE: Everything is posted. I will</p>
<p style="text-align: right;">Page 27</p> <p>1 Residential Code adopted by Talbot County as  2 amended with respect to emergency escape and  3 rescue openings as is with smoke alarms to  4 determine the plan submitted is accurate and,  5 three, to make note of any special conditions.  6       MR. KANE: This is one of the things that  7 I hear repeatedly and some people are in favor  8 of having inspections early. But we'll wait  9 and hear from people as to what they favor.  10 That could be one thing that we may want to  11 consider changing. So moving on to item number  12 three by Mr. Steve Shimko. Is he present here?  13 Not present here. So he has a rather lengthy  14 memorandum, hard to summarize. He's in favor  15 of having -- point number one, in favor of  16 having all the I's dotted and T's crossed, a  17 complete application before it's forwarded.  18 That's the preference of the board as well and  19 Ms. Broll made such a motion back in February.  20 So that's the way we're moving forward.  21 Applicants must include accurate to scale</p>	<p style="text-align: right;">Page 29</p> <p>1 say that it's probably a little bit difficult  2 to find your way through that unless you do it  3 a lot. One of the things we would like to do  4 is make that a little bit more accessible, but  5 we're part of the whole Talbot County web site.  6 So negotiating and navigating that web site is  7 a larger issue than we can deal with as a board  8 here. Hearing should be canceled if the  9 application is not complete. We discussed  10 that. Hearing should be canceled if the  11 requirements for notification have not been  12 met. I think that's something we currently do,  13 is that not right. Speaking to the staff.  14 Item number seven. You defer an applicant if  15 they have not --  16       MIGUEL SALINAS: Well, for the first --  17 there's two mailings. The first is a certified  18 mailing within 20 days of the application, the  19 initial application submittal. And that one we  20 do get verification. We get return receipts  21 given to us along with a certificate of service</p>

Page 30	Page 32
<p>1 that says I have mailed out those notices  2 within the 21 days, and it's signed by the  3 applicant. The second mailing is not by  4 certified mail, it's just a first class  5 mailing. That one we ask them to send out,  6 there is no time certain day when that should  7 be sent out prior to the hearing. I'm sorry,  8 that second one is certified. I'm sorry.  9 There is no time certain date for when that  10 certified mailing goes out. We ask the  11 applicant to -- that's it's best for them to  12 carry with them to the hearing any proof of  13 mailing in case should the board ask.  14 JOHN HALL: I thought that notice had to  15 go out at least 15 days before the hearing.  16 MIGUEL SALINAS: No, that was what was  17 discussed. The sign posting has to be 15 days  18 prior to the hearing but there is no time  19 certain date for the second notice.  20 MR. KANE: And this was all the topics  21 that were included in Bill 1413, and this</p>	<p>1 see if it's practical or feasible. It would be  2 better for the public if the meetings were held  3 in the evening rather than 1:00 p.m. We're  4 certainly open to that. We serve at the  5 pleasure of the citizens and County. So if  6 that's a feeling of the public, we would  7 certainly like to hear that. That's a summary  8 of number three. Item number four is by  9 Mr. Robert Haase. Is Mr. Haase here.  10 AUDIENCE: He had to leave. He'll be here  11 next week.  12 MS. SUSS: Didn't he write two letters.  13 MR. KANE: Anybody else want to summarize  14 this.  15 MARY O'DONNELL: I think Mr. Haase wrote  16 four years.  17 MR. KANE: Yes, he did. What he did was  18 break apart his points as I understood it.  19 I'll just go down through it.  20 JOHN HALL: Well, I would say what he's  21 suggesting are substantive changes in the law.</p>
<p>Page 31</p> <p>1 discussion, which Mr. Salinas sort of  2 summarized very quickly, was the subject of  3 that bill. And then there was discussion in  4 the County Council chambers and in hearings as  5 to whether to relax some of that or to make  6 it -- tighten it up a little bit. And I think  7 one of the recommendations of this board would  8 necessarily be a definitive statement as to  9 exactly how we do this since that was the  10 original ask of the County Council. Item  11 number eight, Review Board consider all  12 information. Which we do. Number nine, the  13 Board should consider neighborhood density  14 impact on neighborhoods. I think we do that in  15 a less than formal way. And that may be  16 something we want to consider for changes so I  17 would welcome any comments in the hearing on  18 that point. In a case of a hearing before the  19 Board, to adjudicate the place, the nature of  20 the complaint should be posted on the STR  21 Review Board. I guess we can look at that and</p>	<p>Page 33</p> <p>1 And I think it's obvious to everyone here that  2 those requests are best directed to the people  3 who can do something about it, namely the  4 County Council. He's saying for instance that  5 there should be no STR unless it is the  6 principal residence. Am I correct. For  7 instance, in a B and B it has to be your  8 principal residence. So he's suggesting that  9 kind of a requirement. It's not in the law  10 now, and I am reluctant to presume to make  11 these kind of recommendations to the -- to the  12 County Council because I don't think that's  13 what they are asking us to do. They asked us  14 what to do to make this process more efficient  15 and more streamlined. They didn't ask us  16 whether we wanted to make it more stricter,  17 make it looser. They didn't ask us that. And  18 I know that you all need the opportunity to  19 make those statements, and fortunately we have  20 County Council members hear to listen to that.  21 It's just to direct a letter like this to us,</p>

Page 34	Page 36
<p>1 it's kind of like blowing in the wind. Because  2 we can't do anything about the primary  3 principal residence. And I don't know why we  4 would have any greater expertise than you the  5 voting public would have.</p> <p>6 MR. KANE: Yes, so it's a bit of lengthy  7 letter, and thank you for that summary,  8 Mr. Hall. And it's a question of what the  9 County Council has asked us. Certainly the  10 issues that Mr. Haase raises, as Mr. Hall  11 indicated, are probably at the 5,000 or  12 50,000-foot level as to the overall purpose of  13 STR's and how they should be handled. I don't  14 think we're going to get into or would be able  15 to get in all that. But in deference to  16 Mr. Haase, that was his written comment. And  17 more specifically what he said was that he felt  18 that STR should be divided into two classes,  19 class A and class B, or class B and class A,  20 where one class is STR's that are rented out by  21 principal residents here in Talbot County, and</p>	<p>1 that are currently not under the 2003 that  2 we're using. And the other was the lead paint  3 testing requirement, which I think he was  4 trying to come in line -- it appeared to me  5 that he was trying to come in line with all of  6 the B and B, hotel, STR requirements, some that  7 are in -- the other rental issues are not  8 included in the STR's.</p> <p>9 MR. KANE: Okay. Thank you, Ms. Broll.  10 Any other comments on Mr. Haase's letter. If  11 not, we'll move to number five, which is a  12 letter by Ms. Joan Schneider of Point Breeze B  13 and B. Is she here.</p> <p>14 JOAN SCHNEIDER: I may have told -- little  15 bit misunderstood after what you just said. I  16 was making a recommendation of some things that  17 I thought should be considered. And that is  18 that for a B and B license, under the code, you  19 can't be 500 feet closer to another B and B,  20 licensed B and B. And I didn't see anything in  21 the regulations under STR that had any distance</p>
<p>Page 35</p> <p>1 that there be one set of approaches dealing  2 with someone that owns and is a resident on  3 that property. And that there be a second  4 category for one of a different terms, foreign  5 owners or somebody from outside of Talbot  6 County. And I guess that moves on to the  7 question that's also embedded in this is the  8 purpose to rent a facility that the owner  9 spends some time in or is it strictly a  10 commercial venture. So I'm just summarizing  11 Mr. Haase's comments. Any other comments from  12 the board.</p> <p>13 MS. BROLL: Yeah, Mr. Haase actually  14 submitted I think four years letters. And some  15 of his other points that would, I think, come  16 before us would be one of his recommendations  17 was to do the safety inspections prior to the  18 submission of the application. So that is a  19 process issue that we would take up. Use the  20 current code, 2018 IRC, which requires carbon  21 monoxide detectors, some other safety things</p>	<p>Page 37</p> <p>1 apart.</p> <p>2 MR. KANE: I don't think -- I don't think  3 there is. If I might back up a bit and ask the  4 County attorney, should we be swearing in these  5 people.</p> <p>6 ANTHONY KUPERSMITH: I don't think you  7 need to swear anybody in. But if people could  8 sign, that would be great.</p> <p>9 MR. KANE: If you could sign in. Thank  10 you very much. Make sure we're doing this  11 properly.</p> <p>12 JOAN SCHNEIDER: That's one issue I had.  13 And other issue was about density that you just  14 mentioned was in the last letter, to consider  15 the density within a given neighborhood. In  16 the block that I live in, we have several STR's  17 now, or vacation rentals, and then we have  18 several that are possibilities to become that.  19 And if we don't start to think about there  20 should only be so many in the neighborhood, we  21 could be overrun with people who aren't here</p>

Page 38	Page 40
<p>1 and aren't contributing to the community in</p> <p>2 other ways, volunteering in the community and</p> <p>3 helping out, giving back. That was my point.</p> <p>4 MR. KANE: Have you had STR's within</p> <p>5 500 feet.</p> <p>6 JOAN SCHNEIDER: No, not yet.</p> <p>7 MR. KANE: Your concern is it may happen.</p> <p>8 JOAN SCHNEIDER: The house next door to me</p> <p>9 just sold and I met the owner and he has not</p> <p>10 filed yet evidently because I have not gotten</p> <p>11 any notification. But he told -- I went and</p> <p>12 introduced myself and said welcome to the</p> <p>13 neighborhood and are you going to be full-time</p> <p>14 or part-time. And he said, well, actually</p> <p>15 neither, I'm going to rent it. And then</p> <p>16 looking up who purchased it, it's actually an</p> <p>17 LLC that purchased it, it was not him as the</p> <p>18 individual. So I see it coming. So that's</p> <p>19 what prompted me to be involved in this</p> <p>20 process.</p> <p>21 MR. KANE: Okay. And have you seen any</p>	<p>1 MR. KANE: Okay. Thank you very much.</p> <p>2 MS. SUSS: Thank you.</p> <p>3 MR. KANE: Moving on to number six, a</p> <p>4 letter by Holly Fine. Is Holly Fine here, wish</p> <p>5 to comment. It's a lengthy letter. I wish she</p> <p>6 were here to speak to it. But it's fairly</p> <p>7 detailed. She is speaking about her personal</p> <p>8 experience with a short term rental that I</p> <p>9 gather is next to her and itemizes a number of</p> <p>10 complaints about the -- about that property.</p> <p>11 And goes on in some detail. And her concern is</p> <p>12 both an enforcement issue but also impact on,</p> <p>13 as I gather, impact on the value of her</p> <p>14 property and her ability to sell the property</p> <p>15 if she wanted to at some point in the future</p> <p>16 because of what she describes as disturbance.</p> <p>17 She also talks about the situation of private</p> <p>18 roads, which has come up. For those of you</p> <p>19 that have been attending our hearings, it's a</p> <p>20 question of notice. Some of the private roads</p> <p>21 and private lanes are a lot longer than a</p>
<p>Page 39</p> <p>1 impacts on your B and B business.</p> <p>2 JOAN SCHNEIDER: Well, I can't -- I wrote</p> <p>3 a second letter and I can't say that it's</p> <p>4 strictly because of STR's that I have seen an</p> <p>5 impact in my business. But I've been in</p> <p>6 business since 2004 and I had a steady increase</p> <p>7 in business until 2014. And from 2014 to now I</p> <p>8 have seen a steady decline in business. Last</p> <p>9 year was 52 percent of what I made in 2014.</p> <p>10 And there's been a lot of B and B's that have</p> <p>11 closed in that timeframe, so you would think</p> <p>12 that my business might have increased, but it</p> <p>13 didn't. So I would have to think that using</p> <p>14 the STR's instead of using the licensed B and</p> <p>15 B's might be having an impact. But I can't</p> <p>16 prove that.</p> <p>17 MR. KANE: You say that your revenues were</p> <p>18 off 52 percent.</p> <p>19 JOAN SCHNEIDER: From 2014 to last year.</p> <p>20 MR. KANE: Other questions.</p> <p>21 JOAN SCHNEIDER: Thank you.</p>	<p>Page 41</p> <p>1 thousand feet so there is a notice requirement</p> <p>2 that you have to notify residents within</p> <p>3 1,000 feet of your short term rental</p> <p>4 application. And if it's a long road, some of</p> <p>5 the neighbors down the road will not qualify.</p> <p>6 So that's one of the changes that I think we're</p> <p>7 considering and it's one of the things I hear</p> <p>8 repeatedly. It's also a situation where it's a</p> <p>9 private road and maintained by all the</p> <p>10 residents and one resident decides to put their</p> <p>11 home on short term rentals, it could increase</p> <p>12 traffic and change the dynamic of the</p> <p>13 maintenance on that road. So it's an open</p> <p>14 issue as to how exactly, how that would be</p> <p>15 treated. So she raises those questions. I was</p> <p>16 hoping to question her about some of those</p> <p>17 things but she is not here. We'll move on to</p> <p>18 number seven, which is Donna and Bill Dudley.</p> <p>19 Are the Dudley's here and wish to speak.</p> <p>20 AUDIENCE: She just left.</p> <p>21 MR. KANE: Just left. That's being very</p>

Page 42	Page 44
<p>1 shy. I'll summarize that. The Dudley's are  2 speaking, I gather, that same property. And  3 their concern is one of the private drive and  4 that speed limits are being exceeded and they  5 are being interfered with walking their dogs  6 and biking by people -- the statement is made  7 here, "I've had to jump off the road into the  8 ditch next to it in order to avoid a car that  9 was zooming towards or out of the STR driveway.  10 It can be downright dangerous." I think that's  11 the main point of item number seven. Are there  12 any observations or questions on item number  13 seven. Okay. Hearing none, we'll move on to  14 item number eight, which is by Cindy Reichart  15 and Russ McNair. Are either of them here.  16 Welcome. And if you would like to sign in  17 either now or upon your conclusion of your  18 presentation. We have your written comments.  19 What additional points do you wish us to  20 consider.  21 CINDY REICHART: Well, I think because of</p>	<p>1 with beforehand. And rather then, because it  2 even says in your codes, which I quoted here,  3 that you could make recommendations on certain  4 things, you know, that may not meet the  5 requirements in the codes. I mean I guess my  6 other question is I had a comment about the  7 50-foot setback situation, and I asked is this  8 for noise or is this for privacy or whatever.  9 And I guess in my mind what's the difference  10 between if I'm sitting on my deck next to my  11 neighbor playing music having a conversation,  12 what's the difference between me sitting there  13 or a tenant sitting there. I mean I don't know  14 exactly what the purpose of this 50-foot or the  15 screening, you know, is. I guess another thing  16 that I looked at was -- when I looked at the  17 code, the code says the term of rental is not  18 more than one night nor more than four months.  19 Yet the written lease rules, the paper in the  20 packet that you have to fill out, says a  21 minimum of three nights. So I think there is a</p>
<p>1 the fact that I guess you've stated that  2 there's not any waivers, because we were in a  3 certain where it wasn't the safety, I  4 understand the safety, I get that, but we were  5 in a situation on screening. And we contacted  6 the office who told us, yeah, you can fill out  7 a waiver, here's the paper you fill out and  8 send it in. Then we were told we couldn't.  9 Then we came in front of you all and then it  10 ended up, yeah, no, you have to do the  11 screening. I guess in my mind if there are not  12 any waivers and here's a checklist of what you  13 have to do in order to get a license to  14 operate, then what do we need a board for  15 because it's all checkmark, do this, do this,  16 do this. And if there are things, like for  17 example the egress which comes up a lot, if  18 you're allowed to have that inspection  19 beforehand, you would already know that so you  20 could already get your pricing for replacing  21 that, et cetera. So that could all be dealt</p>	<p>1 discrepancy there.  2 MR. KANE: I can address that. The  3 legislation that was passed in September  4 definitely said three nights minimum. And so  5 we're in the process of cleaning up and we're  6 going through reading all these things, making  7 sure that everything is consistent. But  8 everything should be consistent on a three  9 night minimum.  10 CINDY REICHART: Yeah, it's in 190-78318  11 is where I read it. It says --  12 RUSS MCNAIR: Under definitions.  13 CINDY REICHART: Not less than one night  14 nor more than four months.  15 ANTHONY KUPERSMITH: Let me jump in. Bill  16 1314 did address that issue. And so if the  17 Council takes that bill back up or a similar  18 bill, I would expect them to address that  19 discrepancy that you have identified again.  20 RUSS MCNAIR: In both -- in the transients  21 also.</p>

Page 46	Page 48
<p>1 ANTHONY KUPERSMITH: Yes.</p> <p>2 CINDY REICHART: I guess my question --</p> <p>3 RUSS MCNAIR: So what is the purpose of</p> <p>4 the three nights and the 14 weeks there, versus</p> <p>5 one night.</p> <p>6 MR. KANE: If you could address the board,</p> <p>7 please.</p> <p>8 RUSS MCNAIR: Sorry. What is the</p> <p>9 difference between three nights versus one</p> <p>10 night.</p> <p>11 MR. KANE: Two nights. That was easy.</p> <p>12 RUSS MCNAIR: I'll be your straight man.</p> <p>13 MR. KANE: I think the logic is if you're</p> <p>14 doing one night, there is a lot of turnover,</p> <p>15 potential turnover, and the impact to the</p> <p>16 neighbors increases exponentially with the</p> <p>17 additional turnover. Could have a rental</p> <p>18 Friday night, Saturday night, Sunday night with</p> <p>19 the tenant checking in and checking out. That</p> <p>20 would be an impact on the neighbors. From</p> <p>21 everything we heard, most of the people that</p>	<p>1 CINDY REICHART: Then I guess on the other</p> <p>2 end of it, how do we come up with the 14 weeks.</p> <p>3 Because I don't know anybody that has that much</p> <p>4 vacation. I would like to know where they have</p> <p>5 that job. I'll quit my job if that's the case.</p> <p>6 Even Europeans who I work with, I work with a</p> <p>7 little company, they don't get 14 weeks. I</p> <p>8 just wondered how we got to that number in the</p> <p>9 end. That's kind of excessive.</p> <p>10 MR. KANE: I can't really answer that in</p> <p>11 specific. In general I think what we're trying</p> <p>12 to separate between a short term rental and a</p> <p>13 long term rental, which is an entirely</p> <p>14 different animal.</p> <p>15 CINDY REICHART: It just seems excessive</p> <p>16 to me to have it go that many. A month makes</p> <p>17 more sense to me for a longer period of time.</p> <p>18 MR. KANE: Does the staff have an answer</p> <p>19 to that.</p> <p>20 ANTHONY KUPERSMITH: That's correct, what</p> <p>21 you said.</p>
Page 47	Page 49
<p>1 are applying for STR licenses feel that three</p> <p>2 nights minimum makes sense because of cleaning</p> <p>3 expenses, advertising expense, check-in,</p> <p>4 check-out expenses and that running a day by</p> <p>5 day situation is not something that anybody</p> <p>6 really wanted. So there doesn't seem to be any</p> <p>7 real push for one night so we're trying -- I</p> <p>8 think the legislation was three nights so we're</p> <p>9 trying to resolve that.</p> <p>10 CINDY REICHART: I wouldn't push one night</p> <p>11 either for the very reasons you said. But</p> <p>12 people come for the weekend because they are</p> <p>13 full-time workers, so it's a little bit more of</p> <p>14 a burden if they can't rent a property for just</p> <p>15 two nights, just for weekend renters.</p> <p>16 MR. KANE: So you would be in favor of two</p> <p>17 nights.</p> <p>18 CINDY REICHART: I would. And I'm the</p> <p>19 cleaning lady, so it's okay for me to have to</p> <p>20 clean.</p> <p>21 MR. KANE: Understood.</p>	<p>1 MS. SUSS: Just to differentiate between a</p> <p>2 long term and short term.</p> <p>3 MR. KANE: So it was sort of an arbitrary</p> <p>4 line.</p> <p>5 MARY O'DONNELL: My recollection is there</p> <p>6 was some discussion about visiting nurses and</p> <p>7 visiting nurses having a period of time of</p> <p>8 approximately four months. So they wanted to</p> <p>9 be able to have visiting nurses be able to have</p> <p>10 that included in the transient occupancy rather</p> <p>11 than having to be considered a long term</p> <p>12 occupant.</p> <p>13 MR. KANE: Please proceed.</p> <p>14 CINDY REICHART: All right. Talked about</p> <p>15 that. The septic system thing. It does say in</p> <p>16 the code that you can bring your own report.</p> <p>17 Except when I went there I was told no. And I</p> <p>18 had my report with me and I was told no, that I</p> <p>19 had to engage the County, which cost me another</p> <p>20 \$100, which I already paid \$100, and the person</p> <p>21 was there for about two minutes. And I had</p>

Page 50	Page 52
<p>1 mine opened up and everything because I had 2 pumped. So I said, well, if I'm getting it 3 pumped, give me an inspection. There is just a 4 little discrepancy there because the people in 5 the office thought I had to use the County. So 6 I didn't argue with them, I paid the money.</p> <p>7 MR. KANE: I think the code is very clear 8 on that point, you're allowed to bring your own 9 inspection.</p> <p>10 CINDY REICHART: It is, but the office 11 told me I had to do it.</p> <p>12 RUSS MCNAIR: Say that again. You said 13 you can have your own inspection.</p> <p>14 MR. KANE: The code is clear you can use 15 your own inspector. Licensed inspector.</p> <p>16 RUSS MCNAIR: Yeah, we did. No, we used 17 our own and then when we showed up with our 18 application, we were told we had to have a 19 County inspector come out and look as well.</p> <p>20 MIGUEL SALINAS: Septic system actually -- 21 that inspection is done by the state, the</p>	<p>1 clarification on that then.</p> <p>2 MS. SUSS: Yes.</p> <p>3 CINDY REICHART: So just in the 4 conversations that we have had already that 5 talked about you have to meet all your 6 requirements before you come to the board. 7 Well, I'm one of the lucky people that has the 8 egress issue. And I'm willing to fix that, but 9 I wouldn't want to spend another \$3,000, but I 10 just spent \$9,000 for all brand new windows, 11 unless I knew that was the only thing that was 12 hanging up my approval. So I think the 13 discussion was you want everything done before 14 people come here except that. That's a big 15 expense to do that. You heard that at many 16 meetings I'm at. Most people it's three, 17 \$5,000 you have to pay. And it is what it is, 18 I'm willing to do that. But I wouldn't want to 19 do that unless I knew I was going to be 20 approved. I would want an approval with 21 condition that I actually did that. And I</p>
<p>Page 51</p> <p>1 environmental health department. Although the 2 code does state under the contents of the 3 application, on 63.2-C-8 that a satisfactory 4 inspection report from a licensed inspector as 5 to water quality and, if applicable, septic 6 system operation, that that can be done by -- 7 with the satisfactory inspection report from a 8 licensed inspector. I don't know if the state 9 environmental health department accepts that or 10 not. I don't know if we ever got an 11 application with someone --</p> <p>12 RUSS MCNAIR: Ours.</p> <p>13 MIGUEL SALINAS: On their own septic --</p> <p>14 RUSS MCNAIR: Yes, you did. Ours.</p> <p>15 MIGUEL SALINAS: And the environmental 16 health department I'm assuming --</p> <p>17 RUSS MCNAIR: We were told we had to go 18 over to the environmental health department and 19 submit.</p> <p>20 MIGUEL SALINAS: Must be their policy.</p> <p>21 RUSS MCNAIR: There needs to be a</p>	<p>Page 53</p> <p>1 think -- there were several of us when I've 2 been at several of the meetings that were under 3 the same situation with egress. We show up 4 with the piece of paper from the company that 5 we obtained the pricing and everything that we 6 will do it, and of course we don't get a 7 license until it's re-inspected that I've done 8 it. But I wouldn't want to spend all that 9 money and then have them tell me, no, you're 10 not going to get approval because you're a 11 50-foot setback or screening. See what I mean. 12 So just in the comments earlier about having 13 everything done before you come to the board.</p> <p>14 MR. KANE: Understood.</p> <p>15 CINDY REICHART: Does that make sense.</p> <p>16 MR. KANE: Understood.</p> <p>17 CINDY REICHART: And just one last comment 18 would be. I think it would be best if either 19 someone who owned and operated a STR, the owner 20 himself or one of the managers that manages the 21 property, be part of this board. I think we</p>

Page 54	Page 56
<p>1 bring a lot to the board in terms of our 2 experience and what we know about renting 3 properties. Just my suggestion. 4 MR. KANE: Okay. 5 MR. MCQUAY: Pertaining to the problem of 6 screening. You have a deck too close to the 7 adjoining property line and no screening. 8 That's article three of subdivision C. This 9 article in the code was conceived to respect 10 the rights of the adjoining property owner and 11 their property. However, when the applicant 12 owns both properties and uses the adjoining 13 property for his or her permanent -- primary 14 residence, as in the case with Mr. McNair and 15 Ms. Reichart, I believe it is reasonable to 16 make an exception to the rule. If that person 17 should sell their primary residence, then the 18 standard rule for screening would apply to the 19 next owner or to the same person should they 20 continue to operate a licensed property. I 21 believe that there should be an exception to</p>	<p>1 house enjoy the view. 2 MR. KANE: We understand that issue. If 3 there are no other comments or further 4 questions from the board. So thank you very 5 much and if you could sign in. 6 CINDY REICHART: We did. 7 MS. SUSS: Thank you. 8 MR. KANE: I note also that Ms. Fine has 9 joined us. We heard your submission prior. Do 10 you have any comments that you would like to 11 make with respect to your application. You're 12 welcome to do so. If you could come forward. 13 HOLLY FINE: Well, I have the one I sent 14 you. Sure. 15 MR. KANE: Identify yourself and sign in 16 either now or -- 17 HOLLY FINE: My husband is calling me. My 18 name is Holly Fine. I live at 9928 Eagle Drive 19 in Easton. I want to thank the short term 20 rental board, I think you guys are really doing 21 a great job. It's a lot of work. I want to</p>
<p>Page 55</p> <p>1 that rule in your case and possibly all similar 2 cases. We haven't had another one like it 3 since the board has been operating, I don't 4 think. 5 CINDY REICHART: Yeah, I am the neighbor. 6 So I am the one that we're protecting. 7 RUSS MCNAIR: When we brought our last -- 8 we brought our application in for the hearing, 9 we did put in that what we would recommend that 10 the board would put a restriction or 11 consideration on our permit to that exact same 12 thing, that we would -- if we sell the primary 13 residence and continue to operate the STR, we 14 would meet whatever screening requirements were 15 in the code at that time. But 20 years from 16 now who knows what it's going to be. Instead 17 of saying we would put screening up, we would 18 say we would meet whatever the code was at that 19 time. 20 CINDY REICHART: The only reason we don't 21 have the screening is because people around our</p>	<p>Page 57</p> <p>1 submit my thoughts on what it's like to live 2 next door to a short term rental and offer some 3 suggestions. 4 MR. KANE: We have your written testimony 5 so if you could highlight. 6 HOLLY FINE: Okay, I'll highlight. In the 7 past four years we've seen fireworks over our 8 docks and osprey nests, parties with catering 9 trucks, buses transporting wedding guests, one 10 such bus this summer. Two summers with 17 cars 11 present for some kind of a retreat. Strange 12 boats at the dock and in our waters, plethora 13 of cars, yelling kids and loud partying. This 14 near a noisy party was audio recorded and I 15 think sent to the County. There's been harsh 16 words and threats issued by renters to 17 neighbors. Strange cars have driven up my 18 driveway, renters have gotten out, started 19 taking cell phone pictures of their vacation 20 rental. When I asked them what they are doing, 21 they said "we're renting this place." I said,</p>



Page 58	Page 60
<p>1 "no, you're not, I live here. You're renting 2 another place, not here." And then they get 3 very angry and get in their car and slam the 4 door and leave. Strange dogs have used our 5 back yard to do their business. Nine of the 6 homes on Eagle Drive share a private road that 7 we all pay to maintain. We resurfaced our tar 8 and chip road at the beginning of the summer. 9 Renters rarely follow the speed limit of 10 10 miles an hour. After the resurfacing, with no 11 rain there was plenty of dust. Renters can be 12 impatient. They'll pass a walker or a runner 13 with a dog leaving the person and the dog in a 14 cloud of dust. They pass me when I'm in my 15 golf cart going to my mailbox. I had my dog on 16 a leash, he was going to the bathroom and they 17 past me. It is a one lane road. Neighbors 18 don't do that, renters do. They are very 19 impatient. Just this summer between June 7th 20 and August 12th there were 64 separate cars 21 going to that house. I'm not saying 64 in and</p>	<p>1 County needs to create a cap on the amount of 2 STR's allowed in the County. We do need an 3 accurate number of the rentals, whether they 4 are legal or illegal. And if we keep allowing 5 more permits we will become overrun with STR's. 6 And in the document I gave you some examples of 7 that. A lot of coastal towns are finding this 8 out. And finally I want to quote my neighbor, 9 Jay Eastman, who lives very close to this 10 property. He was going to retire here and now 11 he's not. I think he's in his middle 50's, 12 fabulous family, and we may lose them now. 13 Because he says, "what was once a terrific 14 County with a vision towards community and 15 heritage, towards environmentalism, will be 16 turned into -- if STR's keep coming and coming, 17 will be turned into simply a County of 18 opportunists." 19 MR. HALL: Ma'am, if I may ask you some 20 questions. One of the things you have 21 mentioned of course have been the events. And</p>
<p>1 out, I'm saying 64 separate cars. Because I'm 2 keeping a record now. The house sleeps ten but 3 they have beds for 14. It's impossible to 4 count when the person -- how many people are 5 there, but when you have eight cars one week, 6 it's highly unlikely that ten people were in 7 that home. There are three things I would 8 propose is that we have a -- we restrict the 9 amount of days an owner can rent. If the 10 rental is the principal home of a Talbot County 11 resident, they should get preferential 12 treatment. They should be allowed more rental 13 days per year than a non-resident owner who are 14 using their STR's as money making businesses. 15 If we allow non-resident owners to keep coming 16 in our County for commercial profit, we're 17 selling out the very quality of our life here. 18 STR's situated on private roads need to be 19 really looked at. And we need to get approval 20 of all the residents who are paying to maintain 21 and keep that road and use that road. And the</p>	<p>1 that is now no longer legal. 2 HOLLY FINE: Right. 3 MR. HALL: But one of the questions that 4 has been raised is the complaint mechanism, 5 procedures. We haven't received any complaints 6 except where somebody comes in, somebody is 7 applying for the first time and then the 8 neighbor comes in. We haven't had any, such as 9 yourself, where the license is in place and, 10 you know, an event is going on. We are aware 11 of one situation where they called the 12 enforcement officer and apparently was dealt 13 with in some fashion. But I'm wondering, do 14 you have any suggestions for procedures for 15 dealing with complaints that you feel should be 16 handled differently or do you have anything 17 there that we can deal with. 18 HOLLY FINE: Maybe -- I mean I believe in 19 some coastal towns the renters have to provide 20 the counties with the names of the residents 21 who are renting and how many will be in the</p>

Page 62	Page 64
<p>1 house that week so you have an idea of what's 2 there. So if we would call and say, gee, there 3 is 12 or 14 people it seems, you at least know 4 what they reported to you. I think -- one 5 thing I didn't read in here, the three day 6 minimum has actually caused these people to 7 rent more. Because I don't think they knew 8 they could do three days before. Now I wrote 9 in there that one week alone there were three 10 different sets of renters. The tail end of one 11 and then a three and a three. So I think if 12 you had -- if we -- I think -- actually I think 13 all of our problems are resolved if it was 14 principal owners, would be able to rent more 15 days than non-residents of the County. Because 16 they care about the County and they live there 17 and they are neighbors and they care about 18 their neighbors. So I would call them and say 19 gee, you got a big party going on. We'll take 20 care of it. It's not -- it's not like -- I 21 think that would help a lot, help a lot.</p>	<p>1 good all the way around. From a complaint 2 standpoint, it's excellent in terms of customer 3 service. It has a 24/7 call number. Naturally 4 we're not on duty 24/7. But they will put you 5 in touch with the resident agent. It will also 6 go into our system so it's documented, a 7 documented complaint. Let's say a complaint 8 comes in Sunday, Sunday night we're not 9 working, fireworks are going off. We'll both 10 be notified. And if it's something emergent, 11 we do our best to respond immediately. If it 12 isn't, we'll get it on Monday morning or the 13 next day and take it from there. The beauty of 14 it is it's given -- it's put right directly 15 into the system and it builds a documented 16 report. 17 MARY KAY VERDERY: Record. 18 MIKE DUELL: Of everything that goes on. 19 So I have to say it works well. It's a good 20 starting point. 21 HOLLY FINE: Good.</p>
<p>Page 63</p> <p>1 MR. KANE: Mr. Hall had asked about the 2 complaint process. Did you have anything 3 specific about the complaint process. 4 HOLLY FINE: No, I don't really because, 5 you know, the only thing is I don't want to 6 talk to -- I don't want to talk to property 7 managers and all. The County is who I want to 8 talk to in the complaint process. There should 9 be a shield. We already have to do the 10 monitoring, but we really shouldn't have to 11 deal with the property managers. 12 MR. KANE: There's been some new 13 requirements, new processes set up in the new 14 legislation where there is a code enforcement 15 officer. 16 HOLLY FINE: Yes. 17 MR. KANE: And he's present today. So 18 could we ask you as to what you think the 19 process is right now and how it's working. 20 MIKE DUELL: Yes, Mr. Kane. STR Helper, 21 and Mary Kay can talk more about that, it's</p>	<p>Page 65</p> <p>1 MR. KANE: How long has this been in 2 place. 3 MIKE DUELL: Since STR Helper, which grabs 4 the -- identifies the illegal location, 5 applicant's homes, and I know we're going 6 for -- Miguel is working on another system 7 that's going to even be more enhanced so the 8 photographic evidence could be -- transferred 9 to this, audio for noise. So... 10 HOLLY FINE: That's very hard to document. 11 But anyway, okay. 12 MIKE DUELL: But a lot of these things can 13 be followed up the next day, as we do it by 14 going to the house, talking to the people who 15 are there, talking to the neighbors, getting 16 actual statements. So it's a good number. And 17 I'll repeat it right here for those interested, 18 it's (410) 819-2284. And that is a 24/7 19 operation. They are very helpful. And, again, 20 the importance of that is it puts it again 21 right in the system and it's documented.</p>

Page 66	Page 68
<p>1 MR. KANE: So you have identified that 2 number here. How easy is it for the average 3 citizen in Talbot County to find that number. 4 Do you have a specific web page. 5 MIKE DUELL: I believe it's on the web 6 page. Probably a little bit difficult to get 7 to. I should work on that to market that 8 better so it makes it a little easier. Perhaps 9 we can even send that out to the applicants. 10 MS. SUSS: They get it. The applicants 11 get it. It's just -- 12 HOLLY FINE: I think I sent him one 13 complaint and I couldn't find the number. And 14 then I sent it in on Monday. I think I did one 15 earlier in the summer. 16 MIKE DUELL: It's given an incident number 17 right off the bat. And there is accountability 18 there, we have to follow up on it. 19 MR. KANE: The thing that I hear, Mike, is 20 that people can't find that number. So I think 21 your idea, if there was some way to make the</p>	<p>1 really think it's a safety issue, by all means 2 to call 911, you know, rather than try to go 3 through that phone number 24/7 complaint line, 4 if their life is in danger or something like 5 that. And I know that they communicate with 6 you on anything they would get over the 7 weekends when we don't have staff on and they 8 get the call, they communicate that with our 9 code enforcement staff and follow up right 10 away. 11 MR. KANE: I think you're exactly right. 12 Sort of like when you call a physician's 13 office, first thing they say is if this is an 14 emergency, call 911. And that would be advice 15 to anybody in the County, if it's an emergency 16 call 911. I think the concern, Mr. Salinas, is 17 that in a nonemergency situation, people are 18 disinclined to call 911 and bother the 911 19 people. So the question is how do you report 20 something that's not an emergency. I think 21 from what I hear, I think that's the concern.</p>
<p>Page 67</p> <p>1 number more accessible, make it easier to find. 2 Somebody is in the situation where they have a 3 complaint, hopefully it's not an emergency, but 4 they could be a little bit stressed and it 5 would be a lot easier if residents could find 6 that number more easily. 7 MIKE DUELL: We will work out a better 8 manner of marketing that. 9 MR. KANE: If I could, I wanted to follow 10 on on that. I think it would also be a good 11 idea if you would publicize it in the newspaper 12 and some of the local media. Maybe write an 13 article or something so people knew what the 14 procedure was. What I hear all the time is 15 people don't know how to reach that 24 hour 16 hotline. 17 MIKE DUELL: We'll work on it, sir. 18 MR. KANE: I'll get to you next. 19 MIGUEL SALINAS: 911 should have that 20 number. And we should also point out that we 21 also make it clear in our messaging that if you</p>	<p>Page 69</p> <p>1 So the other thing I wanted to ask you about -- 2 HOLLY FINE: Can I just say one thing 3 about that. When you send a letter saying 4 you're permitting or giving a license to the 5 person, isn't it on that paper to tell the 6 neighbors if there is a problem you may call 7 this number. I mean that may be a good place 8 to put it. 9 MR. KANE: Okay. The situation, and I 10 think we're wrestling with this so we would 11 like people's input on it, there are really two 12 separate things. One is, in my mind, as I read 13 the code and look at what's going on, there is 14 the RA, or residents assistant. And that's the 15 thing that's publicized in the license that we 16 issue. But primarily what that is for is for a 17 renter who has a problem with a stove or 18 something like that, the pool has moss in it. 19 I think those are the type of things that go 20 down that path. What seems to me pretty 21 obvious based on hearing from a lot of people</p>

Page 70	Page 72
<p>1 the last six months that there is the second 2 issue and that is the neighbors making a 3 complaint. And the neighbors making a 4 complaint, it's almost a conflict of interest 5 for those complaints to go to the resident 6 associate because it's a different category. 7 So the fact that Mr. Duell has indicated that 8 there is a complaint hotline, that's the 9 appropriate place I think for the complaints 10 from neighbors as opposed to the renter 11 themselves. There seems to be two paths for 12 complaints and they sometimes get intermingled. 13 Is that a fair assessment speaking to the 14 staff. 15 MARY KAY VERDERY: I believe it's in the 16 first application notice that goes out to the 17 thousand foot, the residents of thousand foot. 18 It has the resident agent number. I believe 19 the hot line number is also in there. 20 MR. KANE: That's great. 21 MARY O'DONNELL: I think the intention was</p>	<p>1 of complaints on this property. 2 HOLLY FINE: Yes, sir. 3 MR. KANE: So what happens to that, those 4 complaints. Do these get logged for when they 5 come in for renewal. 6 MARY KAY VERDERY: They have been through 7 the process before we had the board available. 8 We had a review process that they have gone 9 through. 10 MR. KANE: Well, can you follow on with 11 that. So there were complaints and they were 12 granted the renewal, is that right. 13 MARY KAY VERDERY: That's correct. 14 MR. KANE: So what you're saying now is 15 that we're in place, the board is in place, it 16 would be referred to us, is that what I'm 17 understanding. 18 MARY KAY VERDERY: Moving forward, if it's 19 necessary, yes, it will become before the 20 board. 21 MR. KANE: Okay. And what would be the</p>
<p>1 for people who would prefer to talk to someone 2 that was renting. There are people in the 3 community that would rather call the resident 4 agent than call the County. And so the letter 5 provides both options. It has the letter for 6 the resident agent, so if you want to call the 7 resident agent, you can call the resident 8 agent. If you want to call the hot line, the 9 hot line is in that letter. 10 MARY KAY VERDERY: But if you can't 11 immediately get in touch with the resident 12 agent, the 24/7 number is available to you. 13 MR. KANE: Okay. And I guess the question 14 I have is you have a large number of complaints 15 with regard to this property next to you. Have 16 you made complaints, have you made complaints 17 before to the County or to the resident agent. 18 HOLLY FINE: Mary Kay knows us pretty 19 well, don't you. Yes, we have. I mean this is 20 four years this rental. 21 MR. KANE: So there is a documented record</p>	<p>1 situation, just for my clarification because I 2 don't understand, what would be the situation 3 if Ms. Fine's situation is that she continues 4 to have these issues and complaints and things, 5 is there a provision that if there are 6 complaints like this, which seem pretty 7 egregious and excessive to me, is there a 8 provision for withdrawing a license. I don't 9 know. 10 ANTHONY KUPERSMITH: Yeah, there is a 11 whole complaint procedure in the code that was 12 part of the code update. So someone could file 13 a complaint with the STR board and then that 14 sets off a whole process where you wind up with 15 a hearing. And for a licensed property, the 16 board could then consider the evidence and 17 whether to suspend the license, impose a fine 18 or revoke the license in the most egregious 19 cases. 20 MR. KANE: Looks like more work for us. 21 MR. HALL: Well, one of the things that</p>

Page 74	Page 76
<p>1 is -- I think the point of it is the fact that</p> <p>2 there are complaints and we haven't heard it.</p> <p>3 There is some glitch --</p> <p>4 MARY KAY VERDERY: Those were previous.</p> <p>5 MS. SUSS: That was before.</p> <p>6 MARY KAY VERDERY: The board being put in</p> <p>7 place.</p> <p>8 MS. SUSS: It wasn't this year.</p> <p>9 MR. KANE: That's true.</p> <p>10 MARY KAY VERDERY: Those were prior to the</p> <p>11 board being put in place.</p> <p>12 MR. KANE: That was going to be my next</p> <p>13 question.</p> <p>14 HOLLY FINE: You're probably because of a</p> <p>15 lot of those complaints.</p> <p>16 MS. SUSS: That's why this board is here</p> <p>17 is because of Eagle Drive. Right.</p> <p>18 HOLLY FINE: Right.</p> <p>19 MS. SUSS: It's the truth.</p> <p>20 MR. KANE: Back to my question. Are your</p> <p>21 complaints ongoing.</p>	<p>1 MR. LOITER: I would encourage anyone to</p> <p>2 call it in and then we'll build a case and move</p> <p>3 forward and document it as it goes up, as it</p> <p>4 becomes worse. I know we just had one over the</p> <p>5 weekend which I plan on referring to the board.</p> <p>6 Just an egregious situation. And the person</p> <p>7 was fined a sizeable sum on top of it. I think</p> <p>8 that's --</p> <p>9 MS. SUSS: Especially if there's like</p> <p>10 fireworks and --</p> <p>11 AUDIENCE: That should be in the</p> <p>12 agreement.</p> <p>13 HOLLY FINE: That was right in the</p> <p>14 beginning, that was the first weekend they</p> <p>15 rented.</p> <p>16 MS. SUSS: That wasn't the summer though.</p> <p>17 HOLLY FINE: No, no. But we didn't know</p> <p>18 what to do. We were like, so.</p> <p>19 MR. KANE: I think there are a lot of</p> <p>20 improvements that have taken place.</p> <p>21 HOLLY FINE: A lot of improvements have</p>
<p>Page 75</p> <p>1 HOLLY FINE: Well, I did one earlier in</p> <p>2 the summer. The problem is when you see eight</p> <p>3 cars, do you think they have got ten people</p> <p>4 over there. Probably not. It's like do I</p> <p>5 really want -- I guess we should just complain.</p> <p>6 But we don't because I don't want to stop my</p> <p>7 day and everything to call and do -- it's a</p> <p>8 difficult situation. And do -- will two of the</p> <p>9 cars be gone by the time the compliance officer</p> <p>10 comes in the morning, you know, and they will</p> <p>11 say, oh, no, we're fine. It's a hard thing to</p> <p>12 document. I have taken pictures. I usually</p> <p>13 send pictures. My husband will go out on the</p> <p>14 golf cart and send the pictures. But how do</p> <p>15 you -- how do you say if eight cars were there,</p> <p>16 that there were more than ten people.</p> <p>17 MR. KANE: How do you respond in that</p> <p>18 situation. I think, Mr. Loiter, you're there</p> <p>19 to catch any complaint and then you determine</p> <p>20 whether the complaint is turned into a</p> <p>21 violation or not.</p>	<p>Page 77</p> <p>1 happened. You guys were responsible for all</p> <p>2 that, Mary Kay and her staff. So I mean it's</p> <p>3 better, much better. Yeah.</p> <p>4 MR. KANE: Okay. Any other questions.</p> <p>5 Anything else. If you could sign in please,</p> <p>6 Ms. Fine. Let's move on. There was one other</p> <p>7 comment.</p> <p>8 ANGELA EADE: No, I wanted to say that</p> <p>9 this number, this emergency number, should be</p> <p>10 in the letter that is sent to all the</p> <p>11 neighbors.</p> <p>12 MS. SUSS: It is.</p> <p>13 ANGELA EADE: It is in the letter. Yeah.</p> <p>14 MS. SUSS: It is.</p> <p>15 HOLLY FINE: Is that something new?</p> <p>16 ANGELA EADE: No, it's part of the new --</p> <p>17 MR. KANE: Could you address the board</p> <p>18 please. Is it something new.</p> <p>19 HOLLY FINE: The letter. The notification</p> <p>20 on -- on what the neighbors get. Is the</p> <p>21 compliance officer number new. I don't recall</p>

Page 78	Page 80
<p>1 getting that previously. Is it just this year.</p> <p>2 MIGUEL SALINAS: The 24/7 hot line number</p> <p>3 is new.</p> <p>4 MS. SUSS: How new.</p> <p>5 MIGUEL SALINAS: What's that.</p> <p>6 MS. SUSS: How new.</p> <p>7 MIGUEL SALINAS: That came in I want to</p> <p>8 say November, December ish.</p> <p>9 MS. SUSS: So it's not new to us.</p> <p>10 MIGUEL SALINAS: Correct. But the</p> <p>11 notification letters that have gone out for the</p> <p>12 new applications, they now that number.</p> <p>13 MS. SUSS: Since when.</p> <p>14 MIGUEL SALINAS: Since the beginning,</p> <p>15 since January.</p> <p>16 MS. SUSS: Since January.</p> <p>17 MIGUEL SALINAS: Yeah.</p> <p>18 MR. KANE: I think what we're hearing is</p> <p>19 it would be beneficial if it were advertised</p> <p>20 more openly, so if the staff could address</p> <p>21 that.</p>	<p>1 Can you please identify yourself.</p> <p>2 JOHN MARRAH: John Marrah. I'm the lucky</p> <p>3 husband of that woman Robin.</p> <p>4 MR. KANE: We're glad to know that.</p> <p>5 JOHN MARRAH: Thirty-one years. Robin has</p> <p>6 a very, very, very long letter that I'm not</p> <p>7 going to get into a massive amount of detail.</p> <p>8 To summarize her points, the economic impact of</p> <p>9 short term rentals is something that is immense</p> <p>10 and is something that is not new to this</p> <p>11 County. We have had short term rentals in this</p> <p>12 County, I hate to say forever because I don't</p> <p>13 know if there were Stone Age short term</p> <p>14 rentals, but there have been people that have</p> <p>15 second houses here forever, many of them have</p> <p>16 rented them out forever, and fortunately I</p> <p>17 think that we as a County, and I applaud the</p> <p>18 County and I applaud the board and this</p> <p>19 organization to try to get their hands around</p> <p>20 what's going on. But, you know, the rhetoric</p> <p>21 around, oh, my gosh, look at the increase in</p>
<p>Page 79</p> <p>1 MS. SUSS: Just being in business, a</p> <p>2 comment, you can put numbers all over the place</p> <p>3 and people will still call you and ask you</p> <p>4 where the number is. They will. You can put a</p> <p>5 board in front of their face and they will ask</p> <p>6 you what does it say. But I'm just saying.</p> <p>7 AUDIENCE: The other thing is that the</p> <p>8 resident.</p> <p>9 MR. KANE: Can you come forward.</p> <p>10 AUDIENCE: Just to say in the letter also</p> <p>11 the name, the phone number and e-mail address</p> <p>12 for the owners property as well as if there is</p> <p>13 an agent is in that letter as well. So you</p> <p>14 have access.</p> <p>15 MR. KANE: Thank you for that.</p> <p>16 AUDIENCE: If you have problems.</p> <p>17 MR. KANE: Okay. So moving on, I would</p> <p>18 like to address letter number nine, which is</p> <p>19 written by Robin Marrah. Is she here.</p> <p>20 JOHN MARRAH: She is not but I am.</p> <p>21 MR. KANE: I see. Please come forward.</p>	<p>Page 81</p> <p>1 short term rentals. Well, yes, the increase in</p> <p>2 the number of licensed short term rentals</p> <p>3 absolutely has increased. I would -- I have</p> <p>4 doubts as to whether the number of short term</p> <p>5 rentals has increased. I would actually say</p> <p>6 due to the restrictions it's probably decreased</p> <p>7 over time. From an economic standpoint, I own</p> <p>8 a small tourism business here. We take 20,000</p> <p>9 people a year out on the Patriot.</p> <p>10 MR. KANE: Doesn't sound small to me. It</p> <p>11 sounds big.</p> <p>12 MR. MCQUAY: We are dying in this area of</p> <p>13 St. Michaels specifically due to the lack of</p> <p>14 places for people to stay. When we lost</p> <p>15 Harbourtowne, you could just look at the number</p> <p>16 of families that were no longer going to be</p> <p>17 able to come to town, spend the time and the</p> <p>18 economic impact that that had. Our economy in</p> <p>19 St. Michaels is driven by -- mainly by tourism.</p> <p>20 That's the reason we have all of our wonderful</p> <p>21 restaurants, that's the reason we have the</p>

Page 82	Page 84
<p>1 value of our houses here. We basically said  2 you could not go and have a house that you  3 wanted to spend time in but you would have the  4 ability to rent it out X number of times a  5 year. You know, a huge percentage of our  6 residents would no longer be able to afford  7 those second homes. And the economic impact on  8 the value of homes would be tremendous. I live  9 on a street that -- I live on the end of a  10 street that probably has 15 houses on it. I  11 think I have seven on my side of the street.  12 I'm one of less than five full-time residents  13 down there. I have one, if not two, I know of  14 one, legally licensed short term rental within  15 the 500-foot area. I've had two. I've had  16 them across the street and right next to me.  17 I've never had a problem. I feel terrible for  18 the folks that have to live next to a short  19 term rental problem and was so happy to hear  20 the work that's being done over here. If you  21 have a problem, you ought to be able to call</p>	<p>1 codifying what it takes to be a legal short  2 term rental. I look forward and hope that this  3 process can be one of the rules are codified,  4 they are complete, they are understandable, in  5 your application process you fill out an  6 application, you understand what you have to be  7 able to certify for, you fill it out, it's  8 finished. You then have to get inspections,  9 and if those inspections are approved, you get  10 a short term rental. That a hearing is not  11 required unless you require some type of  12 variance or if you have any type of violation.  13 If you have any type of violation, absolutely  14 they should go through this organization and  15 there should be a hearing as to whether you  16 continue to have that license, that license is  17 suspended or that license is revoked. So more  18 streamlining would be absolutely fantastic. I  19 have heard multiple times about fireworks.  20 I've had fireworks on my street. Unfortunately  21 they were due to the permanent resident. And I</p>
<p>1 somebody. And there should be a process in  2 which that short term rental license is  3 suspended. And if they are breaking the  4 regulations and they are making it  5 uncomfortable for other residents that do live  6 in those houses, it's no different than if --  7 if you have a huge party or you're holding  8 weddings at your place that you own and you're  9 parking all over the place and you're violating  10 the law, somebody ought to be able to address  11 that. So I'm very, very happy that that's  12 taking place. I was real happy about the  13 directions that were given by the County  14 Council of this working session being trying to  15 figure out ways of streamlining this process.  16 I've had the pleasure of coming to some of  17 these meetings and listening to some of the  18 issues associated with the process of getting  19 through and getting a short term rental  20 license. And I think you all are making great  21 progress in trying to get the rules down and</p>	<p>1 would think that you could probably have a  2 number to call from 911. If you call 911, I've  3 got a problem with a short term rental, here's  4 the number to call, and you could probably get  5 that. I agree, you can give them the number ad  6 nosium and it will never be there when you need  7 it. That's all I have. Thank you.  8 MR. KANE: What -- any questions the board  9 has.  10 MR. HALL: I just will comment. You  11 talked about historically there have been short  12 term rentals. The Internet has caused  13 disruptions everywhere, and this is one of  14 those disruptions. Nothing like this existed  15 in 2006. We're struggling as is, you know,  16 Sears Roebuck and Kohl's and the retailers, for  17 instance, who are impacted by the Internet.  18 And our community is. So it is different and  19 we don't have any rules. I mean we don't have  20 any precedence that are really useful.  21 JOHN MARRAH: I started coming here -- I'm</p>

<p style="text-align: right;">Page 86</p> <p>1 a traditional Eastern Shore transplant here and  2 I started coming here in the mid 80's, I had  3 in-laws that lived here. I stayed in my first  4 vacation rental I believe in 1987 in this  5 County. Absolutely there were vacation  6 rentals, there were companies out here that did  7 that type of work. You could find and you  8 could say, "hey, I've got a great place, here's  9 the phone number". Just because the Internet  10 actually provided more access to it, there were  11 many, many vacation rentals out here prior to  12 the Internet. Thank you.</p> <p>13 MR. KANE: One thing I wanted to just  14 note, you talked about -- or your wife talked  15 about air B and B and indicated that air B and  16 B is doing a great job. I just looked up, I  17 noticed an article on air B and B In Wall  18 Street Journal on Monday. To your point, that  19 air B and B, the numbers for air B and B are up  20 30 percent this quarter alone. So a huge  21 ramp-up of this type of activity. And I think</p>	<p style="text-align: right;">Page 88</p> <p>1 to shut down a significant portion of the  2 resale property and I think you're going to  3 hurt the property values in the town, in the  4 County, which will hurt all of us.</p> <p>5 MR. KANE: Do you know of any data to that  6 effect.</p> <p>7 JOHN MARRAH: I did when I was on the  8 tourism board. I was chairman of the tourism  9 board here in St. Michaels before I gave that  10 full-time job to Kim Weller six, seven years  11 ago. And we absolutely had percentages of  12 residents. I think 50 percent of our houses in  13 St. Michaels were not owner occupied. You, at  14 that point, didn't really even have licensing  15 but we were aware a very significant majority  16 of those were utilized in some process.</p> <p>17 MR. KANE: Well, if you come across any  18 information, I mean I think that's the kind of  19 thing that this board wants to get. So it  20 would be a help. Couple other points in  21 response to your testimony. You talk about St.</p>
<p style="text-align: right;">Page 87</p> <p>1 the question before the board is not whether  2 air B and B is doing well but what is happening  3 with short term rentals is good or bad for the  4 County. So any additional data you may have.</p> <p>5 JOHN MARRAH: I would think that if we --  6 if we basically said that, hey, you can't get a  7 short term rental license, if we put a  8 moratorium on short term rental licenses, that  9 we would have a significant negative impact on  10 real estate values. That if I want to be able  11 to sell, I've got a vacation house here -- I  12 don't have a vacation house, I only have one  13 house, but if I had a vacation house here and I  14 might have had the financial means to make it  15 so that it was only me using that house. But  16 if I wanted to sell that house and I basically  17 said my options are people are going to live in  18 it full-time or people were going to live in it  19 full-time, because if they didn't have the  20 economic means of renting it out, they couldn't  21 afford it part-time, then I think you're going</p>	<p style="text-align: right;">Page 89</p> <p>1 Michaels. One of the things this board  2 wrestles with is St. Michaels and Easton have  3 separate regulations with respect to short term  4 rental. And they restrict short term rentals  5 to owner occupied. So the question I think for  6 the balance of the County, the rest of us in  7 the County, is should they have that same  8 protection or not have that same protection.  9 That's an issue that we wrestle with. But I  10 guess from your specific experience, do you  11 think the regulations in St. Michaels are  12 adequate or correct.</p> <p>13 JOHN MARRAH: So I think the regulations  14 in St. Michaels are actually inappropriate.  15 I'm not -- to be honest, I'm not familiar with  16 the owner occupied issue. I'm not sure I even  17 agree with the owner occupied issue. St.  18 Michaels restricts short term rentals and  19 rentals to the central commercial district. So  20 they absolutely do impact property values  21 there. And there continues to this day to be a</p>



Page 90	Page 92
<p>1 rampant underground rental community because of  2 that. I am totally against that. I think -- I  3 think everything needs to be brought to light.  4 Everything needs to be licensed. Everything  5 needs to have, you know, compliance with IRC  6 2003 from a building code standpoint, from an  7 egress standpoint. I do believe in those. I  8 think the rules have to be very, very, very  9 clear. But I don't think you want to do things  10 that are going to drive, you know, in some of  11 the poorest areas of St. Michaels. And there  12 are some very poor areas in St. Michaels.  13 Those people don't have any legal ability to  14 utilize the investment that they put in their  15 house and share that -- share that cost with  16 any short term rental opportunities, just  17 because. Now, the primary resident issue, I  18 don't quite get the primary. So I mean I can  19 use a short term rental when I'm not there. I  20 mean --  21 MR. KANE: Understood.</p>	<p>1 that's probably increasing. But the number who  2 are actually applying are probably increasing.  3 MR. KANE: We have had 20 applications in  4 the last six months. So does that 140 include  5 the 20 we just approved.  6 MARY KAY VERDERY: That's the number that  7 have a license. So there are probably more  8 that are in the works or in the process of  9 obtaining a license.  10 MS. SUSS: If I may. I believe that what  11 he was saying is because the process is a  12 little bit lengthy and costly, that -- and  13 you're not going to be able that gauge that now  14 because we have only been doing it six months,  15 but eventually you'll be able to gauge it's  16 going to create an obstacle for people that are  17 more loosey goosy and don't want to spend  18 thousands of dollars and time and effort behind  19 applying and getting licensed. So you would  20 see, I think eventually over time, it is a  21 barrier for people that are not interested in</p>
<p>Page 91</p> <p>1 JOHN MARRAH: I mean I'm a part-time -- I  2 mean this whole market is I buy vacation house  3 here, I spend six weeks, if I'm really lucky I  4 spend ten weeks here, and the weeks I'm not  5 here during the summer, spring --  6 MR. KANE: I don't mean to interrupt you,  7 we have got that point.  8 JOHN MARRAH: Thank you.  9 MR. KANE: The other point you made and I  10 wanted to ask about is you felt the short term  11 rentals, the number of short term rentals, were  12 actually declining.  13 JOHN MARRAH: I do.  14 MR. KANE: You do. So let me ask staff.  15 Do we have numbers to support how many -- A,  16 how many short term rentals there are, and are  17 the number of short term rentals increasing or  18 decreasing.  19 MARY KAY VERDERY: It's difficult to give  20 you a final number. We probably have about 140  21 that are licensed now, just over 140. And</p>	<p>Page 93</p> <p>1 abiding by the rules.  2 MARY KAY VERDERY: We previously didn't  3 have short term rental STR Helper that was able  4 to help us identify those properties that are  5 renting without a license, that we now have  6 that opportunity to actually have a company  7 that will help us identify those individuals so  8 we're able to go out there and research and  9 contact those individuals and make a connection  10 with them and tell them this is the process  11 that you need to go through to get a license.  12 MR. KANE: I know you're doing a lot of  13 work in that regard. You tell us that there  14 are 140 licensed now. How many unlicensed do  15 you have. Do you have a figure for that?  16 MARY KAY VERDERY: So maybe 20 in the  17 process.  18 MR. KANE: You estimate there is 20  19 unlicensed who are in the process of getting  20 them to get licensed.  21 MARY KAY VERDERY: Approximately.</p>

Page 94	Page 96
<p>1 MR. KANE: So 140 plus 20 is 160 licenses.</p> <p>2 MARY KAY VERDERY: There might be more.</p> <p>3 JOHN MARRAH: Scott, so when you look at</p> <p>4 the whole -- the whole universe of potential</p> <p>5 vacation rentals out there today, it is well</p> <p>6 known out there in the vacation rental</p> <p>7 community that you guys are all over this. So</p> <p>8 you still, and a big chunk of folks that were</p> <p>9 renting, say maybe only three or four or six</p> <p>10 weeks a year, they only rented to friends, you</p> <p>11 know, they may not even be doing any more. So</p> <p>12 those are off the market. Then you have the</p> <p>13 folks that, you know, everybody knows today --</p> <p>14 maybe not everybody, the majority of people</p> <p>15 that are renting vacation rentals that aren't</p> <p>16 going through an official license process</p> <p>17 understand that people are looking at VRBO,</p> <p>18 they are looking at the different web sites and</p> <p>19 marketing tools and that the counties and towns</p> <p>20 are looking at those. So they are doing other</p> <p>21 mechanisms for those types of rental options.</p>	<p>1 probably by location. I don't know. But I</p> <p>2 would request the staff give us this</p> <p>3 information so we aren't operating in the</p> <p>4 blind.</p> <p>5 MIGUEL SALINAS: I think the numbers are</p> <p>6 actually less than what we suspected. Last</p> <p>7 spring of 2018, we did have an estimate when we</p> <p>8 were looking at contracting a vendor to do --</p> <p>9 to help us with STR monitoring, that there may</p> <p>10 have been at that time about 190, maybe 200</p> <p>11 short term rentals at that one time that were</p> <p>12 advertising in the County. And we're not</p> <p>13 getting -- you know, we're monitoring now who</p> <p>14 is advertising unlicensed and we're not getting</p> <p>15 near that amount, and since we instituted STR</p> <p>16 helper. So I think Mr. Marrah is correct, word</p> <p>17 has gotten out and a number of them which were</p> <p>18 advertising last year are no longer</p> <p>19 advertising.</p> <p>20 MR. KANE: Thank you for that. Okay.</p> <p>21 Moving on to -- I'm losing my place. Number</p>
<p>Page 95</p> <p>1 They are not putting them on Craigslist. That</p> <p>2 doesn't mean they are still not renting them.</p> <p>3 MR. KANE: If I might, I think we</p> <p>4 understand the issue. I don't mean to</p> <p>5 interrupt you.</p> <p>6 JOHN MARRAH: Thank you.</p> <p>7 MR. KANE: We have to move on. I would</p> <p>8 like to ask the staff, could you provide us the</p> <p>9 detail of this. I think it's important.</p> <p>10 MARY KAY VERDERY: We'll get you a</p> <p>11 specific number.</p> <p>12 MR. KANE: If you could give us these</p> <p>13 numbers and documents.</p> <p>14 MARY O'DONNELL: I just want to clarify,</p> <p>15 if I am correct, the 20 number is the number of</p> <p>16 people who are in process to get a new license.</p> <p>17 MR. KANE: That's what I would like to</p> <p>18 know. So if the staff could come back to me</p> <p>19 and delineate each one of these parameters. I</p> <p>20 think as Mr. Marrah has said, you know, we have</p> <p>21 to look at exactly what the numbers are,</p>	<p>Page 97</p> <p>1 ten, Mr. Snyder's letter, is he here. Yes, you</p> <p>2 want to expound on your comments. Please</p> <p>3 identify yourself and sign in.</p> <p>4 HOWARD SNYDER: My name is Howard Snyder.</p> <p>5 I live in Travelers Rest Circle in Easton. And</p> <p>6 I live in a neighborhood where there are three</p> <p>7 STR's that I know of. The letter that I sent</p> <p>8 you has also been published in the Talbot Spy</p> <p>9 and in today's Star Democrat, so I will not go</p> <p>10 through that item by item. But there are a</p> <p>11 couple of comments that I want to make. And</p> <p>12 then a question for the staff that I would like</p> <p>13 to ask toward the end of my additional</p> <p>14 comments. My wife and I have put together two</p> <p>15 exhibits here. One is -- represents my concern</p> <p>16 about the old story about the frog who sits in</p> <p>17 a pot of hot water. Typically if a frog were</p> <p>18 sitting -- were put in a hot tub like that, it</p> <p>19 would immediately jump out. However, if it's</p> <p>20 put in that same pot with cool water and</p> <p>21 eventually it gets heated up, the body of the</p>

Page 98	Page 100
<p>1 frog adjusts to the temperature and it winds up 2 getting cooked. My overall point is that I 3 believe this is what is happening in Talbot 4 County with the spread of STR's. And what do I 5 mean by the spread. This map right here shows 6 you where all the STR's are in the County right 7 now. And that was produced from a piece of 8 software but using the exact documents that 9 were requested from the Planning and Zoning 10 Department. So it's their statistics put on an 11 electronic map. So the numbers are up there 12 and they were just confirmed by Mary Kay saying 13 140. I had a number of 142 in my letter. I 14 think that's close enough. That's a 58 percent 15 increase since 2010, which is almost ten years 16 ago. My question, as I try to look at this 17 from 30,000 feet instead of right on the ground 18 here at the Talbot Community Center, is what is 19 that going to do if that goes unchecked in 20 Talbot County, that we just keep meeting and 21 granting new licenses. At the same time I</p>	<p>1 MR. KANE: That's a good question. Does 2 the staff know the answer to that. 3 MARY O'DONNELL: I don't think it's 4 necessarily appropriate for -- I mean if the 5 staff is prepared to do that. But I don't 6 think that -- I don't think that was the 7 purpose of this hearing. I think that it's 8 totally appropriate at a later date for us to 9 have a full conversation about enforcement to 10 educate the board relative to that, but I don't 11 think putting staff on the -- in any type of 12 hot seat is really the purpose of this hearing. 13 There is an enforcement process, the staff is 14 compliant to send out letters. I don't think 15 sitting here code compliance has all their 16 files to be able to tell you how many went out, 17 who they went to, how many letters haven't gone 18 out, the status of all the enforcement they do. 19 It's a significant part of their job is doing 20 STR enforcement. So I would speak up and say 21 that I don't think it's appropriate for the</p>
<p>Page 99</p> <p>1 understand that the County has done some things 2 to try to find out people who are operating 3 illegally and trying to bring them either into 4 compliance or put them off from ever having a 5 license for at least a year or so, or something 6 like that. So I know the County is working on 7 that. But I suspect that the number of illegal 8 licenses operating in this County is much 9 higher than the 20 or so that was just 10 mentioned. 11 MR. KANE: You think STR Helper is not 12 helping. 13 HOWARD SNYDER: I don't know. Okay. So 14 that's an invitation for me to ask this 15 question. Of the people who have been 16 identified as -- by the STR Helper as being 17 illegally run STR's, how many of those have 18 been contacted by the County, how many of those 19 have been find by the County, how many of those 20 are still in existence and have not been 21 contacted.</p>	<p>Page 101</p> <p>1 staff to be -- talk about this now. I do 2 welcome, and I've talked with you, Mr. Kane, 3 about having on the agenda a conversation where 4 Mr. Duell comes, Mr. Gottschalk comes and they 5 talk about their enforcement process and 6 educate on that process and what they have done 7 up to this point and what we have outstanding 8 at this point. I don't -- that's my opinion. 9 I'm happy to have Mary Kay as the director of 10 Planning and Zoning indicate that, but I don't 11 think that's the purpose of why we are here 12 today. 13 MR. KANE: Thanks for that guidance. Let 14 me reaffirm there is no intent to put the staff 15 on the spot or anything like that. It's a 16 comment. And certainly if the staff feels they 17 don't have the data or it's not appropriate, 18 please speak up. But it is important to us and 19 something I think in response to your comment 20 we probably will put on the docket. But giving 21 people time to assess it thoroughly is the way</p>

Page 102	Page 104
<p>1 to go. Anything else, Mr. Snyder.</p> <p>2 HOWARD SNYDER: Yes. I believe the County</p> <p>3 is at a point in this process where we know</p> <p>4 what some of the numbers are but we don't know</p> <p>5 what all the numbers are. I think it's --</p> <p>6 we've come -- I think that we are at a fork in</p> <p>7 the road here and that we have two ways we can</p> <p>8 go. We can either continue to simply have</p> <p>9 licensed applications and consider them and</p> <p>10 continue to mostly approve them, or we can</p> <p>11 stand at that fork in the road and say maybe</p> <p>12 this is a time to reassess. Maybe this is a</p> <p>13 time to look at what all the numbers are saying</p> <p>14 about this particular issue.</p> <p>15 MR. KANE: As I understand your letter,</p> <p>16 you're saying that you are recommending a</p> <p>17 moratorium; is that correct?</p> <p>18 HOWARD SNYDER: I am. I am recommending a</p> <p>19 moratorium. And to the point that Mr. Hall</p> <p>20 made, I understand that that is not your</p> <p>21 purview, but I understand that the Council has</p>	<p>1 and to everybody who goes through this process;</p> <p>2 that those nine points would be benefits to</p> <p>3 that process and that's the reason why I'm</p> <p>4 requesting a moratorium.</p> <p>5 MR. KANE: Okay. Thank you very much.</p> <p>6 Any questions of Mr. Snyder. Thank you very</p> <p>7 much, Mr. Snyder. If you could sign in.</p> <p>8 HOWARD SNYDER: I did. Thank you very</p> <p>9 much.</p> <p>10 MR. KANE: Let me move on to -- we've been</p> <p>11 at this two hours, so I think we'll take one</p> <p>12 more and we'll take a quick break. If I might,</p> <p>13 ask Susan DuPont, who is the author of item</p> <p>14 number 11, if she has any comments.</p> <p>15 SUSAN DUPONT: If I may.</p> <p>16 MR. KANE: Please.</p> <p>17 SUSAN DUPONT: I wanted to check with you</p> <p>18 about proper order first. I would like to</p> <p>19 expand a little bit on that map after.</p> <p>20 MR. KANE: We're taking number 11, so the</p> <p>21 map thing comes up later in our discussion.</p>
<p>Page 103</p> <p>1 asked you for your input. And whether or not</p> <p>2 you can make a moratorium, if that's the</p> <p>3 Council's, you know, purview, then fine. But I</p> <p>4 believe that you as, the appointed members of</p> <p>5 the Short Term Rental Board, have the ability</p> <p>6 to express your opinions about issues like</p> <p>7 that. Even if you can't actually do something</p> <p>8 about it, you can recommend to the people who</p> <p>9 can do something about it that this should be</p> <p>10 done, that a moratorium should be held, there</p> <p>11 should be a reassessment, you should understand</p> <p>12 all the numbers before you go any further on</p> <p>13 this same path.</p> <p>14 MR. KANE: I think we understand your</p> <p>15 point there. You had also taken the time to</p> <p>16 write down some nine points there. Is there</p> <p>17 anything there that you feel we should be aware</p> <p>18 of in your nine points.</p> <p>19 HOWARD SNYDER: No. I think -- I see</p> <p>20 those nine points on page two of my letter as</p> <p>21 being benefits to the County, to the STR board,</p>	<p>Page 105</p> <p>1 SUSAN DUPONT: Right. So would you rather</p> <p>2 I just give you my -- what would you prefer.</p> <p>3 MR. KANE: I guess my ask do you have any</p> <p>4 clarifications or any comments you would like</p> <p>5 to provide on item number 11.</p> <p>6 SUSAN DUPONT: I will very briefly say</p> <p>7 yes, I do. In my letter, and I'll come back if</p> <p>8 you allow me later, in my letter to the STR</p> <p>9 board, I flew at 100 feet and discussed</p> <p>10 transparency, enforcement and process, such</p> <p>11 things as have the board hear both renewal and</p> <p>12 new applications, perhaps only once thereafter</p> <p>13 for the renewals if they are full of complaints</p> <p>14 or have complaints or violations so that the</p> <p>15 board itself has a view of the whole County</p> <p>16 picture of all of the licensed properties being</p> <p>17 used in that fashion. Enforce the code around</p> <p>18 STR's, which I hear and am so delighted going</p> <p>19 forward. Create an online access of</p> <p>20 information about STR's so be such things as</p> <p>21 the phone number more easily gotten. Clean-up</p>

<p style="text-align: right;">Page 106</p> <p>1 the complaint process. Address the serious 2 shared driveway issues and modify the 3 inspection process to be eligible to be 4 completed within 60 days, either way, on 5 applications. And I went into more things but 6 those were my highlights.</p> <p>7 MR. KANE: So you would be in favor of 8 allowing inspections prior to.</p> <p>9 SUSAN DUPONT: Yes, sir. Within 60 days 10 of the submission.</p> <p>11 MR. KANE: What's your thought process 12 there.</p> <p>13 SUSAN DUPONT: That it would allow the 14 applicants to get the work done ahead of time, 15 increase the possibility of a -- well, the 16 request of the completed application, know what 17 it's going to cost them safety wise before, or 18 screen whatever other waivers might still be in 19 place. And the -- then go forward having set 20 their own situation and you all are presented 21 with a completed application. I do believe</p>	<p style="text-align: right;">Page 108</p> <p>1 helpful. The other thing is there are a number 2 of people here that have come without written 3 testimony and I want to make sure that they are 4 heard as well. So we're going to try to move 5 through a little bit more quickly than we have 6 in the past. I would like to ask Joan 7 Schneider who has already testified if you need 8 to testify again.</p> <p>9 JOAN SCHNEIDER: I covered it before. 10 Thank you.</p> <p>11 MR. KANE: Let's move on. Mr. Haase is 12 not here, number 13. So we're simply going to 13 accept his testimony without comment. Moving 14 on to Alice Gravely. Is she here. I'll 15 briefly summarize her comments. She says that 16 she is not in favor of short term rentals. And 17 so we appreciate her submission and her 18 comments to that point. I'm losing my place 19 here.</p> <p>20 MR. HALL: Fifteen.</p> <p>21 MR. KANE: Number 15 is Mr. Haase again,</p>
<p style="text-align: right;">Page 107</p> <p>1 that all safety waivers mentioned should be 2 eliminated from the code. You all made it 3 very, very clear there are not acceptable and 4 you're not going to. Why offer them. Okay. 5 Thank you.</p> <p>6 MR. KANE: Thank you very much. Good 7 catch. I wasn't paying attention. As I said, 8 let's take a short break. I would like to 9 conclude by 4:00 but we're not moving through 10 this as quickly as I thought. If we could take 11 a short break, five, ten minutes, and reconvene 12 as quickly as possible.</p> <p>13 (Short break was taken.)</p> <p>14 MR. KANE: I would like to reconvene the 15 meeting and start with number 12. I will say 16 that this process is -- everybody has noted, 17 it's taking longer than we had anticipated. 18 Two things, I'm going to ask to everybody, if 19 your point has already been made, if you could 20 just reference the point and indicate that you 21 agree with that point, that would be very</p>	<p style="text-align: right;">Page 109</p> <p>1 who is not here. His submission is so noted 2 and we appreciate that. Mr. Haase is number 16 3 and we appreciate his comments with respect to 4 that. Number 17 is Ed Heikes with a brief 5 comment. I don't see Mr. Heikes here. Is he. 6 He says he's in favor of continuing -- planning 7 and zoning continuing enforcement and 8 compliance. No evidence or need for further 9 regulation. Item number 18 is the map. Who 10 has presented the map. Ms. DuPont, would you 11 care to come forward.</p> <p>12 SUSAN DUPONT: As I -- I was told I needed 13 to speak more clearly.</p> <p>14 MR. KANE: What I would like to do is I 15 would like to move forward quickly. So could 16 you summarize this map.</p> <p>17 SUSAN DUPONT: I can. It shows the 142 18 existing and pending STR licenses, but not St. 19 Michaels, Oxford, Trappe or Easton and not the 20 ones that we don't know. As of last summer -- 21 as -- of this 142, 75 percent of them are not</p>

Page 110	Page 112
<p>1 Talbot County residents and all but the one in 2 Trappe are in critical areas. Of the 46 new 3 applications that have thus far been received 4 this year, 80 percent are non-residents. I've 5 seen in some of the analysis that I've done a 6 creeping increase in the number of people who 7 live in Talbot County and also owner other 8 properties in Talbot County that are STR's. 9 There is even an application in hand in St. 10 Michaels of a lot purchased last November on 11 which the dwelling is under construction now. 12 Just, if I may, I have respect for you all for 13 your diligence and consciousness discipline as 14 you've worked through all the months of your 15 existence and the responsibility that you 16 carry. It's a complex nuance and you've fought 17 with finding a balance each time. I too would 18 like to see a no less than six month, no 19 greater than one year, moratorium on new 20 applications so that you may be able to absorb 21 the renewals work and then start with work with</p>	<p>1 MS. SUSS: No. Thank you. 2 SUSAN DUPONT: Thank you. 3 MR. KANE: Thank you very much for that. 4 We now have a lengthy submission, number 19, 5 from Doctor Anthony and Cynthia Calabro. Are 6 they here. Wish to speak. That document is in 7 the record and so noted. So we thank them for 8 that. We're down to number 20, which is a 9 submission by Leslie Steen of Tilghman. Is she 10 here. Yes. Could you please identify 11 yourself. 12 LESLIE STEEN: I'm Leslie Steen, a 13 Tilghman, Maryland resident. And I would like 14 to offer my thoughts about what I see in 15 Tilghman regarding STR's. Tilghman has 16 struggled economically for a number of years. 17 We have had two hotels and two bed and 18 breakfasts shut down. The new owner of one 19 hotel is filling rooms but needs to fill more 20 rooms. We have another hotel that hopefully 21 will come online in the fall and that will need</p>
<p>Page 111</p> <p>1 you and the Council and the participation of 2 all of us to find a much needed equilibrium. 3 MR. KANE: I don't understand your first 4 point. You said of 46 new applicants, 5 80 percent are non-resident. 6 SUSAN DUPONT: Yes. 7 MR. KANE: And what was the statistics. 8 MS. SUSS: 75 percent. 9 SUSAN DUPONT: 75 percent of the 142 that 10 currently exist overall, renewals and the new 11 ones that you have seen or will see. 12 MR. KANE: Where did you get that. 13 MS. SUSS: That's what I was going to ask, 14 where did you get this. 15 SUSAN DUPONT: From the Planning and 16 Zoning office. I didn't -- they didn't tell me 17 that, I analyzed it. 18 MS. SUSS: Okay. 19 SUSAN DUPONT: I just used that list. 20 MR. KANE: Any other questions of 21 Ms. DuPont.</p>	<p>Page 113</p> <p>1 to fill rooms. At the same time I am told of 2 properties that are being purchased in Tilghman 3 specifically for the purpose of being STR's, 4 yet we can't fill our hotel rooms. So a very 5 different picture than what you heard earlier. 6 Another issue is affordable housing. Last year 7 Tilghman had a major effort to increase the 8 enrollment at its elementary school. In doing 9 that, the leaders of that effort sought 10 families to move to Tilghman to have their 11 children go to the school. And I was told that 12 they could not find rental housing that 13 families could move into. Yet we are selling 14 housing and making -- we're turning rental 15 housing, long term rental housing, into short 16 term rental housing. Short term rental housing 17 brings in significantly more rent, and yes, 18 therefore the properties sell for higher 19 prices. But as we pursue those higher prices 20 for those properties, we're squeezing our own 21 residents out of housing. I had a neighbor</p>

Page 114	Page 116
<p>1 last summer whose house went on the market and  2 that family had to move out of Tilghman. They  3 couldn't find a place to live. Rental housing.  4 The other point I would like to make is what  5 short term rentals do to the social fabric of a  6 community. We have neighborhoods, small  7 neighborhoods, but we have neighborhoods that  8 have been gutted out by STR's. If you look at  9 the map, you'll see a high concentration of  10 STR's in Tilghman. We have whole neighborhoods  11 that are nothing but STR's. What happens then.  12 Right now I'm very fortunate, I love the fact  13 that I know all my neighbors and they know me  14 and we watch out for each other. Tilghman is a  15 close net community that supports its  16 charitable activities, significant charitable  17 activities that support the community, the fire  18 hall, the church, the elementary school, the  19 waterman's museum. We have a lot of charitable  20 activities that rely on the volunteer efforts  21 of the residents. Short term renters do not</p>	<p>1 JODIE HARDESTY: I am.  2 MR. KANE: Please. And could you identify  3 yourself, please.  4 JODIE HARDESTY: I'm Jodie Hardesty. I'm  5 the owner relations coordinator for Eastern  6 Shore Vacation Rentals. And the letter I  7 submitted was actually on behalf of a home  8 owner that I represent in the short term rental  9 market. And the point of her letter is  10 basically she and her husband bought a house  11 over here on the shore. As many of our owners  12 do, they used it as a family home, it was a  13 second home that they enjoyed for many years.  14 Her husband has since passed away and in that  15 meantime she was trying to sell the house, was  16 unable to, the market hasn't been viable for a  17 long time for waterfront properties and for her  18 to make what I think she needed to make in  19 order to retire. And so that being the case,  20 she sought out the services of Eastern Shore  21 Vacation Rentals and that has helped her</p>
<p>1 contribute to that social fabric. And without  2 it, we will diminish and we will have increased  3 costs. It will be -- there will be increased  4 costs to the County. There will be increased  5 police protection that will happen the more we  6 lose our permanent residents. And so I think  7 that we really should be looking at a  8 moratorium until we can get a handle on the  9 best way. I'm not against all short term  10 rentals but I think we need to evaluate what  11 kind of short term rentals we have and the  12 geography of them, the density of them. Thank  13 you.  14 MR. KANE: Thank you very much. Are there  15 questions?  16 MS. SUSS: No.  17 MR. KANE: Of Ms. Steen. Thank you very  18 much. If you could sign in, that would be very  19 helpful. I would like to move on if I might to  20 item number 21, which is a submission by Jodie  21 Hardesty. Is she here.</p>	<p>1 maintain that home in a way that she would not  2 otherwise be able to do. So as she has caught  3 wind of the community backlash against short  4 term rentals she reached out out of concern.  5 She doesn't know what in the world she would do  6 if she can't rent the house. So while I  7 appreciate your efforts in building relations  8 between neighbors, she is not a full-time  9 resident but she is feeling like she is being  10 demonized and alienated from her own community  11 where she has enjoyed getting to know her  12 neighbors for many years, just because she  13 doesn't live here full-time and  14 circumstantially at this point. She has a  15 condo in Alexandria that she lives in  16 full-time, close to her kids. She is elderly.  17 But she would like to not feel alienated when  18 she comes to the Eastern Shore and enjoys the  19 home that she and her husband bought in, I  20 think, 2004, 2005. So you have her letter, her  21 e-mail. She wanted to reach out and just let</p>
Page 115	Page 117

Page 118	Page 120
<p>1 you know what her situation is.</p> <p>2 MR. KANE: So her situation is she and her</p> <p>3 husband purchased this property in 2004.</p> <p>4 JODIE HARDESTY: Five.</p> <p>5 MR. KANE: And since then he's passed away</p> <p>6 so the only way she can continue with this</p> <p>7 property is to have -- convert it to short term</p> <p>8 rental.</p> <p>9 JODIE HARDESTY: Right. She tried selling</p> <p>10 it. I think she says -- it was on the market</p> <p>11 for three years and had four showings, and so</p> <p>12 that's when she decided to start renting it.</p> <p>13 And I think that's not an uncommon scenario for</p> <p>14 a lot of these houses. They are not coming</p> <p>15 over here to try to make a profit necessarily,</p> <p>16 it's just helping to defray the maintenance</p> <p>17 cost of a home that they have already</p> <p>18 purchased.</p> <p>19 MR. KANE: So because she can't sell her</p> <p>20 home, she wants to have it in rentals.</p> <p>21 JODIE HARDESTY: It's been helping her</p>	<p>1 JODIE HARDESTY: Certainly, yes. And she</p> <p>2 has a license so it's on record in files.</p> <p>3 MS. SUSS: Thank you.</p> <p>4 JODIE HARDESTY: Happy to e-mail that.</p> <p>5 MR. KANE: Okay. If you can sign in.</p> <p>6 Item number 22 is a letter from Monica Otte.</p> <p>7 Is Ms. Monica Otte here. Wish to comment. Can</p> <p>8 you please come forward.</p> <p>9 MONICA OTTE: Sure.</p> <p>10 MR. KANE: Ms. Otte, I've read your</p> <p>11 letter. It's quite extensive and quite well</p> <p>12 thought out. We don't want to curtail your</p> <p>13 time but in the interest of moving forward,</p> <p>14 were the any points you want to make in</p> <p>15 addition to this letter or any points you want</p> <p>16 to make to clarify anything.</p> <p>17 MONICA OTTE: Just a few things. And I</p> <p>18 had spoken in my letter about the complaint</p> <p>19 process and there has been a lot of discussion</p> <p>20 already on this and some of the points that I</p> <p>21 brought up have already been discussed. So I</p>
<p>Page 119</p> <p>1 financially, yes.</p> <p>2 MR. KANE: Thank you for the</p> <p>3 clarification.</p> <p>4 MR. HALL: If I might. Who is she?</p> <p>5 JODIE HARDESTY: Her name is Linda</p> <p>6 Langley.</p> <p>7 MR. HALL: Langley.</p> <p>8 JODIE HARDESTY: Langley. Yes.</p> <p>9 MR. HALL: And where is the property?</p> <p>10 JODIE HARDESTY: That is -- it's off of</p> <p>11 Edge Creek, I believe, in Royal Oak.</p> <p>12 AUDIENCE: It's off of Irish Creek.</p> <p>13 JODIE HARDESTY: Irish Creek. Sorry.</p> <p>14 MR. HALL: That's down near Trappe, isn't</p> <p>15 it.</p> <p>16 JODIE HARDESTY: No, it's Royal Oak.</p> <p>17 MR. KANE: Do you have an address.</p> <p>18 JODIE HARDESTY: I do not have it in her</p> <p>19 letter. I believe it's Irish Creek Lane.</p> <p>20 MR. KANE: Could you provide us with that</p> <p>21 address.</p>	<p>Page 121</p> <p>1 don't want to repeat that. I would like to say</p> <p>2 one thing about the complaint process that I</p> <p>3 think is working extremely well is that when</p> <p>4 neighbors of problem STR's have contacted</p> <p>5 Mr. Duell and Mr. Gottschalk, they have been</p> <p>6 very happy with how responsive these gentleman</p> <p>7 have been and how the problems have been</p> <p>8 resolved. I think what's not working quite as</p> <p>9 well, you talked a little bit about this, not</p> <p>10 everybody knows how to reach Mr. Duell and</p> <p>11 Mr. Gottschalk. One of the points I brought</p> <p>12 up, and it sounds like it's already been</p> <p>13 addressed, is that there should be the STR</p> <p>14 Helper numbers on the web site and it should</p> <p>15 also be in the notice letter that goes out with</p> <p>16 the permit application notice to neighbors.</p> <p>17 And earlier on when I looked at the letter that</p> <p>18 was in the packet, that number wasn't on there,</p> <p>19 but it sounds like from what the staff said</p> <p>20 that is on there now. So I'm glad to hear</p> <p>21 that. I think that will make it easier for</p>



<p style="text-align: right;">Page 122</p> <p>1 people to know what the right number is. A  2 couple other things I think may inhibit people  3 from making complaints and that is although I  4 do understand people can make complaints in  5 confidence, I think not everybody knows that.  6 There may be good reasons to report a complaint  7 in confidence. Because there have been  8 instances where people making complaints have,  9 or neighbors, have been subject to physical  10 threats from renters and also false accusations  11 from STR owners. So I think it's important to  12 communicate on the web site and the notice  13 letter a complaint can be made in confidence.  14 And then I think it should also be clear that  15 if you have a complaint about a property, you  16 don't necessarily have to contact the owner or  17 the agent first. The letter that goes out with  18 the permit says if you're unable to reach the  19 owner, you can call the compliance officers.  20 And in certain instances people may prefer to  21 call the owner or agent, but I think in many</p>	<p style="text-align: right;">Page 124</p> <p>1 trespassing on neighbor's properties or driving  2 dangerously on private roads, those aren't  3 mentioned. Now, maybe they should be common  4 sense, and we would hope everybody would behave  5 that way, but I lived next to a short term  6 rental for five years and I found that  7 sometimes vacationers, when they are out of  8 their home environment and on vacation, they  9 don't behave the way they probably would in  10 their own neighborhood. So perhaps it needs to  11 be made crystal clear in some sort of code of  12 conduct or standards as part of the lease these  13 are unacceptable behaviors. So -- and as you  14 mentioned, Mr. Kane, there is more detail about  15 these things in my letter. I'll stop and  16 answer any questions you might have.  17 MR. KANE: Thank you for that. Let me ask  18 the board. Does the board have any questions  19 on this.  20 MS. SUSS: No. It's pretty specific and  21 clear. I appreciate that.</p>
<p style="text-align: right;">Page 123</p> <p>1 cases they only want to have to make one call.  2 They shouldn't have to make repeated calls and  3 wait for call-backs. So I think that should be  4 communicated as well. From what I heard  5 earlier, it sounds like that when a complaint  6 goes into the hot line it does get recorded in  7 the process. So I think that's very good. I  8 think that a record of all those complaints  9 about a property should then go into the file  10 when that STR permit comes up for renewal. And  11 I would recommend that if there's any  12 complaints, when it comes up for renewal, it  13 should go to the board for review. And then  14 the last item I wanted to talk about is just  15 perhaps there should be some thought as to  16 clarifying what's appropriate conduct on the  17 part of renters and owners and agents. The  18 code has some very specific things that renters  19 can't do. Can't shoot off fireworks, they  20 can't exceed the occupancy limit. And there is  21 a couple of others. But things like</p>	<p style="text-align: right;">Page 125</p> <p>1 MR. KANE: You had some very good comments  2 on the complaint process. Are they all  3 documented in this letter.  4 MONICA OTTE: Yes.  5 MR. KANE: Okay. That's very helpful.  6 And a question I have of the compliance  7 officer. How is that handled when a complaint  8 comes in. Does the complaint get logged  9 against the STR, does it require it be a  10 violation when it's logged. How does that  11 logging process works.  12 MIKE DUELL: It goes in, it's given an IR  13 incident number. And it's also immediately  14 transferred to Duane and myself by way of  15 e-mail regardless of the hour so we can  16 evaluate it. If it's a very serious event we  17 would definitely go out. We're not strangers  18 to working, not working on the weekends. So we  19 do work on the weekends and we don't respond to  20 every call naturally. But we do go out if it's  21 something emergent. And again it is logged</p>

Page 126	Page 128
<p>1 into the system and there is accountability  2 when we've got -- we have a complaint. To go  3 back to your other question about anonymous  4 complaints. The STR Helper program doesn't  5 require somebody to identify themselves. I  6 have to say we enforce a lot of different  7 chapters of the Talbot County code. Probably  8 90 percent of them are anonymous that we have.  9 So we're used to that. And we're complaint  10 driven. We don't have time frankly to drive  11 around and look for violations, that's what  12 respond to, the complaints we get.</p> <p>13 MONICA OTTE: Actually I understood that,  14 but what I heard from some people is not  15 everybody knows that. And so my suggestion  16 is -- I think that's great, but I think not  17 everybody knows that. And I think that needs  18 to be communicated perhaps on the web site that  19 you can call this number, you have the option  20 of making a complaint in confidence. Just so  21 people know that. Because I think there are</p>	<p>1 like the -- they were able to work their  2 concerns out. In most of the cases it appeared  3 as though everybody left pretty satisfied with  4 the line of communication. So I think that is  5 a good purpose of what the board is doing. I  6 also wanted to mention, since there's been a  7 lot of talk about the number of short term  8 rentals licensed. I -- not only have I  9 appeared at most of these meetings but I also  10 monitor the majority of the total 190  11 regulation change meetings that was with the  12 Planning Commission as well as the County  13 Council and the department. During that time I  14 remember we used to always say how many short  15 term rentals are there in Talbot County and the  16 answer usually was, well, we have about 130  17 licensed and about an equal amount unlicensed.  18 And that was always kind of an estimate that  19 was being used back a year, two years ago. So  20 I just wanted to inform you and to remind you  21 that the County Council at the time, the</p>
<p>1 people that feel uncomfortable now leaving  2 their names for various reasons.</p> <p>3 MIKE DUELL: That's a good point and  4 something I will address on our web site, the  5 code enforcement. It's long overdue.</p> <p>6 MR. KANE: Okay. That's a big help. Any  7 questions. Hearing none, thank you very much.</p> <p>8 MONICA OTTE: Thank you.</p> <p>9 MR. KANE: Moving on to number 23. This  10 is a letter from Mid-Shore Board of Realtors.  11 Ms. Green.</p> <p>12 SUSIE HEYWARD: I'm Susie Heyward. I'll  13 speak on behalf of Mid-Shore Board of Realtors.</p> <p>14 MR. KANE: You're a well-known participant  15 in our hearings.</p> <p>16 SUSIE HEYWARD: Of course I want to thank  17 you, Chairman Kane, and the rest of the board  18 and staff for coming out and addressing our  19 concerns. Mr. Hall and Ms. Suss, I agree with  20 you when you mention that when we brought the  21 neighbors and the owners together it seemed</p>	<p>1 Planning Commission and the County Council, had  2 in the back of their mind that there would be  3 at least 260 short term renters in Talbot  4 County. So when they made their decisions,  5 when they created these regulations, it was  6 based on a possible 260 short term rentals.  7 So...</p> <p>8 MR. KANE: Do you have that documented any  9 place. I never heard that.</p> <p>10 SUSIE HEYWARD: Well, I think we could  11 probably --</p> <p>12 MARY KAY VERDERY: That was definitely  13 part of the conversation that was had. We  14 definitely had a documentation of 130 because  15 that was the number of licenses that we have  16 issued historically in 2018 and -- coming up  17 through '17. We didn't know how many were  18 unlicensed but that was a guess that we were  19 assuming that approximately an equal number  20 were unlicensed.</p> <p>21 SUSIE HEYWARD: So I just wanted to give</p>

Page 130	Page 132
<p>1 you the frame of mind that the Council members 2 had when they put together these regulations 3 and when they decided that it was appropriate 4 for owner occupied as well non-owner occupied 5 residents to have short term licenses. Aside 6 from that, I would like to only add to my 7 letter, since other people have brought it up, 8 is that the inspection of 60 day before and 9 after inspection I think is appropriate for the 10 reasons already stated. It certainly does give 11 an owner the ability to know how much the cost 12 of these new changes will be before they go 13 through the process and notify all neighbors 14 and get you all on the books and get 15 inspections. So I think it just makes sense. 16 Is there any questions about our letter. 17 MR. KANE: I'm still sort of a little 18 puzzled about this. I mean it comes up whether 19 you're permitted to get the inspections early. 20 It seems to me that anyone has the option to 21 get inspections and do that. We can't restrict</p>	<p>1 question whether you all were going to allow 2 the inspection to be presented or whether you 3 were going to require them to get a new 4 inspection. 5 MR. KANE: I don't quite remember it that 6 way. I remember that they -- there was some 7 discussion and everybody was pretty much in 8 agreement and the staff had recommended that 9 the early inspection was okay. 10 SUSIE HEYWARD: That's right. And the 11 staff did mention that. It was kind of the 12 wording was kind of vague and they weren't sure 13 how it -- what the intent was. And I guess 14 we're all kind of asking you to clarify the 15 intent so in the future there's no question. 16 MR. KANE: Okay. Thank you. 17 SUSIE HEYWARD: Anything else. 18 MR. KANE: If you would sign in, that 19 would be very helpful. 20 MR. HALL: I appreciate the very specific 21 recommendations. I may not agree with it all</p>
<p>Page 131</p> <p>1 the inspections before the application process. 2 SUSIE HEYWARD: And that's true. 3 MR. KANE: Am I wrong about that. 4 SUSIE HEYWARD: But you're paying for an 5 inspector that won't be used. 6 MARY O'DONNELL: The code says that it's 7 upon receipt of the application. So there's an 8 argument that the inspection done before the 9 application is not -- should not be accepted as 10 an inspection. 11 MR. KANE: So they -- if they inspected 12 prior, they would have to reinspect. 13 MARY O'DONNELL: Under the current 14 definition and the code, yeah. Again, that's 15 under 63.2 D. 16 SUSIE HEYWARD: Chairman Kane, this came 17 up with one of the applicants, if you remember. 18 They did in fact have an inspection done 19 before. 20 MS. SUSS: Just recently. 21 SUSIE HEYWARD: That's right. There was a</p>	<p>Page 133</p> <p>1 but I certainly can understand. 2 SUSIE HEYWARD: Where do I sign in. Okay. 3 MR. KANE: So let's move on to item number 4 24, which is Mr. Thomas Kimbis. Is he present. 5 Hearing nothing, we will accept his written 6 submission as submitted. And move on to number 7 25, which is one by Ms. Julie Susman. Is she 8 present and wish to speak. 9 AUDIENCE: She is coming next week. 10 MR. KANE: Okay. I would just like to 11 say, we plan to hold the next working session 12 next Thursday at 6:00 p.m. So anybody that 13 wants to come again, anybody that wants to 14 submit something, is certainly welcome to do 15 that. And also if you could encourage anyone 16 that was unable to come today to come to the 17 meeting on the 29th. I guess I will also say 18 that there's been a couple questions that I 19 received about the comments were cut off on 20 August 20th, that people feel they don't have a 21 chance to supply written comment. That's not</p>

<p style="text-align: right;">Page 134</p> <p>1 the case. We're going to leave the record open  2 for some period of time after the 29th. The  3 only reason for the cutoff on the 20th was so  4 that we could have this material in front of us  5 to try to move the process along better. If  6 somebody has additional written comments, if  7 you could get them in and we would certainly  8 appreciate receiving them a day or two in  9 advance of the 29th so we have a chance to read  10 them and keep more informed. All right.  11 Moving on to item number 26, Ralph DeMarco. Is  12 Mr. DeMarco here. Again, in the interest of  13 moving the hearing along, if you agree with  14 something, if you could summarize but certainly  15 want to hear from you any additional  16 information.  17 RALPH DEMARCO: I'm Ralph DeMarco. I live  18 229 Madison Avenue in St. Michaels. And the  19 intent of my letter was just to bring your  20 attention to upcoming legislation pending in  21 Annapolis regarding restricting ownership of</p>	<p style="text-align: right;">Page 136</p> <p>1 AUDIENCE: No, she is not. Not.  2 MR. KANE: Not here. We will accept that  3 she makes a request for a moratorium. So  4 that's -- we accept number 28 as written. Item  5 number 29 is from Jean Edwards. Is Ms. Edwards  6 present, wish to speak. Okay. Hearing  7 nothing, we'll accept that item 29 as written  8 and submitted. And move on to number 30, which  9 is from, I guess, Christina Mills.  10 CHRISTINA MILLS: I think that what you're  11 doing --  12 MR. KANE: Could you identify yourself for  13 the record. The reporter will be listening.  14 CHRISTINA MILLS: Okay. I just --  15 MR. KANE: Could you identify yourself.  16 CHRISTINA MILLS: Yes, I'm Christina Mills  17 and I'm a resident of Talbot County for 40  18 years now.  19 MR. KANE: Forty years. Where do you  20 reside?  21 CHRISTINA MILLS: And I reside on</p>
<p style="text-align: right;">Page 135</p> <p>1 short term rental properties to principal  2 residents. The benefits of this have already  3 been expressed by previous speakers. I'm not  4 going to repeat it. Except that this law makes  5 sense to the fact that a principal resident is  6 more concerned with the local quality of life  7 and good will of his neighbors than someone  8 that is a non-resident. That's pretty much  9 what I need to say about it.  10 MR. KANE: Any questions, Ms. Broll,  11 Mr. Hall.  12 MR. HALL: No.  13 MR. KANE: So thank you very much for that  14 Mr. DeMarco. Moving on to item number 27,  15 Maura and Jim Vanderzon. Are they here, wish  16 to speak.  17 AUDIENCE: Next week.  18 MR. KANE: Hearing none, we'll move --  19 we'll accept the written comment that they made  20 and much appreciated. Moving on to item number  21 28. From Michelle LaRocca. Is she here.</p>	<p style="text-align: right;">Page 137</p> <p>1 Doncaster Road.  2 MR. KANE: Thank you.  3 CHRISTINA MILLS: And I -- I'm just  4 interested, I've been involved in many things  5 in the County for the mental health  6 preservation and all kinds of different -- and  7 the school system for many years. And I think  8 what I'm hearing now is that we need to focus  9 on the impact of short term rentals in the  10 various communities. They are all so  11 different. And I'm not against progress, and,  12 you know, improving the economy of the towns,  13 which do, you know, need the stimulus. But  14 I've been really amazed at areas like Tilghman  15 Island when they have taken on such really  16 challenging issues, such as the school system  17 and the drug issue and the Waterman's museum,  18 which is so amazing to me what they have done  19 there. And I've heard other people say, well,  20 I'm going down to Tilghman and I'm going to buy  21 properties and make them into short term</p>

<p style="text-align: right;">Page 138</p> <p>1 rentals. And I just find that as a red flag.  2 I've seen the same thing happen in St. Michaels  3 with some habitat communities which could be --  4 which could be affordable housing, which we  5 really need for the people that work in Talbot  6 County. That really bothers me that people who  7 work here, who do the jobs that we really need  8 to have in Talbot County, cannot really afford  9 housing. And these issues are just to me red  10 flags. And I just thought I needed to speak up  11 and that's why I'm here today.</p> <p>12 MR. KANE: Thank you for your comments. I  13 would ask the board are there any questions.</p> <p>14 MS. SUSS: I have a question. So you've  15 seen where habitat for humanity homes have been  16 sold, resold.</p> <p>17 CHRISTINA MILLS: I've seen trucks that  18 say Habitat for Humanity and next door I've  19 seen a house that's a short term rental that's  20 bought by a real estate agent that lives  21 someplace else. And I just thought that was a</p>	<p style="text-align: right;">Page 140</p> <p>1 registering and the impact on the communities.  2 Thank you.</p> <p>3 MR. KANE: Thank you very much.  4 MS. SUSS: Thank you.</p> <p>5 MR. KANE: Moving on to item number 31,  6 which was submitted by Jane Bollman. Is she  7 present. If not, we'll just accept item 31 as  8 written. Item 32 is Monica Sewell. Please  9 identify yourself and sign in.</p> <p>10 MONICA SEWELL: I'm Monica Sewell and I  11 live at 6669 Thornton Road in Easton, the Royal  12 Oak area. First I would like to thank the  13 board for its commitment to our County. You've  14 done amazing things in a short period of time.  15 You have my letter so I'm just going to  16 summarize what I have written. You know I've  17 been before the board before with issues with  18 short term rentals, but there's one in  19 particular that has recently happened. At a  20 short term rental on -- on Edge View Road in  21 Royal Oak. In the past we've seen numerous</p>
<p style="text-align: right;">Page 139</p> <p>1 red flag. Why is this happening, because we  2 really need affordable housing. So why are  3 these -- I mean maybe there is not a lot we can  4 do. But it just disturbs me that we need to  5 look at the impact a little more closely and  6 try to -- again, as Leslie Steen said, and I  7 have never met her before, but she spoke so  8 well about the density in certain communities.</p> <p>9 MS. SUSS: Leslie Steen, here?</p> <p>10 CHRISTINA MILLS: Yes, she just spoke.  11 So.</p> <p>12 MR. HALL: For my clarification, you live  13 where.</p> <p>14 CHRISTINA MILLS: I live off Doncaster  15 Road.</p> <p>16 MR. HALL: Doncaster.</p> <p>17 CHRISTINA MILLS: Yes. My complaint about  18 my own neighborhood, there are at least two in  19 my neighborhood, but I think they are very law  20 abiding, they are registered. But I'm  21 concerned about the people who may not be</p>	<p style="text-align: right;">Page 141</p> <p>1 events there with excessive after hours noise  2 and fireworks, which as far as I know so far  3 has gone on unrecorded. Since it's up to the  4 full-time residents to monitor and report bad  5 behavior from the short term rentals, this time  6 I can provide documentation in the form of a  7 video. This rental house is approximately a  8 thousand feet from ours and across Edge Creek.  9 A few weeks ago on August 4th at approximately  10 8:30 p.m. I witnessed and recorded the tenants  11 setting off fireworks. The wind was out of the  12 southeast which blew the embers in my  13 direction. Fortunately I have attended these  14 meetings before and I knew there was a County  15 compliance officer. Now, we have discussed the  16 importance of getting that information out, and  17 I want to reiterate that. I know, not  18 everybody knows, that there's a compliance  19 officer. The next morning I received a call  20 from Mike Duell, the chief code compliance  21 officer, who introduced himself and confirmed</p>

<p style="text-align: right;">Page 142</p> <p>1 he had already been to the property and the  2 tenant had admitted to setting off fireworks  3 the night before, as well as the tenant slept  4 in a converted lawnmower shed. I would like to  5 add that the owner was told previously to  6 remove the bunk beds in the shed. She did so  7 just to pass the County inspection and put them  8 back. I want to add that Officer Duell has  9 been a pleasure to work with, he's prompt in  10 his investigation and followed up with me the  11 same day. And, again, perhaps we can put his  12 information out there. Let's see. The other  13 thing I wanted to mention was that the mailing  14 process for the applications. I would like to  15 recommend you consider the first notice be sent  16 as soon as the application is filed by  17 certified mail, the second notice be sent after  18 all application requirements and inspections  19 have been completed and no later than 15 days  20 before the hearing date that's been scheduled  21 by priority mail with delivery confirmation.</p>	<p style="text-align: right;">Page 144</p> <p>1 structure, which is not a dwelling, doesn't  2 have a building permit, it's an illegal  3 dwelling, and he had slept there a previous  4 night. She was fined, and subsequently we're  5 going to be doing a more in-depth investigation  6 on this by talking to neighbors around the  7 entire area. Apparently this has been going on  8 for about a two year period that we weren't  9 aware. On the basis of that information, I  10 intend to bring that to you for your -- make a  11 recommendation once all the facts are in and  12 present it to you for license review.  13 MR. HALL: I think if it's going to come  14 before us, we better shut him off. I don't  15 want us to be viewed as having prejudged the  16 case.  17 MR. KANE: Mr. Hall doesn't want you to  18 prejudice this board before we get it  19 officially. But we thank you for your  20 diligence in the pursuit of this. And thank  21 you for bringing this to our attention. Any</p>
<p style="text-align: right;">Page 143</p> <p>1 MR. KANE: Okay. That's very helpful.  2 Certainly considering that point and your views  3 are very helpful. Could I ask Mr. Duell as to  4 disposition of this. Is this under  5 investigation, this complaint.  6 MIKE DUELL: There were three charges.  7 She was charged, the owner, was charged a civil  8 penalty for not having a resident agent living  9 within 30 miles of the home. Additionally she  10 was charged with the -- her renter setting off  11 the fireworks, which the renter readily  12 admitted to us when we interviewed him. And  13 lastly the bed situation. There has been an  14 ongoing situation where she has a shed  15 converted into a living space. And she was  16 cited on that in January of this year, I  17 believe it was, and she had removed the beds  18 and that was photographed with the beds  19 removed. When we responded on this call, the  20 beds were installed, reinstalled, and the  21 renter had admitted that he had slept in this</p>	<p style="text-align: right;">Page 145</p> <p>1 questions now, Mr. Hall.  2 MR. HALL: No.  3 MR. MCQUAY: I was wondering if the owner  4 or resident agent had informed the renter that  5 fireworks were illegal or not.  6 MONICA SEWELL: Well, it is on the web  7 site, the air B and B and VRBO web site, that  8 no fireworks are allowed.  9 MR. KANE: And it's in all the rental  10 agreements.  11 MONICA SEWELL: Right.  12 MR. KANE: Is it -- in this specific  13 instance is it on the rental agreement?  14 MARY KAY VERDERY: It's in the house,  15 yeah.  16 MR. KANE: Okay. If there are no further  17 questions. Thank you very much.  18 MONICA SEWELL: Thank you very much.  19 MR. KANE: Let's move on to number 33,  20 which I guess is also Monica Sewell.  21 MS. SUSS: So is number 34. All three of</p>

<p style="text-align: right;">Page 146</p> <p>1 them. The other one in front of it is -- all 2 three. Thirty-three, 34. 3 MR. KANE: She pointed out that you also 4 submitted 33 and 34. Your comments cover all 5 three. 6 MONICA SEWELL: Yes. 7 MS. SUSS: Thank you. 8 MR. KANE: Thank you for that. Moving on 9 to number 35. Ann Shariff. Combsberry. If 10 you can identify yourself and sign in. 11 ANN SHARIFF: Yes. Hi. My name is Ann 12 Shariff. I'm the owner of Combsberry for the 13 past 25 years. I'll be brief because I know 14 everybody is tired. Again, reiterating the 15 timely notification, if there is a violation. 16 I sent my application in for a short term 17 rental last year, went through the house with 18 an inspector, nothing was said, and I got a 19 notice in mid-May that I had a violation with 20 egress. Combsberry is a 400 year old home and 21 it was the third floor windows in question. So</p>	<p style="text-align: right;">Page 148</p> <p>1 of a B and B. We don't have any oversight -- 2 ANN SHARIFF: I also got a short term 3 rental license. 4 MR. KANE: You also have a short term 5 rental. 6 ANN SHARIFF: Correct. 7 MR. KANE: Is it next to your B and B. 8 ANN SHARIFF: Same. It's the same 9 building. 10 MR. KANE: It's the same building as a B 11 and B and an STR. How does that work? 12 ANN SHARIFF: Well, summertime we do short 13 term rentals, and then the fall and spring we 14 do B and B. 15 MR. KANE: Are they the same building or 16 separate building. 17 ANN SHARIFF: Same building. 18 MR. KANE: So within the B and B you also 19 do short term rentals. 20 ANN SHARIFF: Correct. 21 MR. KANE: Okay. How long have you been</p>
<p style="text-align: right;">Page 147</p> <p>1 three months later, and \$7,500 later, I finally 2 got those windows up to code. Which safety is 3 fine, but I just wished -- my whole season went 4 basically in trying to get the windows fixed. 5 So if there is a violation, I wish that owners 6 would be notified ahead of time and so we can 7 have some idea of what it would cost to meet 8 code. And the second was if repeat applicants 9 could be streamlined if there were no 10 complaints, the application process, which I 11 know you all are looking for different ways to 12 streamline things too. That would make our 13 life easier. Again, if a representative from 14 the short term community could be on your 15 committee, I think that would give you another 16 viewpoint. Just like you bring the neighbors 17 together with the renters, I think if you had 18 the short term community representation it 19 would help you too. That's all. 20 MR. KANE: Okay. I guess my question 21 would be I'm a bit confused. You're the owner</p>	<p style="text-align: right;">Page 149</p> <p>1 doing this, the B and B. 2 ANN SHARIFF: Twenty-five years for the B 3 and B. Short term rentals, this will be the 4 third year. Third year for the short term 5 rentals, 25 years for the B and B. 6 MR. KANE: Three years for the short term 7 rental. 8 ANN SHARIFF: Correct. 9 MS. SUSS: I have a question. 10 ANN SHARIFF: Sure. 11 MS. SUSS: Just out of pure education, not 12 to be nosy, but just wondering, what caused you 13 to start doing B and B -- I mean air B and B in 14 the summer and on the shorter season, actually 15 probably one of your busier seasons, spring and 16 fall, correct. What caused that. 17 ANN SHARIFF: Because as the lady said 18 before, with the B and B business, it's just 19 steadily declining. 20 MS. SUSS: And do you think it's because 21 of air B and B.</p>

Page 150	Page 152
<p>1 ANN SHARIFF: I think so. Definitely.</p> <p>2 Because they want cheaper places.</p> <p>3 MS. SUSS: Right.</p> <p>4 MR. KANE: So your bed and breakfast is</p> <p>5 declining.</p> <p>6 ANN SHARIFF: Correct.</p> <p>7 MR. KANE: To augment that, or transition,</p> <p>8 you're going to short term rentals.</p> <p>9 ANN SHARIFF: Correct.</p> <p>10 MR. HALL: So the difference is you simply</p> <p>11 don't offer them breakfast.</p> <p>12 ANN SHARIFF: For short term rentals, no.</p> <p>13 MR. HALL: I mean is there any other</p> <p>14 difference between your B and B operation and</p> <p>15 your short term rental.</p> <p>16 ANN SHARIFF: Not really.</p> <p>17 MR. HALL: This is the first time I heard</p> <p>18 the fact --</p> <p>19 ANN SHARIFF: Well, the B and B obviously</p> <p>20 they get me, and they get service and they get</p> <p>21 a full breakfast, correct.</p>	<p>1 MR. KANE: That's different from what most</p> <p>2 people are telling us.</p> <p>3 ANN SHARIFF: I've been doing it for 25</p> <p>4 years.</p> <p>5 MR. KANE: That's why we ask the question.</p> <p>6 MS. SUSS: Maybe the initial aspect of</p> <p>7 getting your B and B going is the process --</p> <p>8 that was 25 years ago. It may be more onerous</p> <p>9 now than then.</p> <p>10 ANN SHARIFF: Maybe.</p> <p>11 MS. SUSS: And just like getting your air</p> <p>12 B and B business going in the beginning,</p> <p>13 getting the initial license, you know, it costs</p> <p>14 money and you have to get inspections and jump</p> <p>15 through these hurdles.</p> <p>16 ANN SHARIFF: Correct.</p> <p>17 MS. SUSS: Right.</p> <p>18 MR. KANE: What about the advertising.</p> <p>19 Obviously very different advertising between</p> <p>20 your B and B. Do you set up your own web site</p> <p>21 or how do you advertise.</p>
<p>Page 151</p> <p>1 MR. MCQUAY: What's the difference --</p> <p>2 what's the difference in price between the B</p> <p>3 and B and STR.</p> <p>4 ANN SHARIFF: It depends on the season and</p> <p>5 how long they stay. We do make more money on</p> <p>6 the STR.</p> <p>7 MR. KANE: And what about regulations. Is</p> <p>8 it how the B and B is regulated.</p> <p>9 ANN SHARIFF: We have a B and B separate</p> <p>10 license that we've had for 25 years. We get</p> <p>11 renewed every year. We have to meet their</p> <p>12 regulations.</p> <p>13 MR. KANE: Do you apply the same</p> <p>14 regulations to the STR. Do you have two</p> <p>15 separate ways of running your business.</p> <p>16 ANN SHARIFF: No, it's just the STR</p> <p>17 requires more paperwork for the license than</p> <p>18 the B and B process.</p> <p>19 MR. KANE: Really. The STR requires more</p> <p>20 paperwork.</p> <p>21 ANN SHARIFF: Correct.</p>	<p>Page 153</p> <p>1 ANN SHARIFF: Right. Angela Eade does our</p> <p>2 short term rental and we do our own advertising</p> <p>3 and marketing for the B and B.</p> <p>4 MR. KANE: On the short term rental you</p> <p>5 use what.</p> <p>6 ANN SHARIFF: Angela Eade. Tidewater</p> <p>7 Vacations. Angela Eade.</p> <p>8 MR. KANE: Any other questions.</p> <p>9 MS. SUSS: Nope.</p> <p>10 ANN SHARIFF: Thank you.</p> <p>11 MS. SUSS: Thank you.</p> <p>12 MR. KANE: And please make sure you sign</p> <p>13 in.</p> <p>14 MS. SUSS: She did.</p> <p>15 MR. KANE: Let's move on to number 36.</p> <p>16 Number 36 is submitted by Kelley Cox from</p> <p>17 Captains Watch Vacation Cottage.</p> <p>18 AUDIENCE: She is not here.</p> <p>19 MR. KANE: Is she here?</p> <p>20 MS. SUSS: No.</p> <p>21 MR. KANE: If she is not here, we will</p>



<p style="text-align: right;">Page 154</p> <p>1 accept that notice as submitted. Moving on to  2 number 37, which is a letter submitted by Kathy  3 Bogan of VIP Vacation Rentals. Is Kathy here.  4 Anybody speaking for her.  5 MS. SUSS: She had number one also.  6 MR. KANE: She bookends.  7 MS. SUSS: She is the beginning and end.  8 MR. KANE: So since she is not here, we  9 will just accept that as submitted. It's been  10 a long day and I would like to do now -- what I  11 would like to do now is you all have been very  12 patient and people have been here for quite  13 some time. So -- what I would like to do is  14 there are people here who haven't submitted  15 anything so I would like to open it up now to  16 those people that have been very patient with  17 this process and ask if there's anybody else  18 that wants to offer testimony to us here today.  19 Yes, please. Please come forward, identify  20 yourself and sign in.  21 BOB ABLE: My name is Bob Able. I live at</p>	<p style="text-align: right;">Page 156</p> <p>1 would probably be 1500 to \$2,000. And I'm not  2 sure of the timing or if that will happen. If  3 you would like to get a copy of the letters  4 that were submitted, you could e-mail one of  5 the staff and add that request as a PIA, and  6 then they could provide you copies of the  7 written comment. If the transcript --  8 BOB ABLE: Okay, that's fine. Thanks.  9 MR. KANE: That is the process as we  10 understand it. The board will be in the  11 business of working through what we heard  12 today, figuring out what is material that we  13 need to consider and how we need to consider  14 it, and putting it in a format that we can  15 submit to the County Council. That's our task,  16 we were asked by the County Council to do this,  17 and that will be our process as we move  18 forward. I would ask again is there anyone  19 here in the audience, please come forward.  20 MATT TUCKER: If possible I would like to  21 submit copies of our letter to the board</p>
<p style="text-align: right;">Page 155</p> <p>1 21748 Campers Circle, Tilghman. Very simply,  2 could you cut and paste all this testimony and  3 please post it on the web site.  4 MR. KANE: That is not our process. Our  5 process is this is a work session and what  6 we're about is to respond to the County  7 Council.  8 BOB ABLE: You've got -- this is all  9 public record, right.  10 MR. KANE: If I could, just following  11 along, what we intend to do is take all of  12 this, as you say, public record that's been  13 part of the process and purpose here, to  14 collect all this information. It's being  15 transcribed by the court reporter here, so I am  16 not sure as to what the process is. I guess we  17 could ask the attorney and the staff as to  18 whether this record would be made available.  19 MARY O'DONNELL: I guess the question on  20 the transcript is are we going to pay to  21 transcribe it. And the cost to transcribe it</p>	<p style="text-align: right;">Page 157</p> <p>1 members.  2 MR. KANE: Sure.  3 MATT TUCKER: So here on behalf of Eastern  4 Shore Vacation Rentals. Matt Tucker, I'm the  5 general counsel.  6 MR. HALL: Can you say that more slowly.  7 Matt.  8 MATT TUCKER: Sure. We're all here on  9 behalf of Eastern Shore Vacation Rentals. I'm  10 general counsel. Ms. Hardesty is our relations  11 coordinator. And Mr. Campbell is business  12 development.  13 MR. KANE: And what is your name.  14 MATT TUCKER: Matt Tucker. First let me  15 start off by just mentioning that we did draft  16 a letter of recommendation, and due to just a  17 miscommunication internally, it was e-mailed to  18 a -- to all of you however via incorrect e-mail  19 addresses with a dot org instead of dot gov.  20 We will resubmit that. I believe you all have  21 copies of it now in front of you. I'll just</p>

<p style="text-align: right;">Page 158</p> <p>1 highlight a couple points. I'm not going to  2 discuss all of them unless you have questions,  3 but first and foremost, our first  4 recommendation is to read in age of  5 construction or factor in age of construction  6 into the application process for new  7 applications as it relates to the IRC  8 requirement. So essentially what we're asking  9 is that properties built prior to the  10 implementation of the code in 2003 be  11 grandfathered in, as those properties were  12 compliant with the building code as it existed  13 at the time of construction. One interesting  14 fact that was highlighted but I don't think  15 everyone seized on it when one of the prior  16 individuals was speaking about bed and  17 breakfast. Bed and breakfasts actually don't  18 actually have to comply with the IRC at all.  19 So really -- I understand the intent is to  20 ensure public safety, somewhat of an uneven  21 application as applied to STR's but not bed and</p>	<p style="text-align: right;">Page 160</p> <p>1 MR. KANE: How would you propose that we  2 deal with that if we don't require the newer  3 code.  4 MATT TUCKER: I guess our request would be  5 limited to the egress and the riser dimensions.  6 I believe -- if those are considered two  7 different requirements. But those are the two  8 big ones that we found have been cost  9 prohibitive and time -- and take an excessive  10 amount of time.  11 MR. KANE: Egress and what else.  12 MATT TUCKER: The riser requirement.  13 MS. SUSS: On the stair cases.  14 MATT TUCKER: Stair cases, correct.  15 JODIE HARDESTY: Architectural integrity  16 is what gets me. There is one of our houses  17 that was built in the 1920's and had these  18 beautiful windows that have been removed and  19 replaced by just plain glass. And to me as a  20 former student of architectural history, it's  21 hard to see. And I think if there were a fire</p>
<p style="text-align: right;">Page 159</p> <p>1 breakfast. But the argument is essentially to  2 preserve the historical integrity of the area  3 as well as the architectural integrity of the  4 home as built. As you're all aware, the  5 average home was constructed far prior to 2003  6 and the adoption of the IRC code. So we would  7 just ask that those properties be grandfathered  8 in and not have to comply with the egress and  9 rise over requirements.  10 MR. KANE: Let me ask you about the issue  11 that comes up. What about carbon monoxide  12 detectors and lead paint, some of those things  13 that are in the newer standard.  14 MATT TUCKER: So, well, we proactively  15 require our properties have smoke detectors and  16 carbon, that sort of thing. And I would  17 welcome those requirements. That's a much more  18 feasible, I guess, requirement to meet, much  19 more manageable and much more, I guess, not  20 cost effective but much more affordable to come  21 into compliance with those requirements.</p>	<p style="text-align: right;">Page 161</p> <p>1 and a fireman needed to get in, they are going  2 to break whatever window is there. So to  3 eliminate the historic integrity of the home I  4 think is -- and only for short term rentals, I  5 think is something that maybe could be  6 reexamined.  7 MR. KANE: It's also the issue of egress,  8 somebody inside the home trying to get out.  9 JODIE HARDESTY: Correct.  10 MR. KANE: We wrestled with this and it's  11 been a difficult thing to assess where we come  12 out as the regulation we have been given is  13 fairly clear. So for us to offer a waiver to  14 lessen that may expose us to liability, the  15 staff or the County to liability. So there are  16 issues there to consider as well.  17 MATT TUCKER: One middle ground approach  18 maybe to for properties that need to come into  19 compliance for one of these -- for a riser or  20 egress issue, perhaps a compliance agreement  21 might be a middle ground approach whereby the</p>

Page 162	Page 164
<p>1 owner would agree to have the work performed  2 within X time. The rental would be permitted  3 to -- the STR be permitted to be granted and  4 licensed during that period subject to the  5 owner indemnifying the County and maybe perhaps  6 even the guest indemnifying the County for  7 egress issues. It's just a thought, something  8 we would entertain.</p> <p>9 MR. KANE: It's a serious issue too. If  10 there were loss of life or something due to  11 egress, that's much more serious.</p> <p>12 MATT TUCKER: Understood. Absolutely.</p> <p>13 JODIE HARDESTY: If I can bring up one  14 other point and, this has been a little bit of  15 a struggle as well, during the license process  16 and this completely has to do with the  17 licensing. For each application that's turned  18 in, there is an excess of 200 pieces of paper  19 associated with that. And I think from an  20 environmental standpoint and practical  21 standpoint, that seems excessive. So in the</p>	<p>1 it had something to do with trying to limit  2 your burden. Do you know why there's this two  3 windows for two months each.</p> <p>4 MARY KAY VERDERY: Mr. Pack -- that came  5 into place during the legislative process.  6 Mr. Pack introduced that. And it was  7 associated with trying to limit and trying to  8 keep the new applications into a timeframe that  9 the staff would have an opportunity to be able  10 to streamline them, and then thinking that the  11 new applications were going to be -- have an  12 influx of these new applications. Since the  13 board was new, it would give you an opportunity  14 to be able to go through this process and have  15 a time period to review these applications and  16 learn your process and get acquainted to the  17 process. So, you know, as you move forward and  18 you're getting more comfortable with the  19 process, maybe that's something that needs to  20 be reconsidered now.</p> <p>21 MR. KANE: So is there a hardship with the</p>
<p>Page 163</p> <p>1 process of applying for these applications, I'm  2 hoping that that process can be adapted to cut  3 down on the paperwork extensively.</p> <p>4 MR. KANE: That's a good point and we  5 consider that. And one of the things about  6 using the newer service over the U.S. Postal  7 service with respect to priority mail and  8 delivered receipt, that can be handled  9 electronically. We feel that that may be very  10 helpful as well, so your point is well taken.</p> <p>11 MATT TUCKER: If you don't have any  12 questions about the first point. Our next  13 recommendation has been echoed by several  14 people today, and that is that we propose that  15 the Department of Planning and Zoning accept  16 applications for both new and renewals  17 throughout the year to alleviate the burden  18 that comes when you have the two windows, the  19 two current windows.</p> <p>20 MR. HALL: If I may ask the staff. That  21 requirement is not self-explanatory. I assumed</p>	<p>Page 165</p> <p>1 current process. I'm not sure what the concern  2 is.</p> <p>3 MATT TUCKER: I mean I wouldn't  4 necessarily say it's a hardship, but it would  5 allow people to file throughout the year.  6 People wouldn't have to hit one of the two  7 windows when, you know, they may be preoccupied  8 with other matters. I think the overall goal  9 was to, I guess, reduce any burden on you. But  10 if you don't think it's a valid concern, then I  11 would defer to you on that.</p> <p>12 MR. CAMPBELL: As we introduce new  13 applicants to the process, I think -- we're an  14 ongoing business, we're talking to new owners  15 all the time. And if we have the ability to  16 identify a new applicant for an STR in May and  17 we can submit that application in May when the  18 application submittal time is low for the  19 planning staff, I think that's a benefit to the  20 staff. It doesn't necessarily -- they are not  21 looking at January or July and wondering how</p>

Page 166	Page 168
<p>1 much additional business, how much additional 2 workload could potentially be coming their way. 3 And if they have the idea that, you know, 4 applications could be submitted through a 365 5 day process, they are not looking at this flood 6 of an additional workload coming to them twice 7 a year.</p> <p>8 MR. KANE: Okay. I understand that. 9 Anything else.</p> <p>10 MATT TUCKER: The last point that we 11 wanted to recommend was that short term rental 12 licenses be transferable upon the sale of the 13 property. Whether that be subject to some sort 14 of form paperwork that is prepared by the 15 County. But assuming the use doesn't change 16 and that the new owner wants and accepts the 17 assignment and wants to continue use of the 18 property as an STR, we would recommend that the 19 property -- that the license be transferable 20 similarly to almost every other license and 21 permit in the County that we're aware of, with</p>	<p>1 professionals and it is our business to know 2 the ins and outs of the properties we 3 represent. So I find it difficult to imagine a 4 scenario where we wouldn't know everything 5 about the property, however you've obviously 6 experienced that.</p> <p>7 MR. KANE: And there is also the issue too 8 if the owner is present we're giving guidance 9 saying we want this and this to happen. There 10 is an open step there if we deliver that to the 11 owners person, some representative, how do we 12 know that our instructions, things that we 13 discussed, get transferred back to the owner. 14 So there is an open gap there.</p> <p>15 MATT TUCKER: Understood.</p> <p>16 MR. KANE: Questions of.</p> <p>17 MR. CAMPBELL: We have additional points 18 in the letter but we just thought we would 19 speak to the ones we spoke to. There are two 20 other additional points in the letter, one that 21 you brought up, there is an additional point.</p>
<p>Page 167</p> <p>1 the exception of liquor.</p> <p>2 MR. KANE: As I read your letter, you're 3 also objecting to the fact that we've been 4 requiring applicants to appear in person.</p> <p>5 MATT TUCKER: After hearing your thoughts 6 on the matter, I thought I would be kind of 7 wasting my time raising that issue to be 8 perfectly honest.</p> <p>9 MR. KANE: I'm not trying to condition 10 what you're saying, we're just simply reacting 11 to. We certainly want to hear your point.</p> <p>12 MATT TUCKER: Sure. Our position there is 13 it would free the owner up. I did like the 14 idea of having the owner be available via 15 telephone. I didn't know that was an option. 16 But I understand your concern wanting to get -- 17 you know, evaluate the owner, make sure they 18 have a chance to meet their neighbors, address 19 any potential issues ahead of time. But we 20 are, you know, a fully staffed rental agency in 21 Easton with, you know, highly trained</p>	<p>Page 169</p> <p>1 Just to alert you to that. There is more in 2 the letter than we spoke to today.</p> <p>3 MATT TUCKER: In the event you have any 4 questions following this meeting, our contact 5 information is listed in the letter and we'll 6 redistribute it via e-mail as well, with the 7 correct e-mail addresses this time.</p> <p>8 MS. SUSS: All right.</p> <p>9 MATT TUCKER: Thank you.</p> <p>10 MR. KANE: Thank you very much. If you 11 have signed in there. Okay. So I will ask if 12 there are any remaining people that would wish 13 to speak. Susan, yes.</p> <p>14 SUSAN DUPONT: If I could just add.</p> <p>15 MR. KANE: Please come forward.</p> <p>16 SUSAN DUPONT: About having the 17 applicant --</p> <p>18 MARY O'DONNELL: For the court reporter, 19 can you, please.</p> <p>20 SUSAN DUPONT: Regarding applications 21 throughout the year. If I recall correctly,</p>

<p style="text-align: right;">Page 170</p> <p>1 the concern was actually for you all. And it  2 was anticipated that instead of you all being  3 on-call year round, you would be on-call for  4 two months in February -- January and February  5 and then two months in July and August. I  6 don't think it was anticipated at the time that  7 you all would literally be meeting every other  8 week throughout the year. So I think that was  9 the concern at the time. And what we have  10 noticed, and I was speaking with other property  11 owners, unrelated to short term rentals, people  12 were talking about how they felt that the  13 inspection process, the permitting process,  14 seemed to be delayed lately during this term.  15 So I was the one who tried to put two and two  16 together thinking could it be because of the  17 short term rental applications delaying the  18 functions of another department or the same  19 department but with other licenses. So I did  20 reach out to Miguel, and I'll leave it into  21 their hands to decide whether that -- the short</p>	<p style="text-align: right;">Page 172</p> <p>1 to squeak everybody in. So thank you for that.  2 We are not adjourned yet.  3 MR. HALL: We've got a lady who either  4 needs a postponement or needs assurances she  5 can apply by phone. And when are we going to  6 address that, because it's coming up.  7 MR. KANE: I told the staff I thought that  8 was perfectly acceptable.  9 MR. HALL: What was acceptable.  10 MR. KANE: To have the testimony by phone.  11 If that's not the case, let's revisit that.  12 But that was by decision. The applicant is on  13 their way to vacation in Europe.  14 MR. HALL: But presumably they are coming  15 home is my point. I mean they simply asked for  16 a postponement. What's wrong with that.  17 Again, you know what worries me is that we're  18 going to find out that everybody has -- they  19 are either going to the Grand Canyon or --  20 MR. KANE: Find a reason to be on the  21 phone. If you could, give me the latitude to</p>
<p style="text-align: right;">Page 171</p> <p>1 term rental, short term, the January and  2 February, the two month cycle, is causing any  3 kind of a delay in getting other applications  4 taken care of, like pool permits and that kind  5 of stuff. So that was my concern. I saw it  6 and the community people were coming to me and  7 telling me that that was a problem.  8 MR. KANE: Okay. Thank you for that.  9 Anyone else present who wishes to speak. Well,  10 if not, we would like to wrap this up. Again.  11 I will remind everybody that the next hearing  12 is a week away. Same location but we'll be  13 here at 6:00 o'clock to accommodate people that  14 may have work engagements and something like  15 that. Again, if anybody wishes to submit any  16 comments, the record is open. We're going to  17 leave the record open. But if you've got  18 comments for the hearing next week, we would  19 appreciate receiving those a day in so advance.  20 So I would like to thank everybody for their  21 time. We have run over a bit but we were able</p>	<p style="text-align: right;">Page 173</p> <p>1 discuss that with staff and come up with a  2 resolution. Thank you for that comment. Any  3 other business before the board. Hearing none,  4 I declare us adjourned. Thank you very much.  5 (Work session concluded at 4:21 p.m.)  6  7  8  9  10  11  12  13  14  15  16  17  18  19  20  21</p>

1 STATE OF MARYLAND  
2 I, David Corbin, a Notary Public in and  
for the State of Maryland, do hereby certify  
3 that the within named, TALBOT COUNTY SHORT TERM  
RENTAL REVIEW BOARD WORK SESSION, personally  
4 appeared before me at the time and place herein  
set according to law.

5  
6 I further certify that the work session  
was recorded stenographically by me and then  
transcribed from my stenographic notes to the  
7 within printed matter by means of  
computer-assisted transcription in a true and  
8 accurate manner.

9 I further certify that the stipulations  
contained herein were entered into by counsel  
10 in my presence.

11 I further certify that I am not of counsel  
to any of the parties, not an employee of  
12 counsel, nor related to any of the parties, nor  
in any way interested in the outcome of this  
13 action.

14 AS WITNESS my hand and Notarial Seal this  
28th day of August, 2019, at Centerville,  
15 Maryland

16  
17 

18 David C. Corbin  
Notary Public

19  
20  
21 My commission expires November 19, 2019

<b>1</b>	112:8	<b>32</b> 140:8	<b>8:30</b> 141:10
<b>1,000</b> 41:3	<b>20,000</b> 81:8	<b>33</b> 145:19 146:4	<b>9</b>
<b>10</b> 58:9	<b>200</b> 96:10 162:18	<b>34</b> 145:21 146:2,4	<b>9,000</b> 52:10
<b>100</b> 49:20,20	<b>2003</b> 12:17 13:10	<b>35</b> 146:9	<b>90</b> 126:8
105:9	13:12,15 36:1	<b>36</b> 153:15,16	<b>911</b> 67:19 68:2,14
<b>11</b> 104:14,20	90:6 158:10 159:5	<b>365</b> 166:4	68:16,18,18 85:2
105:5	<b>2004</b> 39:6 117:20	<b>37</b> 6:7 7:7 154:2	85:2
<b>12</b> 23:19 62:3	118:3	<b>4</b>	<b>9928</b> 56:18
107:15	<b>2005</b> 117:20	<b>40</b> 136:17	<b>9th</b> 2:18 4:9
<b>12th</b> 58:20	<b>2006</b> 85:15	<b>400</b> 146:20	<b>a</b>
<b>13</b> 108:12	<b>2010</b> 98:15	<b>410</b> 65:18	<b>abiding</b> 93:1
<b>130</b> 128:16 129:14	<b>2014</b> 39:7,7,9,19	<b>46</b> 110:2 111:4	139:20
<b>1314</b> 45:16	<b>2018</b> 35:20 96:7	<b>4:00</b> 6:15 107:9	<b>ability</b> 40:14 82:4
<b>13th</b> 2:19 4:17	129:16	<b>4:21</b> 173:5	90:13 103:5
<b>14</b> 15:1 46:4 48:2	<b>2019</b> 1:7 174:14	<b>4th</b> 141:9	130:11 165:15
48:7 59:3 62:3	174:21	<b>5</b>	<b>able</b> 17:10 21:7
<b>140</b> 91:20,21 92:4	<b>20th</b> 133:20 134:3	<b>5,000</b> 34:11 52:17	34:14 49:9,9
93:14 94:1 98:13	<b>21</b> 30:2 115:20	<b>50</b> 44:7,14 53:11	62:14 81:17 82:6
<b>1413</b> 4:5,11 30:21	<b>21748</b> 155:1	88:12	82:21 83:10 84:7
<b>142</b> 98:13 109:17	<b>22</b> 1:7 21:6 120:6	<b>50's</b> 60:11	87:10 92:13,15
109:21 111:9	<b>229</b> 134:18	<b>50,000</b> 34:12	93:3,8 100:16
<b>15</b> 16:1 30:15,17	<b>22nd</b> 4:15	<b>500</b> 36:19 38:5	110:20 117:2
82:10 108:21	<b>23</b> 127:9	82:15	128:1 154:21,21
142:19	<b>24</b> 67:15 133:4	<b>52</b> 20:9 39:9,18	155:8 156:8 164:9
<b>1500</b> 156:1	<b>24/7</b> 64:3,4 65:18	<b>58</b> 98:14	164:14 171:21
<b>16</b> 109:2	68:3 71:12 78:2	<b>6</b>	<b>absolutely</b> 81:3
<b>160</b> 94:1	<b>25</b> 133:7 146:13	<b>60</b> 106:4,9 130:8	84:13,18 86:5
<b>17</b> 57:10 109:4	149:5 151:10	<b>63.2</b> 51:3 131:15	88:11 89:20
129:17	152:3,8	<b>64</b> 58:20,21 59:1	162:12
<b>18</b> 109:9	<b>26</b> 134:11	<b>6669</b> 140:11	<b>absorb</b> 110:20
<b>18021</b> 174:17	<b>260</b> 129:3,6	<b>6:00</b> 3:19 4:1	<b>accept</b> 17:10
<b>19</b> 112:4 174:21	<b>27</b> 135:14	133:12 171:13	108:13 133:5
<b>190</b> 96:10 128:10	<b>28</b> 135:21 136:4	<b>7</b>	135:19 136:2,4,7
<b>190-63.2</b> 26:15	<b>28th</b> 174:14	<b>7,500</b> 147:1	140:7 154:1,9
<b>190-78318</b> 45:10	<b>29</b> 136:5,7	<b>75</b> 109:21 111:8,9	163:15
<b>1920's</b> 160:17	<b>29th</b> 3:18 133:17	<b>7th</b> 58:19	<b>acceptable</b> 107:3
<b>1987</b> 86:4	134:2,9	<b>8</b>	172:8,9
<b>1:00</b> 1:7 32:3	<b>3</b>	<b>8</b> 51:3	<b>accepted</b> 8:20
<b>2</b>	<b>3,000</b> 52:9	<b>80</b> 110:4 111:5	13:9 131:9
<b>2,000</b> 156:1	<b>30</b> 25:16 86:20	<b>80's</b> 86:2	<b>accepting</b> 17:12
<b>20</b> 3:8 29:18 55:15	136:8 143:9	<b>819-2284</b> 65:18	18:4,14
92:3,5 93:16,18	<b>30,000</b> 98:17		<b>accepts</b> 51:9
94:1 95:15 99:9	<b>31</b> 140:5,7		166:16

<p><b>access</b> 79:14 86:10 105:19</p> <p><b>accessible</b> 29:4 67:1</p> <p><b>accommodate</b> 20:1 171:13</p> <p><b>accommodating</b> 20:3</p> <p><b>accountability</b> 66:17 126:1</p> <p><b>accurate</b> 27:4,21 60:3 174:8</p> <p><b>accusations</b> 122:10</p> <p><b>accusing</b> 14:2,4</p> <p><b>acquainted</b> 164:16</p> <p><b>action</b> 174:13</p> <p><b>activities</b> 114:16 114:17,20</p> <p><b>activity</b> 86:21</p> <p><b>actual</b> 65:16</p> <p><b>ad</b> 85:5</p> <p><b>adapted</b> 163:2</p> <p><b>add</b> 14:13 130:6 142:5,8 156:5 169:14</p> <p><b>addition</b> 120:15</p> <p><b>additional</b> 3:12 4:14 42:19 46:17 87:4 97:13 134:6 134:15 166:1,1,6 168:17,20,21</p> <p><b>additionally</b> 143:9</p> <p><b>address</b> 9:19 15:4 16:7 18:1 25:1 45:2,16,18 46:6 77:17 78:20 79:11 79:18 83:10 106:1 119:17,21 127:4 167:18 172:6</p> <p><b>addressed</b> 9:20 121:13</p>	<p><b>addresses</b> 157:19 169:7</p> <p><b>addressing</b> 127:18</p> <p><b>adequate</b> 12:5 89:12</p> <p><b>adhere</b> 12:4</p> <p><b>adhering</b> 26:7</p> <p><b>adieu</b> 7:4</p> <p><b>adjoining</b> 54:7,10 54:12</p> <p><b>adjourned</b> 172:2 173:4</p> <p><b>adjudicate</b> 31:19</p> <p><b>adjusts</b> 98:1</p> <p><b>admitted</b> 142:2 143:12,21</p> <p><b>adopted</b> 3:4 27:1</p> <p><b>adoption</b> 159:6</p> <p><b>advance</b> 134:9 171:19</p> <p><b>adversarial</b> 25:20</p> <p><b>advertise</b> 152:21</p> <p><b>advertised</b> 78:19</p> <p><b>advertising</b> 47:3 96:12,14,18,19 152:18,19 153:2</p> <p><b>advice</b> 4:19 7:2 68:14</p> <p><b>advised</b> 5:5,12</p> <p><b>afford</b> 82:6 87:21 138:8</p> <p><b>affordable</b> 113:6 138:4 139:2 159:20</p> <p><b>age</b> 80:13 158:4,5</p> <p><b>agency</b> 167:20</p> <p><b>agenda</b> 2:5 8:3 101:3</p> <p><b>agent</b> 64:5 70:18 71:4,6,7,8,12,17 79:13 122:17,21 138:20 143:8 145:4</p>	<p><b>agents</b> 123:17</p> <p><b>ago</b> 88:11 98:16 128:19 141:9 152:8</p> <p><b>agree</b> 14:8 85:5 89:17 107:21 127:19 132:21 134:13 162:1</p> <p><b>agreement</b> 25:14 76:12 132:8 145:13 161:20</p> <p><b>agreements</b> 145:10</p> <p><b>ahead</b> 106:14 147:6 167:19</p> <p><b>air</b> 86:15,15,17,19 86:19 87:2 145:7 149:13,21 152:11</p> <p><b>alarms</b> 27:3</p> <p><b>alert</b> 169:1</p> <p><b>alexandria</b> 117:15</p> <p><b>alice</b> 108:14</p> <p><b>alienated</b> 117:10 117:17</p> <p><b>alleviate</b> 163:17</p> <p><b>allow</b> 59:15 105:8 106:13 132:1 165:5</p> <p><b>allowed</b> 6:13 24:14 43:18 50:8 59:12 60:2 145:8</p> <p><b>allowing</b> 26:9 60:4 106:8</p> <p><b>amazed</b> 137:14</p> <p><b>amazing</b> 137:18 140:14</p> <p><b>amended</b> 27:2</p> <p><b>amount</b> 59:9 60:1 80:7 96:15 128:17 160:10</p> <p><b>analysis</b> 110:5</p> <p><b>analyzed</b> 111:17</p> <p><b>angela</b> 10:20,21 11:3,5,8 13:1,6</p>	<p>14:4,19 15:13 16:4 17:2,17,20 18:4,10,13 19:12 20:11 21:17 23:2 23:9 24:3 25:5,21 77:8,13,16 153:1 153:6,7</p> <p><b>angry</b> 58:3</p> <p><b>animal</b> 48:14</p> <p><b>ann</b> 146:9,11,11 148:2,6,8,12,17 148:20 149:2,8,10 149:17 150:1,6,9 150:12,16,19 151:4,9,16,21 152:3,10,16 153:1 153:6,10</p> <p><b>annapolis</b> 134:21</p> <p><b>anonymous</b> 126:3 126:8</p> <p><b>answer</b> 2:16 21:3 21:19 22:2 48:10 48:18 100:2 124:16 128:16</p> <p><b>answered</b> 21:8</p> <p><b>anthony</b> 14:12 37:6 45:15 46:1 48:20 73:10 112:5</p> <p><b>anticipated</b> 7:20 107:17 170:2,6</p> <p><b>anxious</b> 19:6</p> <p><b>anybody</b> 6:16 8:17 14:5 20:10 32:13 37:7 47:5 48:3 68:15 133:12,13 154:4,17 171:15</p> <p><b>anyway</b> 15:16 19:14 65:11</p> <p><b>apart</b> 32:18 37:1</p> <p><b>apparently</b> 61:12 144:7</p> <p><b>appear</b> 167:4</p> <p><b>appeared</b> 36:4 128:2,9 174:4</p>
---	---	--	--



<p><b>applaud</b> 80:17,18  <b>applicable</b> 51:5  <b>applicant</b> 19:1,1,8  19:11 21:19 22:5  22:5,20,21 24:14  25:1,2,8 26:17  28:5 29:14 30:3  30:11 54:11  165:16 169:17  172:12  <b>applicant's</b> 65:5  <b>applicants</b> 19:5,7  27:21 66:9,10  106:14 111:4  131:17 147:8  165:13 167:4  <b>application</b> 9:6  11:10 14:21 19:13  19:17,18,20,21  21:6 23:6 26:2,6  26:11,16 27:17  29:9,18,19 35:18  41:4 50:18 51:3  51:11 55:8 56:11  70:16 84:5,6  106:16,21 110:9  121:16 131:1,7,9  142:16,18 146:16  147:10 158:6,21  162:17 165:17,18  <b>applications</b> 3:9  8:20 9:3,5,8,11  10:10,11 17:11,13  18:5,9,12,16 20:6  26:5,10 28:6  78:12 92:3 102:9  105:12 106:5  110:3,20 142:14  158:7 163:1,16  164:8,11,12,15  166:4 169:20  170:17 171:3  <b>applied</b> 158:21</p>	<p><b>apply</b> 54:18  151:13 172:5  <b>applying</b> 11:20  23:4 47:1 61:7  92:2,19 163:1  <b>appointed</b> 103:4  <b>appreciate</b> 6:8  108:17 109:2,3  117:7 124:21  132:20 134:8  171:19  <b>appreciated</b>  135:20  <b>approach</b> 161:17  161:21  <b>approaches</b> 35:1  <b>appropriate</b> 70:9  100:4,8,21 101:17  123:16 130:3,9  <b>approval</b> 52:12,20  53:10 59:19  <b>approvals</b> 19:14  19:16  <b>approve</b> 21:6  102:10  <b>approved</b> 3:10  28:6 52:20 84:9  92:5  <b>approximately</b>  3:8 49:8 93:21  129:19 141:7,9  <b>arbitrary</b> 49:3  <b>architectural</b>  159:3 160:15,20  <b>area</b> 81:12 82:15  140:12 144:7  159:2  <b>areas</b> 90:11,12  110:2 137:14  <b>argue</b> 50:6  <b>argument</b> 131:8  159:1  <b>argumentative</b> 8:7</p>	<p><b>article</b> 54:8,9  67:13 86:17  <b>aside</b> 130:5  <b>asked</b> 4:16 33:13  34:9 44:7 57:20  63:1 103:1 156:16  172:15  <b>asking</b> 4:17 24:6  33:13 132:14  158:8  <b>asks</b> 24:10  <b>aspect</b> 152:6  <b>assess</b> 101:21  161:11  <b>assessment</b> 70:13  <b>assignment</b>  166:17  <b>assistant</b> 69:14  <b>assisted</b> 174:7  <b>associate</b> 70:6  <b>associated</b> 83:18  162:19 164:7  <b>assumed</b> 163:21  <b>assuming</b> 51:16  129:19 166:15  <b>assurances</b> 172:4  <b>attend</b> 3:19 6:11  20:14  <b>attendance</b> 2:12  <b>attended</b> 11:8  141:13  <b>attending</b> 40:19  <b>attention</b> 107:7  134:20 144:21  <b>attitude</b> 22:7  <b>attorney</b> 14:7 37:4  155:17  <b>attorney's</b> 7:1  <b>attorneys</b> 15:8  <b>attract</b> 24:8  <b>audience</b> 7:14  8:16 32:10 41:20  76:11 79:7,10,16  119:12 133:9</p>	<p>135:17 136:1  153:18 156:19  <b>audio</b> 57:14 65:9  <b>augment</b> 150:7  <b>august</b> 1:7 2:19  4:17 9:7 58:20  133:20 141:9  170:5 174:14  <b>author</b> 104:13  <b>available</b> 5:1,2  71:12 72:7 155:18  167:14  <b>avenue</b> 134:18  <b>average</b> 66:2  159:5  <b>avoid</b> 42:8  <b>aware</b> 5:10 61:10  88:15 103:17  144:9 159:4  166:21</p>
			<b>b</b>
			<p><b>b</b> 33:7,7 34:19,19  36:6,6,12,13,18  36:18,19,19,20,20  39:1,1,10,14  86:15,15,15,16,17  86:17,19,19,19,19  87:2,2 145:7,7  148:1,1,7,7,10,11  148:14,14,18,18  149:1,1,2,3,5,5,13  149:13,13,13,18  149:18,21,21  150:14,14,19,19  151:2,3,8,8,9,9,18  151:18 152:7,7,12  152:12,20,20  153:3,3  <b>b's</b> 39:10,15  <b>back</b> 10:8 15:2  25:1 27:19 28:14  37:3 38:3 45:17  58:5 74:20 95:18  105:7 126:3</p>

128:19 129:2 142:8 168:13 <b>background</b> 2:21 4:4 20:21 <b>backlash</b> 117:3 <b>backlog</b> 3:13 17:12 <b>backs</b> 123:3 <b>bad</b> 87:3 141:4 <b>balance</b> 3:13 9:9 89:6 110:17 <b>banks</b> 22:6 <b>barrier</b> 92:21 <b>based</b> 3:11 7:15 7:16 69:21 129:6 <b>basically</b> 82:1 87:6,16 116:10 147:4 <b>basis</b> 28:13 144:9 <b>bat</b> 66:17 <b>bathroom</b> 58:16 <b>beautiful</b> 160:18 <b>beauty</b> 64:13 <b>bed</b> 112:17 143:13 150:4 158:16,17 158:21 <b>beds</b> 59:3 142:6 143:17,18,20 <b>beg</b> 18:10 <b>began</b> 13:18,20 <b>beginning</b> 58:8 76:14 78:14 152:12 154:7 <b>behalf</b> 6:20,21 116:7 127:13 157:3,9 <b>behave</b> 124:4,9 <b>behavior</b> 141:5 <b>behaviors</b> 124:13 <b>believe</b> 28:17 54:15,21 61:18 66:5 70:15,18 86:4 90:7 92:10 98:3 102:2 103:4	106:21 119:11,19 143:17 157:20 160:6 <b>beneficial</b> 78:19 <b>benefit</b> 165:19 <b>benefits</b> 103:21 104:2 135:2 <b>best</b> 6:2 30:11 33:2 53:18 64:11 115:9 <b>better</b> 24:8 28:4 32:2 66:8 67:7 77:3,3 134:5 144:14 <b>big</b> 52:14 62:19 81:11 94:8 127:6 160:8 <b>biking</b> 42:6 <b>bill</b> 4:5,11 30:21 31:3 41:18 45:15 45:17,18 <b>bit</b> 29:1,4 31:6 34:6 36:15 37:3 47:13 66:6 67:4 92:12 104:19 108:5 121:9 147:21 162:14 171:21 <b>blew</b> 141:12 <b>blind</b> 96:4 <b>block</b> 37:16 <b>blowing</b> 34:1 <b>board</b> 1:4,13 2:4 3:1 4:11,14 5:16 7:2,9,14,19 8:10 9:4,14,20 10:3,16 12:13 15:5,11 16:11 18:1 20:4 20:19 22:3 24:18 27:18 28:10,17 29:7 30:13 31:7 31:11,13,19,21 35:12 43:14 46:6 52:6 53:13,21	54:1 55:3,10 56:4 56:20 72:7,15,20 73:13,16 74:6,11 74:16 76:5 77:17 79:5 80:18 85:8 87:1 88:8,9,19 89:1 100:10 103:5 103:21 105:9,11 105:15 123:13 124:18,18 127:10 127:13,17 128:5 138:13 140:13,17 144:18 156:10,21 164:13 173:3 174:3 <b>board's</b> 21:3 <b>boats</b> 57:12 <b>bob</b> 154:21,21 155:8 156:8 <b>body</b> 97:21 <b>bogan</b> 8:14,14 10:9 154:3 <b>bogan's</b> 17:7 <b>bollman</b> 140:6 <b>bond</b> 22:9 <b>bookends</b> 154:6 <b>books</b> 130:14 <b>bother</b> 68:18 <b>bothers</b> 138:6 <b>bought</b> 116:10 117:19 138:20 <b>brand</b> 52:10 <b>break</b> 32:18 104:12 107:8,11 107:13 161:2 <b>breakfast</b> 150:4 150:11,21 158:17 159:1 <b>breakfasts</b> 112:18 158:17 <b>breaking</b> 83:3 <b>breeze</b> 36:12 <b>brief</b> 109:4 146:13	<b>briefly</b> 5:4 8:18 105:6 108:15 <b>bring</b> 49:16 50:8 54:1 99:3 134:19 144:10 147:16 162:13 <b>bringing</b> 144:21 <b>brings</b> 113:17 <b>broll</b> 1:17 27:19 35:13 36:9 135:10 <b>brought</b> 17:8 19:20 55:7,8 90:3 120:21 121:11 127:20 130:7 168:21 <b>build</b> 76:2 <b>building</b> 90:6 117:7 144:2 148:9 148:10,15,16,17 158:12 <b>builds</b> 64:15 <b>built</b> 158:9 159:4 160:17 <b>bump</b> 20:10 <b>bunk</b> 142:6 <b>burden</b> 47:14 163:17 164:2 165:9 <b>burdensome</b> 21:14 <b>bus</b> 57:10 <b>buses</b> 57:9 <b>busier</b> 149:15 <b>business</b> 7:12 39:1 39:5,6,7,8,12 58:5 79:1 81:8 149:18 151:15 152:12 156:11 157:11 165:14 166:1 168:1 173:3 <b>businesses</b> 12:10 59:14 <b>buy</b> 91:2 137:20
--	---	---	---

<b>c</b>	<b>cases</b> 55:2 73:19 123:1 128:2 160:13,14 <b>catch</b> 21:5 75:19 107:7 <b>category</b> 35:4 70:6 <b>catering</b> 57:8 <b>caught</b> 117:2 <b>caused</b> 62:6 85:12 149:12,16 <b>causing</b> 171:2 <b>cell</b> 57:19 <b>center</b> 1:10 98:18 <b>centerville</b> 174:14 <b>central</b> 89:19 <b>certain</b> 12:7,7 16:12 18:2 30:6,9 30:19 43:3 44:3 122:20 139:8 <b>certainly</b> 2:10 6:8 7:15 32:4,7 34:9 101:16 120:1 130:10 133:1,14 134:7,14 143:2 167:11 <b>certificate</b> 29:21 <b>certified</b> 29:17 30:4,8,10 142:17 <b>certify</b> 84:7 174:2 174:5,9,11 <b>cetera</b> 11:14,15 43:21 <b>chair</b> 8:1 <b>chairman</b> 1:14 88:8 127:17 131:16 <b>challenging</b> 137:16 <b>chambers</b> 31:4 <b>chance</b> 133:21 134:9 167:18 <b>change</b> 4:6 12:15 41:12 128:11 166:15	<b>changed</b> 11:13 <b>changes</b> 14:3 31:16 32:21 41:6 130:12 <b>changing</b> 9:17,21 11:10,15 27:11 <b>chapters</b> 126:7 <b>charged</b> 143:7,7 143:10 <b>charges</b> 143:6 <b>charitable</b> 114:16 114:16,19 <b>cheaper</b> 150:2 <b>check</b> 47:3,4 104:17 <b>checking</b> 46:19,19 <b>checklist</b> 43:12 <b>checkmark</b> 43:15 <b>chief</b> 141:20 <b>children</b> 113:11 <b>chip</b> 58:8 <b>christina</b> 136:9,10 136:14,16,16,21 137:3 138:17 139:10,14,17 <b>chunk</b> 94:8 <b>church</b> 114:18 <b>cindy</b> 42:14,21 45:10,13 46:2 47:10,18 48:1,15 49:14 50:10 52:3 53:15,17 55:5,20 56:6 <b>circle</b> 97:5 155:1 <b>circumstantially</b> 117:14 <b>cited</b> 143:16 <b>citizen</b> 66:3 <b>citizens</b> 6:21 32:5 <b>civil</b> 143:7 <b>clarification</b> 4:14 7:19 26:1 52:1 73:1 119:3 139:12	<b>clarifications</b> 10:15 105:4 <b>clarify</b> 7:11 10:6 18:20 95:14 120:16 132:14 <b>clarifying</b> 8:15 123:16 <b>class</b> 30:4 34:19 34:19,19,19,20 <b>classes</b> 34:18 <b>clean</b> 47:20 105:21 <b>cleaning</b> 45:5 47:2 47:19 <b>clear</b> 22:21 28:10 50:7,14 67:21 90:9 107:3 122:14 124:11,21 161:13 <b>clearly</b> 109:13 <b>close</b> 54:6 60:9 98:14 114:15 117:16 <b>closed</b> 39:11 <b>closely</b> 139:5 <b>closer</b> 36:19 <b>cloud</b> 58:14 <b>coastal</b> 60:7 61:19 <b>code</b> 12:18 13:15 14:14,20 15:19 16:6 26:14,19 27:1 28:11 35:20 36:18 44:17,17 49:16 50:7,14 51:2 54:9 55:15 55:18 63:14 68:9 69:13 73:11,12 90:6 100:15 105:17 107:2 123:18 124:11 126:7 127:5 131:6 131:14 141:20 147:2,8 158:10,12 159:6 160:3
----------	---	---	---

<p><b>codes</b> 44:2,5  <b>codified</b> 84:3  <b>codify</b> 4:6  <b>codifying</b> 84:1  <b>collect</b> 22:10  155:14  <b>combsberry</b> 146:9  146:12,20  <b>come</b> 2:9 3:20,21  15:1 18:20 19:17  20:6,19 21:17  23:12,13,16 24:17  25:1 35:15 36:4,5  40:18 47:12 48:2  50:19 52:6,14  53:13 56:12 72:5  79:9,21 81:17  88:17 95:18 102:6  105:7 108:2  109:11 112:21  120:8 133:13,16  133:16 144:13  154:19 156:19  159:20 161:11,18  169:15 173:1  <b>comes</b> 43:17 61:6  61:8 64:8 75:10  101:4,4 104:21  117:18 123:10,12  125:8 130:18  159:11 163:18  <b>comfortable</b>  164:18  <b>coming</b> 38:18  59:15 60:16,16  83:16 85:21 86:2  118:14 127:18  129:16 133:9  166:2,6 171:6  172:6,14  <b>comment</b> 12:13,14  24:6 25:2 34:16  40:5 44:6 53:17  77:7 79:2 85:10</p>	<p>101:16,19 108:13  109:5 120:7  133:21 135:19  156:7 173:2  <b>comments</b> 6:8,13  8:7,18 11:1 20:18  24:18 31:17 35:11  35:11 36:10 42:18  53:12 56:3,10  97:2,11,14 104:14  105:4 108:15,18  109:3 125:1  133:19 134:6  138:12 146:4  171:16,18  <b>commercial</b> 35:10  59:16 89:19  <b>commission</b> 3:5  128:12 129:1  174:21  <b>commitment</b>  140:13  <b>committee</b> 147:15  <b>common</b> 124:3  <b>communicate</b>  22:20 68:5,8  122:12  <b>communicated</b>  123:4 126:18  <b>communication</b>  128:4  <b>communities</b>  137:10 138:3  139:8 140:1  <b>community</b> 1:10  38:1,2 60:14 71:3  85:18 90:1 94:7  98:18 114:6,15,17  117:3,10 147:14  147:18 171:6  <b>companies</b> 86:6  <b>company</b> 48:7  53:4 93:6</p>	<p><b>complain</b> 75:5  <b>complaint</b> 31:20  61:4 63:2,3,8 64:1  64:7,7 66:13 67:3  68:3 70:3,4,8  73:11,13 75:19,20  106:1 120:18  121:2 122:6,13,15  123:5 125:2,7,8  126:2,9,20 139:17  143:5  <b>complaints</b> 40:10  61:5,15 70:5,9,12  71:14,16,16 72:1  72:4,11 73:4,6  74:2,15,21 105:13  105:14 122:3,4,8  123:8,12 126:4,12  147:10  <b>complete</b> 10:10  27:17 28:14 29:9  84:4  <b>completed</b> 106:4  106:16,21 142:19  <b>completely</b> 162:16  <b>complex</b> 110:16  <b>compliance</b> 75:9  77:21 90:5 99:4  100:15 109:8  122:19 125:6  141:15,18,20  159:21 161:19,20  <b>compliant</b> 100:14  158:12  <b>complies</b> 26:21  <b>comply</b> 158:18  159:8  <b>computer</b> 174:7  <b>conceived</b> 54:9  <b>concentration</b>  114:9  <b>concern</b> 15:6 38:7  40:11 42:3 68:16  68:21 97:15 117:4</p>	<p>165:1,10 167:16  170:1,9 171:5  <b>concerned</b> 135:6  139:21  <b>concerns</b> 127:19  128:2  <b>conclude</b> 107:9  <b>concluded</b> 173:5  <b>conclusion</b> 42:17  <b>condition</b> 52:21  167:9  <b>conditional</b> 28:13  <b>conditions</b> 27:5  <b>condo</b> 117:15  <b>conduct</b> 2:20  123:16 124:12  <b>confidence</b> 122:5  122:7,13 126:20  <b>confirmation</b>  142:21  <b>confirmed</b> 98:12  141:21  <b>conflict</b> 70:4  <b>confused</b> 147:21  <b>connection</b> 93:9  <b>consciousness</b>  110:13  <b>consider</b> 3:15 7:6  27:11 31:11,13,16  37:14 42:20 73:16  102:9 142:15  156:13,13 161:16  163:5  <b>consideration</b>  55:11  <b>considered</b> 4:5  36:17 49:11 160:6  <b>considering</b> 41:7  143:2  <b>consistent</b> 45:7,8  <b>constructed</b> 159:5  <b>construction</b>  110:11 158:5,5,13</p>
--	---	--	---

<p><b>contact</b> 93:9 122:16 169:4</p> <p><b>contacted</b> 43:5 99:18,21 121:4</p> <p><b>contained</b> 174:9</p> <p><b>contents</b> 51:2</p> <p><b>continue</b> 54:20 55:13 84:16 102:8 102:10 118:6 166:17</p> <p><b>continues</b> 73:3 89:21</p> <p><b>continuing</b> 109:6 109:7</p> <p><b>contracting</b> 96:8</p> <p><b>contribute</b> 115:1</p> <p><b>contributing</b> 38:1</p> <p><b>control</b> 24:16</p> <p><b>conversation</b> 44:11 100:9 101:3 129:13</p> <p><b>conversations</b> 52:4</p> <p><b>convert</b> 118:7</p> <p><b>converted</b> 142:4 143:15</p> <p><b>cooked</b> 98:2</p> <p><b>cool</b> 97:20</p> <p><b>coordinator</b> 116:5 157:11</p> <p><b>copies</b> 156:6,21 157:21</p> <p><b>copy</b> 156:3</p> <p><b>corbin</b> 1:21 174:2 174:18</p> <p><b>correct</b> 15:15 18:19 28:18,20 33:6 48:20 72:13 78:10 89:12 95:15 96:16 102:17 148:6,20 149:8,16 150:6,9,21 151:21 152:16 160:14 161:9 169:7</p>	<p><b>correctly</b> 169:21</p> <p><b>correspondents</b> 7:10</p> <p><b>cost</b> 49:19 90:15 106:17 118:17 130:11 147:7 155:21 159:20 160:8</p> <p><b>costly</b> 92:12</p> <p><b>costs</b> 115:3,4 152:13</p> <p><b>cottage</b> 153:17</p> <p><b>council</b> 2:7,9,18 3:6 4:4,5,10,15,18 4:20 5:5 6:3 10:4 31:4,10 33:4,12 33:20 34:9 45:17 83:14 102:21 111:1 128:13,21 129:1 130:1 155:7 156:15,16</p> <p><b>council's</b> 6:5 103:3</p> <p><b>councilmen</b> 4:20</p> <p><b>counsel</b> 157:5,10 174:9,11,12</p> <p><b>count</b> 59:4</p> <p><b>counter</b> 24:16</p> <p><b>counties</b> 61:20 94:19</p> <p><b>county</b> 1:1,10 2:7 2:17 3:6 4:4,10,15 4:18 6:21 7:1 9:2 10:3 14:7 15:8 24:5 27:1 29:5 31:4,10 32:5 33:4 33:12,20 34:9,21 35:6 37:4 49:19 50:5,19 57:15 59:10,16 60:1,2 60:14,17 62:15,16 63:7 66:3 68:15 71:4,17 80:11,12 80:17,18 83:13</p>	<p>86:5 87:4 88:4 89:6,7 96:12 98:4 98:6,20 99:1,6,8 99:18,19 102:2 103:21 105:15 110:1,7,8 115:4 126:7 128:12,15 128:21 129:1,4 136:17 137:5 138:6,8 140:13 141:14 142:7 155:6 156:15,16 161:15 162:5,6 166:15,21 174:3</p> <p><b>couple</b> 2:12 10:6 11:11 25:17 88:20 97:11 122:2 123:21 133:18 158:1</p> <p><b>course</b> 18:17 53:6 60:21 127:16</p> <p><b>court</b> 5:3 155:15 169:18</p> <p><b>cover</b> 146:4</p> <p><b>covered</b> 108:9</p> <p><b>cox</b> 153:16</p> <p><b>craigslist</b> 95:1</p> <p><b>create</b> 60:1 92:16 105:19</p> <p><b>created</b> 17:12 129:5</p> <p><b>creek</b> 119:11,12 119:13,19 141:8</p> <p><b>creeping</b> 110:6</p> <p><b>critical</b> 110:2</p> <p><b>cross</b> 8:1</p> <p><b>crossed</b> 27:16</p> <p><b>crystal</b> 124:11</p> <p><b>current</b> 15:11 35:20 131:13 163:19 165:1</p> <p><b>currently</b> 29:12 36:1 111:10</p>	<p><b>curtail</b> 120:12</p> <p><b>customer</b> 64:2</p> <p><b>cut</b> 133:19 155:2 163:2</p> <p><b>cutoff</b> 134:3</p> <p><b>cycle</b> 171:2</p> <p><b>cynthia</b> 112:5</p> <hr/> <p style="text-align: center;"><b>d</b></p> <hr/> <p><b>d</b> 26:15 131:15</p> <p><b>damages</b> 24:7,11</p> <p><b>danger</b> 68:4</p> <p><b>dangerous</b> 42:10</p> <p><b>dangerously</b> 124:2</p> <p><b>data</b> 87:4 88:5 101:17</p> <p><b>date</b> 30:9,19 100:8 142:20</p> <p><b>david</b> 1:18,21 174:2,18</p> <p><b>day</b> 30:6 47:4,5 62:5 64:13 65:13 75:7 89:21 130:8 134:8 142:11 154:10 166:5 171:19 174:14</p> <p><b>days</b> 16:1 25:16 29:18 30:2,15,17 59:9,13 62:8,15 106:4,9 142:19</p> <p><b>deal</b> 10:11 29:7 61:17 63:11 160:2</p> <p><b>dealing</b> 35:1 61:15</p> <p><b>dealt</b> 18:17 21:20 43:21 61:12</p> <p><b>december</b> 78:8</p> <p><b>decide</b> 170:21</p> <p><b>decided</b> 4:10,10 118:12 130:3</p> <p><b>decides</b> 41:10</p> <p><b>decision</b> 172:12</p> <p><b>decisions</b> 129:4</p> <p><b>deck</b> 44:10 54:6</p>
--	--	---	--

<p><b>declare</b> 173:4  <b>decline</b> 39:8  <b>declining</b> 91:12  149:19 150:5  <b>decreased</b> 81:6  <b>decreasing</b> 91:18  <b>defer</b> 29:14  165:11  <b>deference</b> 34:15  <b>deferred</b> 3:10  25:15  <b>definitely</b> 45:4  125:17 129:12,14  150:1  <b>definition</b> 131:14  <b>definitions</b> 45:12  <b>definitive</b> 31:8  <b>defray</b> 118:16  <b>delay</b> 171:3  <b>delayed</b> 170:14  <b>delaying</b> 170:17  <b>deliberately</b> 13:14  <b>deliberations</b> 5:9  <b>delighted</b> 105:18  <b>delineate</b> 95:19  <b>deliver</b> 168:10  <b>delivered</b> 163:8  <b>delivery</b> 142:21  <b>demarco</b> 134:11  134:12,17,17  135:14  <b>democrat</b> 97:9  <b>demonized</b> 117:10  <b>denied</b> 3:12  <b>density</b> 31:13  37:13,15 115:12  139:8  <b>department</b> 17:9  26:6 51:1,9,16,18  98:10 128:13  163:15 170:18,19  <b>depends</b> 151:4  <b>deposit</b> 24:7,11</p>	<p><b>depth</b> 144:5  <b>describes</b> 40:16  <b>detail</b> 40:11 80:7  95:9 124:14  <b>detailed</b> 40:7  <b>detectors</b> 35:21  159:12,15  <b>determine</b> 9:16  19:9 24:10 27:4  75:19  <b>development</b>  157:12  <b>dialogue</b> 8:5  <b>difference</b> 44:9,12  46:9 150:10,14  151:1,2  <b>differences</b> 25:13  25:17  <b>different</b> 21:21  22:1 23:14 25:9  35:4 48:14 62:10  70:6 83:6 85:18  94:18 113:5 126:6  137:6,11 147:11  152:1,19 160:7  <b>differentiate</b> 49:1  <b>differently</b> 61:16  <b>difficult</b> 28:3 29:1  66:6 75:8 91:19  161:11 168:3  <b>diligence</b> 110:13  144:20  <b>dimensions</b> 160:5  <b>diminish</b> 115:2  <b>direct</b> 33:21  <b>directed</b> 4:11 33:2  <b>direction</b> 2:19  4:17 5:7 6:5 9:21  141:13  <b>directions</b> 83:13  <b>directly</b> 64:14  <b>director</b> 26:19  101:9</p>	<p><b>discipline</b> 110:13  <b>discrepancy</b> 45:1  45:19 50:4  <b>discretion</b> 18:21  18:21  <b>discuss</b> 5:6 158:2  173:1  <b>discussed</b> 4:7 29:9  30:17 105:9  120:21 141:15  168:13  <b>discussing</b> 21:11  <b>discussion</b> 8:2,5  31:1,3 49:6 52:13  104:21 120:19  132:7  <b>discussions</b> 7:18  <b>disinclined</b> 68:18  <b>disposition</b> 143:4  <b>disruptions</b> 85:13  85:14  <b>dissension</b> 8:9  <b>distance</b> 36:21  <b>district</b> 89:19  <b>disturbance</b> 40:16  <b>disturbs</b> 139:4  <b>ditch</b> 42:8  <b>divided</b> 34:18  <b>dividends</b> 22:10  <b>dock</b> 57:12  <b>docket</b> 101:20  <b>docks</b> 57:8  <b>doctor</b> 112:5  <b>document</b> 60:6  65:10 75:12 76:3  112:6  <b>documentation</b>  4:21 5:1 129:14  141:6  <b>documented</b> 64:6  64:7,15 65:21  71:21 125:3 129:8  <b>documents</b> 95:13  98:8</p>	<p><b>dog</b> 58:13,13,15  <b>dogs</b> 42:5 58:4  <b>doing</b> 13:10 22:14  37:10 46:14 56:20  57:20 86:16 87:2  92:14 93:12 94:11  94:20 100:19  113:8 128:5  136:11 144:5  149:1,13 152:3  <b>dollars</b> 92:18  <b>doncaster</b> 137:1  139:14,16  <b>donna</b> 41:18  <b>door</b> 38:8 57:2  58:4 138:18  <b>dot</b> 157:19,19  <b>dotted</b> 27:16  <b>doubts</b> 81:4  <b>downright</b> 42:10  <b>draft</b> 157:15  <b>drive</b> 42:3 56:18  58:6 74:17 90:10  126:10  <b>driven</b> 57:17  81:19 126:10  <b>driveway</b> 42:9  57:18 106:2  <b>driving</b> 124:1  <b>drug</b> 137:17  <b>duane</b> 125:14  <b>dudley</b> 41:18  <b>dudley's</b> 41:19  42:1  <b>due</b> 81:6,13 84:21  157:16 162:10  <b>duell</b> 63:20 64:18  65:3,12 66:5,16  67:7,17 70:7  101:4 121:5,10  125:12 127:3  141:20 142:8  143:3,6</p>
---	---	--	---

<p><b>duly</b> 4:18 17:16  <b>dupont</b> 104:13,15  104:17 105:1,6  106:9,13 109:10  109:12,17 111:6,9  111:15,19,21  112:2 169:14,16  169:20  <b>dust</b> 58:11,14  <b>duty</b> 64:4  <b>dwelling</b> 110:11  144:1,3  <b>dying</b> 81:12  <b>dynamic</b> 41:12</p>	<p><b>eastman</b> 60:9  <b>easton</b> 1:10 56:19  89:2 97:5 109:19  140:11 167:21  <b>easy</b> 46:11 66:2  <b>echoed</b> 163:13  <b>economic</b> 80:8  81:7,18 82:7  87:20  <b>economically</b>  112:16  <b>economy</b> 81:18  137:12  <b>ed</b> 109:4  <b>edge</b> 119:11  140:20 141:8  <b>educate</b> 100:10  101:6  <b>education</b> 149:11  <b>edwards</b> 136:5,5  <b>effect</b> 12:16 88:6  <b>effective</b> 159:20  <b>efficient</b> 33:14  <b>effort</b> 92:18 113:7  113:9  <b>efforts</b> 114:20  117:7  <b>egregious</b> 73:7,18  76:6  <b>egress</b> 12:18 14:17  15:9 28:8 43:17  52:8 53:3 90:7  146:20 159:8  160:5,11 161:7,20  162:7,11  <b>eight</b> 31:11 42:14  59:5 75:2,15  <b>either</b> 13:15 21:13  25:13 42:15,17  47:11 53:18 56:16  99:3 102:8 106:4  172:3,19  <b>elderly</b> 117:16</p>	<p><b>electronic</b> 98:11  <b>electronically</b>  163:9  <b>elementary</b> 113:8  114:18  <b>eligible</b> 106:3  <b>eliminate</b> 161:3  <b>eliminated</b> 107:2  <b>embedded</b> 35:7  <b>embellish</b> 7:10  <b>embers</b> 141:12  <b>emergency</b> 27:2  67:3 68:14,15,20  77:9  <b>emergent</b> 64:10  125:21  <b>employee</b> 174:11  <b>enabled</b> 3:1  <b>encourage</b> 76:1  133:15  <b>ended</b> 43:10  <b>endorsed</b> 13:2  <b>endure</b> 6:16  <b>enforce</b> 22:11  105:17 126:6  <b>enforced</b> 13:1  15:10,18  <b>enforcement</b>  26:20 40:12 61:12  63:14 68:9 100:9  100:13,18,20  101:5 105:10  109:7 127:5  <b>engage</b> 49:19  <b>engagements</b>  171:14  <b>enhanced</b> 65:7  <b>enjoy</b> 56:1  <b>enjoyed</b> 116:13  117:11  <b>enjoys</b> 117:18  <b>enrollment</b> 113:8  <b>ensure</b> 158:20</p>	<p><b>entered</b> 174:9  <b>entertain</b> 162:8  <b>entire</b> 144:7  <b>entirely</b> 48:13  <b>environment</b>  124:8  <b>environmental</b>  51:1,9,15,18  162:20  <b>environmentalism</b>  60:15  <b>equal</b> 128:17  129:19  <b>equilibrium</b> 111:2  <b>escape</b> 27:2  <b>especially</b> 12:6  76:9  <b>essentially</b> 158:8  159:1  <b>established</b> 10:1  <b>estate</b> 87:10  138:20  <b>estimate</b> 93:18  96:7 128:18  <b>et</b> 11:14,15 43:21  <b>europe</b> 172:13  <b>europeans</b> 48:6  <b>evaluate</b> 115:10  125:16 167:17  <b>evening</b> 32:3  <b>event</b> 61:10  125:16 169:3  <b>events</b> 60:21 141:1  <b>eventually</b> 92:15  92:20 97:21  <b>everybody</b> 13:11  25:18 94:13,14  104:1 107:16,18  121:10 122:5  124:4 126:15,17  128:3 132:7  141:18 146:14  171:11,20 172:1  172:18</p>
<b>e</b>			
<p><b>e</b> 79:11 117:21  120:4 125:15  156:4 157:17,18  169:6,7  <b>eade</b> 10:20,21  11:3,5,8 13:1,6  14:4,19 15:13  16:4 17:2,17,20  18:4,10,13 19:12  20:11 21:17 23:2  23:9 24:3 25:5,21  77:8,13,16 153:1  153:6,7  <b>eagle</b> 56:18 58:6  74:17  <b>earlier</b> 18:14  53:12 66:15 75:1  113:5 121:17  123:5  <b>early</b> 27:8 130:19  132:9  <b>easier</b> 3:21 21:17  28:5 66:8 67:1,5  121:21 147:13  <b>easily</b> 67:6 105:21  <b>eastern</b> 86:1 116:5  116:20 117:18  157:3,9</p>			

<b>evidence</b> 65:8 73:16 109:8 <b>evidently</b> 38:10 <b>exact</b> 55:11 98:8 <b>exactly</b> 19:18 31:9 41:14 44:14 68:11 95:21 <b>examination</b> 8:1 <b>example</b> 43:17 <b>examples</b> 60:6 <b>exceed</b> 123:20 <b>exceeded</b> 42:4 <b>excellent</b> 64:2 <b>exception</b> 54:16 54:21 167:1 <b>excess</b> 162:18 <b>excessive</b> 48:9,15 73:7 141:1 160:9 162:21 <b>exhibits</b> 97:15 <b>exist</b> 111:10 <b>existed</b> 85:14 158:12 <b>existence</b> 14:3 99:20 110:15 <b>existing</b> 109:18 <b>expand</b> 104:19 <b>expect</b> 45:18 <b>expedited</b> 19:21 <b>expense</b> 47:3 52:15 <b>expenses</b> 47:3,4 <b>experience</b> 40:8 54:2 89:10 <b>experienced</b> 168:6 <b>expert</b> 7:2 <b>expertise</b> 34:4 <b>expire</b> 4:11 <b>expires</b> 174:21 <b>explanatory</b> 163:21 <b>exponentially</b> 46:16	<b>expose</b> 161:14 <b>expound</b> 97:2 <b>express</b> 103:6 <b>expressed</b> 15:7,7 135:3 <b>extensive</b> 120:11 <b>extensively</b> 163:3 <b>extremely</b> 121:3 <b>f</b> <b>fabric</b> 114:5 115:1 <b>fabulous</b> 60:12 <b>face</b> 79:5 <b>faced</b> 21:5 <b>faces</b> 2:13 <b>facility</b> 35:8 <b>fact</b> 11:15 13:17 21:7 24:13 43:1 70:7 74:1 114:12 131:18 135:5 150:18 158:14 167:3 <b>factor</b> 158:5 <b>facts</b> 144:11 <b>fair</b> 12:3 70:13 <b>fairly</b> 10:12 28:10 40:6 161:13 <b>fall</b> 112:21 148:13 149:16 <b>false</b> 122:10 <b>familiar</b> 89:15 <b>families</b> 81:16 113:10,13 <b>family</b> 60:12 114:2 116:12 <b>fantastic</b> 84:18 <b>far</b> 24:12 25:19 110:3 141:2,2 159:5 <b>fashion</b> 61:13 105:17 <b>favor</b> 23:7 27:7,9 27:14,15 28:10 47:16 106:7 108:16 109:6	<b>feasible</b> 32:1 159:18 <b>february</b> 3:7 9:4 10:2,8 27:19 170:4,4 171:2 <b>feel</b> 12:2 47:1 61:15 82:17 103:17 117:17 127:1 133:20 163:9 <b>feeling</b> 32:6 117:9 <b>feels</b> 20:20 101:16 <b>feet</b> 36:19 38:5 41:1,3 98:17 105:9 141:8 <b>felt</b> 34:17 91:10 170:12 <b>fifteen</b> 108:20 <b>fifty</b> 20:11 <b>figure</b> 83:15 93:15 <b>figuring</b> 156:12 <b>file</b> 73:12 123:9 165:5 <b>filed</b> 38:10 142:16 <b>files</b> 100:16 120:2 <b>fill</b> 43:6,7 44:20 84:5,7 112:19 113:1,4 <b>filling</b> 112:19 <b>final</b> 91:20 <b>finally</b> 23:18 60:8 147:1 <b>financial</b> 87:14 <b>financially</b> 119:1 <b>find</b> 3:21 13:11 29:2 66:3,13,20 67:1,5 86:7 99:2 99:19 111:2 113:12 114:3 138:1 168:3 172:18,20 <b>finding</b> 60:7 110:17	<b>fine</b> 40:4,4 56:8,13 56:17,18 57:6 61:2,18 63:4,16 64:21 65:10 66:12 69:2 71:18 72:2 73:17 74:14,18 75:1,11 76:13,17 76:21 77:6,15,19 103:3 147:3 156:8 <b>fine's</b> 73:3 <b>fined</b> 76:7 144:4 <b>finished</b> 84:8 <b>fire</b> 28:8 114:17 160:21 <b>fireman</b> 161:1 <b>fireworks</b> 22:13 22:14 57:7 64:9 76:10 84:19,20 123:19 141:2,11 142:2 143:11 145:5,8 <b>firmly</b> 8:2 <b>first</b> 2:7,15 3:3,15 7:5,11 8:11 25:2 29:16,17 30:4 61:7 68:13 70:16 76:14 86:3 104:18 111:3 122:17 140:12 142:15 150:17 157:14 158:3,3 163:12 <b>fit</b> 8:5 <b>five</b> 4:19 25:12 36:11 82:12 107:11 118:4 124:6 149:2 <b>fix</b> 52:8 <b>fixed</b> 147:4 <b>flag</b> 138:1 139:1 <b>flags</b> 138:10 <b>flow</b> 105:9 <b>flexible</b> 6:17 <b>flood</b> 166:5
---	---	--	---



<b>floor</b> 146:21	49:8 57:7 71:20	164:18 171:3	65:5,7,14 69:13
<b>focus</b> 15:11 137:8	94:9 118:11	<b>give</b> 5:6 12:5	74:12 80:7,20
<b>folks</b> 82:18 94:8	<b>frame</b> 130:1	15:14 20:21 22:3	81:16 87:17,18,21
94:13	<b>frankly</b> 126:10	50:3 85:5 91:19	88:2 90:10 92:13
<b>follow</b> 6:4 58:9	<b>free</b> 167:13	95:12 96:2 105:2	92:16 94:16 98:19
66:18 67:9 68:9	<b>friday</b> 46:18	129:21 130:10	105:18 106:17
72:10	<b>friends</b> 94:10	147:15 164:13	107:4,18 108:4,12
<b>followed</b> 65:13	<b>frog</b> 97:16,17 98:1	172:21	111:13 132:1,3
142:10	<b>front</b> 43:9 79:5	<b>given</b> 21:18 29:21	134:1 135:4
<b>following</b> 28:11	134:4 146:1	37:15 64:14 66:16	137:20,20 140:15
155:10 169:4	157:21	83:13 125:12	144:5,7,13 150:8
<b>follows</b> 5:5	<b>fuel</b> 8:4	161:12	152:7,12 155:20
<b>foot</b> 34:12 44:7,14	<b>full</b> 22:7 38:13	<b>giving</b> 38:3 69:4	158:1 161:1
53:11 70:17,17	47:13 82:12 87:18	101:20 168:8	164:11 171:16
82:15	87:19 88:10 100:9	<b>glad</b> 5:11 20:1	172:5,18,19
<b>foreign</b> 35:4	105:13 117:8,13	80:4 121:20	<b>golf</b> 58:15 75:14
<b>foremost</b> 158:3	117:16 141:4	<b>glass</b> 160:19	<b>good</b> 64:1,19,21
<b>forever</b> 80:12,15	150:21	<b>glitch</b> 74:3	65:16 67:10 69:7
80:16	<b>fully</b> 167:20	<b>go</b> 19:1,9,10 21:8	87:3 100:1 107:6
<b>fork</b> 102:6,11	<b>functions</b> 170:18	30:15 32:19 48:16	122:6 123:7 125:1
<b>form</b> 141:6 166:14	<b>further</b> 5:12 7:4	51:17 64:6 68:2	127:3 128:5 135:7
<b>formal</b> 3:4 31:15	18:20 56:3 103:12	69:19 70:5 75:13	163:4
<b>format</b> 156:14	109:8 145:16	82:2 84:14 93:8	<b>goosy</b> 92:17
<b>former</b> 160:20	174:5,9,11	93:11 97:9 102:1	<b>gosh</b> 80:21
<b>forth</b> 17:15	<b>future</b> 40:15	102:8 103:12	<b>gotten</b> 38:10 57:18
<b>fortunate</b> 114:12	132:15	106:19 113:11	96:17 105:21
<b>fortunately</b> 33:19	<b>g</b>	123:9,13 125:17	<b>gottschalk</b> 101:4
80:16 141:13	<b>gap</b> 168:14	125:20 126:2	121:5,11
<b>forty</b> 136:19	<b>gather</b> 40:9,13	130:12 164:14	<b>gov</b> 157:19
<b>forward</b> 4:3,13	42:2	<b>goal</b> 165:8	<b>grabs</b> 65:3
8:6 10:12 20:6	<b>gauge</b> 92:13,15	<b>goes</b> 22:10 28:13	<b>grand</b> 172:19
25:18 27:20 56:12	<b>gee</b> 62:2,19	30:10 40:11 64:18	<b>grandfathered</b>
72:18 76:3 79:9	<b>general</b> 48:11	70:16 76:3 98:19	12:7 158:11 159:7
79:21 84:2 105:19	157:5,10	104:1 121:15	<b>grant</b> 28:12
106:19 109:11,15	<b>generally</b> 25:10	122:17 123:6	<b>granted</b> 72:12
120:8,13 154:19	<b>gentleman</b> 121:6	125:12	162:3
156:18,19 164:17	<b>geography</b> 115:12	<b>going</b> 4:12 5:18,19	<b>granting</b> 28:12
169:15	<b>gestures</b> 11:10	5:20 6:2 11:9,21	98:21
<b>forwarded</b> 27:17	<b>getting</b> 28:6 50:2	12:10 21:11 22:17	<b>gravely</b> 108:14
<b>fought</b> 110:16	65:15 78:1 83:18	24:11 25:18 34:14	<b>great</b> 17:20 37:8
<b>found</b> 13:21 20:20	83:19 92:19 93:19	38:13,15 45:6	56:21 70:20 83:20
23:10 124:6 160:8	96:13,14 98:2	52:19 53:10 55:16	86:8,16 126:16
<b>four</b> 25:12 32:8,16	117:11 141:16	58:15,16,21 60:10	<b>greater</b> 34:4
35:14 44:18 45:14	152:7,11,13	61:10 62:19 64:9	110:19

<p><b>greatly</b> 17:14  <b>green</b> 127:11  <b>ground</b> 98:17  161:17,21  <b>guess</b> 2:12 15:20  31:21 35:6 43:1  43:11 44:5,9,15  46:2 48:1 71:13  75:5 89:10 105:3  129:18 132:13  133:17 136:9  145:20 147:20  155:16,19 159:18  159:19 160:4  165:9  <b>guest</b> 162:6  <b>guests</b> 57:9  <b>guidance</b> 101:13  168:8  <b>gutted</b> 114:8  <b>guys</b> 56:20 77:1  94:7</p>	<p>144:17 145:1,2  150:10,13,17  157:6 163:20  172:3,9,14  <b>hammer</b> 24:19  <b>hammered</b> 8:8  <b>hand</b> 19:13 110:9  174:14  <b>handle</b> 115:8  <b>handled</b> 34:13  61:16 125:7 163:8  <b>hands</b> 19:11 80:19  170:21  <b>handwritten</b> 28:3  <b>hanging</b> 52:12  <b>happen</b> 38:7 115:5  138:2 156:2 168:9  <b>happened</b> 11:12  25:12 77:1 140:19  <b>happening</b> 87:2  98:3 139:1  <b>happens</b> 25:10  72:3 114:11  <b>happy</b> 23:17 82:19  83:11,12 101:9  120:4 121:6  <b>harbourtowne</b>  81:15  <b>hard</b> 27:14 65:10  75:11 160:21  <b>hardesty</b> 115:21  116:1,4,4 118:4,9  118:21 119:5,8,10  119:13,16,18  120:1,4 157:10  160:15 161:9  162:13  <b>hardship</b> 164:21  165:4  <b>harsh</b> 57:15  <b>hate</b> 80:12  <b>he'll</b> 32:10  <b>health</b> 19:4 51:1,9  51:16,18 137:5</p>	<p><b>hear</b> 7:8,9,13 9:5  9:8 18:18 22:12  22:16 23:5 24:18  27:7,9 32:7 33:20  41:7 66:19 67:14  68:21 82:19  105:11,18 121:20  134:15 167:11  <b>heard</b> 11:10 19:18  20:2 24:7 46:21  52:15 56:9 74:2  84:19 108:4 113:5  123:4 126:14  129:9 137:19  150:17 156:11  <b>hearing</b> 8:9 16:2  17:3 24:14 25:14  25:15,15 29:8,10  30:7,12,15,18  31:17,18 42:13  55:8 69:21 73:15  78:18 84:10,15  100:7,12 127:7  133:5 134:13  135:18 136:6  137:8 142:20  167:5 171:11,18  173:3  <b>hearings</b> 2:14 3:8  4:8 16:11,14,19  25:12 28:16 31:4  40:19 127:15  <b>heated</b> 97:21  <b>heightened</b> 15:11  <b>heikes</b> 109:4,5  <b>held</b> 3:2,7 25:16  32:2 103:10  <b>help</b> 62:21,21  88:20 93:4,7 96:9  127:6 147:19  <b>helped</b> 116:21  <b>helper</b> 63:20 65:3  93:3 96:16 99:11  99:16 121:14</p>	<p>126:4  <b>helpful</b> 65:19  108:1 115:19  125:5 132:19  143:1,3 163:10  <b>helping</b> 38:3 99:12  118:16,21  <b>heritage</b> 60:15  <b>hey</b> 86:8 87:6  <b>heyward</b> 127:12  127:12,16 129:10  129:21 131:2,4,16  131:21 132:10,17  133:2  <b>hi</b> 146:11  <b>high</b> 114:9  <b>higher</b> 99:9  113:18,19  <b>highlight</b> 57:5,6  158:1  <b>highlighted</b>  158:14  <b>highlights</b> 106:6  <b>highly</b> 59:6 167:21  <b>historic</b> 161:3  <b>historical</b> 159:2  <b>historically</b> 85:11  129:16  <b>history</b> 9:1 21:4  160:20  <b>hit</b> 165:6  <b>hold</b> 22:17 133:11  <b>holding</b> 3:18 83:7  <b>holly</b> 40:4,4 56:13  56:17,18 57:6  61:2,18 63:4,16  64:21 65:10 66:12  69:2 71:18 72:2  74:14,18 75:1  76:13,17,21 77:15  77:19  <b>home</b> 12:9 13:3  23:1 24:4,6,10  41:11 59:7,10</p>
<b>h</b>			
<p><b>haase</b> 32:9,9,15  34:10,16 35:13  108:11,21 109:2  <b>haase's</b> 35:11  36:10  <b>habitat</b> 138:3,15  138:18  <b>halfway</b> 11:12,13  11:18  <b>hall</b> 1:15 12:14,19  13:4,8 14:9,15  15:7 20:16 22:2  23:2,7 30:14  32:20 34:8,10  60:19 61:3 63:1  73:21 85:10  102:19 108:20  114:18 119:4,7,9  119:14 127:19  132:20 135:11,12  139:12,16 144:13</p>			

116:7,12,13 117:1 117:19 118:17,20 124:8 143:9 146:20 159:4,5 161:3,8 172:15 <b>homeowner's</b> 23:6 <b>homes</b> 12:4,6 15:15 58:6 65:5 82:7,8 138:15 <b>honest</b> 89:15 167:8 <b>hope</b> 5:21 84:2 124:4 <b>hopefully</b> 8:6 67:3 112:20 <b>hopes</b> 22:3 <b>hoping</b> 22:11 41:16 163:2 <b>hot</b> 70:19 71:8,9 78:2 97:17,18 100:12 123:6 <b>hotel</b> 36:6 112:19 112:20 113:4 <b>hotels</b> 112:17 <b>hotline</b> 67:16 70:8 <b>hour</b> 58:10 67:15 125:15 <b>hours</b> 104:11 141:1 <b>house</b> 38:8 56:1 58:21 59:2 62:1 65:14 82:2 87:11 87:12,13,13,15,16 90:15 91:2 114:1 116:10,15 117:6 138:19 141:7 145:14 146:17 <b>houses</b> 80:15 82:1 82:10 83:6 88:12 118:14 160:16 <b>housing</b> 113:6,12 113:14,15,15,16 113:16,21 114:3	138:4,9 139:2 <b>howard</b> 97:4,4 99:13 102:2,18 103:19 104:8 <b>huge</b> 82:5 83:7 86:20 <b>humanity</b> 138:15 138:18 <b>hurdles</b> 152:15 <b>hurt</b> 88:3,4 <b>husband</b> 56:17 75:13 80:3 116:10 116:14 117:19 118:3 <b>i</b> <b>idea</b> 17:18 62:1 66:21 67:11 147:7 166:3 167:14 <b>identified</b> 45:19 66:1 99:16 <b>identifies</b> 65:4 <b>identify</b> 56:15 80:1 93:4,7 97:3 112:10 116:2 126:5 136:12,15 140:9 146:10 154:19 165:16 <b>illegal</b> 60:4 65:4 99:7 144:2 145:5 <b>illegally</b> 99:3,17 <b>imagine</b> 168:3 <b>immediately</b> 64:11 71:11 97:19 125:13 <b>immense</b> 80:9 <b>impact</b> 31:14 39:5 39:15 40:12,13 46:15,20 80:8 81:18 82:7 87:9 89:20 137:9 139:5 140:1 <b>impacted</b> 85:17 <b>impacts</b> 39:1	<b>impatient</b> 58:12 58:19 <b>implementation</b> 158:10 <b>importance</b> 65:20 141:16 <b>important</b> 15:13 20:20 95:9 101:18 122:11 <b>importantly</b> 6:20 <b>impose</b> 73:17 <b>impossible</b> 59:3 <b>improvements</b> 76:20,21 <b>improving</b> 137:12 <b>inappropriate</b> 89:14 <b>incident</b> 66:16 125:13 <b>include</b> 27:21 92:4 <b>included</b> 30:21 36:8 49:10 <b>income</b> 12:10 <b>incomplete</b> 10:11 <b>incorrect</b> 157:18 <b>incorrectly</b> 18:18 <b>increase</b> 39:6 41:11 80:21 81:1 98:15 106:15 110:6 113:7 <b>increased</b> 39:12 81:3,5 115:2,3,4 <b>increases</b> 17:14 46:16 <b>increasing</b> 91:17 92:1,2 <b>indemnifying</b> 162:5,6 <b>indicate</b> 101:10 107:20 <b>indicated</b> 8:12 10:2 34:11 70:7 86:15	<b>indicates</b> 9:3 <b>individual</b> 38:18 <b>individuals</b> 93:7,9 158:16 <b>influx</b> 164:12 <b>inform</b> 128:20 <b>information</b> 31:12 88:18 96:3 105:20 134:16 141:16 142:12 144:9 155:14 169:5 <b>informed</b> 134:10 145:4 <b>inhibit</b> 122:2 <b>initial</b> 29:19 152:6 152:13 <b>input</b> 2:20 6:9 69:11 103:1 <b>ins</b> 168:2 <b>inside</b> 161:8 <b>insisting</b> 23:7 <b>inspected</b> 53:7 131:11 <b>inspection</b> 26:15 26:18 43:18 50:3 50:9,13,21 51:4,7 106:3 130:8,9 131:8,10,18 132:2 132:4,9 142:7 170:13 <b>inspections</b> 13:11 13:17,20 14:16 19:4,4,16,19 26:3 26:5 27:8 35:17 84:8,9 106:8 130:15,19,21 131:1 142:18 152:14 <b>inspector</b> 50:15,15 50:19 51:4,8 131:5 146:18 <b>installed</b> 143:20 <b>instance</b> 33:4,7 85:17 145:13
---	--	---	---

<b>instances</b> 25:17 28:2 122:8,20	<b>involved</b> 38:19 137:4	171:1	32:17 34:6 36:9
<b>instituted</b> 96:15	<b>ir</b> 125:12	<b>jay</b> 60:9	37:2,9 38:4,7,21
<b>instructions</b> 5:15 168:12	<b>irc</b> 35:20 90:5 158:7,18 159:6	<b>jean</b> 136:5	39:17,20 40:1,3
<b>integrity</b> 159:2,3 160:15 161:3	<b>irish</b> 119:12,13,19	<b>jim</b> 135:15	41:21 45:2 46:6
<b>intend</b> 8:4 144:10 155:11	<b>ironed</b> 25:18	<b>joan</b> 36:12,14 37:12 38:6,8 39:2 39:19,21 108:6,9	46:11,13 47:16,21 48:10,18 49:3,13 50:7,14 53:14,16 54:4 56:2,8,15 57:4 63:1,12,17 65:1 66:1,19 67:9 67:18 68:11 69:9 70:20 71:13,21 72:3,10,14,21 73:20 74:9,12,20 75:17 76:19 77:4 77:17 78:18 79:9 79:15,17,21 80:4 81:10 85:8 86:13 88:5,17 90:21 91:6,9,14 92:3 93:12,18 94:1 95:3,7,12,17 96:20 99:11 100:1 101:2,13 102:15 103:14 104:5,10 104:16,20 105:3 106:7,11 107:6,14 108:11,21 109:14 111:3,7,12,20 112:3 115:14,17 116:2 118:2,5,19 119:2,17,20 120:5 120:10 124:14,17 125:1,5 127:6,9 127:14,17 129:8 130:17 131:3,11 131:16 132:5,16 132:18 133:3,10 135:10,13,18 136:2,12,15,19 137:2 138:12 140:3,5 143:1 144:17 145:9,12 145:16,19 146:3,8
<b>intended</b> 4:16	<b>ish</b> 78:8	<b>job</b> 7:3 48:5,5 56:21 86:16 88:10 100:19	
<b>intent</b> 101:14 132:13,15 134:19 158:19	<b>island</b> 137:15	<b>jobs</b> 138:7	
<b>intention</b> 70:21	<b>issue</b> 29:7 35:19 37:12,13 40:12 41:14 45:16 52:8 56:2 68:1 69:16 70:2 89:9,16,17 90:17 95:4 102:14 113:6 137:17 159:10 161:7,20 162:9 167:7 168:7	<b>jodie</b> 115:20 116:1 116:4,4 118:4,9 118:21 119:5,8,10 119:13,16,18 120:1,4 160:15 161:9 162:13	
<b>interaction</b> 19:8	<b>issued</b> 14:20 57:16 129:16	<b>john</b> 1:15 12:14 12:19 13:4,8 20:16 22:2 23:7 30:14 32:20 79:20 80:2,2,5 85:21 87:5 88:7 89:13 91:1,8,13 94:3 95:6	
<b>interest</b> 2:10 70:4 120:13 134:12	<b>issues</b> 12:1 14:18 34:10 36:7 73:4 83:18 103:6 106:2 137:16 138:9 140:17 161:16 162:7 167:19	<b>joined</b> 56:9	
<b>interested</b> 65:17 92:21 137:4 174:12	<b>item</b> 8:12 10:14,17 10:18,19 27:11 29:14 31:10 32:8 42:11,12,14 97:10 97:10 104:13 105:5 109:9 115:20 120:6 123:14 133:3 134:11 135:14,20 136:4,7 140:5,7,8	<b>journal</b> 86:18	
<b>interesting</b> 158:13	<b>itemizes</b> 40:9	<b>journey</b> 9:18	
<b>interfered</b> 42:5	<b>items</b> 5:8	<b>julie</b> 133:7	
<b>intermingled</b> 70:12	<b>it's</b> 27:17	<b>july</b> 2:18 4:9,15 9:7 165:21 170:5	
<b>internally</b> 157:17	<b>j</b>	<b>jump</b> 42:7 45:15 97:19 152:14	
<b>international</b> 26:21	<b>jane</b> 140:6	<b>june</b> 58:19	
<b>internet</b> 85:12,17 86:9,12	<b>january</b> 3:3 9:4 78:15,16 143:16 165:21 170:4	<b>k</b>	
<b>interpret</b> 28:4		<b>kane</b> 1:14 2:2 8:17 10:18 11:1,4,6 12:12 14:6,11 15:4,20 16:5,16 16:21 17:4 18:8 18:11,19 19:15 20:17 24:13 25:6 26:8,12 27:6 28:21 30:20 32:13	
<b>interrupt</b> 91:6 95:5			
<b>intervening</b> 3:7			
<b>interviewed</b> 143:12			
<b>introduce</b> 165:12			
<b>introduced</b> 38:12 141:21 164:6			
<b>investigation</b> 142:10 143:5 144:5			
<b>investment</b> 90:14			
<b>invitation</b> 99:14			

147:20 148:4,7,10 148:15,18,21 149:6 150:4,7 151:7,13,19 152:1 152:5,18 153:4,8 153:12,15,19,21 154:6,8 155:4,10 156:9 157:2,13 159:10 160:1,11 161:7,10 162:9 163:4 164:21 166:8 167:2,9 168:7,16 169:10 169:15 171:8 172:7,10,20 <b>kathy</b> 8:14,14 17:7 154:2,3 <b>kay</b> 63:21 64:17 70:15 71:10,18 72:6,13,18 74:4,6 74:10 77:2 91:19 92:6 93:2,16,21 94:2 95:10 98:12 101:9 129:12 145:14 164:4 <b>keep</b> 59:15,21 60:4,16 98:20 134:10 164:8 <b>keeping</b> 59:2 <b>kelley</b> 153:16 <b>kids</b> 57:13 117:16 <b>kim</b> 88:10 <b>kimbis</b> 133:4 <b>kind</b> 21:4 33:9,11 34:1 48:9 57:11 88:18 115:11 128:18 132:11,12 132:14 167:6 171:3,4 <b>kindly</b> 15:4 <b>kinds</b> 137:6 <b>knew</b> 52:11,19 62:7 67:13 141:14	<b>know</b> 11:16 12:15 13:3,13,14 17:15 19:7 21:20 22:17 33:18 34:3 43:19 44:4,13,15 48:3,4 51:8,10 54:2 61:10 62:3 63:5 65:5 67:15 68:2,5 73:9 75:10 76:4 76:17 80:4,13,20 82:5,13 85:15 88:5 90:5,10 93:12 94:11,13 95:18,20 96:1,13 97:7 99:6,13 100:2 102:3,4 103:3 106:16 109:20 114:13,13 117:5,11 118:1 122:1 126:21 129:17 130:11 137:12,13 140:16 141:2,17 146:13 147:11 152:13 164:2,17 165:7 166:3 167:15,17 167:20,21 168:1,4 168:12 172:17 <b>known</b> 94:6 127:14 <b>knows</b> 55:16 71:18 94:13 121:10 122:5 126:15,17 141:18 <b>kohl's</b> 85:16 <b>kupersmith</b> 14:12 37:6 45:15 46:1 48:20 73:10	<b>lanes</b> 40:21 <b>langley</b> 119:6,7,8 <b>language</b> 4:6 <b>large</b> 71:14 <b>larger</b> 29:7 <b>larocca</b> 135:21 <b>lastly</b> 143:13 <b>late</b> 4:5 <b>lately</b> 170:14 <b>latitude</b> 172:21 <b>law</b> 12:4,17,19 13:2,3,8,19 32:21 33:9 83:10 135:4 139:19 174:4 <b>lawnmower</b> 142:4 <b>laws</b> 86:3 <b>lead</b> 36:2 159:12 <b>leaders</b> 113:9 <b>learn</b> 164:16 <b>lease</b> 44:19 124:12 <b>leash</b> 58:16 <b>leave</b> 28:15 32:10 58:4 134:1 170:20 171:17 <b>leaving</b> 58:13 127:1 <b>left</b> 23:14 41:20,21 128:3 <b>legal</b> 60:4 61:1 84:1 90:13 <b>legally</b> 82:14 <b>legislation</b> 3:1,16 9:2 45:3 47:8 63:14 134:20 <b>legislative</b> 164:5 <b>lengthy</b> 27:13 34:6 40:5 92:12 112:4 <b>leslie</b> 112:9,12,12 139:6,9 <b>lessen</b> 161:14 <b>letter</b> 4:15 8:13 33:21 34:7 36:10 36:12 37:14 39:3 40:4,5 69:3 71:4,5	71:9 77:10,13,19 79:10,13,18 80:6 97:1,7 98:13 102:15 103:20 105:7,8 116:6,9 117:20 119:19 120:6,11,15,18 121:15,17 122:13 122:17 124:15 125:3 127:10 130:7,16 134:19 140:15 154:2 156:21 157:16 167:2 168:18,20 169:2,5 <b>letters</b> 32:12 35:14 78:11 100:14,17 156:3 <b>level</b> 34:12 <b>liability</b> 161:14,15 <b>license</b> 11:20 12:9 17:10 23:4 26:17 28:7,13 36:18 43:13 53:7 61:9 69:4,15 73:8,17 73:18 83:2,20 84:16,16,17 87:7 92:7,9 93:5,11 94:16 95:16 99:5 120:2 144:12 148:3 151:10,17 152:13 162:15 166:19,20 <b>licensed</b> 36:20 39:14 50:15 51:4 51:8 54:20 73:15 81:2 82:14 90:4 91:21 92:19 93:14 93:20 102:9 105:16 128:8,17 162:4 <b>licenses</b> 8:19 47:1 87:8 94:1 98:21 99:8 109:18
	<b>l</b>		
	<b>lack</b> 81:13 <b>lady</b> 47:19 149:17 172:3 <b>lane</b> 58:17 119:19		

129:15 130:5 166:12 170:19 <b>licensing</b> 9:16 88:14 162:17 <b>life</b> 59:17 68:4 135:6 147:13 162:10 <b>light</b> 21:6 90:3 <b>limit</b> 8:2,6 58:9 123:20 164:1,7 <b>limited</b> 160:5 <b>limits</b> 42:4 <b>linda</b> 119:5 <b>line</b> 36:4,5 49:4 54:7 68:3 70:19 71:8,9 78:2 123:6 128:4 <b>liquor</b> 167:1 <b>list</b> 21:18 111:19 <b>listed</b> 169:5 <b>listen</b> 5:19 33:20 <b>listening</b> 83:17 136:13 <b>literally</b> 170:7 <b>little</b> 29:1,4 31:6 36:14 47:13 48:7 50:4 66:6,8 67:4 92:12 104:19 108:5 121:9 130:17 139:5 162:14 <b>live</b> 22:6 37:16 56:18 57:1 58:1 62:16 82:8,9,18 83:5 87:17,18 97:5,6 110:7 114:3 117:13 134:17 139:12,14 140:11 154:21 <b>lived</b> 23:18 86:3 124:5 <b>lives</b> 60:9 117:15 138:20	<b>living</b> 143:8,15 <b>llc</b> 38:17 <b>local</b> 67:12 135:6 <b>location</b> 65:4 96:1 171:12 <b>logged</b> 72:4 125:8 125:10,21 <b>logging</b> 125:11 <b>logic</b> 46:13 <b>loiter</b> 75:18 76:1 <b>long</b> 41:4 48:13 49:2,11 65:1 80:6 113:15 116:17 127:5 148:21 151:5 154:10 <b>longer</b> 40:21 48:17 61:1 81:16 82:6 96:18 107:17 <b>look</b> 5:11 14:21 31:21 50:19 69:13 80:21 81:15 84:2 94:3 95:21 98:16 102:13 114:8 126:11 139:5 <b>looked</b> 44:16,16 59:19 86:16 121:17 <b>looking</b> 5:7 38:16 94:17,18,20 96:8 115:7 147:11 165:21 166:5 <b>looks</b> 73:20 <b>looser</b> 33:17 <b>loosey</b> 92:17 <b>lose</b> 60:12 115:6 <b>losing</b> 96:21 108:18 <b>loss</b> 162:10 <b>lost</b> 23:1 81:14 <b>lot</b> 20:12 29:3 39:10 40:21 43:17 46:14 54:1 56:21 60:7 62:21,21 65:12 67:5 69:21	74:15 76:19,21 93:12 110:10 114:19 118:14 120:19 126:6 128:7 139:3 <b>loud</b> 57:13 <b>love</b> 114:12 <b>low</b> 165:18 <b>lucky</b> 52:7 80:2 91:3 <b>lying</b> 13:14 <b>m</b> <b>ma'am</b> 60:19 <b>madison</b> 134:18 <b>mail</b> 22:18 23:1 30:4 79:11 117:21 120:4 125:15 142:17,21 156:4 157:18 163:7 169:6,7 <b>mailbox</b> 58:15 <b>mailed</b> 30:1 157:17 <b>mailing</b> 29:18 30:3,5,10,13 142:13 <b>mailings</b> 29:17 <b>main</b> 42:11 <b>maintain</b> 58:7 59:20 117:1 <b>maintained</b> 5:3 41:9 <b>maintenance</b> 41:13 118:16 <b>major</b> 113:7 <b>majority</b> 88:15 94:14 128:10 <b>making</b> 14:2 15:11 36:16 45:6 59:14 70:2,3 83:4 83:20 113:14 122:3,8 126:20 <b>man</b> 46:12	<b>manageable</b> 159:19 <b>managers</b> 53:20 63:7,11 <b>manages</b> 53:20 <b>manner</b> 67:8 174:8 <b>map</b> 98:5,11 104:19,21 109:9 109:10,16 114:9 <b>market</b> 66:7 91:2 94:12 114:1 116:9 116:16 118:10 <b>marketing</b> 67:8 94:19 153:3 <b>marrah</b> 79:19,20 80:2,2,5 85:21 87:5 88:7 89:13 91:1,8,13 94:3 95:6,20 96:16 <b>martha</b> 1:16 24:3 <b>mary</b> 14:8 32:15 49:5 63:21 64:17 70:15,21 71:10,18 72:6,13,18 74:4,6 74:10 77:2 91:19 92:6 93:2,16,21 94:2 95:10,14 98:12 100:3 101:9 129:12 131:6,13 145:14 155:19 164:4 169:18 <b>maryland</b> 1:1,10 112:13 174:1,2,15 <b>massive</b> 80:7 <b>material</b> 134:4 156:12 <b>matt</b> 156:20 157:3 157:4,7,8,14,14 159:14 160:4,12 160:14 161:17 162:12 163:11 165:3 166:10 167:5,12 168:15
---	--	--	---

169:3,9 <b>matter</b> 167:6 174:7 <b>matters</b> 165:8 <b>maura</b> 135:15 <b>mcnair</b> 42:15 45:12,20 46:3,8 46:12 50:12,16 51:12,14,17,21 54:14 55:7 <b>mcquay</b> 1:18 54:5 81:12 145:3 151:1 <b>mean</b> 44:5,13 53:11 61:18 69:7 71:19 77:2 85:19 88:18 90:18,20 91:1,2,6 95:2,4 98:5 100:4 130:18 139:3 149:13 150:13 165:3 172:15 <b>means</b> 12:9 24:20 68:1 87:14,20 174:7 <b>mechanism</b> 61:4 <b>mechanisms</b> 94:21 <b>media</b> 67:12 <b>meet</b> 9:15 20:4 22:4 44:4 52:5 55:14,18 147:7 151:11 159:18 167:18 <b>meeting</b> 2:3 3:3,15 4:18 18:15 24:3 98:20 107:15 133:17 169:4 170:7 <b>meetings</b> 11:21 20:8,14 32:2 52:16 53:2 83:17 128:9,11 141:14 <b>member</b> 12:13 <b>members</b> 1:13 2:9 4:20 6:3 7:15 15:5	33:20 103:4 130:1 157:1 <b>memorandum</b> 27:14 <b>mental</b> 137:5 <b>mention</b> 127:20 128:6 132:11 142:13 <b>mentioned</b> 15:3 37:14 60:21 99:10 107:1 124:3,14 <b>mentioning</b> 157:15 <b>messaging</b> 67:21 <b>met</b> 23:17 29:12 38:9 139:7 <b>metaphorically</b> 5:21 <b>method</b> 7:5 <b>michaels</b> 81:13,19 88:9,13 89:1,2,11 89:14,18 90:11,12 109:19 110:10 134:18 138:2 <b>michelle</b> 135:21 <b>mid</b> 9:18,18,21 86:2 127:10,13 146:19 <b>middle</b> 60:11 161:17,21 <b>miguel</b> 16:8,20 26:1,9,14 28:20 29:16 30:16 50:20 51:13,15,20 65:6 67:19 78:2,5,7,10 78:14,17 96:5 170:20 <b>mike</b> 63:20 64:18 65:3,12 66:5,16 66:19 67:7,17 125:12 127:3 141:20 143:6 <b>miles</b> 58:10 143:9	<b>mills</b> 136:9,10,14 136:16,16,21 137:3 138:17 139:10,14,17 <b>mind</b> 43:11 44:9 69:12 129:2 130:1 <b>mindsets</b> 23:14 <b>mine</b> 50:1 <b>minimum</b> 44:21 45:4,9 47:2 62:6 <b>minutes</b> 49:21 107:11 <b>miscommunicat...</b> 157:17 <b>misunderstood</b> 36:15 <b>modify</b> 106:2 <b>monday</b> 64:12 66:14 86:18 <b>money</b> 50:6 53:9 59:14 151:5 152:14 <b>monica</b> 120:6,7,9 120:17 125:4 126:13 127:8 140:8,10,10 145:6 145:11,18,20 146:6 <b>monitor</b> 128:10 141:4 <b>monitoring</b> 63:10 96:9,13 <b>monoxide</b> 35:21 159:11 <b>month</b> 48:16 110:18 171:2 <b>months</b> 3:8 11:16 11:18 13:7 17:13 18:5,6,8,11 44:18 45:14 49:8 70:1 92:4,14 110:14 147:1 164:3 170:4 170:5	<b>moratorium</b> 87:8 102:17,19 103:2 103:10 104:4 110:19 115:8 136:3 <b>morning</b> 64:12 75:10 141:19 <b>moss</b> 69:18 <b>motion</b> 27:19 <b>motions</b> 10:6 <b>move</b> 8:3,5 36:11 41:17 42:13 76:2 77:6 95:7 104:10 108:4,11 109:15 113:10,13 114:2 115:19 133:3,6 134:5 135:18 136:8 145:19 153:15 156:17 164:17 <b>moves</b> 35:6 <b>moving</b> 10:19 27:11,20 40:3 72:18 79:17 96:21 107:9 108:13 120:13 127:9 134:11,13 135:14 135:20 140:5 146:8 154:1 <b>multiple</b> 84:19 <b>museum</b> 114:19 137:17 <b>music</b> 44:11
<b>n</b>			
<b>name</b> 56:18 79:11 97:4 119:5 146:11 154:21 157:13 <b>named</b> 174:3 <b>names</b> 61:20 127:2 <b>naturally</b> 64:3 125:20 <b>nature</b> 31:19			

<p><b>navigating</b> 29:6  <b>near</b> 6:14 57:14  96:15 119:14  <b>necessarily</b> 31:8  100:4 118:15  122:16 165:4,20  <b>necessary</b> 72:19  <b>need</b> 5:13,15,17  5:17 33:18 37:7  43:14 59:18,19  60:2 85:6 93:11  108:7 109:8  112:21 115:10  135:9 137:8,13  138:5,7 139:2,4  156:13,13 161:18  <b>needed</b> 109:12  111:2 116:18  138:10 161:1  <b>needs</b> 51:21 60:1  90:3,4,5 112:19  124:10 126:17  164:19 172:4,4  <b>negative</b> 87:9  <b>negotiating</b> 29:6  <b>neighbor</b> 44:11  55:5 60:8 61:8  113:21  <b>neighbor's</b> 124:1  <b>neighborhood</b>  31:13 37:15,20  38:13 97:6 124:10  139:18,19  <b>neighborhoods</b>  31:14 114:6,7,7  114:10  <b>neighbors</b> 22:4,12  22:19 23:5,12  24:9 41:5 46:16  46:20 57:17 58:17  62:17,18 65:15  69:6 70:2,3,10  77:11,20 114:13  117:8,12 121:4,16</p>	<p>122:9 127:21  130:13 135:7  144:6 147:16  167:18  <b>neither</b> 38:15  <b>nests</b> 57:8  <b>net</b> 114:15  <b>never</b> 82:17 85:6  129:9 139:7  <b>new</b> 2:15 12:20  13:18 15:18 16:4  16:8,21 17:10  52:10 63:12,13,13  77:15,16,18,21  78:3,4,6,9,12  80:10 95:16 98:21  105:12 110:2,19  111:4,10 112:18  130:12 132:3  158:6 163:16  164:8,11,12,13  165:12,14,16  166:16  <b>newer</b> 159:13  160:2 163:6  <b>newspaper</b> 67:11  <b>nice</b> 15:16  <b>night</b> 44:18 45:9  45:13 46:5,10,14  46:18,18,18 47:7  47:10 64:8 142:3  144:4  <b>nights</b> 44:21 45:4  46:4,9,11 47:2,8  47:15,17  <b>nilly</b> 9:18  <b>nine</b> 31:12 58:5  79:18 103:16,18  103:20 104:2  <b>noise</b> 44:8 65:9  141:1  <b>noisy</b> 57:14  <b>non</b> 59:13,15  62:15 110:4 111:5</p>	<p>130:4 135:8  <b>nonemergency</b>  68:17  <b>nope</b> 153:9  <b>nosium</b> 85:6  <b>nosy</b> 149:12  <b>notarial</b> 174:14  <b>notary</b> 174:2,18  <b>note</b> 2:4 17:7 27:5  56:8 86:14  <b>noted</b> 4:18 17:6,16  107:16 109:1  112:7  <b>notes</b> 174:6  <b>notice</b> 11:18 12:5  16:1 30:14,19  40:20 41:1 70:16  121:15,16 122:12  142:15,17 146:19  154:1  <b>noticed</b> 86:17  170:10  <b>notices</b> 19:3 30:1  <b>notification</b> 16:12  16:14 29:11 38:11  77:19 78:11  146:15  <b>notified</b> 64:10  147:6  <b>notify</b> 41:2 130:13  <b>notion</b> 10:13  <b>november</b> 78:8  110:10 174:21  <b>nuance</b> 110:16  <b>number</b> 8:12,19  10:14,17,18,19  25:7 27:11,15  29:14 31:11,12  32:8,8 36:11 40:3  40:9 41:18 42:11  42:12,14 48:8  60:3 64:3 65:16  66:2,3,13,16,20  67:1,6,20 68:3</p>	<p>69:7 70:18,19  71:12,14 77:9,9  77:21 78:2,12  79:4,11,18 81:2,4  81:15 82:4 85:2,4  85:5 86:9 91:11  91:17,20 92:1,6  95:11,15,15 96:17  96:21 98:13 99:7  104:14,20 105:5  105:21 107:15  108:1,12,21 109:2  109:4,9 110:6  112:4,8,16 115:20  120:6 121:18  122:1 125:13  126:19 127:9  128:7 129:15,19  133:3,6 134:11  135:14,20 136:4,5  136:8 140:5  145:19,21 146:9  153:15,16 154:2,5  <b>numbers</b> 79:2  86:19 91:15 95:13  95:21 96:5 98:11  102:4,5,13 103:12  121:14  <b>numerous</b> 140:21  <b>nurses</b> 49:6,7,9</p>
<b>o</b>			
<p><b>o'clock</b> 4:1 6:15  171:13  <b>o'donnell</b> 14:8  32:15 49:5 70:21  95:14 100:3 131:6  131:13 155:19  169:18  <b>oak</b> 119:11,16  140:12,21  <b>objecting</b> 167:3  <b>observations</b>  42:12</p>			



<b>obstacle</b> 92:16 <b>obtained</b> 53:5 <b>obtaining</b> 92:9 <b>obvious</b> 33:1 69:21 <b>obviously</b> 22:8 150:19 152:19 168:5 <b>occupancy</b> 49:10 123:20 <b>occupant</b> 49:12 <b>occupied</b> 88:13 89:5,16,17 130:4 130:4 <b>occur</b> 13:21 26:5 <b>occurring</b> 14:16 <b>october</b> 13:19 <b>offer</b> 57:2 107:4 112:14 150:11 154:18 161:13 <b>office</b> 43:6 50:5,10 68:13 111:16 <b>officer</b> 26:20 61:12 63:15 75:9 77:21 125:7 141:15,19,21 142:8 <b>officers</b> 122:19 <b>official</b> 94:16 <b>officially</b> 144:19 <b>oh</b> 75:11 80:21 <b>okay</b> 2:2 8:17 12:12 13:16 17:1 17:17 23:9 26:12 36:9 38:21 40:1 42:13 47:19 54:4 57:6 65:11 69:9 71:13 72:21 77:4 79:17 96:20 99:13 104:5 107:4 111:18 120:5 125:5 127:6 132:9 132:16 133:2,10 136:6,14 143:1	145:16 147:20 148:21 156:8 166:8 169:11 171:8 <b>old</b> 97:16 146:20 <b>older</b> 12:6 15:15 <b>once</b> 13:17 19:13 60:13 105:12 144:11 <b>onerous</b> 152:8 <b>ones</b> 109:20 111:11 160:8 168:19 <b>ongoing</b> 74:21 143:14 165:14 <b>online</b> 105:19 112:21 <b>onsite</b> 26:18 <b>open</b> 24:14 28:16 32:4 41:13 134:1 154:15 168:10,14 171:16,17 <b>opened</b> 18:15 50:1 <b>opening</b> 2:12 <b>openings</b> 27:3 <b>openly</b> 78:20 <b>operate</b> 10:5,13 43:14 54:20 55:13 <b>operated</b> 53:19 <b>operating</b> 55:3 96:3 99:2,8 <b>operation</b> 51:6 65:19 150:14 <b>opinion</b> 25:13 101:8 <b>opinions</b> 103:6 <b>opportunists</b> 60:18 <b>opportunities</b> 90:16 <b>opportunity</b> 7:21 22:4,19 25:3,3 33:18 93:6 164:9 164:13	<b>opposed</b> 15:5 70:10 <b>option</b> 126:19 130:20 167:15 <b>options</b> 71:5 87:17 94:21 <b>order</b> 2:4,13 7:12 24:19 26:20 42:8 43:13 104:18 116:19 <b>ordinance</b> 16:10 26:4 <b>org</b> 157:19 <b>organization</b> 80:19 84:14 <b>organizational</b> 3:3 <b>original</b> 31:10 <b>osprey</b> 57:8 <b>otte</b> 120:6,7,9,10 120:17 125:4 126:13 127:8 <b>ought</b> 82:21 83:10 <b>outcome</b> 174:12 <b>outer</b> 22:6 <b>outs</b> 168:2 <b>outside</b> 35:5 <b>outstanding</b> 101:7 <b>overall</b> 34:12 98:2 111:10 165:8 <b>overdue</b> 127:5 <b>overly</b> 21:14 <b>overrun</b> 37:21 60:5 <b>oversight</b> 148:1 <b>owned</b> 53:19 <b>owner</b> 22:17 23:3 24:4,6,10 35:8 38:9 53:19 54:10 54:19 59:9,13 88:13 89:5,16,17 110:7 112:18 116:5,8 122:16,19 122:21 130:4,4,11 142:5 143:7 145:3	146:12 147:21 162:1,5 166:16 167:13,14,17 168:8,13 <b>owners</b> 11:17 12:9 13:3 20:13 21:1,2 21:12,12 23:11 35:5 59:15 62:14 79:12 116:11 122:11 123:17 127:21 147:5 165:14 168:11 170:11 <b>ownership</b> 134:21 <b>owning</b> 22:9 <b>owns</b> 35:2 54:12 <b>oxford</b> 109:19
<b>p</b>			
<b>p.m.</b> 1:7 3:19 32:3 133:12 141:10 173:5 <b>pack</b> 5:5 164:4,6 <b>package</b> 8:13 <b>packet</b> 44:20 121:18 <b>page</b> 66:4,6 103:20 <b>paid</b> 49:20 50:6 <b>paint</b> 36:2 159:12 <b>paper</b> 43:7 44:19 53:4 69:5 162:18 <b>paperwork</b> 19:2 151:17,20 163:3 166:14 <b>parameters</b> 95:19 <b>pardon</b> 18:10 <b>parking</b> 83:9 <b>part</b> 16:9 29:5 38:14 53:21 73:12 77:16 87:21 91:1 100:19 123:17 124:12 129:13 155:13			

<p><b>participant</b> 127:14</p> <p><b>participation</b> 2:11 111:1</p> <p><b>particular</b> 102:14 140:19</p> <p><b>particularly</b> 10:8</p> <p><b>parties</b> 57:8 174:11,12</p> <p><b>party</b> 57:14 62:19 83:7</p> <p><b>partying</b> 57:13</p> <p><b>pass</b> 12:17 58:12 58:14 142:7</p> <p><b>passed</b> 3:2,6 9:2 10:2,3 12:20 13:9 13:12,19 45:3 116:14 118:5</p> <p><b>paste</b> 155:2</p> <p><b>path</b> 69:20 103:13</p> <p><b>paths</b> 70:11</p> <p><b>patient</b> 154:12,16</p> <p><b>patriot</b> 81:9</p> <p><b>pay</b> 52:17 58:7 155:20</p> <p><b>paying</b> 59:20 107:7 131:4</p> <p><b>penalty</b> 143:8</p> <p><b>pending</b> 109:18 134:20</p> <p><b>people</b> 3:19,20 6:6 12:3 13:2 19:15 22:6,12 24:17 25:11 27:7,9 33:2 37:5,7,21 42:6 46:21 47:12 50:4 52:7,14,16 55:21 59:4,6 62:3,6 65:14 66:20 67:13 67:15 68:17,19 69:21 71:1,2 75:3 75:16 79:3 80:14 81:9,14 87:17,18 90:13 92:16,21</p>	<p>94:14,17 95:16 99:2,15 101:21 103:8 108:2 110:6 122:1,2,4,8,20 126:14,21 127:1 130:7 133:20 137:19 138:5,6 139:21 152:2 154:12,14,16 163:14 165:5,6 169:12 170:11 171:6,13</p> <p><b>people's</b> 69:11</p> <p><b>percent</b> 39:9,18 86:20 88:12 98:14 109:21 110:4 111:5,8,9 126:8</p> <p><b>percentage</b> 82:5</p> <p><b>percentages</b> 88:11</p> <p><b>perfectly</b> 167:8 172:8</p> <p><b>performed</b> 162:1</p> <p><b>period</b> 9:5,6,9 12:8 17:13 48:17 49:7 134:2 140:14 144:8 162:4 164:15</p> <p><b>permanent</b> 54:13 84:21 115:6</p> <p><b>permit</b> 55:11 121:16 122:18 123:10 144:2 166:21</p> <p><b>permits</b> 60:5 171:4</p> <p><b>permitted</b> 130:19 162:2,3</p> <p><b>permitting</b> 69:4 170:13</p> <p><b>person</b> 24:8 49:20 54:16,19 58:13 59:4 69:5 76:6 167:4 168:11</p>	<p><b>personal</b> 40:7</p> <p><b>personally</b> 9:1 174:3</p> <p><b>perspective</b> 25:10</p> <p><b>pertaining</b> 54:5</p> <p><b>phone</b> 57:19 68:3 79:11 86:9 105:21 172:5,10,21</p> <p><b>photographed</b> 143:18</p> <p><b>photographic</b> 65:8</p> <p><b>physical</b> 122:9</p> <p><b>physically</b> 21:13</p> <p><b>physician's</b> 68:12</p> <p><b>pia</b> 156:5</p> <p><b>picture</b> 105:16 113:5</p> <p><b>pictures</b> 57:19 75:12,13,14</p> <p><b>piece</b> 53:4 98:7</p> <p><b>pieces</b> 162:18</p> <p><b>place</b> 31:19 57:21 58:2 61:9 65:2 69:7 70:9 72:15 72:15 74:7,11 76:20 79:2 83:8,9 83:12 86:8 96:21 106:19 108:18 114:3 129:9 164:5 174:4</p> <p><b>places</b> 81:14 150:2</p> <p><b>plain</b> 160:19</p> <p><b>plan</b> 27:4 76:5 133:11</p> <p><b>planning</b> 3:5 10:3 17:9 26:19 98:9 101:10 109:6 111:15 128:12 129:1 163:15 165:19</p> <p><b>plans</b> 28:1,3,4</p> <p><b>playing</b> 44:11</p>	<p><b>please</b> 11:7 12:1 46:7 49:13 77:5 77:18 79:21 80:1 97:2 101:18 104:16 112:10 116:2,3 120:8 140:8 153:12 154:19,19 155:3 156:19 169:15,19</p> <p><b>pleasure</b> 32:5 83:16 142:9</p> <p><b>plenty</b> 58:11</p> <p><b>plethora</b> 57:12</p> <p><b>plus</b> 94:1</p> <p><b>point</b> 5:4 8:19 9:11,12,17 14:7 16:7 24:13 25:6 27:15 31:18 36:12 38:3 40:15 42:11 50:8 64:20 67:20 74:1 86:18 88:14 91:7,9 98:2 101:7 101:8 102:3,19 103:15 107:19,20 107:21 108:18 111:4 114:4 116:9 117:14 127:3 143:2 162:14 163:4,10,12 166:10 167:11 168:21 172:15</p> <p><b>pointed</b> 146:3</p> <p><b>points</b> 25:9 32:18 35:15 42:19 80:8 88:20 103:16,18 103:20 104:2 120:14,15,20 121:11 158:1 168:17,20</p> <p><b>police</b> 115:5</p> <p><b>policy</b> 51:20</p> <p><b>pool</b> 69:18 171:4</p> <p><b>poor</b> 90:12</p>
--	---	---	---

<p><b>poorest</b> 90:11</p> <p><b>portion</b> 88:1</p> <p><b>position</b> 167:12</p> <p><b>positions</b> 25:20</p> <p><b>possibilities</b> 37:18</p> <p><b>possibility</b> 106:15</p> <p><b>possible</b> 6:15 107:12 129:6 156:20</p> <p><b>possibly</b> 55:1</p> <p><b>post</b> 16:16 155:3</p> <p><b>postal</b> 163:6</p> <p><b>posted</b> 16:1 28:16 28:21 31:20</p> <p><b>posting</b> 16:15 30:17</p> <p><b>postponement</b> 172:4,16</p> <p><b>pot</b> 97:17,20</p> <p><b>potential</b> 3:15 46:15 94:4 167:19</p> <p><b>potentially</b> 166:2</p> <p><b>power</b> 18:2</p> <p><b>practical</b> 32:1 162:20</p> <p><b>practice</b> 16:6</p> <p><b>precautions</b> 15:14</p> <p><b>precedence</b> 85:20</p> <p><b>prefer</b> 71:1 105:2 122:20</p> <p><b>preferable</b> 25:19</p> <p><b>preference</b> 21:9 21:10 27:18</p> <p><b>preferential</b> 59:11</p> <p><b>prejudged</b> 144:15</p> <p><b>prejudice</b> 144:18</p> <p><b>preoccupied</b> 165:7</p> <p><b>prepared</b> 100:5 166:14</p> <p><b>prerequisite</b> 23:3</p> <p><b>presence</b> 174:10</p> <p><b>present</b> 2:5 4:9 6:10 21:12 24:15</p>	<p>27:12,13 57:11 63:17 133:4,8 136:6 140:7 144:12 168:8 171:9</p> <p><b>presentation</b> 18:15 42:18</p> <p><b>presented</b> 106:20 109:10 132:2</p> <p><b>preservation</b> 137:6</p> <p><b>preserve</b> 159:2</p> <p><b>president</b> 5:5,12</p> <p><b>presumably</b> 172:14</p> <p><b>presume</b> 33:10</p> <p><b>pretty</b> 24:1 69:20 71:18 73:6 124:20 128:3 132:7 135:8</p> <p><b>previous</b> 74:4 135:3 144:3</p> <p><b>previously</b> 78:1 93:2 142:5</p> <p><b>price</b> 151:2</p> <p><b>prices</b> 113:19,19</p> <p><b>pricing</b> 43:20 53:5</p> <p><b>primarily</b> 69:16</p> <p><b>primary</b> 34:2 54:13,17 55:12 90:17,18</p> <p><b>principal</b> 33:6,8 34:3,21 59:10 62:14 135:1,5</p> <p><b>printed</b> 174:7</p> <p><b>prior</b> 14:14 16:1,2 16:13 19:16,20 26:3,10 30:7,18 35:17 56:9 74:10 86:11 106:8 131:12 158:9,15 159:5</p> <p><b>priority</b> 142:21 163:7</p>	<p><b>privacy</b> 44:8</p> <p><b>private</b> 22:15 23:19 40:17,20,21 41:9 42:3 58:6 59:18 124:2</p> <p><b>proactively</b> 159:14</p> <p><b>probably</b> 6:16 13:16 29:1 34:11 66:6 74:14 75:4 81:6 82:10 85:1,4 91:20 92:1,2,7 96:1 101:20 124:9 126:7 129:11 149:15 156:1</p> <p><b>problem</b> 54:5 69:6 69:17 75:2 82:17 82:19,21 85:3 121:4 171:7</p> <p><b>problems</b> 13:21 62:13 79:16 121:7</p> <p><b>procedure</b> 3:4 8:9 10:1,7 24:21 67:14 73:11</p> <p><b>procedures</b> 61:5 61:14</p> <p><b>proceed</b> 4:2,16 8:10 49:13</p> <p><b>proceeding</b> 7:5</p> <p><b>proceedings</b> 2:1</p> <p><b>process</b> 18:6,8,11 23:1 33:14 35:19 38:20 45:5 63:2,3 63:8,19 72:7,8 73:14 83:1,15,18 84:3,5 88:16 92:8 92:11 93:10,17,19 94:16 95:16 100:13 101:5,6 102:3 104:1,3 105:10 106:1,3,11 107:16 120:19 121:2 123:7 125:2 125:11 130:13</p>	<p>131:1 134:5 142:14 147:10 151:18 152:7 154:17 155:4,5,13 155:16 156:9,17 158:6 162:15 163:1,2 164:5,14 164:16,17,19 165:1,13 166:5 170:13,13</p> <p><b>processes</b> 63:13</p> <p><b>produced</b> 98:7</p> <p><b>professionals</b> 168:1</p> <p><b>profit</b> 59:16 118:15</p> <p><b>program</b> 126:4</p> <p><b>progress</b> 83:21 137:11</p> <p><b>prohibitive</b> 160:9</p> <p><b>prompt</b> 142:9</p> <p><b>prompted</b> 38:19</p> <p><b>proof</b> 30:12</p> <p><b>proper</b> 104:18</p> <p><b>properly</b> 37:11</p> <p><b>properties</b> 20:13 54:3,12 93:4 105:16 110:8 113:2,18,20 116:17 124:1 135:1 137:21 158:9,11 159:7,15 161:18 168:2</p> <p><b>property</b> 16:1,15 16:17 21:4 23:4 26:15,19,21 35:3 40:10,14,14 42:2 47:14 53:21 54:7 54:10,11,13,20 60:10 63:6,11 71:15 72:1 73:15 79:12 88:2,3 89:20 118:3,7 119:9 122:15</p>
---	--	--	--

123:9 142:1 166:13,18,19 168:5 170:10 <b>propose</b> 7:5 59:8 160:1 163:14 <b>protecting</b> 55:6 <b>protection</b> 89:8,8 115:5 <b>protocol</b> 24:21 <b>prove</b> 39:16 <b>provide</b> 2:20 4:12 6:9 7:17 61:19 95:8 105:5 119:20 141:6 156:6 <b>provided</b> 86:10 <b>provides</b> 71:5 <b>provision</b> 73:5,8 <b>public</b> 4:8 5:20 6:13 12:2 16:10 16:14 20:3 32:2,6 34:5 155:9,12 158:20 174:2,18 <b>publicize</b> 67:11 <b>publicized</b> 69:15 <b>published</b> 97:8 <b>pumped</b> 50:2,3 <b>purchased</b> 38:16 38:17 110:10 113:2 118:3,18 <b>pure</b> 149:11 <b>purpose</b> 6:5 34:12 35:8 44:14 46:3 100:7,12 101:11 113:3 128:5 155:13 <b>pursue</b> 113:19 <b>pursuit</b> 144:20 <b>purview</b> 102:21 103:3 <b>push</b> 47:7,10 <b>put</b> 41:10 55:9,10 55:17 64:4,14 69:8 74:6,11 79:2 79:4 87:7 90:14	97:14,18,20 98:10 99:4 101:14,20 130:2 142:7,11 170:15 <b>puts</b> 65:20 <b>putting</b> 95:1 100:11 156:14 <b>puzzled</b> 130:18  <b>q</b> <b>qualify</b> 41:5 <b>quality</b> 51:5 59:17 135:6 <b>quarter</b> 86:20 <b>question</b> 2:15 12:13 15:20 28:18 34:8 35:7 40:20 41:16 44:6 46:2 68:19 71:13 74:13 74:20 87:1 89:5 97:12 98:16 99:15 100:1 125:6 126:3 132:1,15 138:14 146:21 147:20 149:9 152:5 155:19 <b>questions</b> 7:15,16 7:18 10:15 21:3,8 21:18,21 39:20 41:15 42:12 56:4 60:20 61:3 77:4 85:8 104:6 111:20 115:15 124:16,18 127:7 130:16 133:18 135:10 138:13 145:1,17 153:8 158:2 163:12 168:16 169:4 <b>quick</b> 104:12 <b>quickly</b> 19:6,9 20:2 31:2 107:10 107:12 108:5 109:15	<b>quit</b> 48:5 <b>quite</b> 9:13 90:18 120:11,11 121:8 132:5 154:12 <b>quorum</b> 2:5 20:7 <b>quote</b> 60:8 <b>quoted</b> 44:2  <b>r</b> <b>ra</b> 69:14 <b>rain</b> 58:11 <b>raised</b> 61:4 <b>raises</b> 34:10 41:15 <b>raising</b> 167:7 <b>ralph</b> 134:11,17 134:17 <b>ramp</b> 86:21 <b>rampant</b> 90:1 <b>rarely</b> 58:9 <b>reach</b> 67:15 117:21 121:10 122:18 170:20 <b>reached</b> 117:4 <b>reacting</b> 167:10 <b>read</b> 45:11 62:5 69:12 120:10 134:9 158:4 167:2 <b>readily</b> 143:11 <b>reading</b> 45:6 <b>reads</b> 26:4 <b>reaffirm</b> 101:14 <b>real</b> 47:7 83:12 87:10 138:20 <b>realize</b> 22:5 <b>really</b> 15:16 19:10 23:15,20 47:6 48:10 56:20 59:19 63:4,10 68:1 69:11 75:5 85:20 88:14 91:3 100:12 115:7 137:14,15 138:5,6,7,8 139:2 150:16 151:19 158:19	<b>realtors</b> 127:10,13 <b>reason</b> 55:20 81:20,21 104:3 134:3 172:20 <b>reasonable</b> 54:15 <b>reasoning</b> 24:8 <b>reasons</b> 47:11 122:6 127:2 130:10 <b>reassess</b> 102:12 <b>reassessment</b> 103:11 <b>rebuttal</b> 7:21 24:16 25:9 <b>recall</b> 77:21 169:21 <b>receipt</b> 26:6,10,16 131:7 163:8 <b>receipts</b> 29:20 <b>receive</b> 8:7 10:9 <b>received</b> 2:17,18 4:19 6:7 9:3 61:5 110:3 133:19 141:19 <b>receiving</b> 134:8 171:19 <b>recognize</b> 2:8 <b>recollection</b> 49:5 <b>recommend</b> 17:9 55:9 103:8 123:11 142:15 166:11,18 <b>recommendation</b> 4:12 36:16 144:11 157:16 158:4 163:13 <b>recommendations</b> 11:14 31:7 33:11 35:16 44:3 132:21 <b>recommended</b> 10:9 132:8 <b>recommending</b> 102:16,18 <b>reconsidered</b> 164:20
--	--	--	---

<b>reconvene</b> 107:11 107:14	<b>reiterate</b> 141:17	113:15,16,16	<b>repeat</b> 65:17
<b>record</b> 5:2 7:16	<b>reiterating</b> 146:14	114:3 116:8 118:8	121:1 135:4 147:8
28:15 59:2 64:17	<b>related</b> 174:12	124:6 135:1	<b>repeated</b> 123:2
71:21 112:7 120:2	<b>relates</b> 158:7	138:19 140:20	<b>repeatedly</b> 5:9
123:8 134:1	<b>relations</b> 116:5	141:7 145:9,13	27:7 41:8
136:13 155:9,12	117:7 157:10	146:17 148:3,5	<b>repetitive</b> 8:6
155:18 171:16,17	<b>relative</b> 100:10	149:7 150:15	<b>replaced</b> 160:19
<b>recorded</b> 57:14	<b>relax</b> 31:5	153:2,4 162:2	<b>replacing</b> 43:20
123:6 141:10	<b>reluctant</b> 33:10	166:11 167:20	<b>report</b> 49:16,18
174:6	<b>rely</b> 114:20	170:17 171:1	51:4,7 64:16
<b>red</b> 138:1,9 139:1	<b>remaining</b> 169:12	174:3	68:19 122:6 141:4
<b>redistribute</b> 169:6	<b>remarks</b> 2:13 7:11	<b>rentals</b> 3:9 8:14	<b>reported</b> 1:21
<b>redo</b> 11:19	8:15	16:9 37:17 41:11	62:4
<b>reduce</b> 165:9	<b>remember</b> 14:19	60:3 80:9,11,14	<b>reporter</b> 5:3
<b>reexamined</b> 161:6	15:2 128:14	81:1,2,5 85:12	136:13 155:15
<b>reference</b> 107:20	131:17 132:5,6	86:6,11 87:3 89:4	169:18
<b>referred</b> 72:16	<b>remind</b> 128:20	89:18,19 91:11,11	<b>represent</b> 116:8
<b>referring</b> 15:21	171:11	91:16,17 94:5,15	168:3
16:3 76:5	<b>remove</b> 142:6	96:11 108:16	<b>representation</b>
<b>regard</b> 6:17 71:15	<b>removed</b> 143:17	114:5 115:10,11	147:18
93:13	143:19 160:18	116:6,21 117:4	<b>representative</b>
<b>regarding</b> 112:15	<b>renewal</b> 8:20 72:5	118:20 128:8,15	20:15 21:1,2
134:21 169:20	72:12 105:11	129:6 137:9 138:1	147:13 168:11
<b>regardless</b> 125:15	123:10,12	140:18 141:5	<b>represents</b> 97:15
<b>registered</b> 139:20	<b>renewals</b> 17:11	148:13,19 149:3,5	<b>request</b> 2:6,17 4:3
<b>registering</b> 140:1	105:13 110:21	150:8,12 154:3	20:19 21:15 96:2
<b>regulated</b> 151:8	111:10 163:16	157:4,9 161:4	106:16 136:3
<b>regulation</b> 109:9	<b>renewed</b> 151:11	170:11	156:5 160:4
128:11 161:12	<b>rent</b> 35:8 38:15	<b>rented</b> 34:20	<b>requested</b> 9:10
<b>regulations</b> 10:5	47:14 59:9 62:7	76:15 80:16 94:10	19:21 98:9
11:11,16 16:9,12	62:14 82:4 113:17	<b>renter</b> 69:17 70:10	<b>requesting</b> 104:4
36:21 83:4 89:3	117:6	143:10,11,21	<b>requests</b> 33:2
89:11,13 129:5	<b>rental</b> 1:4 2:3,21	145:4	<b>require</b> 21:12 28:1
130:2 151:7,12,14	11:17 12:4,9	<b>renters</b> 22:13	84:11 125:9 126:5
<b>reichart</b> 42:14,21	26:17 36:7 40:8	47:15 57:16,18	132:3 159:15
45:10,13 46:2	41:3 44:17 46:17	58:9,11,18 61:19	160:2
47:10,18 48:1,15	48:12,13 56:20	62:10 114:21	<b>required</b> 4:13
49:14 50:10 52:3	57:2,20 59:10,12	122:10 123:17,18	84:11
53:15,17 54:15	71:20 82:14,19	129:3 147:17	<b>requirement</b>
55:5,20 56:6	83:2,19 84:2,10	<b>renting</b> 54:2 57:21	13:18 14:14 17:1
<b>reinspect</b> 131:12	85:3 86:4 87:7,8	58:1 61:21 71:2	21:14 33:9 36:3
<b>reinstalled</b> 143:20	89:4 90:1,16,19	87:20 93:5 94:9	41:1 158:8 159:18
	93:3 94:6,21	94:15 95:2 118:12	160:12 163:21
	103:5 113:12,14		

<b>requirements</b> 9:16 16:13 28:7,11 29:11 36:6 44:5 52:6 55:14 63:13 142:18 159:9,17 159:21 160:7	<b>respond</b> 64:11 75:17 125:19 126:12 155:6 <b>responded</b> 143:19 <b>response</b> 2:6 88:21 101:19 <b>responsibility</b> 110:15 <b>responsible</b> 22:18 77:1 <b>responsive</b> 121:6 <b>rest</b> 18:17 89:6 97:5 127:17 <b>restaurants</b> 81:21 <b>restrict</b> 59:8 89:4 130:21 <b>restricting</b> 134:21 <b>restriction</b> 55:10 <b>restrictions</b> 81:6 <b>restricts</b> 89:18 <b>resubmit</b> 157:20 <b>resurfaced</b> 58:7 <b>resurfacing</b> 58:10 <b>retailers</b> 85:16 <b>retire</b> 60:10 116:19 <b>retreat</b> 57:11 <b>return</b> 9:10 29:20 <b>revenues</b> 39:17 <b>review</b> 1:4 2:4,21 4:21 31:11,21 72:8 123:13 144:12 164:15 174:3 <b>reviewed</b> 3:5 <b>revisit</b> 172:11 <b>revoke</b> 73:18 <b>revoked</b> 84:17 <b>rhetoric</b> 80:20 <b>right</b> 5:19,20 9:7 16:20,21 19:2,3 24:9 29:13 49:14 61:2 63:19 64:14 65:17,21 66:17	68:9,11 72:12 74:17,18 76:13 82:16 98:5,6,17 105:1 114:12 118:9 122:1 131:21 132:10 134:10 145:11 150:3 152:17 153:1 155:9 169:8 <b>rights</b> 54:10 <b>rise</b> 159:9 <b>riser</b> 160:5,12 161:19 <b>road</b> 22:15 23:19 41:4,5,9,13 42:7 58:6,8,17 59:21 59:21 102:7,11 137:1 139:15 140:11,20 <b>roads</b> 15:17 40:18 40:20 59:18 124:2 <b>robert</b> 32:9 <b>robin</b> 79:19 80:3,5 <b>roebuck</b> 85:16 <b>rooms</b> 112:19,20 113:1,4 <b>round</b> 170:3 <b>row</b> 24:5 <b>royal</b> 119:11,16 140:11,21 <b>rpr</b> 1:21 <b>rule</b> 12:16 54:16 54:18 55:1 <b>rules</b> 3:4,15 4:6 9:18,21 10:1,4 44:19 83:21 84:3 85:19 90:8 93:1 <b>run</b> 10:7 24:13 99:17 171:21 <b>runner</b> 58:12 <b>running</b> 12:3 47:4 151:15 <b>russ</b> 42:15 45:12 45:20 46:3,8,12	50:12,16 51:12,14 51:17,21 55:7 <b>s</b> <b>s</b> 10:5 <b>safety</b> 15:9,14 19:3 28:11 35:17 35:21 43:3,4 68:1 106:17 107:1 147:2 158:20 <b>sale</b> 166:12 <b>salinas</b> 16:8,20 26:1,9,13,14 28:20 29:16 30:16 31:1 50:20 51:13 51:15,20 67:19 68:16 78:2,5,7,10 78:14,17 96:5 <b>sat</b> 24:4,5 <b>satisfactory</b> 51:3,7 <b>satisfied</b> 128:3 <b>saturday</b> 46:18 <b>saw</b> 2:8 5:8 171:5 <b>saying</b> 11:18 14:2 33:4 55:17 58:21 59:1 69:3 72:14 79:6 92:11 98:12 102:13,16 167:10 168:9 <b>says</b> 9:14 30:1 44:2,17,20 45:11 60:13 108:15 109:6 118:10 122:18 131:6 <b>scale</b> 27:21 <b>scenario</b> 118:13 168:4 <b>schedule</b> 26:18 <b>scheduled</b> 3:17 20:4,9 142:20 <b>scheduling</b> 26:4 26:10 28:16 <b>schneider</b> 36:12 36:14 37:12 38:6 38:8 39:2,19,21
---	--	---	---

108:7,9 <b>school</b> 113:8,11 114:18 137:7,16 <b>scott</b> 1:14 94:3 <b>screen</b> 106:18 <b>screening</b> 43:5,11 44:15 53:11 54:6 54:7,18 55:14,17 55:21 <b>seal</b> 174:14 <b>sears</b> 85:16 <b>season</b> 11:12,13 147:3 149:14 151:4 <b>seasons</b> 149:15 <b>seat</b> 100:12 <b>second</b> 3:16 4:2 9:6,12 30:3,8,19 35:3 39:3 70:1 80:15 82:7 116:13 142:17 147:8 <b>section</b> 26:15 <b>security</b> 24:7,11 <b>see</b> 5:13,14 8:5 15:1 32:1 36:20 38:18 53:11 75:2 79:21 92:20 103:19 109:5 110:18 111:11 112:14 114:9 142:12 160:21 <b>seeing</b> 14:17,19 23:21 <b>seek</b> 7:19 <b>seeking</b> 4:13 21:16 <b>seen</b> 2:14 24:1 38:21 39:4,8 57:7 110:5 111:11 138:2,15,17,19 140:21 <b>seized</b> 158:15 <b>self</b> 163:21 <b>sell</b> 40:14 54:17 55:12 87:11,16	113:18 116:15 118:19 <b>selling</b> 59:17 113:13 118:9 <b>sellman</b> 16:18 <b>send</b> 30:5 43:8 66:9 69:3 75:13 75:14 100:14 <b>sense</b> 47:2 48:17 53:15 124:4 130:15 135:5 <b>sent</b> 4:14 30:7 56:13 57:15 66:12 66:14 77:10 97:7 142:15,17 146:16 <b>separate</b> 48:12 58:20 59:1 69:12 89:3 148:16 151:9 151:15 <b>september</b> 3:2 45:3 <b>septic</b> 49:15 50:20 51:5,13 <b>serious</b> 106:1 125:16 162:9,11 <b>serve</b> 32:4 <b>service</b> 29:21 64:3 150:20 163:6,7 <b>services</b> 116:20 <b>session</b> 1:4 2:6 3:14,17,18,20 4:1 4:2 5:13,17 6:13 17:19 83:14 133:11 155:5 173:5 174:3,5 <b>sessions</b> 5:18 6:1 11:9 <b>set</b> 12:19 35:1 63:13 106:19 152:20 174:4 <b>setback</b> 44:7 53:11 <b>sets</b> 62:10 73:14	<b>setting</b> 22:13,14 141:11 142:2 143:10 <b>seven</b> 29:14 41:18 42:11,13 82:11 88:10 <b>sewell</b> 140:8,10,10 145:6,11,18,20 146:6 <b>share</b> 58:6 90:15 90:15 <b>shared</b> 106:2 <b>shariff</b> 146:9,11 146:12 148:2,6,8 148:12,17,20 149:2,8,10,17 150:1,6,9,12,16 150:19 151:4,9,16 151:21 152:3,10 152:16 153:1,6,10 <b>shed</b> 142:4,6 143:14 <b>shield</b> 63:9 <b>shimko</b> 27:12 <b>shoot</b> 123:19 <b>shore</b> 86:1 116:6 116:11,20 117:18 127:10,13 157:4,9 <b>short</b> 1:4 2:3,21 3:9 6:2 16:9 26:17 40:8 41:3,11 48:12 49:2 56:19 57:2 80:9,11,13 81:1,2,4 82:14,18 83:2,19 84:1,10 85:3,11 87:3,7,8 89:3,4,18 90:16 90:19 91:10,11,16 91:17 93:3 96:11 103:5 107:8,11,13 108:16 113:15,16 114:5,21 115:9,11 116:8 117:3 118:7 124:5 128:7,14	129:3,6 130:5 135:1 137:9,21 138:19 140:14,18 140:20 141:5 146:16 147:14,18 148:2,4,12,19 149:3,4,6 150:8 150:12,15 153:2,4 161:4 166:11 170:11,17,21 171:1 174:3 <b>shorter</b> 149:14 <b>show</b> 53:3 <b>showed</b> 50:17 <b>showings</b> 118:11 <b>shows</b> 98:5 109:17 <b>shut</b> 88:1 112:18 144:14 <b>shy</b> 42:1 <b>side</b> 23:21 82:11 <b>sign</b> 11:6 30:17 37:8,9 42:16 56:5 56:15 77:5 97:3 104:7 115:18 120:5 132:18 133:2 140:9 146:10 153:12 154:20 <b>signature</b> 11:11 15:17,21 16:15,16 <b>signature</b> 174:17 <b>signed</b> 30:2 169:11 <b>significant</b> 87:9 88:1,15 100:19 114:16 <b>significantly</b> 113:17 <b>similar</b> 45:17 55:1 <b>similarly</b> 166:20 <b>simply</b> 60:17 102:8 108:12 150:10 155:1 167:10 172:15
--	---	---	---

<p><b>sir</b> 10:21,21 13:7 17:3 67:17 72:2 106:9</p> <p><b>site</b> 5:2 28:17 29:5 29:6 121:14 122:12 126:18 127:4 145:7,7 152:20 155:3</p> <p><b>sites</b> 94:18</p> <p><b>sits</b> 97:16</p> <p><b>sitting</b> 44:10,12,13 97:18 100:15</p> <p><b>situated</b> 59:18</p> <p><b>situation</b> 20:12 28:12 40:17 41:8 43:5 44:7 47:5 53:3 61:11 67:2 68:17 69:9 73:1,2 73:3 75:8,18 76:6 106:20 118:1,2 143:13,14</p> <p><b>situations</b> 22:1 25:8</p> <p><b>six</b> 3:7 11:16,18 13:7 18:6,8,11 40:3 70:1 88:10 91:3 92:4,14 94:9 110:18</p> <p><b>size</b> 11:14 14:20 15:3</p> <p><b>sizeable</b> 76:7</p> <p><b>slam</b> 58:3</p> <p><b>sleeps</b> 59:2</p> <p><b>slept</b> 142:3 143:21 144:3</p> <p><b>slowly</b> 19:10 157:6</p> <p><b>small</b> 81:8,10 114:6</p> <p><b>smaller</b> 28:9</p> <p><b>smoke</b> 27:3 159:15</p> <p><b>smoothly</b> 10:7</p>	<p><b>snyder</b> 97:4,4 99:13 102:1,2,18 103:19 104:6,7,8</p> <p><b>snyder's</b> 97:1</p> <p><b>social</b> 114:5 115:1</p> <p><b>software</b> 98:8</p> <p><b>sold</b> 38:9 138:16</p> <p><b>sole</b> 2:5</p> <p><b>somebody</b> 35:5 61:6,6 67:2 83:1 83:10 126:5 134:6 161:8</p> <p><b>someplace</b> 138:21</p> <p><b>somewhat</b> 158:20</p> <p><b>soon</b> 142:16</p> <p><b>sorry</b> 19:12 26:5 30:7,8 46:8 119:13</p> <p><b>sort</b> 4:7 5:13 21:5 31:1 49:3 68:12 124:11 130:17 159:16 166:13</p> <p><b>sought</b> 113:9 116:20</p> <p><b>sound</b> 81:10</p> <p><b>sounds</b> 81:11 121:12,19 123:5</p> <p><b>southeast</b> 141:12</p> <p><b>space</b> 143:15</p> <p><b>speak</b> 7:14 8:17 23:5 24:17 25:3,4 40:6 41:19 100:20 101:18 109:13 112:6 127:13 133:8 135:16 136:6 138:10 168:19 169:13 171:9</p> <p><b>speakers</b> 135:3</p> <p><b>speaking</b> 5:8,15 5:21 29:13 40:7 42:2 70:13 154:4 158:16 170:10</p>	<p><b>speaks</b> 28:8</p> <p><b>special</b> 27:5</p> <p><b>specific</b> 2:19 48:11 63:3 66:4 89:10 95:11 123:18 124:20 132:20 145:12</p> <p><b>specifically</b> 34:17 81:13 113:3</p> <p><b>speed</b> 20:10 42:4 58:9</p> <p><b>speeding</b> 22:15</p> <p><b>spend</b> 52:9 53:8 81:17 82:3 91:3,4 92:17</p> <p><b>spends</b> 35:9</p> <p><b>spent</b> 52:10</p> <p><b>spoke</b> 6:3 139:7 139:10 168:19 169:2</p> <p><b>spoken</b> 120:18</p> <p><b>spot</b> 101:15</p> <p><b>spread</b> 98:4,5</p> <p><b>spring</b> 4:5 91:5 96:7 148:13 149:15</p> <p><b>spy</b> 97:8</p> <p><b>squeak</b> 172:1</p> <p><b>squeezing</b> 113:20</p> <p><b>st</b> 81:13,19 88:9 88:13,21 89:2,11 89:14,17 90:11,12 109:18 110:9 134:18 138:2</p> <p><b>staff</b> 6:18,19 16:7 19:9 20:1 28:19 29:13 48:18 68:7 68:9 70:14 77:2 78:20 91:14 95:8 95:18 96:2 97:12 100:2,5,11,13 101:1,14,16 121:19 127:18 132:8,11 155:17</p> <p>156:5 161:15 163:20 164:9 165:19,20 172:7 173:1</p> <p><b>staffed</b> 167:20</p> <p><b>stair</b> 160:13,14</p> <p><b>stand</b> 102:11</p> <p><b>standard</b> 15:8 28:9 54:18 159:13</p> <p><b>standards</b> 124:12</p> <p><b>standpoint</b> 64:2 81:7 90:6,7 162:20,21</p> <p><b>star</b> 97:9</p> <p><b>start</b> 37:19 107:15 110:21 118:12 149:13 157:15</p> <p><b>started</b> 13:10 19:6 57:18 85:21 86:2</p> <p><b>starting</b> 64:20</p> <p><b>state</b> 50:21 51:2,8 174:1,2</p> <p><b>stated</b> 14:15 43:1 130:10</p> <p><b>statement</b> 31:8 42:6</p> <p><b>statements</b> 33:19 65:16</p> <p><b>states</b> 26:16</p> <p><b>stating</b> 4:16</p> <p><b>statistics</b> 98:10 111:7</p> <p><b>status</b> 100:18</p> <p><b>stay</b> 81:14 151:5</p> <p><b>stayed</b> 86:3</p> <p><b>steadily</b> 149:19</p> <p><b>steady</b> 39:6,8</p> <p><b>steen</b> 112:9,12,12 115:17 139:6,9</p> <p><b>stenographic</b> 174:6</p> <p><b>stenographically</b> 174:6</p>
---	---	--



<p><b>step</b> 168:10</p> <p><b>steve</b> 27:12</p> <p><b>stimulus</b> 137:13</p> <p><b>stipulations</b> 174:9</p> <p><b>stock</b> 22:9</p> <p><b>stone</b> 80:13</p> <p><b>stop</b> 75:6 124:15</p> <p><b>story</b> 97:16</p> <p><b>stove</b> 69:17</p> <p><b>str</b> 28:7,17 31:20 33:5 34:18 36:6 36:21 42:9 47:1 53:19 55:13 63:20 65:3 73:13 93:3 96:9,15 99:11,16 100:20 103:21 105:8 109:18 121:13 122:11 123:10 125:9 126:4 148:11 151:3,6,14,16,19 162:3 165:16 166:18</p> <p><b>str's</b> 34:13,20 36:8 37:16 38:4 39:4 39:14 59:14,18 60:2,5,16 97:7 98:4,6 99:17 105:18,20 110:8 112:15 113:3 114:8,10,11 121:4 158:21</p> <p><b>straight</b> 10:12 46:12</p> <p><b>strange</b> 57:11,17 58:4</p> <p><b>strangers</b> 125:17</p> <p><b>strb</b> 5:6</p> <p><b>streamline</b> 147:12 164:10</p> <p><b>streamlined</b> 33:15 147:9</p> <p><b>streamlining</b> 83:15 84:18</p>	<p><b>street</b> 82:9,10,11 82:16 84:20 86:18</p> <p><b>stressed</b> 67:4</p> <p><b>stricter</b> 33:16</p> <p><b>strictly</b> 35:9 39:4</p> <p><b>strong</b> 21:9</p> <p><b>structure</b> 144:1</p> <p><b>struggle</b> 162:15</p> <p><b>struggled</b> 112:16</p> <p><b>struggling</b> 85:15</p> <p><b>student</b> 160:20</p> <p><b>stuff</b> 171:5</p> <p><b>subdivision</b> 54:8</p> <p><b>subject</b> 31:2 122:9 162:4 166:13</p> <p><b>submission</b> 8:12 35:18 56:9 106:10 108:17 109:1 112:4,9 115:20 133:6</p> <p><b>submissions</b> 7:7</p> <p><b>submit</b> 51:19 57:1 133:14 156:15,21 165:17 171:15</p> <p><b>submittal</b> 29:19 165:18</p> <p><b>submitted</b> 27:4 28:5 35:14 116:7 133:6 136:8 140:6 146:4 153:16 154:1,2,9,14 156:4 166:4</p> <p><b>subsequently</b> 144:4</p> <p><b>substantive</b> 32:21</p> <p><b>sudden</b> 13:20</p> <p><b>suddenly</b> 14:17</p> <p><b>suggesting</b> 32:21 33:8</p> <p><b>suggestion</b> 54:3 126:15</p> <p><b>suggestions</b> 57:3 61:14</p>	<p><b>sum</b> 76:7</p> <p><b>summarize</b> 5:4 8:18 27:14 32:13 42:1 80:8 108:15 109:16 134:14 140:16</p> <p><b>summarized</b> 31:2</p> <p><b>summarizing</b> 35:10</p> <p><b>summary</b> 10:14 32:7 34:7</p> <p><b>summer</b> 57:10 58:8,19 66:15 75:2 76:16 91:5 109:20 114:1 149:14</p> <p><b>summers</b> 57:10</p> <p><b>summertime</b> 148:12</p> <p><b>sunday</b> 46:18 64:8 64:8</p> <p><b>supply</b> 133:21</p> <p><b>support</b> 91:15 114:17</p> <p><b>supports</b> 114:15</p> <p><b>sure</b> 8:21 9:14 11:5 15:12 20:18 37:10 45:7 56:14 89:16 108:3 120:9 132:12 149:10 153:12 155:16 156:2 157:2,8 165:1 167:12,17</p> <p><b>susan</b> 104:13,15 104:17 105:1,6 106:9,13 109:12 109:17 111:6,9,15 111:19 112:2 169:13,14,16,20</p> <p><b>susie</b> 127:12,12,16 129:10,21 131:2,4 131:16,21 132:10 132:17 133:2</p>	<p><b>susman</b> 133:7</p> <p><b>suspect</b> 99:7</p> <p><b>suspected</b> 96:6</p> <p><b>suspend</b> 73:17</p> <p><b>suspended</b> 83:3 84:17</p> <p><b>suss</b> 1:16 10:17 12:18 14:10 17:6 17:18 18:1,7 23:10 32:12 40:2 49:1 52:2 56:7 66:10 74:5,8,16 74:19 76:9,16 77:12,14 78:4,6,9 78:13,16 79:1 92:10 111:8,13,18 112:1 115:16 120:3 124:20 127:19 131:20 138:14 139:9 140:4 145:21 146:7 149:9,11,20 150:3 152:6,11,17 153:9,11,14,20 154:5,7 160:13 169:8</p> <p><b>swear</b> 37:7</p> <p><b>swearing</b> 13:12 37:4</p> <p><b>system</b> 9:10 49:15 50:20 51:6 64:6 64:15 65:6,21 126:1 137:7,16</p> <p style="text-align: center;"><b>t</b></p> <p><b>t's</b> 27:16</p> <p><b>table</b> 24:4</p> <p><b>tail</b> 62:10</p> <p><b>take</b> 22:7 35:19 62:19 64:13 81:8 104:11,12 107:8 107:10 155:11 160:9</p> <p><b>taken</b> 6:9,11 75:12 76:20 103:15</p>
---	--	--	--

107:13 137:15 163:10 171:4 <b>takes</b> 17:14 19:5 45:17 84:1 <b>talbot</b> 1:1,10 2:7 2:17 3:6 4:3,10 6:21 27:1 29:5 34:21 35:5 59:10 66:3 97:8 98:3,18 98:20 110:1,7,8 126:7 128:15 129:3 136:17 138:5,8 174:3 <b>talk</b> 17:19 63:6,6,8 63:21 71:1 88:21 101:1,5 123:14 128:7 <b>talked</b> 23:20 49:14 52:5 85:11 86:14 86:14 101:2 121:9 <b>talking</b> 12:16 13:13 65:14,15 144:6 165:14 170:12 <b>talks</b> 40:17 <b>tammy</b> 1:17 <b>tar</b> 58:7 <b>task</b> 156:15 <b>tasked</b> 7:4 <b>technicalities</b> 3:11 <b>telephone</b> 21:13 21:15 167:15 <b>tell</b> 53:9 69:5 93:10,13 100:16 111:16 <b>telling</b> 23:15 152:2 171:7 <b>temperature</b> 98:1 <b>ten</b> 5:18 6:1 23:19 59:2,6 75:3,16 91:4 97:1 98:15 107:11 <b>tenant</b> 44:13 46:19 142:2,3	<b>tenants</b> 141:10 <b>term</b> 1:4 2:3,21 3:9 16:9 26:17 40:8 41:3,11 44:17 48:12,13 49:2,2,11 56:19 57:2 80:9,11,13 81:1,2,4 82:14,19 83:2,19 84:2,10 85:3,12 87:3,7,8 89:3,4,18 90:16 90:19 91:10,11,16 91:17 93:3 96:11 103:5 108:16 113:15,16,16 114:5,21 115:9,11 116:8 117:4 118:7 124:5 128:7,15 129:3,6 130:5 135:1 137:9,21 138:19 140:18,20 141:5 146:16 147:14,18 148:2,4 148:13,19 149:3,4 149:6 150:8,12,15 153:2,4 161:4 166:11 170:11,14 170:17 171:1,1 174:3 <b>terms</b> 35:4 54:1 64:2 <b>terrible</b> 82:17 <b>terrific</b> 60:13 <b>testified</b> 108:7 <b>testify</b> 108:8 <b>testimony</b> 7:17 57:4 88:21 108:3 108:13 154:18 155:2 172:10 <b>testing</b> 36:3 <b>thank</b> 2:10,11 6:6 6:10,18 12:12 17:3,4,20 18:7 23:9 25:5,21 34:7	36:9 37:9 39:21 40:1,2 56:4,7,19 79:15 85:7 86:12 91:8 95:6 96:20 104:5,6,8 107:5,6 108:10 112:1,2,3 112:7 115:12,14 115:17 119:2 120:3 124:17 127:7,8,16 132:16 135:13 137:2 138:12 140:2,3,4 140:12 144:19,20 145:17,18 146:7,8 153:10,11 169:9 169:10 171:8,20 172:1 173:2,4 <b>thanks</b> 101:13 156:8 <b>thing</b> 4:7 8:3 17:6 27:10 44:15 49:15 52:11 55:12 62:5 63:5 66:19 68:13 69:1,2,15 75:11 79:7 86:13 88:19 104:21 108:1 121:2 138:2 142:13 159:16 161:11 <b>things</b> 10:7 15:12 18:2 21:5,10 22:3 22:15,16 27:6 29:3 35:21 36:16 41:7,17 43:16 44:4 45:6 59:7 60:20 65:12 69:12 69:19 73:4,21 89:1 90:9 99:1 105:11,20 106:5 107:18 120:17 122:2 123:18,21 124:15 137:4 140:14 147:12 159:12 163:5	168:12 <b>think</b> 3:11 6:15 9:16 10:8,12 13:8 15:13,14 17:7,18 18:14 21:10 23:15 23:17 24:1,9,11 25:16 28:9 29:12 31:6,14 32:15 33:1,12 34:14 35:14,15 36:3 37:2,2,6,19 39:11 39:13 41:6 42:10 42:21 44:21 46:13 47:8 48:11 50:7 52:12 53:1,18,21 55:4 56:20 57:15 60:11 62:4,7,11 62:12,12,21 63:18 66:12,14,20 67:10 68:1,11,16,20,21 69:10,19 70:9,21 74:1 75:3,18 76:7 76:19 78:18 80:17 82:11 83:20 85:1 86:21 87:5,21 88:2,12,18 89:5 89:11,13 90:2,3,8 90:9 92:20 95:3,9 95:20 96:5,16 98:14 99:11 100:3 100:6,6,7,11,14 100:21 101:11,19 102:5,6 103:14,19 104:11 115:6,10 116:18 117:20 118:10,13 121:3,8 121:21 122:2,5,11 122:14,21 123:3,7 123:8 126:16,16 126:17,21 128:4 129:10 130:9,15 136:10 137:7 139:19 144:13 147:15,17 149:20
--	--	--	---

<p>150:1 158:14 160:21 161:4,5 162:19 165:8,10 165:13,19 170:6,8 <b>thinking</b> 164:10 170:16 <b>third</b> 146:21 149:4 149:4 <b>thirty</b> 80:5 146:2 <b>thomas</b> 133:4 <b>thornton</b> 140:11 <b>thoroughly</b> 101:21 <b>thought</b> 13:16 19:12 30:14 36:17 50:5 106:11 107:10 120:12 123:15 138:10,21 162:7 167:6 168:18 172:7 <b>thoughts</b> 23:6 57:1 112:14 167:5 <b>thousand</b> 41:1 70:17,17 141:8 <b>thousands</b> 92:18 <b>threats</b> 57:16 122:10 <b>three</b> 3:11 6:3 27:5,12 32:8 44:21 45:4,8 46:4 46:9 47:1,8 52:16 54:8 59:7 62:5,8,9 62:11,11 94:9 97:6 118:11 143:6 145:21 146:2,2,5 147:1 149:6 <b>thursday</b> 3:17 20:5 133:12 <b>tidewater</b> 10:19 153:6 <b>tighten</b> 31:6 <b>tilghman</b> 112:9,13 112:15,15 113:2,7 113:10 114:2,10</p>	<p>114:14 137:14,20 155:1 <b>time</b> 6:8,11,12 7:13,20 8:21 9:6 12:2,8 15:15 17:5 17:11,14 19:5 20:5,11 22:7 30:6 30:9,18 35:9 38:13,14 47:13 48:17 49:7 55:15 55:19 61:7 67:14 75:9 81:7,17 82:3 82:12 87:18,19,21 88:10 91:1 92:18 92:20 96:10,11 98:21 101:21 102:12,13 103:15 106:14 110:17 113:1 116:17 117:8,13,16 120:13 126:10 128:13,21 134:2 140:14 141:4,5 147:6 150:17 154:13 158:13 160:9,10 162:2 164:15 165:15,18 167:7,19 169:7 170:6,9 171:21 174:4 <b>timeframe</b> 39:11 164:8 <b>timely</b> 146:15 <b>times</b> 9:15 23:11 82:4 84:19 <b>timing</b> 156:2 <b>tired</b> 146:14 <b>tireless</b> 7:2 <b>today</b> 2:5,16 3:20 6:11,14,19 8:9 63:17 94:5,13 101:12 133:16 138:11 154:18 156:12 163:14</p>	<p>169:2 <b>today's</b> 3:14 97:9 <b>told</b> 15:17 36:14 38:11 43:6,8 49:17,18 50:11,18 51:17 109:12 113:1,11 142:5 172:7 <b>tools</b> 94:19 <b>top</b> 76:7 <b>topics</b> 30:20 <b>total</b> 128:10 <b>totally</b> 90:2 100:8 <b>touch</b> 64:5 71:11 <b>tourism</b> 81:8,19 88:8,8 <b>town</b> 4:18 81:17 88:3 <b>towns</b> 60:7 61:19 94:19 137:12 <b>traditional</b> 86:1 <b>traffic</b> 41:12 <b>trained</b> 167:21 <b>transcribe</b> 155:21 155:21 <b>transcribed</b> 155:15 174:6 <b>transcript</b> 2:1 155:20 156:7 <b>transcription</b> 174:7 <b>transferable</b> 166:12,19 <b>transferred</b> 65:8 125:14 168:13 <b>transient</b> 49:10 <b>transients</b> 45:20 <b>transition</b> 150:7 <b>transparency</b> 105:10 <b>transplant</b> 86:1 <b>transporting</b> 57:9 <b>trappe</b> 109:19 110:2 119:14</p>	<p><b>travelers</b> 97:5 <b>treated</b> 41:15 <b>treatment</b> 19:21 59:12 <b>tremendous</b> 82:8 <b>trespassing</b> 124:1 <b>tried</b> 118:9 170:15 <b>trucks</b> 57:9 138:17 <b>true</b> 20:13 74:9 131:2 174:7 <b>truth</b> 74:19 <b>try</b> 6:12 20:2 22:20 25:11 68:2 80:19 98:16 99:2 108:4 118:15 134:5 139:6 <b>trying</b> 12:1 36:4,5 47:7,9 48:11 83:14,21 99:3 116:15 147:4 161:8 164:1,7,7 167:9 <b>tub</b> 97:18 <b>tucker</b> 156:20 157:3,4,8,14,14 159:14 160:4,12 160:14 161:17 162:12 163:11 165:3 166:10 167:5,12 168:15 169:3,9 <b>turn</b> 7:7 <b>turned</b> 60:16,17 75:20 162:17 <b>turning</b> 113:14 <b>turnover</b> 46:14,15 46:17 <b>twenty</b> 149:2 <b>twice</b> 166:6 <b>two</b> 2:9 3:10 9:15 10:19 17:13 18:5 20:11 23:13 25:9 29:17 32:12 34:18</p>
--	--	---	--

46:11 47:15,16 49:21 57:10 69:11 70:11 75:8 82:13 82:15 97:14 102:7 103:20 104:11 107:18 112:17,17 128:19 134:8 139:18 144:8 151:14 160:6,7 163:18,19 164:2,3 165:6 168:19 170:4,5,15,15 171:2 <b>type</b> 8:1,2 15:21 69:19 84:11,12,13 86:7,21 100:11 <b>types</b> 94:21 <b>typically</b> 97:17	<b>understanding</b> 14:13 15:6 72:17 <b>understood</b> 32:18 47:21 53:14,16 90:21 126:13 162:12 168:15 <b>uneven</b> 158:20 <b>unfortunately</b> 84:20 <b>universe</b> 94:4 <b>unlicensed</b> 93:14 93:19 96:14 128:17 129:18,20 <b>unrecorded</b> 141:3 <b>unrelated</b> 170:11 <b>untiring</b> 6:19 <b>upcoming</b> 134:20 <b>update</b> 16:10 73:12 <b>use</b> 35:19 50:5,14 59:21 90:19 153:5 166:15,17 <b>useful</b> 85:20 <b>uses</b> 54:12 <b>usually</b> 75:12 128:16 <b>utilize</b> 90:14 <b>utilized</b> 88:16	<b>values</b> 87:10 88:3 89:20 <b>vanderzon</b> 135:15 <b>variance</b> 84:12 <b>various</b> 127:2 137:10 <b>vendor</b> 96:8 <b>venture</b> 35:10 <b>verdery</b> 64:17 70:15 71:10 72:6 72:13,18 74:4,6 74:10 91:19 92:6 93:2,16,21 94:2 95:10 129:12 145:14 164:4 <b>verification</b> 29:20 <b>verify</b> 26:20 <b>versus</b> 46:4,9 <b>viable</b> 116:16 <b>vice</b> 5:11 <b>video</b> 5:1 141:7 <b>view</b> 14:7 56:1 105:15 140:20 <b>viewed</b> 144:15 <b>viewpoint</b> 147:16 <b>views</b> 143:2 <b>violating</b> 83:9 <b>violation</b> 75:21 84:12,13 125:10 146:15,19 147:5 <b>violations</b> 105:14 126:11 <b>vip</b> 8:13 154:3 <b>vision</b> 60:14 <b>visiting</b> 49:6,7,9 <b>volunteer</b> 114:20 <b>volunteering</b> 38:2 <b>voting</b> 34:5 <b>vrbo</b> 94:17 145:7	<b>waivers</b> 28:8,12 43:2,12 106:18 107:1 <b>walker</b> 58:12 <b>walking</b> 42:5 <b>wall</b> 86:17 <b>want</b> 5:10 6:1 17:15 19:9,10 20:10 22:11,17 25:11 27:10 31:16 32:13 52:9,13,18 52:20 53:8 56:19 56:21 60:8 63:5,6 63:7 71:6,8 75:5,6 78:7 87:10 90:9 92:17 95:14 97:2 97:11 108:3 120:12,14,15 121:1 123:1 127:16 134:15 141:17 142:8 144:15,17 150:2 167:11 168:9 <b>wanted</b> 9:13 33:16 40:15 47:6 49:8 67:9 69:1 77:8 82:3 86:13 87:16 91:10 104:17 117:21 123:14 128:6,20 129:21 142:13 166:11 <b>wanting</b> 167:16 <b>wants</b> 4:20 88:19 118:20 133:13,13 154:18 166:16,17 <b>wasting</b> 167:7 <b>watch</b> 114:14 153:17 <b>water</b> 51:5 97:17 97:20 <b>waterfront</b> 116:17 <b>waterman's</b> 114:19 137:17
<b>u</b>	<b>v</b>	<b>w</b>	
<b>u.s.</b> 163:6 <b>unable</b> 21:2 116:16 122:18 133:16 <b>unacceptable</b> 124:13 <b>unchecked</b> 98:19 <b>uncomfortable</b> 83:5 127:1 <b>uncommon</b> 118:13 <b>underground</b> 90:1 <b>understand</b> 9:13 10:14 11:21 15:6 23:2 43:4 56:2 73:2 84:6 94:17 95:4 99:1 102:15 102:20,21 103:11 103:14 111:3 122:4 133:1 156:10 158:19 166:8 167:16 <b>understandable</b> 84:4	<b>vacation</b> 8:14 11:17 12:4 37:17 48:4 57:19 86:4,5 86:11 87:11,12,13 91:2 94:5,6,15 116:6,21 124:8 153:17 154:3 157:4,9 172:13 <b>vacationers</b> 124:7 <b>vacations</b> 10:20 20:7 153:7 <b>vague</b> 132:12 <b>valid</b> 165:10 <b>value</b> 40:13 82:1,8	<b>wait</b> 27:8 123:3 <b>waiting</b> 12:8 <b>waiver</b> 28:7 43:7 161:13	

<p><b>waters</b> 57:12</p> <p><b>way</b> 10:13 18:19 21:9 26:3 27:20 29:2 31:15 64:1 66:21 101:21 106:4 115:9 117:1 118:6 124:5,9 125:14 132:6 166:2 172:13 174:12</p> <p><b>ways</b> 38:2 83:15 102:7 147:11 151:15</p> <p><b>we've</b> 3:7,10 14:3 25:7,8 57:7 102:6 104:10 126:2 140:21 151:10 167:3 172:3</p> <p><b>web</b> 5:2 28:17 29:5,6 66:4,5 94:18 121:14 122:12 126:18 127:4 145:6,7 152:20 155:3</p> <p><b>wedding</b> 57:9</p> <p><b>weddings</b> 83:8</p> <p><b>week</b> 3:17 32:11 59:5 62:1,9 133:9 135:17 170:8 171:12,18</p> <p><b>weekend</b> 47:12,15 76:5,14</p> <p><b>weekends</b> 68:7 125:18,19</p> <p><b>weeks</b> 20:9,11 46:4 48:2,7 91:3,4 91:4 94:10 141:9</p> <p><b>welcome</b> 31:17 38:12 42:16 56:12 101:2 133:14 159:17</p> <p><b>weller</b> 88:10</p> <p><b>went</b> 38:11 49:17 100:16,17 106:5</p>	<p>114:1 146:17 147:3</p> <p><b>wife</b> 86:14 97:14</p> <p><b>willing</b> 52:8,18</p> <p><b>willy</b> 9:18</p> <p><b>wind</b> 34:1 73:14 117:3 141:11</p> <p><b>window</b> 14:20 15:3 161:2</p> <p><b>windows</b> 11:14,19 15:9 28:9 52:10 146:21 147:2,4 160:18 163:18,19 164:3 165:7</p> <p><b>winds</b> 98:1</p> <p><b>wise</b> 106:17</p> <p><b>wish</b> 7:14 40:4,5 41:19 42:19 112:6 120:7 133:8 135:15 136:6 147:5 169:12</p> <p><b>wished</b> 147:3</p> <p><b>wishes</b> 171:9,15</p> <p><b>withdrawing</b> 73:8</p> <p><b>witness</b> 174:14</p> <p><b>witnessed</b> 141:10</p> <p><b>witte</b> 1:16</p> <p><b>woman</b> 80:3</p> <p><b>wondered</b> 48:8</p> <p><b>wonderful</b> 81:20</p> <p><b>wondering</b> 61:13 145:3 149:12 165:21</p> <p><b>word</b> 13:9 96:16</p> <p><b>wording</b> 132:12</p> <p><b>words</b> 57:16</p> <p><b>work</b> 1:4 3:14,17 5:13,17,18 6:1,20 7:1,2 17:19 25:11 48:6,6 56:21 66:7 67:7,17 73:20 82:20 86:7 93:13 106:14 110:21,21 125:19 128:1</p>	<p>138:5,7 142:9 148:11 155:5 162:1 171:14 173:5 174:3,5</p> <p><b>worked</b> 25:14 110:14</p> <p><b>workers</b> 47:13</p> <p><b>working</b> 2:6 3:21 5:14,14,16,16 63:19 64:9 65:6 83:14 99:6 121:3 121:8 125:18,18 133:11 156:11</p> <p><b>workload</b> 166:2,6</p> <p><b>works</b> 64:19 92:8 125:11</p> <p><b>world</b> 117:5</p> <p><b>worries</b> 172:17</p> <p><b>worse</b> 76:4</p> <p><b>wrap</b> 6:14 171:10</p> <p><b>wrestle</b> 89:9</p> <p><b>wrestled</b> 161:10</p> <p><b>wrestles</b> 89:2</p> <p><b>wrestling</b> 69:10</p> <p><b>write</b> 32:12 67:12 103:16</p> <p><b>written</b> 6:7,7 7:7 7:16 15:1 20:17 34:16 42:18 44:19 57:4 79:19 108:2 133:5,21 134:6 135:19 136:4,7 140:8,16 156:7</p> <p><b>wrong</b> 131:3 172:16</p> <p><b>wrote</b> 32:15 39:2 62:8</p>	<p>50:16 55:5 73:10 77:3,13 78:17 131:14 145:15</p> <p><b>year</b> 3:2,14 8:21 9:9,12,15 11:20 12:8 17:12 18:18 20:9 39:9,19 59:13 74:8 78:1 81:9 82:5 94:10 96:18 99:5 110:4 110:19 113:6 128:19 143:16 144:8 146:17,20 149:4,4 151:11 163:17 165:5 166:7 169:21 170:3,8</p> <p><b>years</b> 15:1 23:19 32:16 35:14 55:15 57:7 71:20 80:5 88:10 98:15 112:16 116:13 117:12 118:11 124:6 128:19 136:18,19 137:7 146:13 149:2,5,6 151:10 152:4,8</p> <p><b>yelling</b> 57:13</p>
<b>z</b>			
<p><b>zoning</b> 9:14 16:10 17:10 98:9 101:10 109:7 111:16 163:15</p> <p><b>zooming</b> 42:9</p>			